

At the End of the Day

Policies, procedures, and practices to ensure smooth transitions

by Holly Elissa Bruno

Holly Elissa Bruno, MA, JD, teaches advanced seminars



for Wheelock College, and heads up Bruno

Duratur Training and Consulting in Sterling, Massachusetts.

When families arrive to pick up their children, mini-reunions unfold. Children prattle confidently with news of their day. Parents listen gratefully. On other days, however, “release time” gets

swept into a mudslide of missed connections. Exhausted parents may not be able to focus on their children’s safety. Overwhelmed parents become argumentative.

Let’s consider what you can do to prevent your program, yourself, and the children and families in your care from being caught in the crossfire of release time mishaps.

Days of our lives

Mr. and Mrs. McClure share custody of three-year-old Cole. Cole used to be a bubbly, curious, playful boy. Lately, Cole’s withdrawn, timid manner has concerned you. Both parents try to win you over to their side by telling stories about the other parent’s shortcomings. You feel like you are witnessing “Days

of Our Lives.” You try to be neutral and understanding. It’s Friday afternoon, just before the December holidays when Mr. McClure careens into your program to pick up Cole. You think you smell alcohol on his breath. He yells: “Ho! Ho! Ho!” to everyone he encounters. What do you do?

Who is thinking about Cole? When parents’ lives are disrupted by divorce, job crises, addiction, or financial woes, even the most loving parents can lose sight of priorities. An overwhelmed 31-year-old adult emotionally dissolves into a three year old. Maturity meltdowns seem more likely to happen at the end of the day. What can we do to ensure that Cole and his parents leave our care safely and confidently each day?

Damage control

Agreements made with parents at enrollment serve as preventive medicine for the ills that might later befall us at release time. Consider revising your enrollment procedures and parent handbook to contract against future headaches. Even when meltdowns occur, being prepared in advance can dilute their intensity.

Parent under the influence

Cole’s dad may be under the influence of alcohol; certainly his changed demeanor and loud voice indicate that. Mr. McClure may also have a medical condition or be taking medication that affects his behavior. We are not required to be medical experts. Our responsibility is to make sure that Cole and his dad leave our program safely. What if, at enrollment, both parents sign the following agreement?

Consent to leave by taxicab: Parents agree to leave the program by taxicab and to reimburse the program for the cost of the cab, when a staff member believes that the safety of the child is better served if the parent does not drive.

Mr. McClure may object in the moment to getting in the cab. However, his signed agreement on file ensures that you can send him and Cole home safely. A grateful parent may later thank you for your concern.

Custody issues

What if Mrs. McClure angrily calls you, demanding to know why you didn’t ask her to pick up Cole instead? The McClures share custody of Cole. Therefore, absent a court order that clarifies

Note: This article does not serve as legal advice; please consult with your attorney.

custodial rights, either parent can pick up Cole. You may choose to call Cole's mom instead of calling a taxi. In that case, be prepared to mediate between the parents on your front step. What if, at enrollment, parents with shared custody: 1) file a copy of the section of the divorce decree that delineates custody; and, 2) write, sign, and file a written agreement about their child's pick-up schedule and procedures?

Shared custody parental agreement:

We, _____ & _____, parents of _____, agree that _____ (parent 1) will pick up _____ on Monday-Wednesdays; _____ (parent 2) will pick up _____ on Thursdays and Fridays. If a parent attempts to pick up _____ on the other parent's day, that parent must document the consent of the other parent to the change in schedule. If continuous changes occur, both parents will file a revised agreement with the program.

Required documentation

Custody issues can flare like forest fires in August, if the enrolling parent refuses to place the other parent on the authorized list. Consider the consequences of failing to discuss the other parent's rights at enrollment.

Lupe Hernandez-Jones' daughters, Rosa and Yvette, have been at your center this past year. The girls are polite, friendly, and anxious to please. Rosa and Yvette never mention their father. Ms. Hernandez-Jones filed no legal documents at enrollment. She listed only her brother and sister on the authorized list; neither has picked up the girls. Today, Lupe shows up in tears. She confesses that she and the girls escaped from an abusive dad, Buster, in Tampa. She pleads with you not to let Buster take the girls. Just then, a smiling Buster appears at your door, baseball cap in hand. What do you do?

By instituting a change in procedure at enrollment, you free all parties from this potentially perilous blow-up. A single parent may not want to list the child's other parent on the authorized list. The enrolling parent may fear for the child's safety, resent the partner, or simply need privacy. You are responsible for upholding your state's laws; most states prevent providers from refusing to allow a custodial parent to take a child, even if the parent appears drunk. When Lupe enrolled Rosa and Yvette, Lupe did not list Buster. Lupe claims Buster was abusive. Buster, could in turn, claim that Lupe kidnapped the girls. What if at the time of enrollment, your policies stated:

Both parents' right to pick up: Under the laws of the state of _____, both parents may have the right to pick up their child, unless a court document restricts that right. The enrolling parent, who chooses not to include the child's other parent on the authorized pick-up list, must file an official court document (e.g., current restraining order, sole custody decree, divorce decree stating sole custody). Absent that document, the center may release the child to either parent, provided that parent documents his paternity/her maternity of the child.

Safety requirements

A family provider in Pennsylvania told me about a father who arrived at pick-up time with his brand-new, cherry-red sports car. Dad refused to install a child safety seat, protesting that the seat would harm the butter soft leather seats. The provider chose not to offer to install a car seat of her own; if the car seat malfunctioned, she could be sued. When dad walks out the door with toddler, Melissa, what can you do? Before dad leaves, advise him you will call:

- 1) Police to report a violation of the law
- 2) Office of children's protective services to report child abuse/neglect

- 3) Other parent
- 4) Your licenser

To avoid this problem in the future, the provider took a preventive step. She invited a local police officer to the center to offer periodic car seat inspections to parents. She could also add the following policy to her parent handbook:

Car safety seats required: Children transported in vehicles must be buckled securely into car safety seats/seatbelts that meet state requirements. Parents will take whatever steps are necessary to maintain and use car safety seats. Another person on the authorized list will be called if this requirement is not met.

Minor on the authorized list

Parents often hire mature teens and pre-teens as babysitters. What do you do if a parent wants to add an under-age babysitter to her authorized list?

Babysitter Amanda: Amanda, 12, the eldest of four, is a popular babysitter with your families. The Russo family frequently hires Amanda to care for their toddler twins, Anthony and Madonna. Mr. Russo stops by to add Amanda to the authorized list. He wants to leave the twins' stroller with you for Amanda to use to walk the twins home. What do you say?

Since the Russos trust Amanda to care for their twins, should we honor the parent's desire to include Amanda on the authorized list? To formulate your policy on this, begin by asking your licenser if this complies with state regulations. Ask about the applicability of relevant latchkey legislation. Call child protective services to ask if this procedure might be construed as neglect or abuse. Ask if you, as a mandated reporter, need to call this in as a potentially dangerous situation. Does

your liability insurance cover you if Amanda and the twins have an accident on the way home? If this all adds up to too much risk for you to accommodate one family's wishes, consider adding this policy:

Authorized list for pick up: Persons on the authorized list must be at least 18 years and be able to supply documentation of their identity.

Best laid plans

Rewriting policies and procedures for the parent handbook takes time. Parents and staff need to be involved in the process. This involvement of parents and staff is part of "due process," and it pays off when everyone buys into the outcomes. Due process requires: 1) notification of an intended change to your policy; and 2) an opportunity for those affected by the change to express their opinion. Meanwhile, what do you do if an emergency rears up like a cobra at release time, before you have a policy in place?

Model release time crisis procedure

Should an unanticipated crisis erupt at the end of the day, take these steps for everyone's well being:

- **Do not immediately release the child.** Discuss your concerns with the person. Engage the child with another staff member.
- **Contact the other parent** or another responsible adult on the authorized list. Enlist them in solving the problem.
- **Offer alternatives.** Ask if you can call a cab, or if another person on the authorized list can pick up the child to allay your concerns.
- **Release the child with reservation.** Call the appropriate state or municipal agency to report your concern. For

Case studies

Present these case studies, and the ones in the article, to your staff for small group discussion. Ask each group to: 1) identify the issues; 2) apply the *Model Release Time Crisis Procedure*; and, 3) report what they would do in each case. Be sure to talk over what can be done to keep the children as free of stress as possible.

Baby Jasmine: A bald man in a dark suit comes to your center, announcing he must remove baby Jasmine, a foster child, immediately for security reasons. He pulls out an identity card that looks like an FBI badge; however, you have never seen him or a badge like his before. You can't reach the foster parent or Jasmine's social worker. Only friends are listed on the authorized pick-up list. Officer Petrozullio insists that baby Jasmine is in danger. Nearby children are watching. What do you do?

Danielle and Daryll: The twins' parents, who recently separated, are fighting daily. Neither has filed for divorce; you're not sure they were married anyway. Mom and dad use your center as a place to meet, argue, and trade off the twins. The parents disagree over whether their current live-in partners, Theresa and Meghan, should be on the authorized list. The children's cubbies overflow with overnight items each parent insists on leaving. Today, Daryll clings to you as if you were his real parent. Danielle refuses to leave with mom or dad, Theresa or Meghan. The parents want you to mediate. What do you do?

Tyrone: Four-year-old Tyrone's mom drops him off the minute your doors open and is always late to pick him up. Tyrone's grandmother, on the authorized list does not have transportation. Yesterday, Tyrone needed a bath; he has worn the same outfit for three days. When you try to talk with Tyrone's mom, she brushes you off. Today, she angrily confronts you for holding her up at release time. She says she has three jobs, and that you don't know what being a single mom is like. What is your next step?

example, ask the police to shadow the car of a parent who may be under the influence.

- **Call the authorities.** When someone's safety/well being is threatened, call the police and other appropriate government agencies.

Consider how you would apply these steps with Mr. McClure or Lupe and Buster Hernandez-Jones:

Sit down with the parent to share your concerns and theirs. During this time, protect the children by engaging them in an activity; children do not need to

see adults losing control of their dignity. Ask Mr. McClure if he feels that Cole will be entirely safe on the drive home.

Ask the Hernandez-Jones family to call in a qualified third party (e.g., clergy, mediator, police, attorneys) to help them resolve their issues.

Keep things as routine as possible for the children. If mom usually picks up the children, ask the parents if they are willing for mom to continue to do that until the issues are resolved peacefully.

If these calming steps fail, and you feel you have no choice but to release the

child, do so. Don't allow other children, your staff or yourself to be put in danger. However, simultaneously reach out for help. Notify appropriate authorities. Call the police. Report abuse and neglect. Inform your licensor.

My colleague, attorney Tom Copeland, stresses that a provider should immediately call the police if a child is in danger.

Reducing the risks of release time

The end of the day can erupt into a volcano of legal and ethical issues. To keep your *eyes on the prize* of doing what is best for children and families, plan to:

- 1) revise release time policies and procedures to prevent problems;
- 2) include interested parties in this revision process; and, 3) prepare your staff in advance for how to handle troubles if they arise. We all want Cole, Rosa, Yvette, Melissa, Anthony, Madonna, and their families to pass through our doors, safely and confidently, on their way home.

Enlarging the circle

Just as a leader's vision can prevent release-time crises, so too can prepared staff members diffuse release-time blow-ups. Offer staff the opportunity to practice how to handle challenging situations in advance. Discuss this information at a staff meeting. Post the *Model Release Time Crisis Procedure*. Break staff into small groups to discuss how they would deal with Mr. McClure and Ms. Hernandez-Jones. Invite them to discuss the case studies above. Encourage them to create their own case studies for group discussion. By enlarging the circle of prevention, you can all keep release time on the playground, not the battleground.

If readers want to discuss the article with the author, please contact Holly Elissa Bruno directly through her web site:
hollyelissabruno.com