

## **EDUCATIONAL PROTOCOL**

### **Between Alabaster School System and Shelby County Department of Human Resources**

This protocol was developed and is annually reviewed in effort to ensure child safety and meet the goals of academic success for all children mutually served by the Shelby County Department of Human Resources (SCDHR) and Alabaster School System. This memorandum rose out of the desire of both agencies to accomplish the following:

- 1.) Create a more collaborative working relationship.
- 2.) Establish consistent practice and guidelines when investigating child abuse and neglect within the Alabaster School System.
- 3.) Increase and improve communication between the two agencies.
- 4.) Work in partnership to serve the children and families in Shelby County.

This protocol establishes the roles of DHR social workers and school representatives; and provides guidelines in order to aid in the investigation of abuse or neglect complaints as well as in the inclusion of the school as part of the Individualized Service Plan (ISP) planning team for foster care children in Alabaster School System. Additionally, these guidelines provide for the inclusion of the DHR social workers as part of a child's Individualized Education Plan (IEP) or other student support team for children in the Alabaster School System.

This protocol provides a referral process whereby school personnel are notified of the children SCDHR is serving. Both SCDHR and Alabaster School System acknowledge that confidentiality is vital and legally required in child protective services. This established protocol will help to insure that confidentiality is maintained, and will establish an understanding of each other's roles in serving the children and families of Shelby County.

### **NOTIFICATION PROCESS**

According to the Code of Alabama, Section 12-15-1 (parts 16, 17, & 23) when a child is in foster care and custody has been granted to the Department, DHR is considered to be acting "in loco parentis." This means that DHR is acting in the place of a parent and is charged with a parent's rights, duties, and responsibilities. This means that when a child is in foster care that the SCDHR worker as a representative of the Department is given the authority to consent to release information, participate in educational planning, etc. In accordance with the Family Educational Rights and Privacy Act (FERPA) guidelines, Alabaster School System will disclose school records to SCDHR for children in SCDHR custody and placed in foster care. In accordance with FERPA guidelines, the disclosure of school records for children in foster care is made to effectively implement a child's case plan and to ensure the child's educational needs are met.

For children newly entering foster care or transitioning to a new foster care placement an official letter stating residency/placement will be provided to the Student Services Department on the next working day. The letter should be signed by a SCDHR supervisor.

When a child is part of an ongoing child abuse and neglect investigation, prevention case, or receiving on-going family preservation services from SCDHR; the family/guardian retains custody and is responsible for school enrollment and participation in educational planning, etc.

In regards to students in foster care, SCDHR and Alabaster School System will utilize the following procedures:

- When a child enters foster care or transitions in foster care placement, the assigned social worker will notify and provide the following to the Student Services Department for the child (ren) in question:
  1. An official letter stating SCDHR has custody and verification of foster care placement/residency. The letter must also include the contact information for the foster parent, the assigned foster care social worker, and supervisor.
  2. Enrollment should be completed jointly by the social worker and foster parent whenever possible.
- When a child in foster care transfers to a new school within the Alabaster School System, the social worker assigned to the case will notify and provide the following to the Student Services Department for the child(ren) in question:
  1. An official letter stating SCDHR has custody and verification of placement/residency. The letter must also include the contact information for the foster parent, the assigned foster care social worker, and supervisor.
  2. Enrollment should be completed jointly by the social worker and foster parent whenever possible.
- When there is a safety concern that impacts a child during school hours on an open SCDHR protective service case, the social worker assigned to the case will, with the permission of the child (ren)'s parents notify and provide the following on the next working day to Dorann Tanner, School Social Worker via email or fax (205-663-8440) for the child(ren) in question:
  1. A copy of any active safety plan that involves the safety of the child while in school.
  2. Name and contact information for the assigned social worker and supervisor:
- Should the parent/guardian be hesitant about informing the school about the family involvement with SCDHR, the SCDHR social worker will make every effort to obtain the required release.
- SCDHR will routinely request educational records, including the record of absenteeism and child's reading level, on all children receiving services. In accordance with FERPA guidelines; releases signed by parents or guardians will be sought and provided as

required for those students that are not in DHR custody but receiving prevention services.

### **MINIMIZING DISRUPTIONS FOR CHILDREN IN FOSTER CARE**

In accordance to The Every Student Succeeds Act (ESSA) SCDHR and Alabaster School System will work collaboratively to promote educational stability for children in foster care so they can continue their education without disruption, maintain important relationships, and have the opportunity to achieve college and career readiness.

Students in Foster Care within the Alabaster School System have the right to the following:

- 1.) Access the same public education as other children.
  - 2.) Continue in the school they attended before Foster Care placement (i.e. school of origin), if it is determined to be in the student's best interest. Transportation will be provided, if needed to the school of origin.
  - 3.) Participate in all programs and activities available to students that are not in foster care.
  - 4.) Enroll immediately in school. The school will work with the foster parents and the SCDHR case worker to obtain necessary records.
- When a foster child moves out of the current school zone, the social worker will first contact the student services department at 205-663-8440. The social worker will then complete an out of zone form and fax the form to the student services department at 205-663-8408 and provide an official letter stating SCDHR has custody and verification of placement/residency.
  - When it is not in the child's best interest to remain in the current school, the social worker will enroll the child within the new school zone and provide the appropriate school with the following information:
    1. An official letter stating SCDHR has custody and verification of placement/residency. The letter must also contain the contact information for the foster parent, the assigned foster care social worker, and supervisor.
    2. Enrollment should be completed jointly by the social worker and foster parent whenever possible.

Additional Support Services, if needed, are provided to students in Foster Care. These services include, but are not limited to:

- Tutoring
- After school care
- School supplies
- Payment of class fees/dues
- Payment of field trips
- Clothing
- Personal hygiene items
- Extra-curricular activities
- Medical services

The local school counselor at each student's school is the contact person regarding any of the above services. The counselor will contact Dorann Tanner School System Student Services Coordinator, who serves as the district liaison with the Department of Human Resources (DHR). The Alabaster School System Student Services Coordinator will contact DHR to facilitate meeting the educational needs for students in foster care. The Alabaster School System Student Services Coordinator, Shelby County DHR, the school counselor and the foster parents will work together to fund field trips and extracurricular activities that academically supports each identified student.

### **Tutoring**

Alabaster School System Federal Programs Department will work with the school counselor to contract with a teacher within the student's school to provide after school tutoring when needed. Foster parents are required to pick the student up immediately after the tutoring session ends.

### **After School Care**

Shelby County DHR will provide for after school care from 3:00 p.m. - 6:00 p.m. for students 5-12 years of age if foster parents are employed during these hours.

### **Medical Services**

Shelby County DHR will address medical needs of students that are not met by Medicaid (dental, vision, prescriptions, etc.).

### **Transportation**

- Shelby County DHR will reimburse foster parents for out of zone transportation of students to their school of origin within Shelby County.
- Shelby County DHR will coordinate transportation for all students placed in foster homes or in the home of a caregiver outside of Shelby County.
- If the foster parents are unable to transport the student to their school of origin, but

have a relative who will be transporting the student to and from school each day, Alabaster School System will reimburse for mileage within Shelby County.

- If the foster parent or a relative is unable to transport the student to their school of origin, Alabaster School System Federal Programs Department, Shelby County DHR, the school counselor, and the foster parents will work together to review other possible modes of transportation.

### **INDIVIDUALIZED SERVICE PLANS (ISP's)**

Because of the knowledge that Alabaster School System officials have regarding school aged children in foster care, their participation in SCDHR's Individualized Service Plans is vital.

Participation in person is preferable; however, verbal and/or written reports including comments on progress, areas of concern, and suggestions for more effectively working with the children may be provided to the SCDHR social worker.

- The SCDHR social worker will notify the Alabaster School System Social Worker, Dorann Tanner, of any scheduled ISP's regarding the family at least 10 (ten) days in advance of the meeting (with exception of the initial ISP meeting).
- If participation in a particular ISP by the school social worker is not possible, the teacher will be asked to provide written feedback to the ISP team via the ISP Absentee Form. The DHR social worker will email the ISP Absentee Form to Dorann Tanner at [Dorann.Tanner@acsboe.org](mailto:Dorann.Tanner@acsboe.org). The teacher will provide information to identify progress, areas of concern, and recommendations for meeting the needs of particular child(ren). Dorann Tanner or her designee will return the absentee form to the child's social worker via email.
- If educational goals are included in the ISP; a copy of the ISP will be distributed within 10 (ten) working days to school personnel participating in the ISP in person or via absentee form. The ISP will list needs, goals, and steps to be accomplished in order to improve outcomes for the student and family. A copy of the plan will provide a better understanding for school personnel of the activities planned to improve the family situation, and will include steps that the school has agreed to take on behalf of the family/child(ren).
- If the invited School Social Worker is not involved in the ISP, the SCDHR social worker will obtain their signature on a confidentiality agreement and will discuss with them the details that are pertinent to the child's education.

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### **INDIVIDUALIZED EDUCATION PLANS (IEP's)**

When a child is in foster care, the SCDHR social worker will attend any IEP or other meeting scheduled regarding the child. The school will notify both the SCDHR Foster Care supervisor, Tamekia Thompkins, and the foster parent at least 10 (ten) days in advance of these meetings. Mrs. Thompkins will be notified via email at [tamekia.thompkins@dhr.alabama.gov](mailto:tamekia.thompkins@dhr.alabama.gov).

A copy of the IEP will be provided to the SCDHR social worker within ten (10) working days. Biological parents of students in foster care are invited to attend IEP meetings unless termination of parental rights has occurred. Biological parents are notified of scheduled IEP meetings at least 10 (ten) days in advance of these meetings.

### **REPORTING SUSPECTED CHILD ABUSE/NEGLECT**

As mandated by the Code of Alabama § 26-14-3, principals, counselors, teachers, and all other school employees are mandatory reporters of suspected child abuse/neglect. Any school official, who suspects abuse or neglect, knows of a child who is at risk, or knows of a child to be at risk of suicide due to abuse or neglect, is to follow state law and Alabaster School System policy by making a Child Abuse/Neglect (CAN) report to DHR. The mandatory reporter will complete DHR Form 1593 and fax it to the SCDHR intake worker at 205-669-3095 or 205-669-3096. After faxing the DHR Form 1593, the reporter will call the intake worker at 205-669-3000 to verify and receive confirmation that the report was received. The SCDHR intake worker will listen to the concerns and ask questions to elicit more information if needed. The individual completing the report will maintain a copy of the DHR Form 1593 and provide the yellow copy of the report to the Student Services Department on the next working day. It is understood by both SCDHR and Alabaster School System that timely reporting of suspected abuse and neglect is vital. Alabaster School System employees will report suspected abuse or neglect to SCDHR as early as possible.

After-hours Child Abuse/Neglect (CAN) reports should be called in to the SCDHR on-call social worker by calling the Shelby County Sheriff's Office at 205-669-4181. A written report of suspected abuse should follow the after-hours verbal report, in the format of DHR Form 1593. The individual completing the report will maintain a copy of the DHR Form 1593 and provide the yellow copy of the report to the Student Services Department on the next working day. A copy of the 1593 CAN report form can be obtained online on the Alabama Department of Human Resources website. Once on the website, select services, child protective services; under the heading more information, select mandatory reporting and then select 1593. If a SCDHR worker needs further contact information on child after hours they will contact School Social Worker, Dorann Tanner at 205-506-1667.

Within a 5 day time frame after a CAN report is made, the mandatory reporter will receive an email and an official letter informing the reporter of the CAN worker's name and contact information. This notification will occur for both Child abuse/neglect (CAN) reports and Prevention Assessments. A Prevention Assessment is a report in which the allegations do not fall within the legal guidelines of child abuse or neglect, but one in which there are concerns that, if not assessed and addressed, could lead to child abuse or neglect.

Additionally, the mandatory reporter will receive a letter at the completion of the investigation, informing the reporter of the disposition of the case. Child Abuse Investigations can take up to 60 days to complete; however dispositions may not be resolved within the 60 day period, and therefore the notification may be received after that time period. The responsibility to determine if abuse/neglect is present lies with DHR. It is recognized that individual school systems have internal notification processes of suspected abuse/neglect;

however, timely notification to DHR is critical and should take precedence. This action is not to supersede any school policy, but rather to work in conjunction with the school's policy. Failure of a school official to notify DHR of any suspected abuse/neglect can place the school official at jeopardy of legal action.

SCDHR will continue to provide annual training regarding Mandatory Reporting and Child Abuse/Neglect to educational personnel. (Alabaster School System Counselors, Administrators-Principals and Assistants.)

### **PROCESS OF INTERVIEWING THE CHILD(REN)**

Schools are not legally required to notify the parent(s) that DHR is interviewing the children at school. To notify parent(s) of a DHR social worker interviewing a child could impede the investigation and impact child safety.

All schools will designate a contact person as the primary contact for requests to interview children at school. Upon entering the school, the SCDHR social worker will present identification and request to speak with the contact person. The SCDHR social worker will sign in the confidential sign-in log (not kept with the other public sign-in logs) in order to maintain confidentiality. All children interviewed should be listed on the log book.

Schools should designate areas that will be used to interview children. These areas should be private and allow the social worker to interview the child without others being able to see, hear, or interrupt. In many instances, other school staff, such as office personnel, is aware of the social worker's presence. All efforts must be made to maintain confidentiality and to ensure that the child is not subjected to further trauma by being singled out among his/her peers.

According to the Civil Appeals Court of Alabama, DHR has the legal right to interview children privately, without any school official being present. This is necessary in order to maintain confidentiality.

During the interview, the DHR social worker has the sole responsibility to initiate any questions concerning the suspected abuse/neglect. Social worker's guide interviews in a manner that does not subject a child to giving answers to leading questions. This is critical if legal involvement becomes necessary.

If necessary, observation of a child's physical injuries is the responsibility of the social worker. A school official may be asked to assist as a witness or support, particularly if the child is not the same gender as the social worker. School officials will not observe or conduct physical exams on behalf of DHR.

Upon concluding the interview, the social worker may need to speak to siblings or other children. These interviews should be conducted in the same discreet manner. Other school officials may also be interviewed to ascertain if any abuse/neglect has been observed or suspected.

Should the child being interviewed become emotionally distraught during or at the conclusion of the interview, the DHR social worker will remain with the child to help the child regain his/her composure. If this is not possible, the social worker will notify the contact person or designee of the child's distress prior to returning the child back to class. The contact person or designee will be notified of the situation prior to the social worker leaving the premises.


When a school official is not the reporter, state law prohibits DHR from revealing the exact details of the report. However, the social worker may question any school staff member concerning the suspected abuse/neglect.

If removal of a child is determined to be necessary, and this occurs at the school, the SCDHR worker is mandated to notify the parents that the child has been placed into protective custody. If the school is questioned by the parents, the school official will instruct the parents to call SCDHR at 205-669-3000. This allows the school to fulfill obligations and to remain neutral in the situation.

Should removal of a child occur outside of the school, it is necessary that the DHR worker notify the school of the child's absence on the next working day.

### CONCLUSION

This protocol is an attempt to set specific guidelines for working in partnership to keep children safe. This protocol is created by SCDHR and Alabaster School System to better serve the educational needs of the children of Shelby County. We agree that this protocol will be beneficial in meeting the goal of academic success of children mutually served by SCDHR and Alabaster School System. In addition, both SCDHR and Alabaster School System will continue to strive in collaborative efforts to strengthen families and to keep children safe.



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