



State of Florida  
Department of Children and Families

Rick Scott  
Governor

David E. Wilkins  
Secretary

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February 29, 2012

An Open Letter to Foster Parents and Residential Group Care Providers:

I am writing this letter directly to you because it concerns a subject very dear to my heart – the chance for children and youth to have the most normal childhood possible while in your care. Last month, I issued a memo about my unwavering commitment to allowing foster children of all ages to have normal childhoods, including full participation in activities in their schools, neighborhoods, and communities. This is a top priority for our administration and I pledge our full and complete support to caregivers, providers, and CBC Lead Agencies in their efforts to achieve this goal.

In response to input by foster youth, CBCs, child welfare staff, foster parents and others, the administrative rules governing normalcy are being revised. The formal rule revision process is expected to begin within the next few weeks when we file our notice of intended rulemaking with the Secretary of State's Office. Once this is done, you can follow the rule revision progress at this website: <https://www.flrules.org/>

Even without rule changes, we can **all do much more** to make sure that foster children have every opportunity to live normal lives. The first step is to dispel the myths that interfere with normalcy. Attached is a document that lists examples of the more common myths, along with **the facts** about these myths and the law or rules that apply to these situations. The document is titled "Don't say "No" before you "Know".

If we are going to change the culture around this issue, there must be frequent discussion among foster parents, the children in their care, and the community based care agencies responsible for the children. I hope you will continue to raise the issue of normalcy often and share any questions or concerns that arise with me and the Office of Child Welfare so that we may promptly address them. Our goal is to support the Community Based Care Lead Agencies in any way we can, so they can support your best decision-making.

These children have already lost so many things through no fault of their own. Let's be sure that they do not lose their childhood. Thank you for your commitment to this very meaningful work.

Sincerely,

A handwritten signature in black ink that reads "David Wilkins". The signature is written in a cursive, flowing style.

David E. Wilkins  
Secretary

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

# Don't say "No" before you "Know"

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To "know" means knowing policy and it especially means knowing the child's needs and maturity level. Parental decision making about normalcy requires good judgment. The rule citations on page 1 of this document are taken from the Florida Administrative Code, 65C-30.007(10), "Normalcy for Adolescents and Teenagers in the Custody of the Department." All of the citations listed on this page begin with the following statement:

***"The Services Worker and the licensed out-of-home caregiver shall work together to ensure the following for the child:"***

**Myth: Children and youth in foster care may not ride with other teens or young people**

**Fact: They may ride with other people with the permission of their caregivers. This includes teens who may ride with other teens if the caregiver approves.**

"(c) Permission and encouragement of the child, dependent on his or her age and maturity level, to engage in appropriate social and extracurricular activities in order to promote social development, obtain employment, have contact with family members, have access to phone usage, have reasonable curfews, and travel with other youth or adults."

**Myth: Children and youth in foster care may not participate in community activities unless background screening has occurred.**

**Fact: Background screening is not a requirement for participation in community activities.**

"(g)2. Criminal, delinquency and abuse/neglect history checks for dating, outings and activities with friends, families and school and church groups are not necessary for participation in normal school or community activities."

**Myth: Children and youth in foster care may not spend the night in unlicensed settings.**

**Fact: They may spend the night in unlicensed settings with the permission of their caregivers.**

"(g) Affording the child every opportunity for social development, recreation and to have normal life experiences. The child may attend overnight or planned outings if the activity is determined by the licensed out-of-home caregiver to be safe and appropriate....

(i) Knowledge by the licensed out-of-home caregiver of where and with whom the child is staying and the type of supervision and care the child shall be receiving before approving an outing or overnight activity. "

**Myth: Children and youth in foster care (including group care) may not attend church or events on their own.**

**Fact: They should be allowed to experience activities without adult supervision with the permission of their caregivers.**

"(h) Allowing the child to experience circumstances without direct supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out-of-home caregiver's familiarity with the child and the circumstances in which the child shall be unsupervised shall be the primary factors in the decision making."

**Myth: Children and youth in foster care may never participate on Facebook or other age-appropriate social media.**

**Fact: They should be able to participate in social media with the permission and supervision of their caregivers.**

"(f) Encouragement and assistance in participating in activities such as the child having his or her picture taken for publication in a newspaper or yearbook; receiving public recognition for accomplishments; participating in school or after-school organizations or clubs; and participating in community events. The child shall be able to participate in activities that promote personal and social growth, self-esteem and independence as long as he or she is not identified as a foster child. Confidentiality requirements for department records shall not restrict the child's participation in customary activities appropriate for the child's age and developmental level."

# Don't say "No" before you "Know"

**Myth: The concept of normalcy only applies to teens in foster care but not younger children**

**Fact: All children in foster care need and deserve the opportunities and experiences appropriate to their age and maturity. Administrative rules about normalcy apply to all children, regardless of their age.**

"65C-13.029(d),(f),(g)

Licensed Out-of-Home Team Member Roles.

(1) Responsibilities of the Licensed Out-of-Home Caregiver to the Child.

(d) Licensed out-of-home caregivers shall provide the child with opportunities for normal growth and development....

(f) Licensed out-of-home caregivers shall promote the following conditions for the child in the home:

3. Opportunities to develop interests and skills through participation in school and community activities;

4. Encourage and support the child in making new friends and maintaining past friends who have had a positive relationship with the child;

(g) Family Care Activities and Daily living tasks.

1. Licensed out-of-home care providers are expected to provide supervision, structure and daily activities designed to promote the individual physical, social, intellectual, spiritual, and emotional development of the children in their home according to each child's age and developmental level.

2. Licensed out-of-home care providers shall assist the children in performing tasks and developing skills, which will promote their independence and the ability to care for themselves....

6. Children in licensed out-of-home care shall be encouraged and assisted in participating in activities such as having his or her picture taken for publication in a newspaper or yearbook; receiving public recognition for accomplishments; participating in school or after-school organizations or clubs; and participating in community events. Children shall be able to participate in activities that promote personal and social growth, self-esteem and independence as long as they are not identified as foster children. Confidentiality requirements for department records shall not restrict the children's participation in customary activities appropriate for the child's age and developmental level.

7. Children in licensed out-of-home care shall be afforded every opportunity for social development, recreation, and normalization of their lives. Children in licensed out-of-home care may attend overnight or planned outings if such activities are determined to be safe and appropriate by the licensed out-of-home caregiver. The services worker shall be available for consultation and must be notified of the activity.

8. Licensed out-of-home caregivers shall be as diligent in determining approval for such events as he or she would for his or her own children. Licensed out-of-home caregivers shall use their parenting skills to familiarize themselves with the individual or group that the child wishes to spend time with and evaluate the child's maturity level and ability to participate in the activity safely and appropriately."

**Myth: All people who come into contact with a child in foster care must be background screened.**

**Fact: Screening may be requested if there is good cause, but is not required for all persons interacting with children.**

"65C-13.023(1)

Background Screening Requirements

(1) .... The supervising agency or the department has the discretion to request background screening for other individuals if there is reasonable belief that:

(a) The person may be a household member; or

(b) His or her presence in the foster home may adversely affect the health, safety and welfare of the children in the home; or

(c) The person has or may have unsupervised contact with the children."

# Don't say "No" before you "Know"

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**Myth: Children and youth can never travel with their foster parents out of county or out of state.**

**Fact: They may travel out of county and/or out of state, however, this requires advance planning with the caregivers, the case manager and Children's Legal Services. The court order and individual circumstances must be carefully reviewed, and court permission may be required.**

"65C-13.029(6)(j)

(6) Responsibilities of the Lead Agency and the Department to the Licensed Out-of-Home Caregiver and Children in Care.

(j) The services worker must provide the licensed out-of-home caregiver with a court order which authorizes the licensed out-of-home caregiver to obtain emergency medical treatment prior to giving approval for a child to travel outside the state with the licensed out-of-home caregiver for an extended period of time."

**Myth: If a birth parent disagrees with a normalcy decision, the birth parent's position is the ultimate decision.**

**Fact: The birth parent's input should be considered. If the team's decision is that an alternative decision is best for the child, the team will document the decision and determine if court approval is necessary.**

"65C-13.029 (1)g.11.

(1) Responsibilities of the Licensed Out-of-Home Caregiver to the Child.

(g) Family Care Activities and Daily living tasks.

11. For children who are not legally free for adoption, legal parents input should be included in the decision-making process."

**Myth: The partnership plan (formerly the bilateral agreement) specifies the responsibilities of the foster parent.**

**Fact: The partnership plan specifies the expectations of the entire team supporting the child in care including the foster parents and child welfare staff including ways to achieve normalcy. The links below provide all partnership planning documents and videos in both English and Spanish:**

<http://centerforchildwelfare.fmhi.usf.edu/qpi1/docs/Forms/AllItems.aspx>

<http://centerforchildwelfare.fmhi.usf.edu/qpi/pages/partnermodule.aspx>

"65C-13.030 (1)(e)

Standards for Licensed Out-of-Home Caregivers.

(1) General Requirements.

(e) Each licensed out-of-home caregiver applicant shall sign a Bilateral Service Agreement as defined in subsection 65C-30.001(11), Florida Administrative Code. The agreement shall be reviewed, and discussed with a licensing counselor prior to initial licensure and again at each re-licensure. The document must be signed by a representative from the supervising agency and the potential or licensed out-of-home caregiver."