Strategies to Maximize Normalcy in Congregate Care:  
*Making the most of the Reasonable and Prudent Parent Standard*

With the passage of the federal *Strengthening Families Act (SFA)* in 2014, and in particular its Reasonable and Prudent Parent Standard requirement, congregate care providers find themselves needing to make changes in the way they support youth in their care.

To inform and support efforts to comply with the new law, the Youth Policy Institute of Iowa (YPII) and Iowa Department of Human Services (DHS) convened key stakeholders from across the state for facilitated discussions on improving normalcy in congregate care settings. Attendees, including representatives from DHS, young people who have spent time in the foster care system, and congregate care provider staff, learned about the recent laws, adolescent brain development, and results of a youth survey before generating actionable steps that agencies can take to promote normalcy for young people in congregate care settings. This report summarizes those discussions and the policy and practice recommendations that emerged from this process.

**It’s the Law**

In 2016 the Iowa Legislature considered and approved Senate File 2258, embedding key provisions of the federal SFA into state law. The purpose of these federal and state provisions is to allow youth in out-of-home care to experience childhood and adolescence in ways similar to their peers not in foster care. Of focus is the reasonable and prudent parent standard, which extends to both foster parents and private entities under contract with the state to house and support youth entrusted to their care. Those entities providing congregate care must designate at least one on-site official who is responsible for making parental decisions regarding age and developmentally appropriate activities. Foster parents and designated caregiver officials are given immunity from liability through the law as well, under the condition that the standard is applied “reasonably and in good faith.” Caregivers are to be provided training and technical assistance in carrying out the standard. In addition, courts are required to make findings regarding a child’s progress in participating in appropriate activities and to address any barriers to participation encountered at certain case review hearings.

The Reasonable and Prudent Parent Standard is intended to empower the foster child’s caregiver to make parental decisions that maintain the safety, well-being, and best interest of the child while encouraging participation in normal activities – similar to the choices parents make for their biological children. By encouraging all caregivers to act according to the standard, children living in congregate care settings and foster homes alike should be given similar opportunities to participate in activities enjoyed by youth who are not living in a foster care placement.
Full and thoughtful implementation of the spirit of the normalcy provisions, however, extends beyond merely creating a process to grant permission for youth to participate in various activities such as soccer or a school club. It is incumbent on those charged with ensuring the well-being of youth in care, to consider all aspects of what makes life normal for an adolescent. As caregivers discover how to support the full spectrum of what is normal for each individual child, best practice requires they also consider that child’s gender, race, culture, ethnicity, any special needs, religion, sexual orientation and language. The act of participating in normal, routine activities is beneficial for healing from trauma. The ability to grow emotionally, spiritually, and socially in a safe environment is equally as meaningful for a child’s development.

Normalcy and Adolescent Brain Development

Studies demonstrate that providing “normal” experiences for young people is essential for their healthy growth and development. Adolescent brain development research offers compelling reasons why all young people need opportunities to engage in a wide range of normal experiences.

While the brain changes throughout our lifetimes, it experiences a time of major growth similar to that of early childhood, during adolescence and into a person’s 20s. Specifically, this growth takes place in the prefrontal cortex—the hub of decision making, impulse control, reasoning, judgment and planning functions of the brain. Providing frequent and numerous opportunities to develop and practice these skills stimulates brain development and are essential for youth living in congregate care settings.

Structured learning experiences like driver’s education or participating on sports teams give young people the chance to practice decision-making skills, set goals, and take risks in a safe environment while stimulating the prefrontal cortex. In addition, positive, routine experiences can help rewire the brain’s ability to regulate emotions and behavior, which can be compromised when a child has suffered abuse or been exposed to other traumatic events earlier in life.

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Caregivers working directly with youth in congregate care living spaces may not realize the full extent of their influence on young people. The brain is a social organ and is strongly affected by interactions with other people. The mirror neuron system in our brains is activated both when people perform an action and when they see that action performed by another person. On an emotional level, mirror neurons play a part in a person’s ability to empathize and understand the emotions they see displayed in others. Because of our brains, emotions are contagious. The internal states of others impact how we ourselves feel. When we see happy and joyful people, we can’t help but also feel happiness and joy. Likewise, irritated and angry people receive irritated, angry emotions back.

Consider, then, how both actions and emotions of staff might be reciprocated by the young people they are working with each day. Surly staff should not be surprised if they are met with equally irritated youth. Kayla, a former congregate care resident, addressed staff personality and mood,
“We knew everyone’s attitudes would be different based on who was there for shifts.”

With the reward center of the brain at its peak and dopamine levels heightened during adolescence, teenagers and young adults are naturally primed to take risks to gain rewards. Teenagers and young adults who experiment with clothing and hairstyles, explore friendships and relationships, or participate in more hazardous sports and hobbies are acting according to the natural biological and environmental changes of puberty. In addition, studies have shown that teens are much likelier to choose riskier actions when they are with friends than when they are alone.

Our challenge is to create those environments and normal experiences that allow for healthy risk-taking while assuring the safety of youth. What does help develop executive brain function and self-regulation? Dr. Laurence Steinberg, an expert on adolescent psychology, offers the following:

- Provide a warm, firm, supportive environment for youth to engage in challenging activities
- Set clear expectations – that change over time as maturity level changes and youth demonstrate self-regulation skills
- Praise accomplishments with the focus on effort rather than outcome, and rewards rather than punitive actions
- Help teens think through decisions rather than making them for them
- Gradually allow more frequent meaningful youth decision-making.

Placement Matters – Youth Survey Results

In cooperation with the Iowa Aftercare Services Network and AMP (Iowa’s Foster Care Youth Council), the Youth Policy Institute of Iowa surveyed 454 young people about their social experiences while in out-of-home placement. Over 200 of the respondents indicated that they lived in a congregate care setting for most of their time in placement. The results of the survey, perhaps not surprising, show a significant difference in opportunities and experiences of youth who spent most of their time in a family-like setting versus those young people living in congregate care. In every area – school, social life, and achieving various milestones – young people in congregate care reported less involvement than youth placed in family-like settings.

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When asked about what they perceived to be barriers to their participation, nearly 80% of the young people with experience living in a congregate care setting said that the “rules of the placement I was in” was the primary reason they were unable to participate in normal activities. Almost a third of survey participants who had lived in congregate care indicated the inability to get permission kept them from participating in an activity.

Youth also reported that they were often unable to participate in normal activities, especially those occurring with short notice, because the process of getting permission to do so takes such a long amount of time—a situation that should be mitigated by the Reasonable and Prudent Parent Standard if it’s implemented properly. Understanding what young people perceive to be barriers and engaging them in discussions about how to eliminate those barriers is a major step in being able to promote normalcy in congregate care settings.

Recommendations to Maximize Normalcy in Group Settings

Given this context, attendees brainstormed actions their agencies could incorporate into congregate care daily practice to promote normalcy for young people in their care. Their suggestions were grouped into clusters of similar ideas or subjects, which were then further discussed to identify key
actions. From this facilitated process, the following themes emerged to improve policies and practices and promote normalcy for young people in congregate care settings:

1. **Implement an Individualized, Youth-Driven Approach**

Being aware of and responsive to individual wants and needs is the foundation of promoting normalcy in congregate care. Evan, a young man who spent time in a congregate care setting during his teen years, suggested that youth need to be treated as individuals and should be asked upon arrival at a new placement, and frequently thereafter, about school and social activities of interest. Remembering that adolescence is a time of exploration and learning, simply asking about interests at intake is not enough. Engaging in collaborative case planning involving the youth, their family, caseworkers, caregivers, teachers and others of importance to the young person helps young people in their understanding of team work while allowing them to maintain their individuality.

Involving family – including birth parents, siblings, extended family members and others a youth may consider to be their “family” – in normal activities not only helps build positive relationships and establish permanent connections, but also allows the youth and family members to learn from one another.

Young people attending the discussions highlighted a variety of ways that youth living in congregate care settings could be treated as individuals. Frequently mentioned were activities that set each of us apart from others such as choosing our own hairstyle, decorating our bedrooms and living space to reflect our personality, and selecting the clothing we wear. It is not normal for a young person to be recognized in her community as a foster child living at a congregate care facility based on her clothing. Promoting, supporting and assuring individuality can be challenging in a group care environment. However, for both the caregiver and the youth, the benefits far outweigh any extra effort.

2. **Address Both the Physical Environment and Staff Culture**

Creating environments where youth can thrive is imperative to critical brain development. Not only is the physical environment important, so is the social and emotional climate of that environment. Keeping in mind each individual child’s needs and wants, it may take less effort to change a physical environment than changing the culture of an organization. Updating paint colors, adding comfortable furniture and allowing personal items in a bedroom are all manageable.

Constructing supportive social and emotional environments may be more demanding. When considering which steps are important yet might be challenging in providing normalcy, attendees of the facilitated discussions raised the issue of changing staff mindset. Educating staff about the Reasonable and Prudent Parent Standard and its immunity from liability can be the beginning of change. While training is important, so is understanding. As caregivers strive to offer normal activities in the daily lives of youth, they can begin to understand the social and emotional benefits to the youth. Cultivating and motivating a positive staff mindset to improve staff-youth interactions around normalcy will need to be a continual process for both DHS and congregate care provider agencies.
Incorporating normalcy into an agency’s culture may require changes to current policies and practices. A detailed, internal review of existing rules, policies (formal and informal), and routines could reveal a number of opportunities to remove unnecessary barriers to normalcy, while still ensuring the safety and well-being of youth in care.

One such policy example is the use of the level system where upon intake a young person begins their stay at the lowest “level” and must work their way up to higher levels to “earn” privileges. One DHS employee, asked, “Why should kids in care have to earn the right to do those types of things that other kids do normally?”

Simply establishing a practice of posting school and community activity calendars can remind both young people and their caregivers of upcoming events of interest. Following the Reasonable and Prudent Parent Standard may even allow the elimination of some placement policies that have been seen as barriers to engaging in these opportunities. Because of the standard, youth should no longer have to wait for caregivers to complete the often arduous process of granting or not granting permission. In the past, staff have often said, “no” to youth simply because staff were unable to give permission in a timely fashion. Now, whether a youth wants to attend a 4-H meeting this Friday, or try-out for the school play next month, a designated on-site staff member can make parental-type decisions regarding those opportunities. Agencies that have designated only one on-site official may wish to consider adding other designees, since no single person is available and “on-site” on a 24/7 basis.

One discussion attendee, an employee of a congregate care provider, captured several policy and practice issues when he said, “We’re still going to say ‘no’ a lot to keep them...”

Ten Ways to Provide Normalcy in Congregate Care

1. Ask early and often about a youth’s interests and desired activities
2. Treat a young person as an individual, not a whole group – including choice of personal clothing, hair style, and bedroom décor
3. Provide frequent, experiential, real-life skill training to young people such as cooking, laundry, mowing lawns, and money management
4. Allow relationship building time and activities, including with family, friends, and community members
5. Eliminate agency “red tape” policy and practice obstructions
6. Train and motivate staff to be creative in supporting youth’s interests
7. Encourage and allow extracurricular activities, including at school, church and in the community
8. Involve youth in choosing and planning activities
9. Encourage the community to engage in the lives of the youth as skill trainers, transportation providers, or “support” families
10. Allow youth to attend public school when possible – communicate often with educators regarding potential “normal” activities
Build Awareness and Collaboration

Throughout the facilitated discussions, awareness of the law and its potential to change congregate care as we know it was evident. As both DHS and Iowa’s congregate care providers shift to a “normalcy” mindset, it will be imperative that staff are well trained and understand the expectations set forth in the law. It will be just as important to inform the young people residing in congregate care facilities. They too need to know their rights under the Reasonable and Prudent Parent Standard. Beyond DHS, congregate care staff, and youth are the other stakeholders involved in a young person’s life – family, attorneys, judges, FSRP workers, and educators. Though collaboration among the entire team is the ultimate goal, it’s not always the case. Team members may enter and exit, but providing normalcy in a young person’s life is best practice and is now required, and supported, by law.

As Jim Chesnik, DHS Group Care Program Manager, summarized the discussion, “I think it will be one of the most important things – keeping that line of communication going. I hope we do a good job with families and referral workers about explaining this new law. A year from now we’ll be thinking about this differently, regarding what kids can and can’t do.”

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Strengthen and Utilize Community Opportunities and Resources

Providing the opportunities for young people to engage in normal activities and develop life skills is essential, but may require more staff capacity than providers can afford. Building partnerships with local schools and businesses has the potential to increase capacity while opening doors for young people in congregate care. Think: a high school speech coach helping a young person prepare for a job interview, a restaurant chef demonstrating how to purchase food and prepare healthy meals, a retired accountant sharing budgeting tips, or a local store donating a laptop or cell phone. Allowing youth to seek out and engage in healthy personal relationships within the community helps them develop life skills and prepares them to be able to develop similar relationships in the future.

Transportation of youth is often cited as a barrier to participation to the activities of their choosing. A primary resource in overcoming this obstacle is, of course, the local community. Through community relationships, caretakers can create and use a transportation contact list that might include teachers, coaches, volunteers, FSRP workers and parents of the youth’s friends. Ask young people for suggestions. They might already know someone willing to transport them to and from the local movie theater.
Conclusion

The young people with foster care experience who attended the discussions spoke of their appreciation that agencies are actively pursuing ways to support normalcy in their congregate care facilities. While they believe that the Reasonable and Prudent Parent Standard will have a positive impact, there are still other issues that interrupt normalcy. Specifically, these young people said that staff to child ratio and judge, worker and juvenile court officer accountability will be important to address for fully supporting normalcy. They also believe that agencies and/or DHS should regularly follow up with youth to learn about the effectiveness of the implementation from the youth’s perspective. Establishing a youth-friendly grievance process accessible to youth who feel they have been denied normal opportunities is one way to assure accountability.

While ongoing staff development opportunities regarding promoting normalcy in congregate care are critical, it is equally important to inform young people of their rights under the Reasonable and Prudent Parent Standard.

Implementing the normalcy provisions of the SFA will involve ongoing challenges of balancing parental and youth rights, budgets and staffing, safety and risk. The system will often be faced with potentially conflicting goals and expectations. This report offers initial ideas and its recommendations can serve as a starting point for improving normalcy for young people living in congregate care settings. But further examination of existing policies and practices, continued discussion and creative problem-solving, and development of effective monitoring and accountability mechanisms will be necessary to realize the full benefit of the law.

Resources


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About the Youth Policy Institute of Iowa:

The Youth Policy Institute of Iowa is a non-profit organization specializing in policies and programs affecting youth and young adults who have been involved in child welfare or juvenile justice systems in Iowa. YPII partners with a wide variety of local, state, and national organizations to develop and promote policy, evaluate programming, disseminate information, and enhance services for vulnerable and disconnected youth.

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