

SUPREME COURT OF NEBRASKA



ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Janice K. Walker
State Court Administrator

Ellen Fabian Brokofsky
State Probation Administrator

MEMORANDUM

TO: Providers of Parent Education Classes

FROM: Debora Brownyard, State Court Administrator's Office

RE: Parenting Education Approval Packet; includes online education application

DATE: October 25, 2011

This memo is to inform providers of Level I (basic) and Level II (high conflict/DV) parent education for divorcing or separating individuals of the 2012 process for State Court Administrator approval.

Following are the instructions for application to request approval of educational courses for 2012. Please note that for courses to be effective January 1, 2012, the packet **must be received** in this Office **by 4:30 p.m. on Monday, November 14, 2011**. Please mail to the State Court Administrator, State Capitol, P.O. Box 98910, Lincoln, NE 68509; ATTN: Rachel Lempka.

Facsimiles will not be accepted.

Please assemble the packet in this order:

- A. Provider Information and Request for Approval Sheet
- B. Educational Objectives Table
- C. Provider Guideline Compliance Statement
- D. Letters of Reference

Statement of approval or denial will be mailed to each applicant within 30 days of receipt.

NOTE: Parenting education applicants can apply for approval of online parenting education courses by including Section III. The effective date for approved online courses, as with other 2012 courses, is January 1, 2012.

For more information, contact Debora Brownyard at 402-471-2766, debora.brownyard@nebraska.gov; or Rachel Lempka, 402-471-3148; rachel.lempka@nebraska.gov.

Nebraska Parenting Act

Divorce Parenting Education

Provider Information & Application Guidelines

A. Statutory Authority: Subsection (1) of the Parenting Act, Nebraska Revised Statute §43-2928 (2008) states: “The court shall order all parties to a proceeding under the Parenting Act to attend a basic level parenting education course.” Waivers are permitted. Subsection (2) states that “The court may order parties . . . to attend a second-level parenting education course subsequent to completion of the basic level course when screening or a factual determination of child abuse or neglect, domestic intimate partner abuse, or unresolved parental conflict has been indentified.” Subsection (3) states that “The State Court Administrator’s Office shall approve all parenting education courses under the act.”

The Act sets forth descriptions of content of these courses as follows:

Subsection (4) states: “The basic level parenting education course pursuant to this section shall be designed to educate the parties about the impact of the pending court action upon the child and appropriate application of parenting functions. The course shall include, but not be limited to, information on the developmental stages of children, adjustment of a child to parental separation, the litigation and court process, alternative dispute resolution, conflict management, stress reduction, guidelines for parenting time, visitation, or other access, provisions for safety and transition plans, and information about parents and children affected by child abuse or neglect, domestic intimate partner abuse, and unresolved parental conflict.”

Subsection (5) states: “The second-level parenting education course pursuant to this section shall include, but not be limited to information about development of provisions for safety and transition plans, the potentially harmful impact of domestic intimate partner abuse and unresolved parental conflict on the child, use of effective communication techniques and protocols, resource and referral information for victim and perpetrator services, batterer intervention programs, and referrals for mental health services, substance abuse services, and other community resources.”

The Act sets forth language regarding costs and scheduling separate educational courses for parties to a conflictual relationship as follows:

Subsection (6) states: “Each party shall be responsible for the costs, if any, of attending any court-ordered parenting education course.”

Subsection (6) further states that “At the request of any party, or based upon screening or recommendation of a mediator, the parties shall be allowed to attend separate courses or to attend the same course at different times, particularly if child abuse or neglect, domestic intimate partner abuse, or unresolved parental conflict is or has been present in the relationship or one party has threatened the other party.”

B. Educational Objectives and Provider Guidelines: There are two educational courses described by the Parenting Act: I. the required Basic Level Parenting Education; and II. the optional Second Level Parenting Education. For each of the educational courses, the State Court Administrator has approved (A) statutorily-required educational objectives, along with suggested additional objectives are provided in a table, and (B) provider guidelines for each of the courses. The bold, numbered statutorily-required educational objectives in the table must be met in curriculum and presentation by the provider. Providers may request approval of online education of I. Basic Level Parenting Education.

C. Approval Process:

Please submit the following in the order listed:

- 1. Provider information sheet:** Please complete this information sheet; include information requested; and submit with the approval packet.
- 2. Educational Objective instructions:** Complete the Educational Objective table for each course(s) for which State Court Administrator approval is being requested.
 - a. Please check off whether your curriculum provides information to meet the numbered, statutorily-required learning objectives indicated in the yes/no box. Education providers that do not meet these statutorily required curriculum objectives will not receive approval from the State Court Administrator's Office to provide parent education for the courts.
 - b. Additional optional educational components are listed in the shaded boxes; please also provide checkmarks as to whether your curriculum includes those elements.
- 3. Provider Guidelines Compliance Statement instructions:** Please read the Provider Guidelines and if your program meets the requirements, sign the statement of compliance. Only those providers that meet those guidelines and submit signed compliance statement will receive State Court Administrator approval.
- 4. Three letters of reference:** Three letter of reference are required for new faculty or educators. Applicants for renewal do not need to submit reference letters if the educators have remained the same.

If the organization has a new educator, please submit three letters of reference as to the performance, proficiency, and quality of the individual facilitator/educator for the educational program, along with a signed Provider Compliance Statement by the new educator/faculty.
- 5. Submittal:** Submit this packet to the State Court Administrator' Office at the address below.

State Court Administrator's Office
Attn: Rachel Lempka
Room 1213, State Capitol
P. O. Box 98910
Lincoln, NE 68509

Facsimiles will not be accepted.

Any questions should be directed to Rachel Lempka, State Court Administrator's Office, 402-471-3148, rachel.lempka@nebraska.gov.

Parenting Act Educational Provider Information Sheet

A. Contact Information:

Name of Organization: _____

Address: _____

City / State / Zip: _____

Phone: _____

Email: _____

B. Education course being requested for approval:

_____ Basic Level On-Site Parenting Education (Part I)

_____ Second Level Parenting Education (Part II)

_____ Online Basic Level Parenting Education (Part III)

C. Language: Do you provide your parenting education course in a language other than English?

If so, please indicate the language(s) _____

D. ATTACH your education course schedule: date, time, location, cost, and availability of sliding fee or fee waiver.

E. Facilitators/Educators *(for new educators, please submit three letters of reference):*

| Names of Facilitators / Educators | Contact information (if different from Provider) | Relationship to Provider (employee; contractor; other) | Educational background (degrees; years of providing parent or child education) |
|-----------------------------------|--------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |

| <p style="text-align: center;">I. BASIC LEVEL PARENTING Items numbered and in bold are mandatory. For use by both onsite and online educational forums.</p> <p>A. EDUCATIONAL OBJECTIVES: Parents who attend this educational course will:</p> | Curriculum meets the learning objective | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----|
| | Yes | No |
| 1. Learn about the potential impact of the court action (separation/divorce) upon a child | | |
| <i>Additional elements under this objective may include:</i> | | |
| ○ To what extent should children be involved in the court action | | |
| ○ Empowering parents | | |
| ○ Using a child centered approach | | |
| ○ Safety | | |
| 2. Identify ways to appropriately address parenting functions | | |
| <i>Additional elements under this objective may include:</i> | | |
| ○ Basic Parenting Education | | |
| ○ Parenting functions as outlined in the statute | | |
| 3. Identify the developmental stages of children | | |
| <i>Additional elements under this objective may include:</i> | | |
| ○ What is “normal” behavior | | |
| ○ Ages and stages and the ranges of these stages | | |
| ○ Impact of crisis such as divorce upon the stages of the child’s development | | |
| ○ Consideration of the child(ren)’s stage(s) of development when designing the Parenting Plan | | |
| 4. Learn about ways to support the child’s adjustment to parental separation. | | |
| 5. Identify the elements of Nebraska’s Parenting Plan and how to develop the Plan | | |
| <i>Additional elements under this objective may include:</i> | | |
| ○ Elements of a parenting plan | | |
| ○ Guidelines for parenting time/visitation/or other access | | |
| ○ How to create a parenting plan (parental negotiation, attorney negotiation, mediation, specialized alternative dispute resolution (SADR), litigation) | | |
| 6. Learn about alternative dispute resolution; conflict management; stress reduction; appropriate language usage and positive communication | | |
| <i>Additional elements under this objective may include:</i> | | |
| ○ Use of “I” messages | | |
| ○ How to help children with alienation | | |
| ○ Interest based negotiation techniques | | |
| 7. Identify provisions for safety and transition plans under the Nebraska Parenting Act. | | |
| 8. Identify attributes of child abuse, neglect, domestic intimate partner abuse and unresolved parental conflict and how they impact members of the family. | | |
| <i>Additional elements under this objective may include:</i> | | |
| ○ Mandatory reporting requirements | | |
| ○ Effects of DIPA and child abuse/neglect at different stages of development | | |
| ○ On going persistent parental conflict and its impact on children | | |
| ○ Definitions/terms: domestic intimate partner abuse vs. high conflict | | |
| 9. Identify parenting through separation resources and references for those wanting to get more information from web sites and books | | |

I. BASIC LEVEL ON-SITE PARENTING EDUCATION

B. PROVIDER GUIDELINES

1. The statutorily-required educational objectives are being met by the provider
2. Safety for participants during the intake process and throughout the educational experience is addressed by:
 - a. Offering separate classes for either party in a case
 - b. Screening questions to assess presence of domestic intimate partner abuse
 - c. Safety measures are in place at the site and time of the class
3. Each provider must provide a written proof of completion for each participant
4. Providers must submit significant curriculum modifications to the AOC for approval
5. The basic level class is at least two (2) hours in length and no more than six (6) hours in length
6. Participants have the opportunity to evaluate the course
7. Education class facilitator/educator qualifications shall include:
 - a. Bachelors degree required in children and family, psychology, sociology, social work related field or equivalent
 - b. Masters degree preferred in children and family, psychology, sociology, social work related field or equivalent OR equivalent experience in one of the above listed areas
 - c. Exceptions to the facilitator/educator qualifications will be reviewed on a case by case basis and must receive approval by the State Court Administrator or its designee
 - d. Three written references for the facilitator/educator regarding performance, proficiency, and quality is required to be submitted to the State Court Administrator as part of the request for approval
 - e. Knowledge required in the following fields: domestic violence; mediation and specialized ADR under the Nebraska Parenting Act; parenting plans; family dynamics; understanding of mandatory child abuse and neglect reporting requirements; parental conflict and impact upon children

Statement of Compliance: *As a provider of basic level parent education, I affirm that my organization and the facilitator/educators meet the Provider Guidelines as stated above.*

Name / Title

Date

For Basic Level On-Site Educational Approval: submit a completed copy of the following:

1. Provider Information Sheet
2. Basic Level Parenting Educational Objectives Checklist
3. Provider Guidelines Statement of Compliance
4. Course Schedule and Sliding Fee Schedule

| <p style="text-align: center;">II. SECOND LEVEL PARENTING Items numbered and in bold are mandatory.</p> <p>A. EDUCATIONAL OBJECTIVES Parents who attend this educational course will:</p> | Curriculum meets the learning objective | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------|
| | Yes | No |
| <p>1. Identify the “why” and “how” to develop provisions for safety and transition plans</p> | | |
| <p><i>Additional elements under this objective may include:</i></p> | | |
| <p>○ As it applies to the parenting plan</p> | | |
| <p>○ Examples of safe transitions</p> | | |
| <p>○ Parallel parenting</p> | | |
| <p>○ Options if plan is violated</p> | | |
| <p>2. Identify the potential harmful impact of domestic intimate partner abuse and unresolved parental conflict on the child</p> | | |
| <p><i>Additional elements under this objective may include:</i></p> | | |
| <p>○ Definition of terms</p> | | |
| <p>○ Developmental stage specific effects</p> | | |
| <p>○ Resiliency factors</p> | | |
| <p>○ Joint and sole custody behaviors</p> | | |
| <p>○ Purpose of child support and ways to defuse unnecessary conflict</p> | | |
| <p>3. Learn effective communication techniques and protocols</p> | | |
| <p><i>Additional elements under this objective may include:</i></p> | | |
| <p>○ Plan for communicating about the needs of children</p> | | |
| <p>○ Safe communication for all parties with examples</p> | | |
| <p>4. Become aware of resource and referral information for victim, perpetrator, and batterer services</p> | | |
| <p><i>Additional elements under this objective may include:</i></p> | | |
| <p>○ Victim services</p> | | |
| <p>○ Perpetrator Services</p> | | |
| <p>○ Batterer Intervention Programs</p> | | |
| <p>○ Referrals for mental health services, substance abuse services, and other community resources</p> | | |
| | | |

II. SECOND LEVEL PARENTING EDUCATION

B. PROVIDER GUIDELINES

1. The statutorily-required objectives are being met by the provider.
2. Safety for participants during the intake process and throughout the educational experience is addressed by:
 - a. Requiring separate classes for men and separate classes for women
 - b. Screening questions to assess presence of domestic intimate partner abuse
 - c. Safety measures are in place at the site and time of the class
3. Participants have the opportunity to evaluate the course.
4. A minimum of a two (2) hour and a maximum of a six (6) hour course
5. Education Class Facilitator Qualifications shall include:
 - a. Bachelors degree required in children and family, psychology, sociology, social work related field or equivalent
 - b. Masters degree preferred in children and family, psychology, sociology, social work related field or equivalent OR equivalent experience in one of the above listed areas
 - c. Exceptions to these requirements will be reviewed on a case by case basis and approved by the AOC Parent Education Committee
 - d. Must submit three written references regarding the facilitator/educator's performance, proficiency, and quality
 - e. Child welfare background check must be done for those facilitating the child of divorce course
 - f. Knowledge required in the following fields: domestic violence; mediation and specialized ADR under the Nebraska Parenting Act; parenting plans; family dynamics; understanding of mandatory reporting requirements; parental conflict

Statement of Compliance: *As a provider of second level parent education, I affirm that my organization and the facilitator/educators meet the Provider Guidelines as stated above.*

Name / Title

Date

For Second Level Educational Approval: submit a completed copy of the following:

1. Provider Information Sheet
2. Second Level Parenting Educational Objectives Checklist
3. Provider Guidelines Statement of Compliance
4. Course Schedule and Sliding Fee Schedule

III. PARENTING EDUCATION FOR DIVORCING OR SEPARATING PARENTS - ONLINE

A. EDUCATIONAL OBJECTIVES – BASIC LEVEL PARENTING EDUCATION

1. Parents who attend a basic parenting education course for divorcing or separating parents by accessing online and related technological resources will achieve the same educational objectives as outlined in section IA of the Nebraska Administrative Office of the Court's approved Parenting Education Guidelines.
2. During all courses, including those presented by telecommunications or utilizing other educational technologies, there should be an opportunity to ask questions of the course faculty. If a faculty member is not available either in person or via telephone, then a qualified commentator should be available to offer comment and answer questions in writing or via e-mail.

B. SECOND LEVEL PARENTING EDUCATION

Due to the purpose and sensitive nature of the second level parenting education course as defined by the Nebraska Parenting Act, educational objectives cannot be achieved using technological resources. Providers of online second level parenting education courses will not be approved by the Nebraska Administrative Office of the Court.

C. PROVIDER GUIDELINES

1. The statutorily-required educational objectives as detailed under SECTION I BASIC LEVEL PARENTING are being met by the provider as indicated by submittal and approval of Basic Level Parenting Educational Objectives Checklist.
2. Whether the online course is provided through either synchronous or/and asynchronous instruction, faculty shall provide an opportunity for participants to ask questions of course faculty. Faculty or instructors, qualified as described below, will inform participants as to when they are available for regular communication by:
 - a. Sharing email address and phone number with all participants at the start of the class;
 - b. Scheduling telephone office hours where participants can expect to call and speak directly to the instructor;
 - c. Returning emails or voicemail messages in a timely manner.
3. If the provider offers online chat, blogs, or posts in an open forum, the provider shall screen all on-line communications prior to posting.
4. Comprehension of educational objectives will be facilitated using a variety of means including text, images, video, and quizzes.
 - a. Video will be used to distribute information such as visual or procedural concepts that are hard to express in text;
 - b. Real life or simulated demonstrations of parenting dilemmas, conflict, and related separation issues will be used in addition to lecture format.
5. Safety for participants during the intake process and throughout the educational experience is addressed by:
 - a. Keeping participants' direct contact and personal information for use only by the instructor, not shared with any other participants;
 - b. Assigning a user name (which will not compromise personal information) to every participant for use during course and participant interaction;
 - c. Maintaining privacy of feedback and information from outside of group discussions;
 - d. Allowing same couple to enroll in different classes if safety is a concern.
6. Each provider must provide a written proof of completion for each participant.
7. The on-line class reflects an amount of content similar to that which is provided during an onsite workshop of three (3) hours in length and no more than six (6) hours in length.

8. Participants have the opportunity to evaluate the course.
9. Participants will sign off on a course policies agreement that incorporates the guidelines within this statement.
10. Provider will need to define hardware and software and internet requirements for class participation. Provider will respond to technology questions in a timely manner.
11. Online curriculum has been developed/will be facilitated by educators and partners with qualifications that reflect:
 - a. Bachelor's degree required in children and family, psychology, sociology, social work related field or equivalent; or
 - b. Master's degree preferred in children and family, psychology, sociology, social work related field or equivalent OR equivalent experience in one of the above listed areas; and
 - c. Knowledge required in the following fields: domestic violence; mediation and specialized ADR under the Nebraska Parenting Act; parenting plans; family dynamics; understanding of mandatory child abuse and neglect reporting requirements; parental conflict and impact upon children.
 - d. Basic technology skills including but not limited to:
 - ability to operate within the preferred standard operating system (Windows, Macintosh)
 - ability to use the preferred standard word processing application(s)
 - ability to use preferred email applications
 - ability to use the preferred web browser
 - ability to use the preferred course management system

Statement of Compliance: *As a provider of online basic level parent education, I affirm that my organization and the facilitator/educators meet the Provider Guidelines as stated above.*

Name / Title

Date

Contact Information:

For Online Educational Approval: submit a completed copy of the following:

1. Provider Information Sheet
2. Basic Level Parenting Educational Objectives Checklist
3. Provider Guidelines Statement of Compliance – Online Format
4. Course Schedule and Sliding Fee Schedule