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**ORANGE COUNTY SOCIAL SERVICES AGENCY  
CFS OPERATIONS MANUAL**

**Effective Date: October 2, 2000**  
**Revised: June 15, 2006**  
**Revised: September 16, 2011**  
**Revised: March 29, 2016**

**Number: D-0402**

## **Extracurricular Activities**

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<b>Purpose</b>	To provide guidelines for foster children's participation in extracurricular, enrichment, and social activities.
<b>Approved</b>	This policy was approved by Gary Taylor, Director of CFS, on March 29, 2016. <i>Signature on file.</i>
<b>Most Recent Revision</b>	This revision of the Policy and Procedure (P&P) incorporates: <ul style="list-style-type: none"><li>• Expanded definition of reasonable and prudent parent standard</li><li>• New legislative guidance regarding caregivers approved through the resource family approval process</li></ul>
<b>Background</b>	<p>In the past, decisions about a foster child's participation in many activities required social worker or court approval. Current legislation empowers caregivers to approve or disapprove some activity participation based on their own assessment, using a reasonable and prudent parent standard.</p> <p><a href="#">Assembly Bill (AB) 408 (Chapter 813, Statutes 2003)</a> entitled foster children to participate in age-appropriate extracurricular, enrichment, and social activities and established the reasonable and prudent parent standard. <a href="#">Senate Bill (SB) 794 (Chapter 425, Statutes 2015)</a> expanded the definition of reasonable and prudent parent standard and defined the term "age or developmentally appropriate."</p>

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Children and Family Services (CFS) supports the participation of foster children in age-appropriate extracurricular and social activities which help to normalize the lives of dependent children in foster care. In addition, CFS recognizes the value of extracurricular activities in promoting children's emotional well being and the benefit these activities can have in helping children develop valuable life-coping skills and permanent connections.

In response to [AB 340 \(Chapter 464, Statutes 2007\)](#), the California Department of Social Services (CDSS) developed a unified caregiver approval process, termed Resource Family Approval (RFA), which includes provisions to ensure that caregiver applicants understand their responsibilities with respect to acting as a reasonable and prudent parent.

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## Definitions

For purposes of this P&P, the following definitions apply:

**Age or developmentally appropriate:** Activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be appropriate for a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group. In the case of a specific child, activities or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical, and behavioral capacities of the child.

**Caregiver:** Any licensed or certified foster parent, approved relative/nonrelative extended family member (NREFM) caregiver, approved resource family, or for group homes, a staff member designated by the group home director to approve extracurricular, enrichment, and social activities for children in the home.

**Reasonable and prudent parent standard (RPPS):** Standard characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interest while at the same time encouraging the child's emotional and developmental growth.

**Written Directives (WDs):** The written processes, standards, and requirements issued by CDSS to implement the RFA Program.

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## POLICY

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**Authorization** Caregivers for any dependent child placed in out-of-home care may authorize a foster child's participation in some extracurricular, enrichment, and social activities without approval of the social worker, licensing or approval agency, or Court (unless prohibited by prior court order).

Per Community Care Licensing (CCL), Title 22, Section (§) 89379, Welfare and Institutions Code (WIC) §§ 16519.5 and 362.05, caregivers are required to use a reasonable and prudent parent standard in authorizing appropriate activities.

Social work staff will consult with caregivers regarding children's extracurricular, enrichment, and social activities upon request, and will discuss participation in activities during compliance contacts with the child and caregiver. See CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#).

Per CCL Title 22 § 89377 and CDSS RFA WD § 10-12, applying the reasonable and prudent parent standard will not result in denying the rights of a child as specified in WIC § 16001.9 or contradict court orders or the needs and services plan for the child.

**Activities** As outlined in CCL Title 22 § 89379 and CDSS RFA WD § 10-14, extracurricular, enrichment, and social activities may include, yet are not limited to the following:

- Participation in sports
- School activities (e.g., band, dances, field trips, attendance at sporting events, etc.)
- Leisure time (e.g., bike riding, socializing with friends, shopping, going to the movies, etc.)
- 4-H activities, Scouting, Volunteerism
- Sleepover with friends, having visitors in the home
- Babysitting
- Use of computer equipment, cell phone
- Campus tours
- Access to information regarding obtaining a driver's license, vocational and postsecondary educational options, sources of financial aid. (For guidelines regarding the consent for a dependent youth's driver license application, see [CFS P&P Dependent Youth Driver License Application \[D-0404\]](#))

**Note:** Court permission must be requested for camp directors or their designees to sign medical consents.

In addition, per CCL Title 22 § 89387.2 and CDSS RFA WD § 10-03, a caregiver will apply the reasonable and prudent parent standard in determining if it is age and developmentally appropriate for a child to have access to and use the following items:

- Kitchen knives and appliances for use in meal preparation
- Medications necessary for self-administration by the child
- Disinfectants and cleaning solutions for use in performing household chores

### **Haircut Guidelines**

Per CFS policy, when a caregiver or individual with approved visitation (e.g., CASA, mentor, relative, etc.) expresses a desire or need to obtain a haircut or other hair styling (e.g., dyes, perms, relaxers, press curls, etc.) for a foster child, social work staff will:

- A. Attempt to obtain parental consent for ongoing haircuts or hair styling activity as deemed appropriate and necessary, and will inquire if the parent has any particular preferences for hairstyling (e.g., length, products, color, etc.) or stylist.
- B. In the absence of parental approval, provide permission if appropriate. Factors to consider when determining if permission is appropriate may include, yet not be limited to:
  - Child's individual needs
  - Child's cultural or religious issues
  - Current public standards

**Note:** Depending upon unique family or case circumstances (e.g., one parent provides consent yet the other parent does not, excessive family conflict, potential personal rights violation, etc.), consultation with County Counsel may be needed to determine the appropriateness of requesting court authorization.

- C. Document in a CWS/CMS Contact Narrative:
  - Attempts to obtain parental consent
  - If received, parental consent for continuous hairstyling and any preferences relayed by parent
  - If applicable, the need for staff permission to obtain haircut in the absence of parental consent

- D. Follow-up with caregiver or other requestor on the status of consent/permission and styling preferences, if applicable.

**Note:** Orangewood Children and Family Center (OCFC) staff will adhere to all applicable and approved OCFC policies on this topic.

**Consideration  
of Activity  
Participation  
or  
Involvement**

Per CDSS All County Letter (ACL) 05-39, caregivers are required to take “reasonable steps” to determine the appropriateness of an activity and consider the child’s age, maturity, and developmental level.

“Reasonable steps” include, yet are not limited to:

- A. Obtaining adequate information about the child so informed decisions may be made.
- Awareness of a child’s history, case plan, or court orders that may suggest a particular activity would not be appropriate for the child
  - Consultation with child’s social worker, if the child is new to the caregiver, the caregiver is unaware of child’s history, or the child’s case plan is silent on activity participation issues
- B. Considering the type of activity and the child’s mental and physical health and behavioral tendencies.
- C. Asking the questions: “Is this an age-appropriate activity for this particular child?” “Does this activity seem reasonable?”
- D. Considering where the activity will be held, with whom the child will be going, level of supervision, if applicable, and expected return.
- E. Weighing any reasonably foreseeable risk of an activity and what safety factors and direct supervision may be involved in the activity in order to prevent potential harm to the child.
- This is particularly important when considering activities that may pose a high risk (e.g., hunting, paintball, archery, water skiing, motorcycle riding, bungee jumping, skydiving, extreme sports, etc.)

- F. Considering whether other children may pose a threat to the foster child's safety or whether the foster child may pose a threat to other children involved in the activity.

**Authorization Exceptions**

Caregivers are not allowed to grant permission for a child to participate in any of the following activities:

- A. Unsupervised contact with any person not within the parameters of WIC § 362.05 and subject to criminal background clearance requirements specified in Health and Safety Code (HSC) §1522. See [Attachment 7—Parties Subject to Live Scan Clearances](#) of CFS P&P [Live Scan Fingerprinting \(B-0115\)](#).
- B. Obtaining a tattoo or body piercing.
- C. Obtaining a haircut, per "Haircut Guidelines" Policy section above.
- D. Pursuant to HSC § 1530.6:
- Consenting to marriage
  - Entry into the armed forces
  - Extraordinary medical or dental treatment
  - Any situation in which a juvenile court order expressly reserves the Court the right to consent to those activities

**Notification of Caregiver Responsibility**

During the resource family approval process and at the time of a placement, social work staff will notify caregivers of their responsibility to ensure a child's opportunity to participate in extracurricular activities, as appropriate, by review and completion of *Extracurricular, Enrichment, and Social Activities Caregiver Information (F063-25-466)*.

**Compliance With Prudent Parent Standard**

Pursuant to CDSS All County Information Notice (ACIN) I-17-13 and CDSS RFA WD § 09-02, a caregiver's failure to apply the reasonable and prudent parent standard may result in an evaluation of the continued appropriateness of the placement and the caregiver may be provided with a plan of correction with suggestions for compliance.

If the failure to use a reasonable and prudent parent standard results in a complaint, serious incident report, or quality of care issue (i.e., violation to regulation or law related to personal rights, lack of supervision, corporal punishment, physical residence, food, clothing, or shelter issue), a referral will be made by the staff identifying the concern to the Child Abuse Registry and/or RFA and Services Program, as appropriate.

Staff will document any incidents of caregiver non-compliance with the reasonable and prudent parent standard in a CWS/CMS Contact Narrative. Documentation will include, but not be limited to:

- Description of the specific incident of concern
- Quotes made by caregiver
- Plan of correction or suggestions for improvement given
- Follow-up activities, if applicable

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## REFERENCES

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### Attachments and Data Entry Standards

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

None.

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### Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on the link provided.

- CFS P&P [Dependent Youth Driver License Application \(D-0404\)](#)
- CFS P&P [Live Scan Fingerprinting \(B-0115\)](#)
- CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#)

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### Other Sources

Other printed references include the following:

None.

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## FORMS

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**Online Forms** Forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
None.	

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**Hard Copy Forms** Forms that may be completed in hard copy (including multi-copy NCR forms) are listed below. ***For reference purposes only***, links are provided to view these hard copy forms, where available.

Form Name	Form Number
<a href="#">Extracurricular, Enrichment and Social Activities Caregiver Information</a>	F063-25-466
Extracurricular, Enrichment and Social Activities Caregiver Information (Spanish)	F063-25-466Sp

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**CWS/CMS Forms** Forms may **only** be obtained in CWS/CMS are listed below. ***For reference purposes only***, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
None.	

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**Brochures** Brochures to distribute in conjunction with this policy may include:

Brochure Name	Brochure Number
None.	

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## LEGAL MANDATES

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[Welfare and Institutions Code \(WIC\) Section \(§\) 362.05](#) entitles dependent children to participate in age-appropriate extracurricular, enrichment, and social activities, mandates no state or local policy prevent or create barriers to foster children’s participation in activities, defines “age or developmentally appropriate” as well as “reasonable and prudent parent standard” and requires caregivers to use the standard when approving participation in activities.

[WIC § 16001.9](#) identifies the rights of foster children which includes the right to participate in extracurricular, cultural, and personal enrichment activities.

[WIC § 16519.5](#) outlines the provisions of the Resource Family Approval (RFA) process which includes that applicants understand his or her responsibilities with respect to acting as a reasonable and prudent parent.

[Health and Safety Code \(HSC\) § 1522](#) outlines criminal background clearance requirements and exemptions that apply.

[HSC § 1530.6](#) authorizes out-of-home caregivers to give the same legal consents for a child as a parent except for specified circumstances.

[California Department Social Services \(CDSS\) All County Letter \(ACL\) 05-39](#) provides counties with information and guidance on the implementation of WIC § 362.05.

[CDSS All County Information Notice \(ACIN\) I-17-13](#) provides answers to the most frequently asked questions related to the application of the reasonable and prudent parent standard.

[CDSS Resource Family Approval \(RFA\) Written Directive \(WD\) § 09-02](#) provides guidance regarding complaints and serious incidents involving resource families.

[CDSS Community Care Licensing \(CCL\) Code of Regulations, Title 22, Division 6, Chapter 9.5, Article 3, Section 89379](#) and [CDSS RFA WD § 10-14](#) outlines a caregiver's role in the implementation of WIC 362.05 to include example activities.

[CDSS CCL Code of Regulations, Title 22, Division 6, Chapter 9.5, Article 3, Section 89377](#) and [CDSS RFA WD § 10-12](#) provides guidance on the application of the reasonable and prudent parent standard.

[CDSS CCL Code of Regulations, Title 22, Division 6, Chapter 9.5, Article 3, § 89387.2](#) and [CDSS RFA WD § 10-03](#), mandates a caregiver apply the reasonable and prudent parent standard in determining if it is age and developmentally appropriate for a child to have access to and use specific identified items.

[Penal Code \(PC\) § 652](#) indicates it is an infraction for a person to perform or offer to perform body piercing on a person under the age of 18 years unless the act is performed in the presence of, or with notarized authorization from, the child's parent or legal guardian.

[PC § 653](#) indicates any person who tattoos or offers to tattoo a person under the age of 18 years of age is guilty of a misdemeanor.