Attachment V

Procedures for the Administration of the New York State Parent Education and Awareness Program

Honorable Judith S. Kaye
Chief Judge

Honorable Ann Pfau
Chief Administrative Judge

Honorable Evelyn Frazee, *Chairperson*

August 2008

NYS UNIFIED COURT SYSTEM
PARENT EDUCATION AND AWARENESS PROGRAM
website: www.nycourts.gov/parented
e-mail: nyparent-ed@nycourts.gov

Table of Contents

I. Introduction
- A. Court Rule Part 144 1
- B. Parent Education and Awareness Program Objectives . . 12
- C. Best Practices 12
- D. Definitions 12

Part One - Administration of Program for Courts

I. Purpose 14

II. Application of Court Rule 14

III. Domestic Violence and Other Considerations in Exercising Discretion to Order or Refer Parents to Parent Education 15

IV. Materials to be Given to Parents by Court 16

V. Order or Referral Forms 16

VI. Procedure After Parents Have Been Ordered to Parent Education - - Opt Out for Domestic Violence Victims 17

VII. Reporting Compliance to Courts 17

VIII. Confidentiality and Subpoenas to Certified Programs 18

Part Two - Administration of Program for Parent Education Providers

I. Purpose 18

II. Certification Process
- A. Certification Requirement 18
- B. Certification Application 19
- C. Waiver or Modification of Requirements 19
- D. On-Site Review 20

E. Review Process 20

III. Provider Information
A. Organizational Structure 20
B. Administration Information 21
C. Program Information 21

IV. Curriculum
A. Presenter Manual/Materials 21
B. Optional Additional Curriculum 21
C. Additional Materials for Parents 21

V. Class Format and Presentation
A. Class Structure 21
B. Class Size 22
C. Class Composition 22
D. Presenters/Facilitators 22

VI. Administration
A. Opt Out Process 24
B. Safety Protocols 26
C. ADA Compliance 26
D. Fees 27
E. Record Keeping 27
F. Evaluations 27

VII. Recertification 28

VIII. Denial, Suspension or Revocation of Certification 28
A. Denial 28
B. Suspension or Revocation 29

IX. Changes to a Certified Program 30
A. Types of Changes 30
B. Voluntary Closure 30

X. Appendices

- **A. Certification/Recertification Application Form**
- **B. Provider/Program Updates Form**
- **C. Presenter Ethics Statement**
- **D. Order to Parent Education Form and Referral to Parent Education Form**
- **E. On-line Reporting Form**
- **F. Incident Report Form**
- **G. Complaint Log**

NYS UNIFIED COURT SYSTEM
PARENT EDUCATION AND AWARENESS PROGRAM

Procedures for the Administration of the Parent Education and Awareness Program

I. Introduction

A. Court Rule Part 144. These *Procedures* are provided to assist the courts and parent education providers to properly administer the provisions of Part 144 of the Rules of the Chief Administrator (July 24, 2006; §144.3[c] amended May 15, 2007) set forth below, establishing the New York State Parent Education and Awareness Program.

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and upon consultation with the Administrative Board of the Courts, I hereby adopt, effective immediately, a new Part 144 of the Rules of the Chief Administrator, establishing the New York State Parent Education and Awareness Program, to read as follows:

PART 144. NEW YORK STATE PARENT EDUCATION AND AWARENESS PROGRAM

§ 144.1 Scope of Program

The New York State Parent Education and Awareness Program ("Program") provides information to parents about the impact of parental breakup or conflict on children, how children experience family change, and ways in which parents can help their children manage the family reorganization. The curriculum is child-centered and directed primarily toward promoting children's healthy adjustment and development by educating parents about ways they can minimize the stress of family change and protect their children from the negative effects of ongoing parental conflict. The administration and curriculum of the parent education program is sensitive to domestic violence concerns and must be in compliance with the Guidelines and Procedures for Certification of Parent Education and Awareness Programs.

§ 144.2 Definitions

(a) "Parent education and awareness program": A parent education and awareness program certified by the Office of Court Administration.

(b) "Provider": The entity responsible for applying for certification and for presentation of a parent education and awareness program.

(c) "Program administrator": The individual associated with the parent education provider ultimately responsible for administering all aspects of the parent education and awareness program.

(d) "Court": A justice, judge, judicial hearing officer, matrimonial referee, court attorney-referee, or support magistrate who handles issues of child custody and visitation and child support.

(e) "Guidelines": The Guidelines and Procedures for Certification of Parent Education and Awareness Programs, which contain the minimum standards for parent education programs to be certified and approved by the Office of Court Administration to accept participants referred by the courts of the State of New York.

(f) "Program Director": The individual employed by the Office of Court Administration responsible for administration and oversight of the New York State Parent Education and Awareness Program.

§ 144.3 Application of Program

(a) The New York State Parent Education and Awareness Program may apply in any action or proceeding:

(1) that affects the interests of children under 18 years of age; and

(2) that is brought in Supreme Court or Family Court: (i) to annul a marriage or declare the nullity of a void marriage, (ii) for separation, (iii) for divorce, (iv) to obtain custody of or visitation with minor children, (v) to obtain a modification of a prior order of custody or visitation with minor children, or (vi) where, in the exercise of the court's discretion, a determination is made in a particular matter that attendance by the parents would provide information that would be of benefit to them and their children.

(b) In any action or proceeding to which the Program may apply, the court, in its discretion, may order both parents to attend a parent education and awareness program. The order must direct that both parents attend, not just one parent, but the parents shall not attend the same class session. Such order shall be made as early in the proceeding as practicable.

(c) In determining whether to order parents to attend a parent education and awareness program, a court shall consider all relevant factors bearing upon the parties to the underlying action or proceeding and their children, including, but not limited to, any concern for the safety of an alleged victim of domestic violence; medical, financial or travel hardship; language barrier; and whether a parent has previously attended parent education.

(d) An order to attend a parent education and awareness program shall not delay the expeditious progress of the underlying proceeding.

(e) A parent who is a victim of domestic violence and for whom safety in traveling to or attending parent education is a concern may opt out of attendance by contacting a program administrator.

§ 144.4 Provider Certification

(a) General. Each provider that wishes to accept court-referred participants must be certified by the Office of Court Administration. In order to receive certification, potential providers must submit a certification application and any requested materials to the Program Director and be in compliance prior to being eligible to receive court-referred participants. A provider is under a continuing duty to advise the Program Director of changes in its education and awareness program or administration, including changes in staff, contact information, presenters/facilitators, locations, and class schedules.

(b) Certification Application ("application"). To receive certification, a provider must submit information and documentation that demonstrates that it is in compliance with the Guidelines. Each provider must submit three copies of the application and appended materials for each program, which must address all of the elements. If a provider expects that it will not be able to comply with a requirement, an explanation must be provided. A provider may also be required to submit additional information and materials for continued certification or re-certification, or in the event a complaint or other information is received by the Program Director indicating that the program may not be in compliance with the Guidelines.

(c) Waiver or Modification of Requirements. A waiver or modification of one or more of the requirements for certification or re-certification may be requested by a provider and must be included in the provider's application as well as in the cover letter to the application. Requests must be made by letter to the Program Director sent via first class mail. Such request may be granted in the discretion of the Program Director in consultation with the Chief Administrator of the Courts or his or her designee after review and consideration of the impact of the deviation upon the underlying intent and purpose of the Guidelines.

(d) Review Process. Certification applications shall be reviewed by the Program Director in a timely manner. After a satisfactory initial review of the application, an on-site review of the program shall be conducted by the Program Director or his or her designee. During the on-site review, the Program Director shall observe the presentation of a full program cycle and may interview the program administrator. To promote consistency in the review process, the Program Director shall use a uniform written instrument to evaluate the programs. The determination of the Program Director shall be communicated to the provider by letter sent via first class mail. The opportunity for a provider to seek a review of any denial of certification or re-certification or suspension or revocation of certification shall be in accordance with the provisions set forth in the Guidelines.

(e) Approved Providers. Approved providers will be compiled in a list that will be updated and distributed regularly to the courts, Supreme and County and Family Court Chief Clerks, and others, as appropriate, and posted on the Program website. A provider is required to keep the Program Director apprised of its current information. Approved providers may indicate in advertisements and other uses that their program is certified by the Office of Court Administration.

§ 144.5 Fees

In accordance with the Guidelines, parent education and awareness programs may require attendees to pay a fee. The fee must be reasonably related to the cost of providing the services, cannot exceed the maximum authorized fee as set forth in the Guidelines, and must be subject to waiver or reduction if requiring a person to pay the full fee would work a hardship on the person or his or her immediate family.

§ 144.6 Confidentiality

(a) Any communication made by a party as part of his or her participation in a parent education and awareness program shall be a confidential communication and shall not be available for evidentiary use in any action or proceeding.

(b) The Court shall obtain information about compliance with its order sending parents to parent education only from the provider pursuant to the provisions in the Guidelines.

(c) Any provider, its program administrator or designee who is provided information from a parent, either in writing or orally, shall not divulge that information to the attorneys representing the parties, the attorney(s) for the children, the other party, or the court, and its chambers or administrative staffs, except that information may be provided, without indication of a parent's name, to the Program Director or his or her designee as part of the certification and evaluation process.

Jonathan Lippman
Chief Administrative Judge of the Courts

Dated: 7/24/06

AO/ /06

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and upon consultation with the Administrative Board of the Courts, I hereby amend, effective immediately, section 144.3 of the Rules of the Chief Administrator of the Courts, relating to the Parent Education and Awareness Program, to read as follows:

§ 144.3 Application of Program

(a) The New York State Parent Education and Awareness Program may apply in any action or proceeding:

(1) that affects the interests of children under 18 years of age; and

(2) that is brought in Supreme Court or Family Court: (i) to annul a marriage or declare the nullity of a void marriage, (ii) for separation, (iii) for divorce, (iv) to obtain custody of or visitation with minor children, (v) to obtain a modification of a prior order of custody or visitation with minor children, or (vi) where, in the exercise of the court's discretion, a determination is made in a particular matter that attendance by the parents would provide information that would be of benefit to them and their children.

(b) In any action or proceeding to which the Program may apply, the court, in its discretion, may order both parents to attend a parent education and awareness program. The order must direct that both parents attend, not just one parent, but the parents shall not attend the same class session. Such order shall be made as early in the proceeding as practicable.

(c) In determining whether to order parents to attend a parent education and awareness program, a court shall consider all relevant factors bearing upon the parties to the underlying action or proceeding and their children, including, but not limited to, any [concern for the safety of an alleged victim of domestic violence] history, specific allegations or pleadings of domestic violence or other abuse; medical, financial or travel hardship; language barrier; and whether a parent has previously attended parent education. Where there is any history, or there are specific allegations or pleadings, of domestic violence or other abuse involving the parents or their children, the court shall not mandate attendance at the program.

(d) An order to attend a parent education and awareness program shall not delay the expeditious progress of the underlying proceeding.

(e) A parent who is a victim of domestic violence [and for whom safety in traveling to or attending parent education is a concern] may opt out of attendance by contacting a program administrator.

Jonathan Lippman
Chief Administrative Judge of the Courts

Dated: May 15, 2007

AO/ 325 /07

B. Parent Education and Awareness Program Objectives. The New York State Parent Education and Awareness Program (Program or PEAP) provides information to parents who are divorcing or separating from a spouse or partner about the impact of parental breakup or conflict on children, how children experience family change, and ways in which parents can help their children manage the family reorganization. The curriculum is child-centered and directed primarily toward promoting children's healthy adjustment and development by educating parents about ways they can minimize the stress of family change and protect their children from the negative effects of ongoing parental conflict. The goal is to provide parents with information, practical strategies, and tools that they can use to mitigate the deleterious effects of divorce and separation on children. The administration and curriculum of the parent education program is sensitive to domestic violence concerns and must be in compliance with the following *Procedures for the Administration of the New York State Parent Education and Awareness Program*.

C. Best Practices. The *Procedures* set forth herein reflect the research on best practices, which indicate that the most effective parent education has the following characteristics and attributes:

1. Based on research documenting risk and protective factors influencing children's long-term adjustment.
2. Consistency of program information and delivery by knowledgeable and skilled presenters/facilitators.
3. Comprehensive take-home information.
4. Classes offered in a group setting with an opportunity for constructive discussion that can help normalize the separation/divorce experience for parents.
5. Integration of domestic violence concerns in program administration, content and presentation.
6. Interactive development of skills and strategies for dealing with a number of problematic situations that arise after separation.
7. Longer programs to avoid information overload that can occur by packing everything into a short program.

D. Definitions.

1. *New York State Parent Education and Awareness Program* (Program or PEAP)**:** A parent education and awareness program certified by the Office of Court Administration. Parent education provides information to parents about the impact of parental breakup and conflict on children, how children experience family change, and ways in which parents can help their children manage

the family reorganization. The program is directed toward promoting children's healthy adjustment and development by educating parents about ways they can minimize the stress of family change and protect their children from the negative effects of ongoing parental conflict.

2. *Procedures for the Administration of the Parent Education and Awareness Program* (or *Procedures*): The protocols for courts and the minimum standards for parent education programs to be certified and approved by the Office of Court Administration to accept participants ordered or referred by the courts of the State of New York.

3. *New York State Program (or PEAP) Director***:** The individual employed by the Office of Court Administration who also serves as Counsel to the Program and is responsible for the development, administration and oversight of the New York State Parent Education and Awareness Program.

4. *New York State Program (or PEAP) Administrator***:** The individual employed by the Office of Court Administration responsible for providing administrative support to assist the Counsel and Director of the New York State Parent Education and Awareness Program.

5. *Parent Education Provider* (or Provider)***:*** The entity that receives certification and that is responsible for oversight and for presentation of a local parent education and awareness program.

6. *Local Program Administrator***:** The individual associated with the local certified parent education provider responsible for administering and ensuring compliance with all aspects of the New York State Parent Education and Awareness Program.

7. *Court***:** A justice, judge, judicial hearing officer, matrimonial referee, court attorney referee, or support magistrate who handles issues of child custody, visitation or child support. Only a justice or judge can issue an order requiring parents to attend parent education. Other judicial officers may refer parents to parent education or obtain an order from a justice or judge upon their recommendation.

Part One - Administration of Program for Courts

I. **Purpose**. The purpose of Part One of the *Procedures* is to clarify for courts the application and administration of Part 144 of the Rules of the Chief Administrator.

II. **Application of Court Rule.** Court Rule §144.3(a) specifically authorizes courts, in their discretion, to order parents to parent education in any action or proceeding:

(1) That affects the interests of children under 18 years of age; and

(2) That is brought in Supreme Court or Family Court: (i) to annul a marriage or declare the nullity of a void marriage, (ii) for separation, (iii) for divorce, (iv) to obtain custody of or visitation with minor children, (v) to obtain a modification of a prior order of custody or visitation with minor children, or (vi) where, in the exercise of the court's discretion, a determination is made in a particular matter that attendance by the parents would provide information that would be of benefit to them and their children.

An example of the application of factor (vi) would be when the parents repeatedly return to court post-order or judgment as, for example, in child support proceedings, and the court assesses that the parents and their children could benefit from the parents attending parent education.

Rule §144.3(b) provides that "In any action or proceeding to which the Program may apply, the court, in its discretion, may order **both** parents to attend a parent education and awareness program. The order must direct that **both** parents attend, not just one parent, but **the parents shall not attend the same class session**. Such order shall be made as early in the proceeding as practicable" (emphasis added).

Rule §144.3(d) further provides that "An order to attend a parent education and awareness program shall not delay the expeditious progress of the underlying proceeding."

III. Domestic Violence and Other Considerations in Exercising Discretion to Order or Refer Parents to Parent Education. Rule §144.3(c) provides:

> In determining whether to order parents to attend a parent education and awareness program, a court shall consider all relevant factors bearing upon the parties to the underlying action or proceeding and their children, including, but not limited to, any history, specific allegations or pleadings of domestic violence or other abuse; medical, financial or travel hardship; language barrier; and whether a parent has previously attended parent education. Where there is any history, or there are specific allegations or pleadings, of domestic violence or other abuse involving the parents or their children, the court shall not mandate attendance at the program.

Prior to exercising discretion, the court <u>must</u> determine whether a history, specific allegations or pleadings of domestic violence or other abuse is present.

If any of these indications of domestic violence or other abuse is present, the court <u>cannot</u> <u>order</u> parents to attend parent education. However, the court may refer the parents to attend parent education **<u>unless</u>** there is an order of protection or temporary order of protection in effect or a pending Family Court Act, Article 8 family offense proceeding between the parents.

Further, as Section 144.3(c) of the Rule provides, there are circumstances where a court, in exercising its discretion, may determine that attendance at parent education is not suitable or appropriate, including:

- **medical hardship**, such as chronic physical illness or a persistent mental disorder with impaired function or severe substance abuse such that it is not realistic to expect the parent to be able to comprehend and utilize the information provided;

- **travel hardship**, such as the parent does not have transportation or the funds for same or there is not a certified parent education program within a reasonable distance (defined as within 45 minutes from the parent's home or place of work);

- **childcare considerations**, such as the parent cannot make suitable childcare arrangements to attend class and/or lacks the funds for same;

- **language barrier**, such that a parent would gain very little from the

classes;

- **the parent has attended a certified parent education program within the previous five (5) years**.

In exercising discretion, courts should be aware that experience has shown that the difficulty of the case or the level of conflict of the parents is not a good predictor of which parents are the "best" parents to send to parent education. Parent education has the potential to benefit all parents.

IV. Materials to be Given to Parents by Court. **Courts are to distribute to all parents of children under the age of 18 years who appear in any of the actions or proceedings noted above the (1) *List of Local Certified Parent Education Programs* in the geographic area of the court together with contact information and (2) the New York State PEAP *Parent Education Brochure*.**

Parents who are ordered or referred to attend parent education are each to be given a copy of the completed *Order to Parent Education* or the *Referral to Parent Education* form which they can show or give to the program administrator to enable compliance information to be provided to the court. (See V. below for instructions on how these documents/forms may be obtained.)

Parents may satisfy an order by attending any certified parent education program on the localized list provided by the court or on the *List of Certified Parent Education Programs in New York State* or a parent education program offered in another state.

V. Order or Referral Forms. An *Order to Parent Education* form or a *Referral to Parent Education* form can be obtained on our website at www.nycourts.gov/parented (under the password protected portion of the site) or by contacting the PEAP Administrator at (888) 809-2798 or by email at nyparent-ed@nycourts.gov. The password for the protected portion of the website may also be obtained by contacting the PEAP Administrator.

It is essential that the court complete all information on the *Order or Referral to Parent Education* form because the parent shows or gives a copy of the *Order* or *Referral* form to the program administrator who uses it to identify the court to which information about compliance is to be given.

VI. Procedure After Parents Have Been Ordered to Parent Education - - Opt Out for Domestic Violence Victims. Rule §144.3(e) provides that "A parent who is a victim of domestic violence [and for whom safety in traveling to or attending parent education is a concern] may opt out of attendance by contacting a program administrator."

The *Order to Parent Education* and the *Referral to Parent Education* contain language advising parents how to exercise the "opt out" provision if (s)he is a victim of domestic violence and travel to or attendance at parent education presents a safety concern.

To facilitate the identification of possible domestic violence victims, all parent education enrollment forms or procedures ask four questions designed to elicit domestic violence concerns. If a parent contacts a program administrator to inquire about opting out or gives a "yes" answer to one of the four questions, the program administrator must explain to the parent the right to "opt out" and provide more information about the program and its security and safety plan. The choice whether to attend when safety is a concern is solely that of the parent. The program administrator does not make this determination.

Parents who attend parent education and parents who "opt out" by contacting a certified parent education program administrator will be given the *Parent's Handbook* which contains the material covered in the classes and a uniform *Certificate of Compliance.* A uniform *Certificate of Compliance* was developed to discourage the inappropriate use of parent education as a weapon in the litigation and to reduce the risk of the parent who "opts out" due to safety concerns being placed at a disadvantage in court proceedings.

A certificate has the potential of being abused by a parent who attaches a copy to court papers as a demonstration of interest in the child. This practice should not be condoned because attendance or nonattendance at parent education is not a reliable predictor of a person's parenting ability or interest in the child(ren). See also Section VIII below.

VII. Reporting Compliance to Courts. The program administrators will provide to the ordering or referring court the names of all parents who are given *Certificates of Compliance*. Parent education programs are directed **not** to divulge to the court whether the certificate is based on attendance or on an "opt out". To do so would thwart the purpose of a uniform certificate as explained above. Moreover, some domestic violence victims do not raise the abuse in their court papers or proceedings due to a fear of reprisal. Letting the court know of the possible existence of abuse, while perhaps well intentioned, may place the victim in danger. Further, advising the court that a parent chose to opt out due to safety

concerns would make the court aware of the possible presence of domestic violence through means outside the court proceedings and may be an impermissible *ex parte* communication.

VIII. **Confidentiality and Subpoenas**. Part 144.6(a) of the Rule provides that "any communication made by a party as part of his or her participation in a parent education and awareness program shall be a confidential communication and shall not be available for evidentiary use in any action or proceeding." If an attorney or *pro se* litigant subpoenas an individual or requests documents from the certified program about the attendance or non-attendance of a parent, or about any issues parents discussed with program providers, Courts should quash these subpoenas and not consider documents or statements generated by the parent education program.

In order to retain their certification and the right to accept court ordered or referred parents, certified parent education programs are not to advise the courts as to which parents opted out due to safety concerns when reporting compliance. Further, Part 144.6(c) of the Rule provides that "any provider, its program administrator or designee who is provided information from a parent, either in writing or orally, shall not divulge that information to the attorneys representing the parties, the attorney(s) for the children, the other party, or the court, and its chambers or administrative staffs, except that information may be provided, without indication of a parent's name, to the Program Director or his or her designee as part of the certification and evaluation process."

The success of these programs requires that parents are free to discuss issues openly with program providers without fear of the potential for adverse consequences in court. Parent education is not to be used as a weapon in litigation.

Part Two - Administration of Program for Parent Education Providers

I. **Purpose**. The purpose of Part Two of the *Procedures* is to set minimum standards for parent education programs to be certified in order for court ordered or referred parents to attend.

II. **Certification Process**

A. Certification Requirement. Each provider that wishes to accept court ordered or referred participants must be certified under these *Procedures*. Programs must submit a Certification Application and receive certification

prior to being eligible to receive court-ordered or referred participants and must comply with re-certification requirements to continue to receive court-ordered or referred participants. Providers are under a continuing duty to advise the PEAP Director of changes in program or administration; for example, but not limited to, changes in staff, contact information, presenters/facilitators, location, and class schedules.

B. Certification Application. To receive certification, a provider must submit information and/or documentation that demonstrates that it is in compliance with the *Procedures*. A Certification Application (hereinafter Application) is attached as **Appendix A**. Additional Applications may be downloaded from the PEAP website (www.nycourts.gov/parented) or requested by writing to the PEAP Administrator, **140 Grand Street, Suite 701, White Plains, NY 10601**, noted as Re: Forms, or by e-mail at nyparent-ed@nycourts.gov.

At this time, a provider seeking certification must submit one (1) copy of the Application and appended materials for each program. The Application must address all of the elements. However, if a provider has several programs that all use the same curriculum, one Master Application with the curriculum should be submitted. A separate Application should be completed for each program with any information that is different or unique to a particular program (*e.g.*, address of classes).

If a provider expects that it will not be able to comply with a requirement, an explanation must be provided.

A brief discussion of each element of the Application follows in Sections III-V.

C. Waiver or Modification of Requirements. A waiver or modification of one or more of the requirements for certification or re-certification may be requested by a provider and must be included in the provider's Application as well as in the cover letter to the Application. Requests which need to be made between certification/re-certification applications must be made by letter to the PEAP Director sent via first class mail to the address listed at, Part Two II(B) above, noted as Re: Waiver/Modification Request.

The PEAP Director will determine whether such request will be granted after review and consideration of the impact of the deviation upon the underlying intent and purpose of the *Procedures*.

D. On-Site Review. Certification Applications will be reviewed by the PEAP Director in a timely manner. After an initial review of the Certification Application, an On-Site Review of the program will be conducted by the PEAP Director or her or his designee.

The On-Site review will include observation of the presentation of a full program cycle and may include an interview of the program administrator as deemed necessary and appropriate. To promote consistency in the review process, the PEAP Director or her or his designee will use a uniform written instrument to evaluate the programs.

E. Review Process. The determination of the PEAP Director shall be communicated to the provider by letter sent via first class mail. Certified providers will be compiled in a list that will be updated and distributed regularly to all District Administrative Judges for dissemination to Supreme Court Justices sitting in matrimonial parts, Family Court Judges, judicial hearing officers handling family matters, support magistrates, court attorney referees, and matrimonial referees in their districts. Lists of approved programs will also be made available on the PEAP website. Providers are required to complete the Provider/Program Updates Form **(Appendix B)** when information changes. Certified programs may indicate in advertisements and other uses that their program is OCA certified.

Denial of Application letters will also be sent to providers via first class mail. Denials are discussed further at Section VIII below. All certifications will be conditional pending the on-site review of the program.

III. Provider Information

A. Organizational Structure. Each provider must state the name(s) and contact information of the sponsoring organization(s) and provide an explanation of the sponsoring organization's legal structure (*e.g.*, incorporated, d/b/a), types of services delivered (*e.g.*, legal, mental health, mediation), nature of its staffing devoted to parent education programs (*e.g.*, number and whether volunteer or paid, full-time or part-time), and any other information deemed relevant to the provision of parent education programs. A provider may be requested to submit copies of the organization's Articles of Incorporation and Bylaws, if any, as well as current lists of the members of the governing board(s), directors, and/or owners, together with names and contact information, if, in her/his discretion, the PEAP Director finds this information to be necessary to her/his review.

B. Administration Information. The name(s) and title(s) of the individual(s) responsible for administering the parent education program, brief job description(s), and contact information must be provided.

C. Program Information. Provide information about the general location of classes (*e.g.*, lower, eastside Manhattan; Four Corners, downtown Rochester), the address of the actual class site(s), as well as the geographic area/county(ies) served by the program. Also provide names and addresses of any other parent education program that serves this same area.

IV. Curriculum

A. Presenter Manual/Materials. A copy of the manual or materials used by the presenters/facilitators must be submitted. The curriculum must comply with the Parent Education Advisory Board's (Board) October 2003 *Report* (*Report*), pp. 23-46. The *Report* can be viewed on the PEAB website www.nycourts.gov/parented.

B. Optional Additional Curriculum. A description and/or materials regarding any additional curriculum that the provider chooses to cover plus a statement as to the duration of the additional instruction must be submitted. Possible topics may include, but are not limited to:

1. Small-Group Skills Practice (*e.g.*, conflict management, communication, "business partner" approach)
2. Parenting Plans
3. Resource/Financial Management

C. Additional Materials for Parents. Materials to be made available to parents in addition to the *Parent's Handbook*, which will be supplied by the PEAP to all providers that have substantially met the certification criteria, must be submitted.

V. Class Format and Presentation

A. Class Structure. Each program should be a minimum of six (6) hours and a maximum of eight (8) hours in duration, presented in two sessions. This requirement may be waived, upon good cause shown, permitting programs to present the information in a single four (4)-hour session or three sessions not exceeding a total of eight hours. The shortened presentation must include the following material as outlined in the *Report*:

1. Introduction, including domestic violence caveats.
2. Parenting and Child Well-Being.

The Legal Process portion of the curriculum may be eliminated and less interactive presentation formats may be employed to shorten the program to four hours.

State the length of each class and days on which the classes are scheduled. *Example*: Two, three-hour classes, scheduled on consecutive Saturdays.

B. Class Size. A statement that the program will comply with the following:

1. Class size limited to no more than 50 people.
2. 1:15 Facilitator/Attendee ratio for any small group sessions.

C. Class Composition. State whether the class is composed of parents involved in Family Court only, Supreme Court only, or parents from both Family and Supreme Courts. State whether the program will accept parents who self-refer or are referred by professionals in addition to court-ordered or referred parents.

D. Presenters/Facilitators.

1. A current resume, including full name and contact information, must be submitted for each nonjudicial presenter.

2. A Certificate of Completion of Parent Education Training, *i.e.* the program certifies that their presenters have taken the required training, must be submitted for both judicial and nonjudicial presenters/facilitators.

   For the Parenting and Child Well-Being presenter, such training covers the following topics:[1]

[1]A required program titled "Training the Trainers" was offered at the New York State Bar Association Center, Albany, New York on Wednesday, May 11, 2005. This training was developed to help programs seeking certification to provide proper training for their presenters. Material covered includes ways to integrate domestic violence sensitivity and ideas and techniques for presentation of the required Parenting and Child Well-Being curriculum. Substantial assistance, in the form of training techniques, models and materials, was provided to assist providers in adapting or designing their programs to meet the criteria. A video of the program is available in both tape and DVD formats for those who were unable to attend the May 11, 2005 training. A copy may be obtained by calling toll free (888-809-2798) or by e-mail at nyparent-ed@nycourts.gov. All persons presenting the Parenting and Child Well-Being portion of the curriculum must view the video or be trained by an individual who attended the May 11, 2005

a. Issues concerning separation/divorce
b. Current research on divorce and children's adjustment
c. Factors related to children's healthy adjustment
d. Sensitivity to and the dynamics of domestic violence and appropriate referral resources
e. Child and adolescent development
f. Effective parenting practices
g. Skills for effective group facilitation and interactive presentations
h. Facilitation, if there is an optional small group component
i. Cultural sensitivity issues as appropriate for local demographics.

For the Legal Process presenter, such training covers the following topics and is available in tape or DVD formats:

a. Custody definitions
b. Considerations in choosing how to resolve your dispute
c. How courts make custody decisions
d. Child support.

A copy of the training video tape or DVD may be obtained by calling toll free (888-809-2798) or by e-mail at nyparent-ed@nycourts.gov.

Any additional or substitute training materials that may be developed by the PEAP will be provided to providers and available via the above-noted contacts.

3. The Parenting and Child Well-Being curriculum, ideally, will have two presenters, one male and one female, with at least one presenter having an advanced degree or equivalent experience.

4. Presenters of the Legal Process curriculum must be presented by an attorney admitted to practice in the State of New York who:

a. Devotes a substantial portion of his/her practice to the areas of matrimonial and/or family law, or
b. Serves as a law guardian, principal law clerk or court attorney in a Supreme Court matrimonial part or Family Court.

---

conference. Any additional or substitute training materials that may be developed by the PEAP will be provided to providers and available via the above-noted contacts.

5. To preserve the integrity of parent education and to avoid the appearance of impropriety, each nonjudicial presenter/facilitator must sign a statement prior to presenting that he/she:

   a. Will not solicit OR will not solicit or accept[2] referrals for private professional services for pay from participants.

   b. Has not had a final order of protection and does not have a current temporary order of protection issued against him/her, has not been convicted of harassment, assault or similar offense against a present or former intimate partner or spouse, and has no pending investigation for child abuse or neglect or any "indicated" finding after an investigation for child abuse or neglect against him/her.

   The uniform Ethics Statement (**Appendix C**) is available from the PEAP Administrator.

VI. Administration

A. Opt Out Process. Courts, pursuant to Part 144.3(c) of the Rules of the Chief Administrator, may, in their discretion, order parents to attend certified parent education programs if there is no history, specific allegations or pleadings of domestic violence. A copy of the form *Order* is attached at **Appendix D**. Courts may refer parents to parent education when there is a history, specific allegations or pleadings of domestic violence **provided** there is no order of protection or temporary order of protection in effect or pending, Family Court Act, Article 8 family offense proceeding between the parents. A copy of the *Referral* form is attached at **Appendix D**. See Part One, Section III above for factors to be considered by the court in making the determination to make such order or referral.

A copy of the provider's enrollment form that contains the following questions must be submitted with the Certification Application:

Are you currently in danger of your partner or ex-partner doing any of the following:

[2]The preferred language is "will not solicit or accept" referrals. However, it is recognized that in more rural areas where there may not be as many professionals, this is not practical. The choice of language is left to the provider based on its assessment of the availability of mental health and legal professionals in its geographic area.

1. Physically hurting you by, for example, pushing, grabbing, slapping, hitting choking or kicking?
2. Threatening to hurt you, your children or someone close to you?
3. Stalking, checking up on you or following you?
4. Making you afraid?

____ Yes (You will be contacted by the program administrator. **Please indicate the safest way to contact you**.)

____ No (None of the above applies to me or I choose not to answer these questions at this time.)

The Certification Application must contain a statement that the local program administrator understands the requirements and will execute his/her duty to:

1. Review the responses to the foregoing questions on the program enrollment forms, contact any parent who responded "yes" and explain that he/she has the choice whether or not to attend. **A parent may opt out of attending parent education if domestic violence is present. It is important to note, however, that the presence of domestic violence does not require a parent education provider to exclude a parent from attending parent education. The decision whether to attend must be left to the parent.**

2. Issue Certificates of Compliance to parents who attend as well as to parents choosing not to attend due to domestic violence concerns. Certificates of Compliance will be supplied to providers by contacting the PEAP Administrator to receive a supply of Certificates toll free at (888) 809-2798 or by e-mail at nyparent-ed@nycourts.gov.

   The fact that a parent has opted out due to domestic violence concerns is not to be communicated to the Court. While a certificate can provide positive reinforcement as well as verification of attendance, it also has the potential of being abused by a parent who attaches a copy to court papers as a demonstration of interest in his/her child. To avoid the improper use of a certificate, the standardized Certificate of Compliance developed by the Program **must** be used and provided by parent education providers to parents who complete a full parent education program as well as to parents who opt out due to domestic violence concerns.

To give the Court feedback about compliance with an order, the local program administrator shall provide to the Court within one week after the completion of a class cycle, the names of parents issued Certificates of Compliance **without any indication whatsoever as to whether the Certificate of Compliance was issued based on attendance or opt out**.

The Application must set forth the name of the person(s) who will be performing these functions together with his/her contact information.

B. Safety Protocols. In order to reduce the potential for violence and confrontation, providers must be sensitive to the mechanics of safe delivery of parent education. The Application must set forth that administrative arrangements have been instituted by the provider to create a safe environment for all attendees and staff, as follows:

1. Divorcing or separating spouses or former partners must attend separate sessions on different days or at different locations, irrespective of an expressed desire by the parents to attend the same class. Neither parent will be advised of the class that the other parent is attending or that the other parent is already enrolled in a particular class.
2. Attendance lists and records must be kept confidential.
3. To the extent practicable, class locations are not publicized.
4. To the extent possible, classes are held at different locations and at varying times, including day time, early evening, and weekends so that an abusive partner cannot track the other partner and all parents enjoy an equal opportunity to attend given varying work and child care schedules.
5. Classes are conducted in safe locations that are well-lit and easily accessible to transportation and parking.
6. Implementation of a safety plan that includes arrangements for security personnel or law enforcement on-site or readily available. Set forth the details of the safety plan including, but not limited to, whether weapons screening will be conducted, provisions for intervention if a parent is disruptive, and presence of personnel to escort parents to transportation, if requested.

C. ADA Compliance. The class site and program must be in compliance with requirements of the Americans with Disabilities Act (ADA). In addition to provisions for physical access, the ADA requires that interpreters be made available for hearing impaired parents. State whether the classroom is handicap accessible and the arrangements for hearing impaired interpreters, if needed.

D. Fees. State amount of the fee, if any, to be charged and provisions for hardship waivers. Providers may charge a fee of no more than $100 per person. A parent should not be excluded for inability to pay. Each provider must have a hardship policy based upon the Poverty Income Guidelines, as provided by the U.S. Department of Health and Human Services (www.aspe.hhs.gov/poverty) (also see protected portion of PEAP website).

E. Record Keeping. The Application for certification must contain a statement (i) acknowledging the requirement to maintain the below records, and (ii) providing the name and contact information of the person(s) responsible for performing the functions of completing and maintaining these forms, reports and logs. **All of the records below shall be submitted to the PEAP Administrator on a quarterly basis.**

1. *On-line Reporting Form* (**Appendix E**).

2. *Enrollment Forms*. The program's class enrollment forms must be maintained for inspection by the PEAP as part of the re-certification processes. They must be grouped by the class for which a parent was enrolled, regardless of whether the parent attended, and grouped by month submitted for those parents who opt out.

3. *Incident Reports* (**Appendix F**). Providers must complete and maintain an Incident Report whenever a threat, outburst, stalking or assault occurs, or is reported to have occurred, at the class or in transit to/from a class.

4. *Complaint Log* (**Appendix G**). Providers must complete and maintain a Complaint Log whenever a complaint is made.

F. Evaluations. In an effort to properly evaluate the effectiveness of parent education and to further develop and refine the provision of services, providers are required to disseminate the Confidential Participant Evaluation Survey. The survey should be completed anonymously by attendees (unless the attendee indicates on the survey a willingness to be contacted for a follow-up survey) and returned to program staff. **These survey forms shall be submitted to the PEAP Administrator on a quarterly basis along with the forms set forth in Part Two, VI(E), above.**

The PEAP also encourages each provider to regularly collect feedback and information from its own staff, presenters and facilitators about its programs, including issues of effectiveness, facilities, presentation methods, materials, schedules and any other factors that would impact on

the success and effectiveness of the program. This information should be shared with the PEAP on a quarterly basis with the other forms outlined above.

VII. Recertification

Applicants found to be in compliance with the *Procedures* and application process will be certified for a period not to exceed three (3) years. A certified provider is required to submit an application and the required materials to renew its certification at least 60 days prior to the anniversary date of its last certification. An Application for renewal of certification/recertification shall consist of a reaffirmation of the information contained in the preceding application(s) that remains unchanged, the submission of information and materials that set forth any changes or modifications to the program or its administration not previously communicated to the PEAP Director, and any additional information requested by the PEAP. Examples of additional information to be submitted upon a Recertification Application includes:

- an updated Provider/Program Update Form;
- updated information regarding new presenters/facilitators and, for nonjudicial presenters, a resume and copy of the Ethics Statement, and for both judicial and nonjudicial presenters, a copy of the Certificate of Completion of Parent Education Training;
- copies of any new materials for presenters or participants;
- and such other information as the PEAP may deem relevant to the recertification process.

VIII. Denial, Suspension or Revocation of Certification

A. Denial. An Application for certification or re-certification may be denied by the PEAP Director if there is not full compliance with the *Procedures* or the Application procedures and requirements. In such event, the provider will be notified of the denial, and the reason(s) for the denial, by first class mail.

A provider may request review by the Chief Administrative Judge or his/her designee(s) of a denial of certification or re-certification by letter within 30 days after the date of mailing of the denial notice. Such requests should be sent via first class mail to

Parent Education and Awareness Program
New York State Office of Court Administration
Re: Certification Review (PEAP Director)
140 Grand Street, Suite 701

White Plains, NY 10601

The review will be conducted within sixty (60) days after the PEAP Director receives the request for review. The review will be on submission unless the Chief Administrative Judge or his/her designee(s), in its discretion, requests sworn statements and/or testimony.

If the Application is one for re-certification and review is requested, the provider shall remain certified until a decision is rendered unless immediate suspension of certification is warranted.

Notification of the suspension will also be posted on the PEAP website and sent to the District Administrative Judge(s) for the areas served by the provider or program for the purpose of placing courts on notice.

B. Suspension or Revocation. In the event the PEAP receives a complaint from a credible disclosed source that a provider or program is in serious breach of one or more provisions of the *Procedures*, or that egregious conduct has occurred in connection with a program, the PEAP Director may immediately suspend certification to receive court-ordered or referred participants.

The provider will be notified of the suspension and the reason(s) for the suspension via first class mail.

In the same manner as described above for the denial of certification or re-certification, a provider may request a review of the suspension by the Chief Administrative Judge or his/her designee(s). The review will be conducted within sixty (60) days after the PEAP Director receives the request. The review will be on submission unless, in its discretion, the Chief Administrative Judge or his/her designee(s) requests sworn statements and/or testimony. The review shall determine the appropriateness of the suspension, its duration and whether certification should be revoked.

The Chief Judge and his/her designee reserve the right, independent of a request by the provider, to conduct a review of the circumstances of the suspension to determine whether certification should be revoked.

IX. Changes to a Certified Program

A. Types of Changes. Certification of a program or provider is not transferrable, including from location to location, without prior approval of

the PEAP Director. When there is any significant change, such as transfer of ownership, change in the program administration, or a merger of programs or change of name, the provider shall notify the PEAP in writing and provide information about the change at least thirty (30) days prior to the change, or as soon as practical, in order to obtain approval.

A provider who wishes to change or expand the location of a program must provide the following to the PEAP Director, in writing, at least thirty (30) days prior to the intended date of relocation/expansion,

a. the address of the new site location
b. premises description and confirmation of ADA compliance, and
c. a safety plan.

The addition of presenters/facilitators must be submitted to and approved by the PEAP Director. Requests by providers to add presenters/ facilitators must be made in writing to the PEAP Director thirty (30) days prior to that person participating in a program/session and must be accompanied by all the information regarding presenters/facilitators required for the certification process.

B. Voluntary Closure. An approved program shall submit to the PEAP Director a notice of intent to close a program at least sixty (60) days in advance of the proposed closure, or as soon as practical, via first class mail to the address listed above at Part Two, II(B), noted as Re: Closure. Such notice shall include a plan for appropriate notice to court-ordered or referred parents enrolled in future classes.

APPENDIX A

Certification/Recertification Application
for
Parent Education Providers
Accepting Court-Ordered Participants

September 2007

NEW YORK STATE PARENT EDUCATION AND AWARENESS PROGRAM

Certification/Recertification Application
for
Parent Education Providers
Accepting Court-Ordered or Referred Participants

☐ Seeking Certification ☐ Seeking Recertification

Each provider must submit **one (1) copy** of the Application and appended materials for each program. The Application must address **all** of the following elements. If a provider expects that it will not be able to comply with a requirement, an explanation must be provided. NOTE: If recertification is sought, you need only complete Part I, A and any part for which the information provided in the last certification application has changed.

Part I. Provider Information

A. Organizational Structure

Sponsoring Organization(s) _____

Address: _____ Phone(_____) ____ - _____

_____ Fax (_____) ____ - _____

_____ E-mail_____

Website: _____

Program Name (Note: We need this information for our website):

_____

Legal Structure

☐ Incorporated

☐ d/b/a

☐ Other, explain _____

Types of Services Delivered

☐ Legal ☐ Mental Health

☐ Mediation ☐ Other, explain

Nature and Number of Staff Devoted to Parent Education (total #'s)
Full time _____ Part Time _____
Volunteer _____ Paid _____

Additional Information _____
_____

B. Administration Information
Name(s), title(s) and brief job description(s) of individual(s) responsible for administering parent education program: _____
_____
_____

Contact information, if different from Part I(A): _____
_____
_____

C. Program Information

General location of classes (*e.g.*, lower, eastside Manhattan; Four Corners, downtown Rochester): _____
_____

Geography: County(ies) served by the program. _____
_____

Are there any other parent education programs that serve all or part of the same area? ____ Yes _____ No
If yes, provide name and address of other program(s) _____
_____
_____

☐ It is acknowledged and agreed that the PEAP Director will be advised in a timely fashion of any changes in the above information.

Part II. Curriculum

A. Presenter's Manual/Materials

Submit a copy of the presenter's manual or materials that include

- ☐ Introduction, including domestic violence caveats
- ☐ Parenting and Child Well-Being Curriculum
- ☐ Legal Process Curriculum
- ☐ Concluding Remarks

(see, pp. 23-46, Board's October, 2003 *Report*)

B. Optional Additional Curriculum

- ☐ Submit a description and any manual and/or materials for any additional curriculum for which provider seeks approval (see, pp. 46-48, Board's October, 2003 *Report*).
- ☐ State duration of additional curriculum (*i.e.*, half-hour, one hour).

C. Additional Material for Parents

- ☐ Submit any materials (in addition to the *Parent's Handbook* provided by PEAP) that the program will distribute or have available to attendees.

Part III. Class Format and Presentation

A. Class Structure

- ☐ Number of Sessions: _____ Length of each class: _____

  _____

- ☐ Class schedule (*e.g.,* two consecutive Saturday mornings)

  _____

B. Class Size. It is acknowledged and agreed that:

- ☐ There will be no more than 50 attendees in a class.
- ☐ If there is a small group session, there will be sufficient facilitators to have a facilitator to participant ratio of no more than 1:15.

C. Class Composition. Indicate the court(s) from which the program will accept court-ordered or referred participants

- ☐ Participants from Supreme Court only
- ☐ Participants from Family Court only
- ☐ Participants from both Supreme and Family Courts

D. Presenters/Facilitators. Please submit the following for each nonjudicial presenter/facilitator.

- ☐ Current resume, including full name and contact information
- ☐ Ethics Statement

Once the presenter has received approval based on his/her resume and Ethics Statement, the training video will then be provided. The provider is required to submit for each judicial and nonjudicial presenters a:

- ☐ Certificate of Completion of Parent Education Training.

Note: The PEAP must receive all three items prior to the first class at which the presenter will teach.

It is acknowledged and agreed that, to the extent possible, the program will

- ☐ use two presenters for the Parenting and Child Well-Being curriculum, one male and one female, with at least one presenter having an advanced degree or equivalent experience.

Part IV. Administration

A. Opt Out

- ☐ Attach copy of class enrollment form containing the questions and required language regarding domestic violence.
- ☐ It is acknowledged and agreed that the program will

- ☐ review the enrollment form for domestic violence and advise parents about the opt-out provision if there is any indication of domestic violence;
  <u>Note</u>: A parent may opt out of attending parent education if domestic violence is present and safety is a concern. It is important to note, however, that the presence of domestic violence does not require a parent education provider to exclude a parent from attending parent education. The decision whether to attend must be left to the parent.
- ☐ maintain the On-line Reporting Form or other data reporting form as prescribed by the PEAP as well as the Incident Report and Complaint Log.
- ☐ Provide Certificates of Compliance to parents who complete program attendance as well as to parents who opt out and provide the names of parents who have been issued Certificates of Compliance to the referring court **without any indication as to whether the Certificate of Compliance was issued based on attendance or opt out**.

☐ State name and contact information for individual(s) responsible for performing each of these functions if different than Part I(B):

_____

_____

B. <u>Safety Protocols</u>

☐ The following protocols are acknowledged and provisions have been made to ensure that

- ☐ separating, divorcing or former partners do not attend the same class and are not advised as to the class that the other parent is attending;
- ☐ attendance lists and records are kept confidential;
- ☐ to the extent practicable, class locations are not publicized;
- ☐ to the extent practicable, classes are held at different locations;
- ☐ to the extent practicable, classes are held at varying times; and
- ☐ classes are located in a safe, well-lit location that is easily accessible to transportation or parking.

☐ If any of the above items cannot be met, circle the item and attach an explanation on a separate sheet of paper labeled "**Safety Protocols (IV, B)**."

☐ State the address(es) of all sites where classes are conducted.

_____
_____

☐ Set forth details of program's security/safety plan _____
_____
_____
_____

If additional space is needed, attach a separate sheet of paper labeled "**Safety Protocols (IV, B).**"

C. ADA Compliance

☐ The program site is ADA compliant. If not, please attach an explanation on a separate sheet of paper labeled "**ADA Compliance (IV, C)**."

☐ It is acknowledged that accommodation must be made for the attendance of hearing impaired individuals.

D. Fees

☐ If a fee will be charged, state amount per person $_____.

☐ If a fee is charged, submit program's hardship policy, including a statement that there will be no charge if a parent's income falls at or below 240% of the poverty guidelines.

E. Record Keeping

☐ It is acknowledged and agreed that the following records will be maintained on Board provided forms:

- ☐ On-line Reporting Form (or other data reporting format as prescribed by the PEAP) (to be submitted to PEAP Administrator quarterly)
- ☐ Incident Report (to be submitted within one week of the occurrence of a reportable incident)
- ☐ Complaint Log (to be submitted within one week of the occurrence of a reportable incident)

☐ It is acknowledged and agreed that all enrollment forms will be maintained by class for those parents who enrolled and by month for those who opt out of attendance for review by the PEAP Director upon request.

- ☐ It is acknowledged and agreed that the Confidential Participant Evaluation Survey will be distributed to and collected from all class attendees and then forwarded to the PEAP Administrator for tabulation.

☐ It is acknowledged and agreed that the provider will regularly collect feedback and information from its staff and presenters/facilitators about its program, including issues of effectiveness, facilities, presentation methods, materials, schedules and any other factors that would impact the success and effectiveness of the program and share same with the Program Director on an ongoing basis.

_____ _____

Completed by: (Print Name and Title) *Date*

( ) _____ _____

Phone *E-mail*

_____

Fax

APPENDIX B

Provider / Program Updates Form

August 2008

NEW YORK STATE PARENT EDUCATION AND AWARENESS PROGRAM

Provider / Program Updates Form

_____

Name of Program

_____

Name of Program Provider

Type of Program Change (check those that apply):

____ Additional site *(complete a Certification Application for the additional site and submit with this form)*

_____ New contact information *(list information below)*

_____

_____

_____

_____

_____ Change of location of class

_____ New presenters *(submit the following information: for non-judicial presenters, a signed Ethics Statement* ***in which the presenter makes an election between "will not solicit" OR "will not solicit or accept" referrals****; current resume which includes full name and contact information; and for all presenters, a Certificate of Completion or letter certifying that the presenter has completed Parent Education Training)*

_____ Additional Curriculum *(submit a copy of presentation materials for any additional curriculum for which provider seeks approval and state duration of additional curriculum)*

____ Additional Resource Material for Parents *(submit any materials that the program will distribute or have available to attendees)*

_____ Change in Fee Structure

_____ Any other changes to the certified program

Please return to:

NYS Office of Court Administration
Parent Education and Awareness Program
140 Grand Street, Suite 701
White Plains, NY 10601
or
Fax: 212-419-8478
Email: nyparent-ed@nycourts.gov

APPENDIX C

Presenter/Facilitator

Ethics Statement

September 2007

NEW YORK STATE PARENT EDUCATION AND AWARENESS PROGRAM

Presenter/Facilitator Ethics Statement*

I hereby represent that I:

a. will not [solicit] [solicit or accept] **(provider to strike or omit inapplicable language)** referrals for private professional services for pay from participants.

b. have not had a final order of protection and do not have a current temporary order of protection issued against me. have not been convicted of harassment, assault or similar offense against a present or former intimate partner or spouse, have no pending investigation for child abuse or neglect or any “indicated” finding after an investigation for child abuse or neglect against me.

_____

Signature Date

_____

Print Full Name Telephone

***It is not required that judicial officers complete this statement.

September 2007

APPENDIX D

Order to Parent Education Form
and
Referral to Parent Education Form

August 2008

State of New York Supreme / Family Court
[cross out one]
County of

_____,

Plaintiff / Petitioner,

- vs -

_____,

Defendant / Respondent.

ORDER
TO
PARENT EDUCATION

Index / Case No.: _____

Ordered by: _____

Title: _____

Parent education is a program to help parents who are going through court proceedings involving divorce, separation (including parents who are not married) and/or custody/visitation issues learn what they can do to help themselves and their child(ren) adjust to the family changes. It has been determined that the parties and their child(ren) could benefit from the parents attending a parent education program. Therefore, it is hereby

ORDERED, that both parties are to attend parent education at different class sessions; and it is further

ORDERED, that within **one (1) week** from the date of this order each party **must** contact the administrator of a Parent Education Program on the list of certified parent education programs provided to each party with this order or on the *List of Certified Parent Education Programs* for all of New York State available as noted below, to either: (1) Sign up to attend a certified parent education program in the county of his/her choice, or (2) Opt out because you are a victim of domestic violence and safety in attending parent education is a concern for you.

ORDERED, that you are to provide this Order to the local program administrator.

With this Order each party is being provided with a Parent Education Brochure and a list of certified parent education programs in the area where the court is located. **If you did not receive this information or if you want to see the *List of Certified Parent Education Programs* for all of New York State, you can**:

- contact the Court Clerk's Office of the court making this referral; or
- visit the New York State Parent Education website at: www.nycourts.gov/parented; or
- e-mail or call the New York State Parent Education and Awareness Program Administrator at nyparent-ed@nycourts.gov or 1-888-809-2798 (toll free).

How do I Opt Out of Attending a Parent Education Program?

If you feel that it is not safe to attend parent education, then explain your situation when you **contact the parent education program administrator**. Contact information for the program(s) in your area should have been given to you with this form. If you do not have this information, you can get it by one of the methods listed above.

Ordering Court Contact Information for
Parent Education Program Administrator:

_____

_____

_____

_____

_____

(Insert name and title of Judge)

Dated: _____

State of New York Supreme / Family Court

[cross out one]

County of

_____,

Plaintiff / Petitioner,

- vs -

_____,

Defendant / Respondent.

REFERRAL
TO
PARENT EDUCATION

Index / Case No.: _____

Referred by: _____

Title: _____

Parent education is a program to help parents who are going through court proceedings involving divorce, separation (including parents who are not married) and/or custody/visitation issues learn what they can do to help themselves and their child(ren) adjust to the family changes. It has been determined that the parties and their child(ren) could benefit from the parents attending a parent education program.

It is recommended and both parties are hereby referred to attend parent education. The parties must attend different class sessions.

Within **one (1) week** from the date of this referral, contact the administrator of a Parent Education Program on the list of certified parent education programs provided to each party with this referral or on the *List of Certified Parent Education Programs* for all of New York State available as noted below, to either: (1) Sign up to attend a certified parent education program in the county of your choice, or (2) Opt out because you are a victim of domestic violence and safety in attending parent education is a concern for you.

You are to provide this Referral to the local parent education program administrator.

With this Referral each party is being provided with a Parent Education Brochure and a list of certified parent education programs in the area where the court is located. **If you did not receive this information or if you want to see the *List of Certified Parent Education Programs* for all of New York State**, you can:

- contact the Court Clerk's Office of the court making this referral; or
- visit the New York State Parent Education website at: www.nycourts.gov/parented; or
- e-mail or call the New York State Parent Education and Awareness Program Administrator at nyparent-ed@nycourts.gov or 1-888-809-2798 (toll free).

How do I Opt Out of Attending a Parent Education Program?

If you feel that it is not safe to attend parent education, then explain your situation when you **contact the parent education program administrator**. Contact information for the program(s) in your area should have been given to you with this form. If you do not have this information, you can get it by one of the methods listed above.

Referring Court Contact Information for
Parent Education Program Administrator:

_____

(Insert name and title of Judge/Judicial Officer)

_____

_____

_____

Dated: _____

APPENDIX E

On-line Reporting Form
(available on-line)

September 2007

On-line Reporting Form
Available On-Line

APPENDIX F

Incident Report

September 2007

Incident Report

Program Name _____
Address _____
_____
Phone _____ **Fax** _____
E-Mail _____
Administrator _____

Date of Report _____
Class Location _____
Class Dates _____

Contact Info (if different than above) _____

Complainant

_____
Name *Address* *Phone*

Victim (if different from complainant)

_____
Name *Address* *Phone*

Perpetrator (if known)

_____
Name *Address* *Phone*

Explanation of the Incident
Include the type of incident*, location where it occurred, and the relationship of the alleged perpetrator, if known, to the victim (*e.g.*, victim's partner/former partner or "stranger" if no relationship exists).

_____
_____
_____
_____
_____
_____

Action Taken and by Whom

_____
_____

Outcome, if Known

_____
_____

_____ (____)_____ _____ @ _____
Completed by: (Print Name and Title) *Phone* *Email*

* *Types of incidents may include, but are not limited to, threats, outbursts, stalking or assaults occurring at the class or are reported as occurring in transit to or from the class.*

APPENDIX G

Complaint Log

September 2007

NEW YORK STATE PARENT EDUCATION AND AWARENESS PROGRAM

Complaint Log

Program Name _____
Address _____
_____
Phone _____ Fax _____
E-Mail _____
Administrator _____
Contact Info (if different than above) _____
_____

Date of Report _____
Class Location _____
Class Dates _____

Each provider must maintain a log of all complaints lodged by attendees and presenters regarding program content, presentation or administration. Logs will be reviewed during the re-certification process and copies may be requested by the Parent Education Advisory Board at any time.

Date	Nature of Complaint Include date, time, place and brief explanation of problem	Complainant: Name / Contact Information	Result Action taken and by whom