

# 1. The Job of Being a Parent: The Legal Role

## At a Glance...

There are three ways to be a parent. You can be the birth parent, the legal parent, and/or the caregiving parent. Most of the time, these roles are all filled by the birth parent. Sometimes these roles are filled by different people or agencies. When a child is removed from the birth parents' home because of abuse or neglect, the state becomes the legal parent. The caregiving parent may be a foster parent, kinship parent, group home, or other caregiver. Persons who adopt children fill the legal and caregiver roles. When a person becomes a parent, he or she has a legal obligation to provide a certain level of care for that child. In this lesson, the legal obligations of parenting will be explored.

## Time

1 to 3 hours, depending on whether you take a field trip or have a guest speaker.

## Core Concepts

- Birth parents give their children certain characteristics that can only be provided through genetics or from the environment in the womb.
- Legal parents provide what is required by law to meet the basic needs of the child.

- Caregiving parents provide the love, discipline, learning environment, spiritual and emotional guidance that helps the child grow into a well-adjusted adult.

## Objectives

- Participants will identify the parental duties that are required by law.
- Participants will identify possible consequences of not providing the care for their children that the law requires.
- Participants will find information about the needs of children that will help them know how to meet their legal duty.

## Materials

- ' Flip chart or board and markers
- ' Pens or pencils
- ' Index cards or sheets of paper
- ' Job description of a parent developed in the lesson "The Job of Being a Parent" (Lesson A-2)
- ' Parenting magazines such as Parenting or Parents, books, videos, Extension publications, The Internet. If you don't have these, take a field trip to the library.

## Ice Breaker



Give each participant an index card or sheet of paper. Ask each person to think about some single words or short phrases that describe them and list as many as they can think of on an index card. Have the group form a circle with their chairs. Select someone in the group to be “IT.” That person will move to the middle of the group. Someone in the group will ask “Who are you?” “IT” will respond with one of his or her one-word descriptions (i.e., teenager, mother, student, rapper, animal-lover, etc.). Someone else will ask “Who are you?” to which “IT” will respond with another one-word or phrase response. This continues until “IT” runs out of words or gets tired. At that point “IT” looks at another person in the circle and asks “Who are you?” That person then becomes “IT” and goes to the center of the circle. Continue until all participants have been “IT.”

If you have only one or two participants, have them make a list of words or phrases that could describe themselves. You should make a list as well. Some of the words will be true and some will be false. Trade cards or papers with the other class members. Each will take turns trying to guess which words or phrases are true and which are false.

## Facilitator's Script



Sometimes it can seem like we are many different people. That is because we have many different roles in our lives. The activity we just did shows that each of us have many different ways to describe ourselves. Some of those terms we used are names of roles like mother, daughter, friend, student, employee, and so on. Being a parent involves many roles. As a parent you may fill the roles of birth parent, legal parent, and care giving parent.

As the birth parent of your child you have given your child certain things that only you can provide. Let's list these on the flip chart.

Have participants brainstorm those things they provide their children through being the birth parent to their child. Some examples include hair color, eye color, sex, race, intelligence potential, tendencies toward certain diseases, potential height, body build, exposure to drugs or illnesses in the womb, immunity from some diseases through breast feeding, etc.

There are other things parents provide for their children. We named many of those when we went through the lesson on “The Job of Being a Parent” (from Kid Smart, page 7). Let’s look at the list we created when we made a job description for the parent we would like for our child to have.

Give class members copies of the job description for a parent or pull out the flip chart on which you created the job description for a parent from the lesson “The Job of Being a Parent” (Kid Smart p. 7).

Look at the duties we listed for parents. Did you know that when you become a parent, the law requires you to provide certain things for your child? Which of those duties we have listed do you think the law requires parents to do? We will put the letter “L” beside each of those duties that are required by law.

On the flip chart or on the participants’ handouts, put an “L” beside each of the duties listed that are legal requirements for parents. The types of duties that are legal requirements include things such as providing shelter, food, clothing, health needs, medical care, education, and safety including supervision.

Discuss what would be the consequences of not providing the things the law requires for children. Possible responses:

- the children could be harmed,
- the children could be taken from the parents,
- the parents could go to jail,
- the parents rights could be terminated (they could no longer have any contact with their children).

List consequences on the board as participants share them.

**Facilitator Tip:**

You may want to have someone from the Department of Children’s Services (DCS) come to your class to talk about what is considered abuse or neglect. They might also talk about the legal consequences for the parent and the consequences to the child when parents don’t provide the care required by law.

As parents who love our children, we don't want any of those things to happen. What can we do to be sure we provide the care our children need and that the law requires?

Divide participants into groups or pairs. Have each group to select one of the legal duties of parents. When they have chosen, ask them to create a list of the types of things they think someone would check if they wanted to know if a parent were meeting the child's needs.

Example: For health needs and medical care the list might include making sure the child

- gets enough sleep at night,
- eats enough nutritious food,
- bathes regularly,
- gets shots to prevent diseases,
- goes to the dentist at least once each year (preferably twice),
- goes to the doctor for well-child visits and when he or she is sick,
- lives in a clean home that does not contain lead-based paint, etc.

Have each group share with the class the list they made.

How would you find information on what foods children need each day and in what amounts? How could you find out how much sleep a child needs each night? How can you find out what shots children need and when? Let's do some research and find out how we can get that information.

## Homework

Have participants brainstorm where they might be able to get information on those subjects. List ideas on the flip chart or board. Some examples include: Health Department, Agricultural Extension Office, parenting books and magazines from the library, other PACE lessons, or the Internet.

For homework, have each participant select a single topic and try to get information about that topic that they can share with the group. If participants have limited resources at home and limited transportation, you may want to do this activity as a class project by taking a field trip to the library. Help participants to locate books on parenting or reliable parenting magazines. Help them search the internet for parenting topics. When they have located a resource, have them check it out from the library to share in class, or write down the reference so that other class members can come back to find the information. They can make a list of helpful web sites. Ask participants to be prepared to share at the next class session what they found.

Some Internet search terms that might be helpful include:

- sleep needs of children
- food needs of children
- childhood shots
- childproofing the home
- child safety seats
- lead poisoning
- consumer products safety commission [[www.cpsc.gov](http://www.cpsc.gov)]

**Notes**

