



# OCA NEWS

## IN THE NAME OF THE CHILD

### Back in Session

By Ira L. Foster and Jana J. Edmondson-Cooper



#### The ABCs of Student Enrollment in Georgia Public Schools for Non-Parents and Parents with Limited English Proficiency

The Georgia Department of Education (GA DOE) revised its school rules in 2010 and 2012 updating the Board of Education (BOE) Rule 160-5-1-.28 regarding student enrollment and withdrawal issues. The new proposed rule added definition and clarity related to student enrollment and withdrawal. Previous rules

appeared to be arbitrary and allowed for the denial of enrollment of students because they were living with a non-parent. The new rule also provided clarification on public school enrollment of immigrants who are not U.S. citizens but who may be lawfully living in the United States. Limited English proficient (LEP) parents and students are also protected from disparate treatment under Title IV of the Civil Rights Act of 1964, the Equal Education Opportunities Act, and other federal laws.

*“Back” continues on pg 2*

#### Preparing for School

By: *Laura Eubanks, LCSW, C-SSW and Allison C. Doerr, Ph.D., BCBA-D*

#### Understanding the Difference between Back to School Stress and School Refusal/Avoidance

As the beginning of each school year approaches, many children and parents are feeling growing anxiety over getting back to school -- the morning rush, the homework, the quicker pace of life. While this doesn't mean we don't enjoy school, the advent of the busier lifestyle, along with

*“Preparing” continues on pg 3*

### ANNOUNCEMENTS

The Office of Child Advocate congratulates the annual Child Fatality Review Award recipients:

- CFR Committee of the Year: Floyd County
- Medical Examiner of the Year: Dr. Carol Terry, Gwinnett County
- CFR Prevention Award: Cherokee County

OCA recognizes Rene Hopkins, member of the Richmond County CFR team, for presenting her region's safe sleep promotion activities at the national Cribs for Kids Conference in June.

OCA congratulates Kathy Woods of Cobb and Douglas Public Health for being voted Georgia Nurse of the Year. Kathy serves as part of her local CFR team.

The national form for CFR is changing and should be released this Fall. Look for it to include lots of user-friendly features and upgrades to make it easier to use.

OCA will host its final Guardian ad Litem training for the year on Sept. 24 in Atlanta. No cost to attend training. CLE credits are available. For topics covered and registration please visit [www.oca.ga.gov](http://www.oca.ga.gov).

OCA will host its final Child Abuse Protocol/CFR training this year on Sept. 6 in Douglas County. Please visit [www.oca.ga.gov](http://www.oca.ga.gov) to register.

The OCA-sponsored Forensic Interview of Children training will be held September 9-13 in Tift County. Register online at [www.oca.ga.gov](http://www.oca.ga.gov).

**STAFF**

**TONYA C. BOGA, JD, LLM**

Director of the Office of the Child Advocate

**CYNTHIA CARTWRIGHT**

Assistant Child Advocate

**CRYSTAL DIXON, CFR**

Data Analyst, Child Welfare Intake Coordinator

**BRENDAN JENKINS**

Child Welfare Policy & Practice Analyst

**KENNEITH PERRIN**

Assistant Child Advocate

**CHUCK PITTMAN,**

Child Welfare Policy & Practice Analyst

**ARLEYMAH RAHEEM,**

Prevention Analyst

**MALAIKA SHAKIR**

Child Fatality Review Analyst

**RYAN SANFORD**

Deputy Director/ Assistant Child Advocate

**TOMIA WHITE**

Data Support Analyst

**VICKIE WHITE**

Child Welfare Policy & Practice Analyst

**ADVISORY BOARD**

**DAVID CROOKE**

CarePartners of Georgia

**DR. ALLISON DOERR**

Northstar Educational and Therapeutic

Services

**LAURA EUBANKS**

Gwinnett County Public Schools

**AMY HOWELL**

Department of Behavioral Health and

Developmental Disabilities

**JUDGE LISA C. RAMBO**

Southwestern Judicial Circuit

**DR. JOSE RODRIQUEZ**

WellStar Kennestone Pediatric Associates

**BRAD RAY**

Court Appointed Special Advocates

Georgia's The Office of Child Advocate

270 Washington Street, S.W.

8<sup>th</sup> Floor, Suite 8101

Atlanta, GA 30334

Phone 404-656-4200

FAX 404-656-5200

**“Back” (continued from pg 1)**

**BOE Rule 160-5-1-.28 and Student Enrollment with Non-Parents**

The new rules provide that a grandparent or any third-party having custody of a child for a legitimate purpose, should be allowed to enroll that child in school. Specifically, the new rules state that a person enrolling a student, who is not the parent and does not hold legal guardianship, should be allowed to enroll the student by completing a non-parental affidavit of residence. Using the affidavit, the person who has physical custody of the child does not have to obtain guardianship in order to enroll the child in school. Local school agencies that do not comply with the new rule are subject to a complaint being filed against that system to the State Board of Education. Additionally, a complaint can be filed with the U.S. Department of Justice (USDOJ). Lastly the new rules clarify that grandparents with a power of attorney for the care of a child and noncustodial parents or other persons having physical custody of a child of a transition military family are permitted to enroll or withdraw the child.

**Title IV and Student Enrollment with LEP Parents**

Title IV of the Civil Rights Act of 1964 prohibits discrimination in public schools based on race or national origin. This includes disparate treatment of LEP parents during school enrollment and registration. In 2012, the USDOJ entered into a settlement agreement (Agreement) with the Henry County School District (HCSD) in Henry County, Georgia. The purpose of the agreement was to “ensure that all students in the district are able to enroll in school, regardless of national origin or immigration status. The settlement agreement resolved the department’s investigation into allegations that the district improperly notified parents that their children would be withdrawn from school for not providing a social security number, and failed to make its enrollment procedures

accessible to limited English proficient (LEP) parents.” The Agreement is instructive for other school districts, nationwide, that encounter LEP parents, including those who are deaf.

Specifically, the Agreement requires that HCSD officials to 1) make parents aware that providing a student’s social security number is voluntary and not required to enroll a child in school and 2) ensure that that LEP parents are provided with meaningful access to the same information provided to non-LEP parents, including information regarding registration and enrollment. With respect to the former, HCSD shall

*Title IV of the Civil Rights Act of 1964 prohibits discrimination in public schools based on race or national origin. This includes disparate treatment of LEP parents during school enrollment and registration.*

at no time state or suggest that refusal to provide a student’s social security number or failure to turn in the Statement of Objection/Waiver form will bar or delay a child’s enrollment in school. Nor shall it result in the child’s withdrawal from school. With respect to the latter, HSCD officials are required to identify the communication needs of LEP parents at the outset of the enrollment process and provide translation and interpretation of all enrollment and registration policies and requirements. It is important to also note that pursuant to Title IV, public schools have a duty to provide LEP parents with interpretation and translation services for all meetings and written correspondence concerning the child (e.g., educational instruction and school disciplinary actions ), not just during enrollment and registration periods.

## Remember...

- A grandparent or any third-party having custody of a child for a legitimate purpose may enroll the child in school without obtaining legal guardianship over the child.
- The grandparent or third-party must simply fill out a non-parental affidavit.
- Grandparents with a power of attorney for care of the child, non-custodial parents or other persons having physical custody of a child of a transition military family are permitted to enroll or withdraw the child.
- Public schools shall accept immigrants/ non-visa-holders who meet age and residency requirements and shall not inquire about their legal status in accordance with Plyler v. Doe, 457 U.S. 202 (1982).
- A parent is not required to provide their child's social security number in order to complete the school enrollment/registration process.
- In lieu of a social security number, a parent may fill out a Statement of Objection/Waiver form.
- Failure to turn in the Statement of Objection/Waiver form cannot bar or delay a child's enrollment in school nor can it result in the child's withdrawal from school.
- Public schools must provide LEP parents with meaningful access to the same information provided to non-LEP parents. This includes interpretation and translation of all school policies and requirements, not just regarding enrollment and registration.

### “Preparing” (continued from pg 1)

the new changes that ‘back to school’ time brings (new teachers, new classmates, and new material) can all lead to increased stress. Often during transition periods; entering kindergarten, middle school, high school and college, or when starting a new school, the arrival of a new baby, a sick family member or other family changes occur feelings of anxiety can be heightened. Additionally, children with special needs often experience greater levels of stress and anxiety at back to school time. Children often respond differently to stress depending on their age, individual personalities and coping skills. When it comes to anxiety in children, younger grade-schoolers may not be able to fully explain their feelings whereas older kids may be able to say exactly what’s bothering them. Changes in behavior or temperament are common flags that may indicate that children are experiencing stress and anxious feelings.

Some common signs include:

- moodiness, clinginess or a short temper,
- sleep problems, or

- concentration difficulties,
- complaints of headaches or stomachaches or
- the development of a nervous habit such as nail biting.

Parents often wonder, is their child’s behavior normal or should they be concerned? Typically this is a normal response due to the unknown of the new routine.

### School Refusal/Avoidance

School refusal/avoidance is different than the type of anxiety that comes with the anticipation of a new school year or something new. In most cases, mild school anxiety and stress in children change or disappear with age. For instance, a kindergartener who experiences separation anxiety may become a social butterfly who bounds into school in the later grades. School refusal is the refusal to attend school due to emotional distress. School refusal also differs from truancy in that children with school refusal feel anxiety or fear towards school, whereas truant children generally have no feelings of fear towards school

Approximately 1 to 5% of school-aged children have school refusal, though it is most common in 5- and 6-year olds and in 10- and 11-year olds. School refusal occurs more frequently during major changes in a child’s life, such as entrance to Kindergarten, changing from elementary to middle school, or changing from middle to high school. School refusal can also occur after a traumatic event, such as moving to a new house, entering foster care, or the death of a pet or relative. The rate is similar within both genders, and although it is significantly more prevalent in some urban areas, there are no known socioeconomic differences.

Symptoms of school refusal often include the child saying they feel sick often, or waking up with a headache, stomachache, or sore throat. If the child stays home from school, these symptoms might go away, but come back the next morning before school. Additionally, children with school refusal may have crying spells or throw temper tantrums.

Some warning signs of school refusal include:

- frequent complaints about attending school
- frequent tardiness or unexcused absences
- absences on significant days (tests, speeches, physical education class)
- frequent requests to call or go home
- excessive worrying about a parent when in school
- frequent requests to go to the nurse’s office because of physical complaints
- crying about wanting to go home

It is important for parents to keep trying to get their child to go back to school. The longer a child stays out of school, the harder it will be to return. Parents should take their child to the doctor, who will be able to rule out any illness that may be causing the problem. Parents should also talk to the child’s teacher or school counselor.

Some general suggestions for parents to help resolve school refusal include:

- If rewards are effective, use them. For example, an elementary age student that enjoys ice cream can earn ice cream money for school

**“Preparing” continues on pg 4**

**“Preparing” (continued from pg 3)**

- if they are on time all week.
- The child may seem fine but then reports, “I don’t feel well”, “my stomach hurts”, etc. Unless there is a medical reason or history of concern, parents should reinforce that they will go to school. If they become symptomatic at school they can go to the clinic. Consult your health care provider if you have medical concerns.
- School is not negotiable so don’t negotiate or lecture. Ignore tantrums, crying, complaining or pleas and continue to reinforce they are going to school.
- Send them off to school with something of yours in their pocket or book bag if that provides relief.
- Reinforce at the bus stop or at car rider drop off that you will see them after school.
- A caring but quick good bye is best, don’t prolong the separation.
- Limit day time contact with your child once at school. Work with the school counselor or teacher to inquire about your child’s adjustment. Often times the child is fine once they get to school. If the anxiety is extreme you may need to work with the school counselor, social worker or psychologist to develop a schedule for calls and slowly wean off.
- The amount of time they are late to school should result in a consequence after school such as loss of TV, phone, computer, videogames etc. Or it can add up to time doing chores. Either way the goal is to reinforce school is their priority and not going has consequences.
- If the child misses school, they need to understand there will be no extracurricular activities/sports, play dates or time with friends after school.
- If the school avoidance continues parents should contact their school counselor, social worker, or psychologist to develop a plan for support before a pattern of absenteeism develops.

In some cases, outside professional mental health services may be needed alongside the support of the school counselor, social worker and psychologist. In these situations, it is important that the outside

## Some Ideas to Relieve Back-to-School Stress and Anxiety in Children

- Bus drivers start their routes approximately a week before school begins so you and your child can watch for them to estimate your bus stop time.
- Make lunches and have clothes laid out the night before to save time in the morning.
- Write messages on the bathroom mirror with a dry erase marker with daily reminders; brush teeth, comb hair, wash face, etc., and end with a smiley face or positive comment.
- If Monday mornings is hard getting back into the routine, motivate your child with a favorite morning meal. For example, if they love toast with peanut butter and bananas with a glass of milk, let them know you’ll have it waiting when they are up and ready.
- Help your child stay organized by having a designated place for back packs and school items. It’s a good habit to establish and minimizes for items in the morning when the schedule is tight.
- Keep conversations about school and teachers positive. This is important for their attitude about school. Good communication with your child’s school and teacher is essential. If you have a concern, contact your child’s teacher, they are your partner and also want your child to be successful.
- If you want to know how their day was remember to ask specific verses general questions. They have been gone all day and it may be hard to recall details. General questions typically get a general response. Sitting down and having a snack together can be the best time to touch base.
- Keep in mind starting back at school can zap them of energy and your child may be more temperamental or tired than usual. They generally adjust to the schedule within a couple of weeks. In the meantime allow them down time to rest and rejuvenate.
- When it comes to homework determine what works best for your child. Some like to come home and knock it out, where others need to rest, eat and burn off energy first. The expectation is they get it done, but work together to determine when is the most productive time.

professional work collaboratively with the school counselor, social worker and psychologist to develop a plan. Whereas some cases of school refusal can be resolved by gradual re-introduction to the school environment, some others may involve significant levels of anxiety and/or depression that will need to be assessed and addressed by a mental health professional. Because school refusal may be the result of many factors, assessment should involve a variety of methods and sources and should include information gathered across more than one setting, such as interviews, observation of the child, and a review of academic records and attendance history. Questionnaires completed by teachers, parents, and the student can provide additional information about the child’s developmental, social, and emotional status. An assessment of the reasons for the school refusal behavior also involves determining the antecedents

and consequences of the child’s behavior.

Based on the assessment, the mental health professional should select intervention strategies tailored to the individual child’s issues. Cognitive behavior therapy and in extreme cases medication have been effective in dealing with school refusal. Some interventions include relaxation training, social skills training, setting up rewards or contingencies based on school attendance, goal-setting, and teaching children to use helpful thoughts and actions when they are worried or fearful. Parent training may be needed to help develop smooth morning and evening routines and to provide attention to positive behaviors and while ignoring negative behaviors and physical complaints that have no medical basis. For a child whose school refusal was triggered by the experience of a traumatic event supportive therapy may also be warranted.