

**Caught in the uncivil war: How equipped are school leaders to navigate custodial rights in
the educational setting?**

by

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Abstract

The purpose of this quantitative, correlational study was to examine the relationship between knowledge of protocol and familiarity with the application of custodial situations in the educational setting. This study assessed both the self-reported knowledge of school leaders with current school and/or system protocols regarding custodial rights and the school leaders' familiarity regarding the application of established school protocols for custodial situations in the educational setting. The significance of any possible relationship between knowledge and familiarity regarding the application of custodial rights might shed light on any gaps between these two constructs. The data collection process included a voluntary survey and follow-up interviews. The study found that most school leaders were knowledgeable of protocol, were familiar with the application of established school protocols for custodial situations in educational settings, and were able to appropriately respond to custodial situations given hypothetical, custodial arrangements. Statistically significant correlations were found to show that as knowledge of protocol increased, application decreased, and as years of experience increased, application also increased. No statistically significant correlation was found between knowledge and experience, grade levels served, or school type studied. In addition, no statistically significant correlation was found between application and grade levels served or school type studied. Moreover, no statistically significant correlation was found between years of experience and ability to appropriately respond to custodial situations given hypothetical, custodial arrangements.

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Chapter 1: Introduction

Family structure in the United States has changed drastically over time. “By definition, the traditional American nuclear family consists of a married mother and father who are both biologically related to all of the children in the family” (Manning et al., 2014, p. 48). Today’s non-traditional families can be cohabiting or divorced, single parent or blended family, foster families, or even combinations of these family types. By the year 1990, nearly fifty percent of all marriages ended in divorce (Coontz, 2006), and although there tends to be a decrease in the divorce rate in the United States (Kennedy & Ruggles, 2013), one should not be deceived. While divorces are decreasing, cohabitation and single parenthood are increasing (Kennedy & Ruggles, 2013). As of 2017, the number of births to unwed mothers doubled to nearly forty percent (Wasserman, 2020). “Less than half the children in the United States today will grow up in a household with continuously married parents” (Wasserman, 2020, p. 56).

Non-traditional family structures can contribute to negative effects on children. In circumstances where child custody is highly contentious, the effects can be far-reaching and long-lasting. Studies have shown that custodial disputes can negatively impact a child’s behavioral well-being (Arkes, 2015; Baker, 2005; Gustavsen et al., 2016; Portnoy, 2008; Ricci, 1997; Sarmet, 2016; Shifflett & Cummings, 2005; Weaver & Scofield, 2015), emotional well-being (Baker, 2005; Gonzalez & Viitanen, 2018; Portnoy, 2008; Ricci, 1997), and academic success (Arkes, 2015; Chae, 2016; Nusinovici et al., 2018; Portnoy, 2008; Ricci, 1997; Snopkowski, 2016). In addition to the negative impact on children, custody disputes often put the school in the middle. The following question is posed: how can the school shield the child while also ensuring that the school does not become the battleground for custody or domestic disputes?

Schools can help protect themselves and the children of custodial disputes by remembering that “The school is not the battleground” (Gatens, 2015). They can do this by shielding the child (Gatens, 2015), having specific protocols (Rock, 2018), and being well-versed in reading custody documents (Rock, 2018). Schools can keep the battle off school grounds by listening without agreeing (Gatens, 2015), sharing information equally (Frieman, 1997; Gatens, 2015), remembering that the school is not a party to the custody order (Los Angeles United School District [LAUSD] legal brief), and not choosing sides in the custody dispute (Association of Family and Conciliation Courts [AFCC], 2009). Administrators can help shield the child by being consistent in expectations and discipline (Gatens, 2015), listening to the child (AFCC, 2009; Sammons & Lewis, 2000), reassuring the child of his/her competencies, advocating for the child, and promoting the involvement of both parents (Sammons & Lewis, 2000). In addition, schools should have specific protocols regarding the delivery of educational information (Frieman, 1997; National Center for Educational Statistics [NCES]), the procedures for school visitation and checkouts (Rock, 2018), the roles of stepparents in a child’s education (AFCC, 2009; Gatens, 2015), and the requirements for parents to submit up-to-date custody documents (AFCC, 2009; Beekman, 1986). Finally, administrators can aid students and schools by being well-versed in reading custody documents; this competence includes knowing the difference in legal and physical custodies (AFCC, 2009; LAUSD legal brief), knowing who has the right to make educational decisions, and knowing who has visitation at what times (Rock, 2018). By shielding the child and having specific protocols that extend to administrators and other affected parties within the school, school-level administrators will both protect the school from being the battleground and provide a haven for the student.

The present study focused on the school leaders' awareness of the specific protocols as well as their abilities to read and interpret custody documents. The school leaders first self-reported whether or not they had knowledge of written protocol regarding custodial situations in the educational setting. Next, the school leaders ranked how familiar they were with the application of established school protocols in these same custodial situations. Within the survey, school leaders could volunteer to speak further on the topic. Volunteers gave the interviewees hypothetical custody arrangements, and the school leaders were assessed on their abilities to appropriately interpret the parents' rights in various types of custody arrangements. Finally, the researcher determined if a correlation existed between knowledge of protocol and familiarity with the application of established school protocols for custodial situations, as well as between years of experience as administrators and their abilities to appropriately interpret custodial documents in the educational setting.

Problem

Children at the center of custodial disputes are not a new issue; however, the prevalence impacts the educational setting. Schools must be prepared to counteract these effects to promote the well-being of the students and have less disruptions in the school day, as often the custodial disputes unfold on the grounds of the school. The school and its students can be party in these matters when custody disputes extend from the domestic to the academic sphere.

Having specific protocols in place will assist in protecting both the students and the school (Rock, 2018), as schools are tasked with knowing which parent is allowed to make primary educational decisions. In many instances, parents can amicably agree on the education of their child(ren); however, there are parents who often do not recognize the boundaries present in the educational setting. Therefore, simply having protocols is insufficient. School leaders must

be knowledgeable of these protocols and familiar with the application of custodial situations that arise in the educational setting. Administrators should know how to read custody documents and skillfully interpret how the legal documents impact the educational setting.

Although literature exists on the importance of having protocols regarding custodial situations in the educational setting (AFCC, 2009; Beckman, 1986; Carver; Frieman, 1997; NCES; &Rock, 2018), research is limited on how knowledgeable administrators are of existing protocols and/or how familiar administrators are in the application of the custodial situations that may arise in the educational setting. Furthermore, although literature exists on the importance of administrators being well-versed at reading custody documents (AFCC, 2009; LAUSD; & Rock, 2018), little research is available to determine the extent to which administrators are able to interpret custody documents and the demographics that may relate to this ability. Perhaps a quantitative, correlational study can help elucidate any gaps between knowledge of protocol and familiarity with the application of custodial situations in the educational setting and determine the present level of ability of administrators to interpret custodial documents.

Purpose

The purpose of this quantitative, correlational study was to examine the relationship between knowledge of protocol and familiarity with the application of custodial situations in the educational setting. This study assessed both the self-reported knowledge of school leaders with current school and/or system protocols regarding custodial rights and the school leaders' familiarity in regards to the application of custodial situations in the educational setting. The significance of any possible relationship between knowledge and familiarity in regards to the application of custodial rights might shed light on any gaps between these two constructs. The data collection process included a voluntary survey and follow-up interviews.

Research Questions

In order to address the research problem, the researcher surveyed public school leaders in Alabama as listed in the Education Directory (ED DIR). The following are the research questions that the researcher sought to study:

1. To what extent does knowledge of established written protocol regarding custodial rights in the educational setting correlate to familiarity of the application of custodial situations?
2. What demographics factors correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
 - A. To what extent does years of experience as a school leader correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
 - B. To what extent does grade level served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
 - C. To what extent does type of school served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
3. To what extent does years of experience as an administrator correlate to the ability to interpret custody documents in the educational setting given hypothetical custodial situations?

Research Design

The research design provides the blueprint for a study (McMillan, 2015). The design chosen will guide decisions on data collection and overall structure. Quantitative research

generally falls into two categories: experimental and non-experimental. The present study is a non-experimental design. The purpose of this study was to determine if a relationship exists between school leaders' self-reported knowledge of established school and/or system protocols regarding custodial rights, the school leaders' familiarity with the application of established school protocols for custodial situations within the educational setting, and the school leaders' abilities to appropriately interpret those custodial rights in the educational setting given hypothetical custody arrangements. For this study, the variable of self-reported knowledge of established protocols was related to the variable of familiarity with the application of established school protocols for custodial situations in the educational setting. In addition, the variable of years of experiences was related to the variable of ability to appropriately interpret custody arrangements to determine if a relationship existed.

Assumptions

In Pamela Brink's and Marilyn Wood's book *Advanced Design in Nursing Research* (1997), they confirm that correlational studies have several assumptions that are inferred. First, correlational studies assume that the variables have not been shown to covary in other populations. In addition, a conceptual framework should be presented which reinforces the feasibility that an association might exist between the variables. Moreover, the assumption is made that there exists no previously assessed hypothesis, which could explain the association between the variables. It is also assumed that the variables subsist in a population and are available for research. Furthermore, the sampling must be indicative of the population in which the study is performed. Lastly, the assumption is made that the researcher has not defrauded the variables so that the variables are examined in their logical setting (Brink & Wood, 1997).

Delimitations

To begin, the study focused on the role of the school leader. Although custodial rights in the educational setting could certainly be studied and have been studied from various vantage points, the present study looked solely at the school leaders' knowledge and application of this area in the educational setting. In addition, the study was specifically focused on public school leaders in Alabama. Many of the laws and procedures are applicable across state lines; however, this study specifically sought to survey public Alabama school leaders. Furthermore, the researcher chose to focus on a correlational design for this study. The correlational design gathered data on the administrators' self-reported knowledge with established school and/or system protocols regarding custodial rights, the leaders' familiarities with the application of established school protocols for custodial situations, and their abilities to appropriately interpret custodial rights in the educational setting given hypothetical custody arrangements.

Significance

As non-traditional family structures have continued to rise in today's society, numerous studies have been performed which examine how schools can assist in intervention programs that aid children and families experiencing custody battles. Little research has been conducted, however, about how well administrators are prepared to handle the legal nuances that custody disputes inevitably manifest in the educational setting. This study sought to bring self-awareness to school level leaders of their knowledge of established protocols as they handle these delicate situations, their familiarities with the application of established school protocols for these situations, and hypothetical custody arrangements to invite them to put their current knowledge into practice to further elucidate any gaps. Furthermore, the study examined if a relationship existed between the variables. It is the goal of the researcher that this will broaden the awareness

of how custody disputes affect educational settings and how school leaders can better prepare themselves to address these disputes.

Definition of Terms

Blended Family – A family consisting of a couple in which at least one adult had previous children. A blended family can consist of two parents and their custodial children or non-custodial children.

Cohabitation – A couple that lives together outside of wedlock.

Custody – The division of the responsibilities regarding a child of a divorced or never married couple.

Custody Documents – The legal documents that outline the responsibilities of each divorced or never married parent.

Familiarity with the Application of Established School Protocols for Custodial Situations in the Educational Setting– How well-versed administrators are at applying custodial protocols in situations.

FERPA – The Federal Education Rights and Privacy Act, which in relevant part ensures that both parents have the rights to view educational information barring any legal order to the contrary.

Grade Levels Served – A demographic variable that denotes what grade levels comprise the respondents school.

Knowledge of Protocol – Awareness of the rules and procedures regarding a given topic.

Legal Custody – Pertains to the division of responsibilities between separated parents on who will make decisions regarding the children. In many instances, joint legal custody is awarded to both mother and father to encourage co-parenting.

Nuclear Family – A family in which the mother and father are still married with all of their children in the home.

Parental Alienation Syndrome [PAS] – A disorder, defined by Richard Gardner in 1985, in which a child is indoctrinated by one parent to be hostile to and/or hate the other parent. In PAS, the level of indoctrination is so great that the child participates in the denigration of the targeted parent.

Physical Custody - Pertains to the division of physical care of the child between separated parents. Types of physical custody are sole physical custody, where one parent has sole responsibility for the physical care of the child; primary physical custody, where one parent is the primary one responsible for the physical care of the child while the other parent usually has visitation with the child; and joint physical custody, where the child spends a considerable amount of time at each parent's home.

School Type – A demographic variable that denotes the urban-central locale of the respondents school based on the urban-central locale categories developed by the National Center for Educational Statistics (2006).

Years of Experience – A demographic variable that denotes the years that a respondent has been an administrator.

Organization of the Study

A review of the literature discusses the prevalence of non-traditional families, the negative effects of custodial disputes on children, and a basic conceptual framework for schools to ameliorate the negative effects of this contention on children and prevent the school from becoming the battleground. Chapter Three addresses the methodology of the present study and the results are presented in Chapter Four. Finally, the discussion of this research and, possible

future studies are discussed in Chapter Five. It is the researcher's goal that this study will inspire conversations about administrators' need for training and school systems' need for custody protocols.

Chapter 2: Literature Review

The primary responsibility of the school administrator is to effectively run the daily operations of the school with the goal of benefitting the students' well-being and academic success. Although a great deal of pre-service administrative training is spent on instructional coaching, systemic change, and leading faculty, little time is spent on the laws pertaining to how schools are to respond to custodial disputes in families. In many instances, divorced or never married parents amicably agree on the education of their child (Cohen, 1978). There are numerous cases, however, where anything can become a point of contention including who can check the child out, who has access to grades, who are listed as emergency contacts, and who can attend conferences and special education meetings (Ricci, 1997). For these families, the school becomes a pawn in one parent's control over the other and, ultimately, a pawn in the calculated denigration of one parent's relationship with the child (Templer et al., 2017). For this reason, it is imperative that schools have policies and procedures in place to handle these highly contentious families; however, it is even more imperative that administrators not only have knowledge of the policies, but also be familiar with the application of the policies and procedures in place to protect the school and help the school advocate for students.

The Ever-Changing Family Structure

Although many believe that the breakdown of the traditional family is a relatively new social ill, accounts date back for centuries. Early patterns of divorce included Indian tribes that allowed a woman to simply put her husband's belongings outside the abode; in Japan, men could divorce their wives by writing a simple note (Coontz, 2006). In ancient Rome, one only needed to have witnesses to a letter of the intent to divorce; however, it would be hundreds of years before Rome required legal documents to signify divorce (Coontz, 2006).

Even though divorces did occur centuries ago, divorce was not as prevalent as in recent years. Scholars attribute the low rate of divorce in early centuries to the basis for marriage itself. In centuries past, marriage took place primarily as a business transaction, usually between the parents (Coontz, 2006). Parents would arrange marriages for their children to obtain or maintain social standing, ease business relations, and/or secure military alliances (Coontz, 2006). The idea of love and affection had little impact on early marriages until the Age of Enlightenment (Coontz, 2006). Accompanying the idea of marriage for love was the need for codified divorce laws for individuals who were no longer in love.

The first rise in the divorce rate in the United States came between 1880 and 1890 (Coontz, 2006). “In 1891, a Cornell University professor made the preposterous prediction that if trends in the second half of the 19th century continued, by 1980, more marriages would end in divorce than by death” (Coontz, 2006, p. 9). Remarkably, the professor was only ten years off the mark. Besides a minor spike in the divorce rate in the Roaring Twenties, divorce did not begin its steady rise until after World War II (Coontz, 2006).

During World War II, society was forced to accept many changes, mainly due to the deployment of many men in the United States. Although the women left behind dutifully stepped into the roles of heads-of-household and working mothers, this shift would later contribute to a rise in divorce in the United States (Dinner, 2016). The growing independence of women, the invention of birth control, and, most importantly, the “no fault divorce” ushered in the most dramatic rise in divorce that this country has ever seen in the 1970’s and 1980’s (Dinner, 2016). At the time, little was known or considered about the impact of divorce on children; the fury with which this new trend would intensify was unimaginable.

According to the Centers for Disease Control (2015), 40.8% of marriages ended in divorce in the year 2000. As of 2017, that number had decreased to 35% of marriages ending in divorce (US Census, 2017). According to the CDC (2015), Alabama follows the same trend as the divorce rate has gone from 6.1 out of every 1,000 of the total population in the year 1990 to 3.7 out of 1,000 of the total population in 2017 (CDC, 2017). Although these numbers appear to show fewer marriages are ending in divorce, which would lead one to believe fewer children are being affected by custodial disputes, studies show that this is not the case. Kennedy and Ruggles (2013) performed a study titled *Breaking Up is Hard to Count* in which the researchers analyzed the Current Population Survey, the American Community Survey, and other pertinent data sources to “document striking growth” in cohabitation which causes family units to be unstable. This same trend is echoed in a report by the CDC and Prevention (2002), which cites the rise in cohabitation as well as noting “unmarried cohabitations overall are less stable than marriages.” In addition, as of 2017, the number of births to unwed mothers accounted for nearly forty percent of all births (Wasserman, 2020). Therefore, to understand the effects of family instability on children’s educations, one must explore the children of divorced parents, never married single parents, and cohabiting parents.

According to the US Census Bureau (2011), there were 74,294,000 children living in the United States in 2011. Of that total, 50,569,000 children lived in a home with married parents; 11,645,000 lived in a home with divorced, separated, or widowed parents; and 12,080,000 lived in a home in which the parents were never married. In total, 32% of children did not live in nuclear families, and children of never married parents out-numbered even the children of divorced parents. As a result of the prevalence of divorce, single parents, and cohabitation, it

becomes more imperative to learn the negative effects of custody disputes and how those effects might be ameliorated.

Effect of Custodial Disputes on Children

Alabama students, like the rest of the nation, are facing the epidemic of custodial disputes. Many students will see not only their parents' divorce but also experience the divorce of a parent and stepparent. Divorce is, according to Dr. Isolina Ricci (1997), one of the two most severe stressors for children, second only to the death of a parent. The ability of parents to harmoniously share parenting responsibilities regardless of family structure is the most important predictor of their children's long-term well-being (Cookston et al., 2006).

There is a wealth of literature on how custodial disputes affect children and even more on how highly contentious battles denigrate parent-child relationships. Parental contention has been shown to have negative behavioral effects, such as general behavioral problems (Arkes, 2015; Portnoy, 2008; Shifflett & Cummings, 1999; Weaver & Schofield, 2017), aggressive behavior towards parents and teachers (Ricci, 1997, Sarmet, 2016), problems getting along with peers (Portnoy, 2008; Ricci, 1997), lack of trust (Baker, 2005), an increased likelihood of sexual activity at an earlier age (Ricci, 1997), an increased likelihood of producing children out of wedlock (Portnoy, 2008; Ricci, 1997), and an increased likelihood of substance abuse and/or alcoholism (Baker, 2005; Gustavsen et al., 2016; Portnoy, 2008; Ricci, 1997). Being a child of a custodial dispute also increases a child's risk of disengagement from school (Havermans et al., 2017) and increases the risk of becoming a high school dropout (Portnoy, 2008). In addition, other academic effects of parental contention are general academic difficulties (Nusinovici et al., 2018; Portnoy, 2008; Ricci, 1997) including a specific propensity for difficulty in reading comprehension (Arkes, 2015) and a general decreased level of education (Snopkowski, 2016,

Chae, 2016). Moreover, custodial contention increases emotional concerns in children such as an increased likelihood of experiencing depression (Baker, 2005; Portnoy, 2008; Ricci, 1997), a heightened need for psychological help (Portnoy, 2008; Ricci, 1997), a decrease in self-esteem (Baker, 2005; Portnoy, 2008), and a decrease of satisfaction in life (Portnoy, 2008). Furthermore, the negative effects of custody battles extend into the child's adulthood through a marked decrease in lifetime potential earnings (Gonzalez & Viitanen, 2018), a greater risk of committing suicide (Gonzalez & Viitanen, 2018), a heightened risk of divorce in their own marriages or never marrying at all (Baker, 2005; Portnoy, 2008; Ricci, 1997), and an increased risk of being alienated from their own children (Baker, 2005).

Kalmijn (2015) specifically researched the father-child relationship by selecting two classes in each of four European countries to interview participants who had divorced or separated parents. The purpose of the study was to determine what characteristics exist that promote healthy father-child relationships post-divorce. Kalmijn found that the distance between the parents and the ability for the parents to work together greatly impacted the relationship between the father and the child. In addition, Kalmijn found that children whose mothers are employed are more likely to have regular contact with their fathers, and the parents are more likely to co-parent. Moreover, sons are more likely than daughters to have frequent contact with their fathers post-divorce, and that the number of children in the family has little to do with the father-child relationship following divorce. This study contributes to the existing literature by broadening the research to include the effects of divorce in European countries on the parent-child relationship.

Weaver and Schofield (2015) used data from the National Institute of Child Health and Human Development Study of Early Child Care and Youth Development to determine if a

relationship exists between the internal and external behavior concerns of five- to fifteen-year-olds with the independent variable of parental divorce. The researchers studied a control group with no parental divorce and an experimental group who had experienced parental divorce to determine if a relationship existed between children with behavioral problems and children with divorced parents. The study found that children from divorced families have a statistically significant propensity towards behavior problems as compared with children from nuclear families. In addition, the study found that these behavioral problems were both present at the onset of the divorce as well as throughout childhood. The impact of this study is significant because it not only sheds light on the negative effects, but it also brings a new awareness to the length of time that these negative impacts can affect a child. “Children from divorced families had significantly more behavior problems than peers from intact families, and these problems were evident immediately after the separation and later on, in early and middle adolescence,” (Weaver & Schofield, 2015, p. 45).

In a similar study, Havermans et al. (2017) aimed to determine if financial resources, parent-child relationships, socio-economic demographics, time since divorce, and/or the level of pre-divorce conflict has an effect on school engagement in older adolescents. The study found that although stepparents help with financial stability, having a stepparent in the home does not necessarily correlate to higher school engagement. In addition, the better the parent-child relationship, the more engaged the student tends to be in school. On the other hand, having a transient resident in the home (i.e., a parent’s romantic partner) decreases the child’s school engagement.

Another study aimed to examine children born prematurely whose parents had separated or divorced to determine if and to what extent school performance decreased and to determine if

the decrease was affected by the age of the child when the parents separated or divorced (Nusinovici et al., 2018). This study aimed to expand the research by examining a combination of variables that have been separately proven to show lower academic performance to determine if the combination of the two variables further decreased the academic performance and/or if the timing of the life stressor made a significant difference in academic performance. The study found that the combination of a child's being both preterm and having his/her parents divorce significantly increases the risk of lower academic performance. Moreover, the study found that children between the ages of three to five whose parents had divorced were at an increased risk of academic difficulties.

Snopkowski (2016) aimed to discover if there were educational impacts due to reduced finances for children of divorce. The study examined if these negative impacts could be lessened by a custodial parent with greater financial resources and/or having extended family in the area. The study concluded that children whose parents divorce and the custodial parent remarries were shown to complete 1.2 years less of education than children whose families remain intact. Moreover, those same educational impacts were lessened for those children whose custodial parent had greater financial resources and/or had extended family in the surrounding area. The location of the study in Bolivia provided some unique insight on divorce with remarriage versus divorce without remarriage, as this particular culture rarely has legally binding or even ceremonial marriages but rather cohabitation that is generally referred to as marriage. This leads to a greater number of "divorces" to study in a limited area. The study shows that children of nuclear families are more productive in the educational realm. In addition, the study foreshadows how the effects of divorce will continue to affect future generations by stating, "Reducing investments in a child's education may result in the child having lower mate value at adulthood,

reducing the child's chances of marrying, and may decrease their earning potential as an adult, hindering their ability to invest in their own children" (Snopkowski, 2016, p. 398).

By the same token, Chae (2016) studied the educational effects of parental divorce on children in rural Malawi. The study was based on data from an original study done in Malawi where the divorce rate in some regions is as high as ninety percent. The purpose was very similar to the Snopkowski study (2016) in that Chae aimed to determine if parental divorce has a negative effect on a child's level of education. Specifically, the study examined children's school attendance, grade level attainment, and the gap between their age-appropriate grade levels and their actual academic grades. Results indicate that divorce is associated with lower grade attainment and a larger gap between the age-appropriate grade and the academically successful grade. In addition, female children are significantly more likely to have attendance concerns from divorced families.

The negative effects of family contention on children are far-reaching. Not only are children impacted by a changing relationship with the non-custodial parent, but behaviors are often also declining post-divorce. In addition, the child's education is impacted through school engagement, performance, and the level of educational attainment. As Weaver and Schofield affirm, "Parental divorce does not affect all children to the same extent" (Weaver & Schofield, 2015, p. 39); however, all children are affected by custodial contention in some way. The key to minimizing those negative effects is for parents to be able to work together to co-parent the children. Unfortunately, that does not always happen.

High parental conflict, whether through divorce or not, can cause negative effects on children and adults (Lebow & Rekart, 2006). Dr. Sanford Portnoy foreshadows that "Continuing conflict between the parents...is the single biggest predictor of poor outcome for children"

(2008, p. 129). High-conflict custody battles can cause children to be more aggressive, more likely to experience depression, more likely to experience learning difficulties, more likely to experience problems getting along with peers, three times more likely to be referred for psychological help, more likely to become sexually active at an earlier age, more likely to produce children out of wedlock, and three times more likely to divorce or never marry at all (Ricci, 1997); in some cases, children may be more likely to have a substance abuse problem (Huurre, Junkkari, & Aro, 2005). According to Sparta, “In developmental terms, undermining a child’s sense of security in terms of continued psychological attachment can represent one of the greatest risk factors for future mental health” (2008, p. 6). On the contrary, lower levels of conflict in custodial settings allow children to better endure the changes with fewer adverse effects (Bing et al., 2009).

In rare cases, the contention between parents can lead to Parental Alienation Syndrome. According to Templer et al. (2017), parental alienation occurs when one parent systematically teaches the child to reject the other parent, which results in a damaged or nonexistent relationship between the child and the targeted parent. The offending or alienating parent uses a variety of methods to destroy the relationship, often using the school setting to alienate the targeted parent. With such a trend of custodial contention and widely documented knowledge of the negative effects, the schools often get caught in the middle in a multitude of ways.

“PAS was defined for the first time in 1985 by Richard Garner as a disorder that primarily arises in the context of court divorces that involves a dispute over the custody of the children. Its primary manifestation is the unjustified campaign of denigration by the child of one parent” (Siracusano et al., 2015, p. 232); however, PAS is still not accepted by all. Clemente & Padilla-Racero (2016) refute PAS citing that there is a lack of research into the validity of this

syndrome, as well as an omission from the Diagnostic and Statistical Manual – V (DSM-V). Although not as overt in their disagreement with the term PAS, O’Donohue et al. (2016) state, “It appears that it would be more prudent to start anew and to attempt to identify specific behavior or sets of behaviors on the part of parents that have either negative or positive effects on the child’s relationship with the other” (p. 122). Despite some criticism due to lack of extensive research, PAS is a widely accepted term today that requires special consideration in legal proceedings due to the toxic environment it creates for families.

One article likens PAS to the mythical story of Medea (Sarmet, 2016). Sarmet discusses the similarities between the abuse of alienating a child from their parent and Medea’s killing her children to seek revenge on her husband. Although parental alienation does not often result in murder, the parallel is drawn between the death of the children in the myth and the death of the relationship in a parental alienation situation. Sarmet reinforces this connection by stating, “Depending on the degree of alienation to which he/she is exposed, the child passes to act aggressively against the alienated parent, and thus contributes to the actual distancing from him/her” (Sarmet, 2016, p. 486).

Despite the critics of PAS, ongoing studies continue to review relevant research in the area of PAS to determine best practices for reversing the effects of PAS on children (Templer et al., 2016). Advocates of PAS concur that the best way to combat parental alienation is with a coordinated effort between family therapists and the legal system (Templer et al., 2016). In addition, the study found that when custody is changed to the targeted parent, the parental alienation is decreased

A book review by L’Abate and Ryback details research that is continuing in Germany regarding PAS studies (2014). The authors give practical therapeutic suggestions for working

with and treating children and families who have experienced PAS. In addition, they cite the need for further research in this area because PAS is often missed by psychologists and other social services working with families in highly contentious custody cases. Finally, the authors surmise, “Given today’s immense number of separations and divorces, it is not surprising that parents and their children can become polarized. This new social norm forces children to choose one parent over the other when instead, they should be free to enjoy and benefit from both parents” (L’Abate & Ryback, 2014, p. 92).

The Positive Effects of Co-Parenting

Literature also exists on the topic of aiding non-nuclear families especially those engaged in high conflict custody disputes. Sparta (2008) wrote an article for *The Journal of Psychiatry and Law* in which he discusses the need to be very careful with wording in a legal order. He states, “Words have particular meanings, and professionals working with high-conflict divorce families particularly appreciate that certain words can generate powerful, emotional feelings or expectations about various proposed alternatives” (Sparta, 2008, p. 6). In addition, Sparta implies that the psychological evaluations performed can be used to help reduce conflict, which in turn reduces the negative effects on children. This article is significant in that Sparta aims to lessen the conflict in highly litigious custodial proceedings, and in turn, lessen the negative effects of custody disputes on families.

In some cases, courts are mandating co-parenting. For example, Sullivan et al. (2010) directed a study to determine the long-term effectiveness of a two-week camp aimed at reducing court litigation, promoting co-parenting, and promoting the children’s meaningful, regular relationships with both parents. The families that attended the two-week-long camps were all from highly contentious and highly litigious divorced families. In all but one case, the families

were court ordered to attend the camp to attenuate the child's rejection of the targeted parent, while promoting co-parenting by the original parent-dyads. Overall, the "favored parents" were much more satisfied with the intervention components of the program than were the "rejected parents." At the three- and six-month follow-ups, all families had ceased court litigation with the exception of one. Parents also reported an increase in co-parenting, although there were a few exceptions.

Co-parenting programs are becoming so commonly court ordered that research is now being conducted on how these co-parenting courses are evaluated to determine the effectiveness. Ferraro et al. (2016) aimed to examine a commonly utilized program, which is available publically for no charge and fosters the premise that children need meaningful and regular time with both parents and that both parents should work together to share the responsibilities of parenting. The study sought to evaluate the attitudes and beliefs of the parents regarding co-parenting. In addition, the study sought to determine what other variables might pose a barrier to co-parenting education. The result was that although a public program might be beneficial for some, there remain parents who may require a more individualized approach.

Similarly, Barnwell and Stone (2016) aimed to determine the effectiveness of a treatment model provided by licensed social workers designed for highly contentious parents. The goal of the treatment was to reduce conflict in an attempt to reduce the negative effects of custodial contention on children, which are exaggerated by parents in high-conflict custody battles. The study aimed to implement a treatment plan for an experimental group with the goals of increasing cohesion of the parents and lessen conflict. The evaluation of this group was compared with that of the control group and found to be beneficial in reaching the goals of the

program. Based on the evaluation of the treatment program, the parents in the intervention group displayed more cohesion and reduced conflict.

Although co-parenting is generally assumed to be the two biological parents sharing the parenting responsibilities, this is not always the case. According to Parent et al. (2013), “The majority (67%) of African American youth live in single-parent households...” (p. 252). Due to the large number of single-parent households among African American children, Parent et al. (2013) found that co-parenting dyads often look very different by including a grandparent, aunt, or female family friend. This research aimed to study if these alternative co-parenting dyads were as effective as the traditional co-parenting dyad of a mother and father among African American families. The study found that the quality of co-parenting differed depending on the make-up of the co-parenting dyad with grandmothers, aunts, and female family friends being more supportive of the mother than were fathers. Furthermore, the supportiveness of the co-parent was shown to directly impact the youths’ ability to appropriately express problems.

Parents who can successfully co-parent or share parenting responsibilities with someone residing in a different home can lessen the negative effects of child custody for their children (Cohen, 1978). According to the American Academy of Child and Adolescent Psychiatry, “Children will do best if they know that their mother and father will still be their parents and remain involved with them even though the marriage is ending and the parents won’t live together” (AACAP, 2011). In highly contentious custody battles, however, the negative impacts are far greater. The AACAP (2011) also asserts that lengthy, litigious custody cases can exacerbate the negative effects on the child as can situations where the child is asked to pick sides. To counteract these negative effects, co-parenting education is being utilized to reduce parental conflict and thereby lessen the negative effects on children.

How Can Schools Navigate Custodial Rights in the Educational Setting?

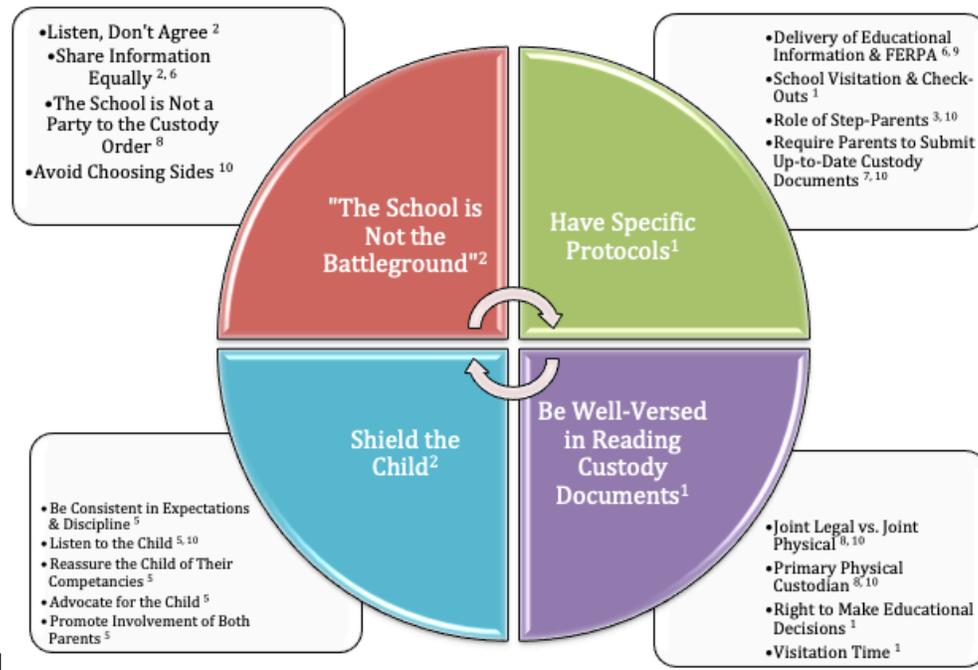
A researcher in Ireland studied the challenges that schools face in dealing with the fallout of custodial responsibilities (Daly, 2009). Although the laws and procedures in Ireland were no doubt different in many aspects than these in the United States, the resulting concerns for the educational setting were the same. Clare Daly, in her article titled *In the eye of a divorce storm: Examining the modern challenge for Irish schools educating children of divorced and separated families*, pointed out that very often the schools are left as the battleground on which the custody battles are fought (2009). Furthermore, she narrowed those common concerns for schools dealing with divorced or separated families into broader categories, namely the issue over custody, the respective rights of each parent in the educational process, access to records and information, and the terrifying prospect of child abduction (Daly, 2009). Despite knowing these major concerns for more than a decade, little has been done domestically or in Ireland to keep schools from being in the middle of the custody war.

Multiple studies have been launched to investigate what schools can do to help with child adjustment during contentious custodial situations. One study (Bernard et al., 2015) collected interview data from undergraduate students that examined distance between parents and financial stability to find the benefits of co-parenting and the contributions that led to academic success. Yet another study (Velderman et al., 2014) explored intervention group theory with the children involved by interviewing the parents and examining the group therapy notes; the study found intervention group therapy to be successful at lessening the negative effects of custodial conflict. The question remains, however, as to what schools can do to positively impact the lives of children plagued by custodial conflict and instability rather than being used as pawns in the alienation of one parent.

Conceptual Framework

Figure 1

A school leaders guide to navigating custodial rights in the educational setting (Gatens, 2015).



¹ Campus Safety (Rock, 2018)

² Concordia University Portland (Gatens, 2015)

³ AASA - School Superintendent's Association (Carver)

⁴ South Lyons Schools

⁵ Sammons & Lewis (2000)

⁶ Erieman (1997)

⁷ Beckman (1986)

⁸ LAUSD Legal Brief

⁹ National Center for Educational Statistics

¹⁰ Association of Family and Conciliation Courts (2009)

In the educational setting, parental involvement is required. In fact, most schools are federally required to have a Parental Involvement Plan on file that details the efforts that the schools will take to promote parent involvement in their students' educations. Most parents, even those who are divorced or separated, can peacefully agree on educational decisions while both parents remain actively involved. For a few, however, the inability to remain a cooperative parenting unit spills over into the child's school setting (AFCC, 2009). In some highly contentious situations, the school becomes the battleground on which the custody battle plays out

over access to records, access to the student during and after school, educational decisions, and the like (Gatens, 2015). When parents attempt to go to war on the battleground of the local school, it is vital that schools take action to remove themselves from the drama, such as listening to both parents (Gatens, 2015); sharing information equally with both parents (Frieman, 1997; Gatens, 2015); understanding that the school is not a party to the custody order (LAUSD); and avoiding the temptation to choose sides (AFCC, 2009).

Often during a custody battle, a parent simply needs someone with whom to talk. Teachers make excellent listeners, as they also have a vested interest in the child, and there is no emotional attachment to the parent or situation (Gatens, 2015). It is important for teachers to be that listening ear, so long as the conversation centers on the child; however, parents often attempt to garner support from the teacher to use it against the other parent (Gatens, 2015). Keeping this in mind, it is vital that teachers can listen to parents only when it pertains to the student but not agree with any attempt to defame the other parent (Gatens, 2015).

Another common area of controversy among contentious parents in the educational setting is the sharing of records and information (Frieman, 1997; Gatens, 2015). Schools cannot assume that the information given to one parent is willingly shared with the other. Because knowledge is synonymous with power, one parent will occasionally withhold educational records and information from the other parent (Gatens, 2015). Fortunately, this is addressed in both state and federal law. According to The Code of Alabama (1975) Section 30-3-154, both parents have equal access to information and records unless otherwise stated by court order. Furthermore, the Federal Education Rights and Privacy Act of 1974 (FERPA) “provides a parent access to the records that are directly related to the student.” Providing school records and information equally to both parents allows both parents to be an integral part of the child’s education.

In addition to being an unbiased listening ear for the parent and providing equal access to records and information, administrators should be mindful that the school is not a party to the custody order (LAUSD). As the Los Angeles United School District details in a legal brief provided to school administrators, “The school is also not a judge and can’t create or imply parental rights.” The school’s responsibility is to encourage parents to provide the most recent court order and follow the order as written.

The last area in which the school can avoid being the battleground for the custody war is to avoid choosing sides (AFCC, 2009). Although rare, there are divorced or separated parents who will attempt to gain the administrator or teacher as an ally against the other parent. This action should be avoided, as it is detrimental to the well-being of the child (AFCC, 2009). Schools should have neutral policies which set clear boundaries (AFCC, 2009). Unfortunately, some parents will continue to attempt to polarize the school even with subpoenas at times. If a school official is subpoenaed to testify at a custody hearing, the administrator should contact the board attorney who can give guidance on these legal matters (AFCC, 2009). The best way to avoid the battlefield altogether is to not align with either side.

Shield the child.

Children must be the school leaders’ primary focus. Therefore, although school leaders must prevent the school’s becoming a battleground, leaders have an equal responsibility to protect the children at the center of the custody battle to the extent that they are able. In his article *When parents collide: Teachers must avoid getting stuck in the middle*, Brian Gatens (2015) pointed out that it is the responsibility of both school leaders and teachers alike to shield the child to the extent possible from the being caught in the middle of the custody battle. School leaders can help accomplish this goal by being consistent in expectations and discipline and by

listening to the child (AFCC, 2009; Gatens, 2015), reassuring the child of their strengths, advocating for the child, and promoting the involvement of both parents (Sammons & Lewis, 2000).

In their article titled *What schools are doing to help the children of divorce*, William Sammons and Jennifer Lewis (2000) maintained that one of the primary ways to assist students in coping with their parents' custody battles is to remain consistent in both expectations and discipline. When a child is struggling with the custody battle between their parents, school leaders often want to be flexible in their expectations of the child. Although this effort has the best of intentions, the reality is that being flexible with expectations and discipline only adds inconsistency for the child. In a time when the child's world is being upset by constant change, it is vital that school leaders uphold the structure that consistent expectations and discipline provide (Sammons & Lewis, 2000).

A vast amount of research exists on how schools can assist children in coping with parental contention, especially in the domain of listening to children. Mahony et al. (2015) pointed out that classroom teachers had the most influence over a child while at school. Researchers have studied various support programs (Stolberg & Mahler, 1994), Children of Divorce Intervention Programs (COPID) (Velderman & Cloostermans, 2014), and a multitude of individual and group counseling interventions (Connolly & Green, 2009, Yauman, 1991) which report that schools need to listen to the feelings of their students, especially those encountering the divorce of their parents. Frieman (1997) reflects in his article titled *Two parents-two homes*, "Schools can mitigate the classroom effects of family breakups by recognizing and responding to the child's feelings and involving both parents in the child's school life" (p. 23). One of the best

ways that school leaders can help shield the child from the negative effects of their parents' custody battle is to simply listen (Sammons & Lewis, 2000).

In addition to providing consistency and listening to children, schools can help ameliorate the negative effects of family contention in children by reassuring the child of his/her strengths (Sammons & Lewis, 2000). Focusing on the child's strengths can be accomplished through group and individual counseling, in the classroom, and/or in an administrative capacity. Yauman (1991) studied the benefits of group counseling for children of divorce. She found group therapy "provide[d] an opportunity for much needed and desired peer validation as well as peer modeling of appropriate behavior and alternative ways of thinking and feeling" (Yauman, p.131). In addition, Beekman concurs that working with children through group and individual counseling helps ensure a support system within the school (1986). Similarly, an Australian based study began with the premise that teachers had the most influence over the child while at school (Mahony et al., 2015), which is echoed by Sammons and Lewis (2000) who state that a teacher can be understanding of mistakes while children are dealing with their parents' divorce or custody battles. Being understanding, focusing on strengths, and allowing imperfections can help reassure children of their competencies, which aids in lessening the negative effects of custodial contention for children.

Sammons and Lewis (2000) also noted that the school is in a unique position of being a neutral bystander in a custody dispute. As such, the school is perfectly situated to be an advocate for the child. There are many research-based programs that aim to help schools attenuate the negative effects of custody battles. Connolly and Green (2009) studied three programs used by school counselors including a program titled Consultation with Teachers and Caretakers in which the school counselor aims to form a collaborative team by educating parents on the negative

effects of custodial disputes on children. “In times of stress, supporting parents and their children is an essential task for all who have the best interests of children at heart” (Sammons & Lewis, 2000, p. 65).

Schools can also help shield the child from the detrimental effects of custody battles by encouraging the involvement of both parents in the educational setting (Sammons & Lewis, 2000). In even the most contentious of custody disputes, schools are perfectly poised to keep both parents involved in the child’s life. To aid in this awesome task, schools can ensure that all communication is duplicated and sent to both homes (Frieman, 1997). In addition, parent conferences can be utilized as neutral ground where parents can focus on a common interest, the child. Furthermore, ensuring that both parents are aware of and able to work on projects and school assignments allows both parents to continue to be consistent caregivers to children, avoiding the common non-custodial entertainer role (Frieman, 1997). “Even if the parents cannot cooperate with each other, teachers ensure that the school and each of the parents work together in the child’s best interest” (Sammons & Lewis, 2000, p. 65).

Have specific protocols.

One of the best ways that schools can protect themselves and, more importantly, the students in their care is to have specific protocols in place to deal with custodial issues within the school setting (Rock, 2018). School staff should be well-versed in how information will be delivered to both custodial and non-custodial households, including the Family Educational Rights and Privacy Act of 1974 (FERPA) (NCES). School systems and administrators should have specific procedures for parent visitation and school check-outs, as well as a detailed plan for ensuring that all faculty and staff are thoroughly with the application of these procedures (Rock, 2018). Moreover, as the nuclear family diminishes and the blended family increases,

policies must be developed for how schools will address the role of stepparents within the school setting (AASA, School Superintendent's Association, Carver). Furthermore, as custody decisions rest solely in the legal setting, it is vital that schools require parents to submit up-to-date custody documents to be kept in the student's file (Beekman, 1986). By having specific protocols and being familiar with the application of those protocols, schools can aid in ameliorating the negative effects of child custody in both the school setting and for the child.

Federal and state laws provide for the equal access of information to both the custodial and non-custodial parents. In 1974, the federal government enacted FERPA, which provides for the equal access of information to both parents (NCES). In addition, Section 30-3-154 of the Code of Alabama (1975) provides for the access of records by stating, "Unless otherwise prohibited by court order or statute, all records and information pertaining to the child...shall be equally available to both parents, in all types of custody arrangements." In both laws, the burden of requesting and obtaining information rests on the parent, usually the non-custodial parent (NCES). Although not legally required, sending copies of communications and educational records to both parents does promote parental involvement by both parents (Frieman, 1997). Furthermore, allowing both parents to conference together or separately helps garner the support of both parents and ensures that both parents can be active participants in the child's life (Frieman, 1997). Although both federal and state law provide for the non-custodial parent's right to view educational information, school systems that develop specific protocols related to educational information help not only the child and parents but also school personnel, as they are provided with policies that will diffuse custody concerns on the school campus.

One of the greatest concerns, which leads to the school's becoming the battleground of the custody dispute, is the issue of school visitation and checkouts (Rock, 2018). In some

instances, court custody decisions will rule that the non-custodial parents are not to have access to their children, usually due to domestic disputes. In these instances, the school can be held liable if they allow the parent access to the child (Rock, 2018). Another common area of concern is knowing who is eligible to check out children. Amy Rock with Campus Safety (2018) recommends that schools require parents to submit valid photo identification to check out a student. In addition, she stresses the need for parents to provide up-to-date custody orders to the schools. Although many custody arrangements are amicable, schools take on tremendous responsibility in keeping students safe even if from non-custodial parents. One of the best ways of avoiding contentious battles within the school is to have detailed policies regarding visitations and checkouts (Rock, 2018).

As blended families increase in number, it becomes imperative that schools develop specific protocols to address stepparents. Today, the term *stepparent* can refer to a person married to the biological parent or simply a cohabitation partner; however, the controversy that often accompanies a stepparent's involvement in the child's life is equally present in the educational setting. Legally, the stepparent has no right to act in loco-parentis without the approval of the custodial parent (South Lyons School District). Furthermore, without the custodial parent's permission, the stepparent may not visit with or check the student out (South Lyons School District). "If the stepparent's role is a source of conflict, work with both parents and any professionals involved with the family...to gain permission to communicate with the stepparent. If this is not possible, communicate only with the parents who have legal custody rights" (AFCC, 2009). Ultimately, the introduction of a stepparent into a custody battle can heighten the contention for all. Schools can protect themselves and the child by having specific, written protocols for how the school will address stepparents.

In her article titled *Helping children cope with divorce: The school counselor's role*, Nancy Beekman (1986) describes several studies concerning the effects of custodial conflict on various age-groups of children and what schools can do to help these students during the school day. The author notes that coordinating with parents with regards to receiving accurate information about custody was vital for the school to protect the children in their care (Beekman, 1986). AFCC adds that schools should always be provided copies of the most recent custody documentation so that administrators are not forced to make decisions about custodial matters (2009). At present, the courts in Alabama do not require parents to provide custody documentation to educational institutions; therefore, schools should have specific protocols that require the submission of these documents for the protection of the school and the children involved (Beekman, 1986).

Be well-versed in reading custody documents.

In order to interpret how custody documents influence the educational setting, administrators must be well-versed in reading those documents. There exists an array of different custodial arrangements, and each one impacts the educational setting in differing ways (AFCC, 2009). It is therefore imperative that administrators understand the difference between legal and physical custody and understand who has the right to make educational decisions (AFCC, 2009; Rock, 2018). Furthermore, administrators must understand how non-custodial visitation time impacts check-ins and check-outs. Not only must administrators have access to the most recent custody documents, but they must also understand how to interpret those documents for use in the educational setting.

Courts have great flexibility in making custody arrangements for children and determine arrangements including legal custody and physical custody (AFCC, 2009). To appropriately

interpret the orders of the court, the administrator must understand the nuances of each type of custody and how that impacts the educational setting. Legal custody typically refers to the right to make decisions regarding the children (AFCC, 2009). In Alabama, joint legal custody, or equally sharing decision-making, is common in custody arrangements; however, this rarely means that both parents have equal rights to make decisions. As is described in a Los Angeles United School District (LAUSD) legal brief, custody orders will often designate a parent as having educational rights; therefore, it is important that administrators know the various types of legal custody arrangements and how those arrangements impact educational decisions for the child.

In addition to custody documents detailing which parent has legal custody, the court orders also usually specify physical custody. Unlike legal custody, which identifies who has rights to make decisions, physical custody specifies where the child resides on a regular basis (AFCC, 2009). There are multiple types of physical custody, including joint physical custody and primary physical custody. Joint physical custody implies that the child lives equally or a significant amount of time with each parent (AFCC, 2009). This type of custody can have a multitude of different schedules; however, the school must be prepared to address the concerns of both parents as they are equally allowed to make decisions during their time unless otherwise noted. On the other hand, custody documents can indicate that one parent is the primary custodian while the other parent is the non-custodial parent with visitation time (AFCC, 2009). In this type of arrangement, one parent has the role of making most of the decisions for a child, including educational decisions (AFCC, 2009). It should be noted that there are situations where no custody arrangement exists; in these cases, parents have equal rights to make decisions regarding the child (LAUSD legal brief). No matter the type of custody arrangement,

administrators must ensure that they are aware of how that arrangement impacts the educational setting.

The right to make educational decisions varies in different states according to the type of custody arrangement. The goal of co-parenting is to have both parents work together to make those decisions; the potential for this outcome is often the reason that most custody documents in Alabama award joint legal custody. When parents cannot agree, however, it is the parents' responsibility to return to court and have the court decide which parent is allowed to make those decisions (LAUSD legal brief). It should be noted that the school system is never a party to the custody order and, as such, the school cannot assume the rights of a parent (LAUSD legal brief). Schools can best navigate the battlefield of child custody by fully understanding and explicitly following the custody orders as written (LAUSD legal brief; Rock, 2018).

In addition to parents making general decisions about the education of the child, visitation and check-outs seem to be the most contentious custody concern in the educational setting. As with all custody issues, it is important to have specific protocols for the submission of the most recent custody documentation (Rock 2018). Administrators can use the custody documentation to be aware of who has the authority to make educational decisions such as special education, course schedules, etc., and to determine when each parent has custodial and/or visitation time. When a school is armed with this information, the administration can appropriately follow the times and days of visitation that are outlined in the custody arrangement (Rock, 2018). A quote that is commonly attributed to Sir Francis Bacon is "knowledge is power." In the case of child custody in the educational setting, being well-versed in reading custody documents and following them explicitly is not only powerful, but it is necessary to avoid litigation.

The Knowledge-Application Gap

In 1956, Benjamin Bloom and a group of educators created what became known as Bloom's Taxonomy (Forehand, 2005). The original taxonomy consisted of six levels including Knowledge, Application, Analysis, Synthesis, and Evaluation (UNC Charlotte). The categories form a hierarchy indicating the level of mastery of constructs (UNC Charlotte). Bloom's Taxonomy has been utilized by teachers for decades in order to encourage movement from simple knowledge towards the more complex evaluation, or utilizing higher order thinking (Forehand, 2005). UNC Charlotte describes the model in the following way: "Bloom's Taxonomy is a convenient way to describe the degree to which we want our students to understand and use concepts."

The idea that knowledge is independent of application, therefore, is not a new concept. Furthermore, it is widely accepted that knowledge is a lower level thinking skill than application. Although literature is limited for the knowledge application gap regarding custodial issues in the educational setting, literature can be found studying the gap between knowledge and application in various fields such as medicine, policy making, information technologies, research, and especially education. In much of the literature, this gap is referred to as the "Knowing - Doing Gap" (Freeman et al., 2017; Lakshmi, 2019; & Nutlet, Walter, & Davies, 2003). In addition, literature focuses on what demographic factors may influence progression from simple knowledge to the higher skill of application.

Nutley et al. (2003) studied policies and the application of those policies to better understand the "evidence into practice agenda" (p. 125). In this study, the variables of the type of evidence used and the focus of attention were studied to determine what demographic factors might influence the knowledge to application gap. Similarly, a study performed by Rifai et al.

(2015) examined the Knowledge-Application Gap as it related to preparing students to not only have knowledge of the market, but also be able to apply that knowledge to achieve economic success. According to Rifai et al., “With all published researches, a gap between this knowledge and practicing it is becoming increasingly noticeable” (2015, p. 44). Furthermore, the study examines demographic factors such as culture, expertise, access to literature, and budget to determine if these demographic factors have any bearing on the ability to apply the knowledge of the market to economic success. The study found that demographics such as budget and training do directly relate to the ability to apply knowledge to gain economic success. Therefore, not only is there a distinct difference in knowledge and application but demographic factors can influence the progression from knowledge of a concept to application.

Connection to Present Study

One of the main concerns in how schools navigate custodial rights in the educational setting is in a lack of familiarity with the application of established school protocols and a school leader’s ability to appropriately interpret custody documents. In Alabama, little exists in the way of laws that govern these situations. The only exceptions are found in the Code of Alabama (1975) Section 3-3-154, which states that both parents have equal access to information and records unless otherwise stated by court order, and FERPA, which codifies the sharing of educational records (NCES). Many school systems have developed protocols to guide administrators in dealing with complicated custodial/non-custodial parents and the education of their children. The protocols that are in place, however, are often unknown by the administration, which perpetuates the negative effects of custody disputes on children and also places the school in the unfortunate position of being used to further alienate one of the parents.

Previous research has been conducted on programs and interventions that schools can utilize to help ameliorate the negative effects of custodial disputes on children. Although not exhaustive, no research has been found to study how knowledgeable school leaders are in the established protocols of the school and/or system, how familiar school leaders are with applying established school protocols to custodial situations that arise in the educational setting, and/or how able the school leaders are to interpret custody documents. Johann Wolfgang von Goethe, a literary figure of the nineteenth century, is quoted as saying, “Knowing is not enough, we must apply...”. In an effort to move up Bloom’s hierarchy from knowledge to application, the present study sought to determine the self-reported knowledge of existing school and/or system protocols regarding child custody in the educational setting, the self-reported familiarity with the application of established school protocols for custodial situations within the school setting, and the school leaders’ abilities to appropriately interpret custodial rights given hypothetical custody arrangements. The study also examined the demographic variables of years of experience, grade levels served, and urban central school type. Furthermore, the study aimed to determine if a relationship existed between the variables.

Chapter 3: Methods

Introduction

As the school is the frontline for addressing custodial disputes regarding control of the child's education, the aim of the research was to determine the following: how knowledgeable school leaders were of established, written protocols regarding custodial situations in the educational setting, how familiar school leaders were in the application of established school protocols for custodial situations in the educational setting, and how appropriately school leaders were able to interpret hypothetical, custodial arrangements relating to custodial situations in the educational setting. Furthermore, the research aimed to determine if a relationship exists between the variables.

Research Questions

In order to address the research problem, the researcher surveyed public school leaders in Alabama as listed in the Education Directory (ED DIR). The following are the research questions that the researcher sought to study:

1. To what extent does knowledge of established written protocol regarding custodial rights in the educational setting correlate to familiarity of the application of custodial situations?
2. What demographics factors correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
 - A. To what extent does years of experience as a school leader correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?

- B. To what extent does grade level served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
 - C. To what extent does type of school served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
3. To what extent does years of experience as an administrator correlate to the ability to interpret custody documents in the educational setting given hypothetical custodial situations?

Method

According to McMillan (2015), the research design is the road map for the entire study. The decisions that are made in data collection and structure all stem from the type of research design that is chosen. In quantitative research, designs fall into two major categories. Experimental design aims to find a causal relationship by utilizing a control group and an experimental group (McMillan, 2015). The design of this study was that of a non-experimental design as the group of public Alabama school leaders already existed. The present study sought to determine if a relationship existed among school leaders' knowledge of established written protocols regarding custodial situations in the educational setting, the school leaders' familiarity with the application of established school protocol for custodial situations in the educational setting, basic demographic information, and the school leaders' abilities to interpret custodial rights, given hypothetical custody arrangements. The study most closely aligned with the simple, correlational study. According to McMillan (2015), "In the simple correlational study, two or more variables are related with the use of one or more correlational statistical procedures." For this study, the variable of knowledge of established, written protocols was related to familiarity

of the application of established school protocol for custodial situations in the educational setting and experience as a school leader was related to the variable of interpretation of hypothetical, custodial documents.

Participants

The population being studied was school leaders in public, Alabama schools. Specifically, the study sought to determine if a relationship existed among the knowledge of school leaders with existing protocols regarding custodial rights in the educational setting, the familiarity of school leaders with the application of established school protocol for custodial situations in the educational setting, basic demographic information, and the ability to appropriately interpret custodial documents given hypothetical, custody arrangements.

Data Sources

The study sought to have school leaders in Alabama respond to a survey instrument. The researcher utilized the list of principals in all 1,476 public schools found in the Education Directory (EdDir) published each year by the Alabama State Department of Education. The survey instrument was emailed to all principals as listed in the Educational Directory. Principals were informed that this was a voluntary survey. The email included an introductory letter, an informed-consent document consistent with the guidelines of the Institutional Review Board, and a link to the address of the website (URL) included with the survey. Follow-up emails were sent at two-week intervals to increase the response rate.

As part of the initial survey instrument, participants were given the opportunity to volunteer to discuss the topic further. If the participant agreed to participate in a follow-up session, they were directed to a separate survey link to provide contact information, allowing the original survey instrument responses to remain anonymous. Follow-up interviews were selected

based on experience as an administrator and were conducted via telephone. Follow-up interviews were recorded with participant consent and transcribed for data collection and analysis.

Reliability and Validity of Instrument

Instrument validity is necessary to ensure that the instrument measures what it intends to measure (McMillan, 2015). According to Fowler, "Validity is the term that psychologists use to describe the relationship between an answer and some measure of the true score" (2014, p. 12). As described above, the survey instrument proposed in this study had three sections: one section in which the participants responded to their knowledge of established written protocols, another section which asked participants to rate their familiarity with the application of established school protocol for custodial situations in the educational setting, and a third section which requested basic demographic information. The follow-up interviews asked the participants to respond to hypothetical custodial scenarios common to the educational setting to determine their abilities to interpret custodial documents. To assess the instrument's content validity, the survey was pilot tested by twelve school leaders to determine that the survey instrument and custodial scenarios presented were both common in the educational setting and worded in such a way to be easily understood. In this way, the data collected was based on common custodial situations that are seen in the educational setting.

Reliability, in its most basic form, asks if the instrument consistently measures the same data. The measurement of reliability looks at the amount of error present in the scores (McMillan, 2015). To determine reliability, the researcher used an internal consistency. In this measure of reliability, the researcher measured "the degree to which individuals answered to items measuring the same trait are consistent" (McMillan, 2015, p. 163). Since the instrument had differing portions, the method of internal consistency varied. For the Likert scale portions,

the coefficient alpha method was used as this method allowed for scaled scores (McMillan, 2015). For the follow-up interviews, responses were recorded and transcribed. Two independent raters then scored the appropriateness of responses based on a Likert scale. In this method, inter-rater reliability was used to ensure reliability of data.

Statistical Tests

This study sought to determine if a relationship existed; therefore, it was a correlational study. The survey gathered various data points: the school leaders' knowledge of established, written protocol, the school leaders' familiarity with the application of established school protocol for custodial situations in the educational setting, and demographic information. The statistical tests used to determine if any correlation existed were the Pearson Correlation and the Eta and Eta Squared procedure. Pearson correlation was utilized to determine if a correlation existed between knowledge of protocol and familiarity with application, as both were continuous variables (Ross & Shannon, 2008). Pearson Correlation was again utilized to determine if a correlation existed between years of experience and knowledge of protocols and similarly between years of experience and familiarity with application. However, the Eta and Eta Squared procedure was utilized to determine if a correlation existed between grade levels served and knowledge of protocol, grade levels served and familiarity with application, school type and knowledge of protocol, and school type and familiarity with application, as the Eta and Eta Squared provided information on the strength of association as well as provided data on the amount of variance (Ross & Shannon, 2008). The follow-up interviews then gathered data on how appropriately school leaders responded to custodial situations based on hypothetical custodial arrangements. The data collected were both nominal and continuous. The procedure used was the Spearman's rho using an alpha significance level of 0.05. The Spearman's rho was

used as it is appropriate for data that is at least ordinal (Siegel & Castellan, 1988). The use of this test allowed the researcher to ensure that any relationship found could not have occurred simply by chance.

Validity

Internal validity is based on the idea of controlling the extraneous and confounding variables mentioned above. Examples of threats to internal validity include but are not limited to history, maturation, instrumentation, and participant attrition (McMillan, 2015). As this study did not aim to test an intervention but instead to determine if a relationship existed, many of the common threats were not applicable. Two threats, however, did stand out as concerns for this study. The first such threat to validity was experimenter effects, which are “deliberate or unintended effects of the researcher” (McMillan, p. 248). Experimenter effects could surface in how the researcher composed the instrument. Secondly, participant effects could also have posed a potential threat to validity. Participant effects are the threats in which the participants act differently due to simply being in a study (McMillan, 2015). Although the threats to internal validity are common, these threats can be counteracted, although not eliminated, through careful wording of the survey and careful analysis of the results.

Pros/Cons of Design

For this study, the simple, correlational design allowed scores to be taken for the participants’ knowledge of established protocol, self-reported familiarity with the application of, basic demographics, and ability to appropriately respond to custodial situations, given hypothetical custodial arrangements. In addition, because of the limited number of variables being examined, the study avoided being what McMillan (2015) terms as a “shotgun approach,”

or an approach where the researcher aimed to examine multiple variables in the hopes that there would be some correlation found.

Drawbacks can exist when using a simple, correlational study. For example, the instrument used can fail if there is not enough variability in the responses (McMillan, 2015). In addition, the reliability of the scores can greatly affect the strength of the correlation (McMillan, 2015). The simple, correlational design, however, was the most effective choice if a true relationship existed between the variables.

Variables

In this design study, independent and dependent variables did not exist in the traditional sense. The study aimed, however, to determine if a relationship existed among the variables. The first variable examined was the school leaders' knowledge of established, written protocols regarding custodial situations in the educational setting. This question was a simple "yes" or "no" question, as knowledge is categorical. Furthermore, categorical question was ordered at the beginning of the survey to reduce attrition. According to Fowler, it is important to begin a survey with easier questions to encourage the respondent to continue through the survey (2014).. The second variable examined was school leaders' familiarity with the application of established school protocol for custodial situations in the educational setting. This was measured using a Likert scale with the respondent self-reporting his/her familiarity with the application of the established school protocol. Demographic information was also obtained in the survey instrument. Finally, the follow-up interviews asked school leaders to respond how they would handle custodial situations common to the educational setting, given hypothetical custodial arrangements. Responses were recorded and transcribed with two independent raters scoring the

response appropriateness based on a Likert scale. Although the traditional independent and dependent variables did not exist, there were clearly defined variables that were examined.

Confounding/Extraneous Variables

According to McMillan (2015), a confounding variable “is one that varies systematically with the independent variable due to the nature of the research design” (p. 57). As this study aims to determine if a relationship existed among a school leaders' knowledge of established written protocol, familiarity with the application of established school protocol for custodial situations in the educational setting, basic demographic information, and school leaders' ability to interpret custody documents, one confounding variable that might have impacted the findings would have been the presence of the school leaders' personal involvement in a contentious custodial situation. In such a case, the school leader might have been aware of existing protocols and/or be well-versed at interpreting custody documents due to his/her own experiences rather than pre-service preparation.

One extraneous variable common to volunteer-dependent studies was the type of administrators that are willing to respond might be the ones that are already aware of the laws and procedures, which would produce results with little variability. To account for this extraneous variable, the survey instrument was sent to all school leaders listed in the Alabama State Department of Education's EdDir. Moreover, a possibility also existed that the respondents would randomly click answers rather than giving true responses. To counteract this variable, a large sample was sought. Lastly, the possibility existed that any relationship found might be by chance. With careful analysis, however, the level of significance could be determined and accounted for in the results.

Hypothesized Findings

The proposed study sought to determine if a relationship existed among school leaders' knowledge of established, written protocol, familiarity with the application of established school protocol for custodial situations in the educational setting, basic demographic information, and the school leaders' ability to appropriately interpret parental rights, given multiple, hypothetical custody arrangements. The instrument resulted in yes/no and Likert scores for each of the variables and basic demographic information. The goal of this study was to determine if a relationship existed among the school leaders' knowledge of established protocol regarding custodial situations in the educational setting, familiarity with the application of established school protocol for custodial situations in the educational setting, basic demographic information, and the ability to appropriately interpret custody documents given hypothetical, custodial arrangements.

Sampling Bias

The proposed study accounted for potential sampling bias by sending surveys to all school leaders in Alabama public schools. As with any voluntary survey, however, a selection bias did exist if only those school leaders that had a strong grasp of custodial rights in the educational setting chose to participate. The State Department of Education requires that EdDir be updated yearly with current positions; therefore, utilizing EdDir to email the survey to all school leaders ensured that all respondents in the sample were as unbiased as possible.

Instrumentation

For this research study, a survey was emailed to all school leaders as listed in the EdDir with informed consent being received from each participant. The survey consisted of three portions: a section to determine the school leaders' knowledge of established protocol regarding

custodial situations in the educational setting, a Likert scale to determine familiarity with the application of established school protocol for custodial situations in the educational settings, and basic demographic information. Follow-up interviews consisted of hypothetical, custodial arrangements where the school leader was asked to respond how he or she would handle the custodial situation. As this was a correlational study, to determine if a relationship existed, the survey and the follow-up interviews allowed for the collection of sets of data which were analyzed to determine if a correlation existed.

As aforementioned, the survey used consisted of three parts. The first part was to determine the school leaders' knowledge of established written protocols. Questions pertained to general areas of custodial contention with the school leader responding with knowledge of any protocols that the school and/or system have in place. For example, "Do you know whether your school or system has an established written protocol regarding which parent can have copies of report cards?" School leaders then answered "yes" or "no." The second section of the survey instrument was to determine how familiar the school leader was in the application of established school protocol for custodial situation in the educational setting. For example, "How familiar are you with handling a custodial situation regarding which parent can enroll a student?" School leaders answered on a five-point Likert scale of "Extremely familiar" to "Not very familiar at all." The third section of the survey instrument asked basic demographic questions, such as: "How many years have you been an administrator?" and "How would you describe your school using the urban-central locale categories released by the National Center for Educational Statistics (2006)?" and "What grade levels does your school serve?" Table 1 below shows the blueprint for the initial survey instrument. The follow-up interview portion provided four brief, hypothetical custody arrangements followed by "What would you do?" The analysis sought to

determine if a relationship existed among the knowledge of protocol and the familiarity with the application of established school protocol for custodial situations in the educational setting, the demographic information and the knowledge of protocol, experience, and the ability to appropriately respond to custodial situations given hypothetical scenarios.

Table 1

Graphic Blueprint of Survey Instrument

Topics	Self-Reported Knowledge of Established Protocols	Self-Reported Familiarity with the Application of Established School Protocol for Custodial Situations	Total
Access to Educational Records	2	2	4
Ability to Change Educational Records	2	2	4
Consent for Services	2	2	4
Legal Enrollment Documentation	1	1	2
Non-Parental Guardianship/Foster Ward	1	1	2
Access to Student/Check Out Procedures	2	2	4
TOTALS	10	10	20

Based on the responses to the initial survey instrument, four of the above topics were selected for the follow-up interviews. Respondents were given hypothetical, custodial arrangements and situations regarding the following topics: Access to Educational Records, Legal Enrollment Documentation, Non-Parental Guardianship/Foster Ward, and Access to Student/Check-Out Procedures. After each custodial situation and hypothetical custodial arrangement was given, the school leader was asked to respond with how he or she would handle

the situation. Responses were then transcribed and rated by two independent raters for scoring on a four-point Likert rubric, as shown below in Table 2.

Table 2

Follow-Up Interview Rubric

Score = 4	Administrator gave an appropriate response with an appropriate explanation that referenced the custody documentation.
Score = 3	Administrator gave an appropriate response with an appropriate explanation, but did not reference the custody documentation
Score = 2	Administrator gave an appropriate response, but no explanation.
Score = 1	Administrator did not provide an appropriate response.

Data-Collection Administration

The current study proposed the use of a survey as the instrument, which was sent to all school leaders in Alabama public schools as listed in the EdDir. The survey was sent in an email with a summary of the purpose of the study as explanation. Since this study sought to survey professional adults, few ethical concerns existed. One still had to examine, however, if the study showed respect for persons, beneficence, and justice. This study ensured that the work was in line with all three ethical principles. Respect for persons was ensured in that the sample population was consistent with professional adults who were voluntarily answering a survey. The study had the potential to benefit others by opening the dialogue for any relationships that are found which, in turn, might lead to additional studies and/or clarifications in policies. Finally, the study was just, in that each participant was given the same opportunity to respond.

Limitations

Although thoughtfully constructed, the proposed study had limitations that coincided with its strengths. A strength of the study was the validity of the instrument in gathering scores that lead to a determination about whether a relationship existed; however, the study also had limitations, namely, a sampling threat: the possibility that only those school leaders with a good

grasp on the subject matter responded to the survey. Moreover, there is the possibility that the respondent may interpret knowledge and familiarity as endogenous, which would invalidate any correlation found between knowledge and application. Furthermore, it should be noted that the data analysis was of pooled scores, rather than of individual questions. In addition, there was the potential that the Alabama State Department of Education and/or local education agencies might put up a barrier in sending out the survey through the EdDir. The study could have been improved by gaining permission from the Alabama Department of Education and/or local education agencies prior to sending out the survey and by sending out reminder emails to aid in collecting a large sample size; therefore, although limitations existed, with careful planning, these limitations could be minimized or eliminated altogether.

Chapter 4: Results

This chapter details the research findings in the current study. This study sought to examine school leaders to determine if a relationship existed among the leaders' knowledge of written protocol regarding custodial situations in the educational setting, the leaders' familiarities with the application of such protocols in custodial situations, and the leaders' abilities to interpret custodial documents as related to the educational setting. In addition, the study examined what demographic information might correlate with these variables.

Research Questions

1. To what extent does knowledge of established written protocol regarding custodial rights in the educational setting correlate to familiarity of the application of custodial situations?
2. 2. What demographics factors correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
3. A. To what extent does years of experience as a school leader correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
4. B. To what extent does grade level served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
5. C. To what extent does type of school served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?

3. To what extent does years of experience as an administrator correlate to the ability to interpret custody documents in the educational setting given hypothetical custodial situations?

Data Collection Procedures

Two methods of data collection were utilized in the current research study. First, a survey was sent to all Alabama public school principals based on a listing in the Alabama State Department of Education, Educational Directory (EdDir). In total, 1,427 surveys were sent via email, and there were 236 respondents. Of those, 29 were missing responses, leaving 207 valid and usable. This number provided a response rate of 14.5%.

As a part of the initial survey, respondents were asked whether they would volunteer to discuss the topics further. If the participant agreed to volunteer, they were taken to a separate survey link to provide additional information so that their initial survey answers remained anonymous. In total, 99 respondents volunteered and provided their email addresses and years of experience. From the list of volunteers, 14 with varying years of experience were selected for follow-up interviews.

Follow-up interviews were conducted by phone after a time and day had been mutually agreed upon via email. All interviewees were reminded that the study was voluntary and asked if the interviews could be recorded for data collection. After each agreed, the interview proceeded. In total, fourteen participants were interviewed including six females and eight males ranging in years of experience from a low of one to a high of thirty-one years as an administrator, with a mean of 11 years of experience. Following all interviews, the recordings were transcribed using an online transcription service. The researcher rated transcriptions, along with an independent

rater based on a pre-determined rubric, for responses. The two raters then met to come to a consensus which was then used for data analysis.

Data Analysis

Data was analyzed using the IBM Statistical Software SPSS Statistics Version 27.0, with a significance level of alpha value set as $p < 0.05$. Reliability was determined for the initial survey instrument using the Cronbach's Alpha procedure. Furthermore, descriptive statistics were determined and used in both the data analysis and to refine the interview protocol.

The interview transcriptions were converted to Likert-type scale scores utilizing a pre-determined rubric as rated by the researcher and an independent rater. The Spearman rho procedure was used to determine if a correlation existed as this procedure is most appropriate for data that is "at least" ordinal (Siegel & Castellan, 1988). Again, the significance level was set to an alpha level of $p < 0.05$ to determine if a correlation existed.

Reliability

Each subset of the initial survey was analyzed to determine reliability using the Cronbach's Alpha procedure. The first subset asked respondents to answer whether or not they were aware of written protocol in their system regarding various custodial situations. There were 236 responses with 207 (87.7%) valid responses. or an acceptable level of reliability was reached, as shown by Table 3.

Table 3

Reliability of Knowledge Subscale

Cronbach's Alpha	N of Items
.920	10

The second subset of the survey asked participants to rate how familiar the school leader was in the application of established school protocol for custodial situations that may arise in the educational setting. There were 236 responses with 199 (84.3%) valid responses. An acceptable level of reliability was reached, as shown by Table 4.

Table 4

Reliability of Application Subscale

Cronbach's Alpha	N of Items
.919	10

Reliability for the interview portion was determined using inter-rater reliability. After the interview, transcripts were transcribed, and the researcher and an independent rater scored each response based on a pre-determined Likert-type rubric. The two raters then met to compare ratings and reach a consensus on rubric scores.

Research Question Findings

Research question one. Research question one asks, "To what extent does knowledge of established, written protocol regarding custodial rights in the educational setting correlate to familiarity of the application of established school protocol for custodial situations in the educational setting?" The first part of the survey instrument asked whether respondents had knowledge of established, written protocols regarding common custodial situations in the educational setting. For this subset of questions, respondents answered "yes" or "no." Table 5 shows the descriptive statistics for the subset of questions regarding knowledge of protocol, indicating that the majority of respondents were aware of established, written protocols for each common situation asked. For this subset, there were 207 (87.7%) valid responses out of 236.

Table 5

Descriptive Statistics for Knowledge Subscale

Which parent can...	N	Frequency of “yes”	Valid % of “yes”
Have access to INOW home portal?	207	165	79.7
Check out the student during the school day?	207	188	90.8
Enroll a student?	207	178	86
Have copies of report cards?	207	176	85
Consent to a special education evaluation?	207	182	87.9
Visit the student during the school day?	207	182	87.9
Approve of course selections?	207	158	76.3
Sign consent for an IEP?	207	187	90.3
Receive documentation of enrollment?	207	155	74.88
For a foster child, how involved are the biological parents allowed to be?	207	120	58

The second part of the survey asked school leaders to rank, on a Likert-type scale, their familiarity with the application of the established school protocol for custodial situations. For the application subset, a score of one indicated that the respondent was "extremely familiar" while a score of five indicated that the respondent was "not at all familiar." Therefore, the smaller the mean value the more familiar principals, on the average, were with the application of the established school protocol for custodial situation. Table 6 below shows the descriptive statistics for the application subset, indicating that the majority of school leaders were familiar with the application of the protocol for common custodial situations in the educational setting. For this subset, 199 valid responses were received out of 236 total, or 84.3%. This part of the survey also asked administrators “Am I confident that I know whom to call if I do not know the answer?” Of the 207 valid responses, 199 answered in the affirmative (96%) indicating that even if administrators are not familiar with the application of the established school protocol for custodial rights in the educational setting, they do largely know who to ask within the school.

Table 6

Descriptive Statistics for Application Subscale

Which parent can...	N	Mean	SD
Have access to INOW home portal?	199	1.73	.908
Check out the student during the school day?	199	1.40	.635
Enroll a student?	199	1.53	.716
Have copies of report cards?	199	1.53	.783
Consent to a special education evaluation?	199	1.53	.777
Visit the student during the school day?	199	1.45	.708
Approve of course selections?	199	1.92	1.147
Sign consent for an IEP?	199	1.50	.765
Receive documentation of enrollment?	199	1.94	1.065
For a foster child, how involved are the biological parents allowed to be?	199	2.17	1.177

The Pearson Correlation procedure was used to determine to what extent knowledge of written protocol correlated with the application of established school protocol for custodial situations in the educational setting. For all correlational analyses, summed values across items were used to produce scale scores. For the knowledge subscale, the variables were used as an index. Moreover, for the application subscale, the Likert scores were pooled. The correlation between the knowledge of written protocols and the application of established school protocol for custodial situations is small to moderate and positive but statistically significant, as shown in Table 7 below. Considering that familiarity with the application of was coded with 1 being “extremely familiar” through 5 being “not at all familiar,” a positive correlation means that as knowledge of written protocol increased, familiarity with application of established school protocol for custodial situations in the educational setting decreased.

Table 7

Correlation of Knowledge v. Applying

Source	N	Pearson Correlation	Sig. (2-tailed)
Knowledge v. Application	199	.372	< .001*

*p < .05.

Research question two. Research question two asks, “What demographic factors correlate to knowledge of established, written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations in the educational setting?” For this research question, data was collected on the initial survey instrument in the areas of years of experience, grade levels served, and type of school served to determine if one or more of the variables correlated with knowledge of written protocol. Data collected was continuous for years of experience and categorical for grade levels served and type of school served.

The first sub-question asks, “To what extent do years of experience as a school leader correlate to knowledge of established, written protocol regarding custodial rights and or familiarity with the application of established school protocol for custodial situations in the educational setting?” Data collected showed a range of 0 to 37 years of experience, with a mean of 11.21. The Pearson Correlation procedure was performed to determine if a correlation existed using a significance level of $p < 0.05$. As shown in Table 8, there is no statistically significant correlation between years of experience as a school leader and knowledge of protocol regarding custodial rights in the educational setting. The coefficient of determination is equal to 0.002; therefore, approximately 0.2% of the variability in knowledge of school protocol can be accounted for by its linear relationship with the number of years as a school leader. Conversely, a statistically significant and negative correlation between years of experience as a school leader and familiarity with the application of established school protocol for custodial situations in the educational setting was produced (see Table 9). As “extremely familiar” is coded as 1 on the 5-point Likert-type scale, the negative correlation shows that as years of experience increase, familiarity with the application of established school protocol for custodial situations in the

educational setting also increases. Moreover, the coefficient of determination is 0.03; therefore, approximately 3% of the variability in application can be accounted for by its linear relationship with the number of years as a school leader.

Table 8

Correlation of Years of Experience v. Knowledge

Source	N	Pearson Correlation	Sig. (2-tailed)
Experience v. Knowledge	197	-.045	.528

*p < .05.

Table 9

Correlation of Years of Experience v. Application

Source	N	Pearson Correlation	Sig. (2-tailed)
Experience v. Application	197	-.185	.010*

*p < .05.

The second sub-question asks, “To what extent does grade level served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations in the educational setting?” In the initial survey instrument, respondents were asked to “check all that apply” for grade level served by their school. Table 10 shows the descriptive statistics of grade level versus knowledge of written protocol regarding custodial rights. Table 11 shows the descriptive statistics of grade level versus familiarity with the application of established school protocol for custodial situations in the educational setting.

Table 10

Descriptive Statistics for Grade Level v. Knowledge

Coding	School Type	Mean	Std. Deviation	N
1	Pre/Elem	12.3019	3.22004	53
2	Elem	11.7632	2.55146	38
3	Mid/Jr	11.8125	3.13603	32
4	HS	11.0556	2.02759	36
5	Pre, Elem, Mid/Jr	12.5000	3.83695	10

6	Elem, Mid/Jr	12.6667	3.78594	3
7	Elem, Mid/Jr, HS	10.5000	.70711	2
8	Mid/Jr, HS	12.4000	3.62706	10
9	Pre – HS	11.1667	1.89896	12
	Total	11.8214	2.86513	196

Table 11

Descriptive Statistics for Grade Level v. Application

Coding	School Type	Mean	Std. Deviation	N
1	Pre/Elem	1.5808	.55202	52
2	Elem	1.6684	.65393	38
3	Mid/Jr	1.5875	.52533	32
4	HS	1.5889	.79058	36
5	Pre, Elem, Mid/Jr	1.8600	.60222	10
6	Elem, Mid/Jr	1.9000	1.30767	3
7	Elem, Mid/Jr, HS	1.0000	.00000	2
8	Mid/Jr, HS	2.0700	.89200	10
9	Pre – HS	2.0333	.73896	12
	Total	1.6667	.67010	195

To determine if a correlation exists between grade levels served and knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations in the educational setting, Eta and Eta Squared procedure was used. Table 12 shows that there was no significant difference found between grade levels served and knowledge of protocol regarding custodial rights in the educational setting. The eta squared indicates that 3% variance in grade level in relation to having a written protocol regarding custodial rights in the educational setting can be accounted for by its relationship with grade level. Moreover, Table 13 shows that there was also no significant difference found between grade levels served and familiarity with the application of the established school protocol for custodial situations in the educational setting. The eta squared indicates that 14%

variance in grade level in relation to having familiarity with the application of established school protocol in custodial situations can be accounted for by its relationship with grade level.

Table 12

Correlation of Grade Levels Served v. Knowledge

	N	Eta	Sig.	Eta Sq.
Grade Level v. Knowledge	196	.181	.614	.03

*p < .05.

Table 13

Correlation of Grade Levels Served v. Application

	N	Eta	Sig.	Eta Sq.
Grade Level v. Application	195	.251	.063	.14

*p < .05.

The third sub-question asks, “To what extent does type of school served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations in the educational setting?” In 2006, the National Center for Educational Statistics released categories of urban-central locale. In total, there are twelve categories ranging from “city large” to “rural remote.” In the initial survey instrument, respondents were asked to choose the urban-central locale category that applied to their school settings based on the locale name and description provided in the survey. Table 14 shows the descriptive statistics of school type versus knowledge of written protocol regarding custodial rights. Table 15 shows the descriptive statistics of school type versus familiarity with the application of established school protocol for custodial situations in the educational setting. There were 197 valid responses out of the 236 surveys, or 83.5%.

Table 14

Descriptive Statistics for School Type Served v. Knowledge

Coding	School Type	Mean	Std. Deviation	N
1	City Large	11.8667	2.44560	15
2	City Midsize	11.2857	2.12779	14
3	City Small	11.5641	2.56284	39
4	Suburb Large	11.0000	1.0000	3
5	Suburb Midsize	10.7500	.95743	4
6	Suburb Small	11.000	1.30089	14
7	Town Fringe	10.5000	.70711	10
8	Town Distant	12.6667	3.93700	9
9	Town Remote	12.4286	3.87724	14
10	Rural Fringe	12.0000	3.44601	17
11	Rural Distant	12.0789	2.92595	38
12	Rural Remote	12.7000	3.86754	20
	Total	11.8122	2.86076	197

Table 15

Descriptive Statistics for School Type v. Application

Coding	School Type	Mean	Std. Deviation	N
1	City Large	1.6733	.49637	15
2	City Midsize	1.6429	.56666	14
3	City Small	1.5154	.59584	39
4	Suburb Large	1.4000	.40000	3
5	Suburb Midsize	1.2250	.45000	4
6	Suburb Small	1.7000	.65701	14
7	Town Fringe	1.4600	.51683	10
8	Town Distant	1.5111	.42262	9
9	Town Remote	2.0214	.85501	14
10	Rural Fringe	1.6588	.62855	17
11	Rural Distant	1.8763	.82082	38
12	Rural Remote	1.5800	.71126	20
	Total	1.6633	.67008	197

Eta and Eta Squared procedure was completed to determine if a correlation existed between school type served and knowledge of written protocol regarding custodial rights and/or familiarity with the application of the established school protocol for custodial situations in the educational setting. Table 16 shows no statistically significant correlation was found between

school type and knowledge of written protocol regarding custodial rights in the educational setting. The eta squared indicates that 4% variance in school type in relation to having a written protocol regarding custodial rights in the educational setting can be accounted for by its relationship with school type. Similarly, Table 17 shows that no statistically significant correlation was found between school type and familiarity with the application of the established school protocol for custodial situations in the educational setting. Moreover, the partial eta squared indicates that 7% variance in school type in relation to familiarity with the application of the established school protocol for custodial situations can be accounted for by its relationship with school type.

Table 16

Correlation of School Type Served v. Knowledge

	N	Eta	Sig.	Eta Sq.
School Type v. Knowledge	197	.209	.670	.04

*p < .05.

Table 17

Correlation of School Type Served v. Application

	N	Eta	Sig.	Eta Sq.
School Type v. Application	196	.256	.251	.07

*p < .05.

Research question three. Research question three asks, “To what extent does years of experience as an administrator correlate to the ability to interpret custody documents in the educational setting, given hypothetical custodial situations?” To answer this question, fourteen phone interviews were conducted in which respondents answered how they would address a common, custodial situation given a hypothetical custodial arrangement. The respondents were selected to have a wide range of experience as school leaders with a range of novice to thirty-one years.

Telephone interviews were recorded with permission of the respondent and transcribed for data analysis. Two raters independently rated the transcribed responses using a pre-determined rubric, which resulted in a Likert scale. On this rubric, a four was given if the respondent gave an appropriate response with an appropriate explanation that referenced the custody documentation given in the hypothetical scenario, a three was given if the respondent gave an appropriate response with an appropriate explanation but failed to reference the custody documentation, a two was given if the respondent gave an appropriate response, but no further explanation or reference, and a one was given if the respondent failed to provide an appropriate response. The raters then met to come to a consensus on the ratings of each response, which were used for analysis. Table 18 shows the ratings of both the two independent raters individually as well as the consensus of the ratings. The Spearman's rho procedure was utilized to determine if a correlation existed. Table 19 shows that no statistically significant correlation was found between years of experience as a school leader and means rating of ability to appropriately interpret custodial documents, given hypothetical custodial arrangements.

Table 18

Interrater Reliability Ratings for Follow-Up Interviews

Years of Exp.	Question 1 Tax Letter			Question 2 Records Access			Question 3 Foster Student			Question 4 Check- out/ Visitation		
	Rater 1	Rater 2	Concensus	Rater 1	Rater 2	Concensus	Rater 1	Rater 2	Concensus	Rater 1	Rater 2	Concensus
2	2	1	2	4	4	4	2	3	2	4	4	4
13	3	4	3	4	4	4	4	4	4	3	4	3
14	3	4	3	4	4	4	4	4	4	4	4	4
16	2	3	3	2	3	3	2	3	2	3	4	4
22	3	4	3	4	4	4	2	4	2	3	4	3
1	2	4	3	2	4	2	2	3	2	1	4	1
4	2	4	3	3	4	3	3	3	3	2	4	2
6	3	3	3	4	4	4	4	4	4	4	4	4
7	4	1	3	4	4	4	2	4	3	3	4	4

11	4	4	4	4	4	4	4	4	4	3	4	3
11	4	4	4	4	4	4	3	4	4	3	4	4
15	4	4	4	4	4	4	3	4	3	2	1	2
31	3	1	2	4	3	3	2	3	2	2	3	2
1	1	2	1	4	4	4	3	4	3	3	1	1

Table 19

Correlation of Experience v. Interpretation of Custodial Documents

Source	N	Correlation Coefficient	Sig. (2-tailed)
Experience v. Interpretation	14	.432	.123

*p < .05.

Summary of Results

This study found that knowledge of established, written protocol correlated to familiarity with the application of the established school protocol for custodial situations in the educational setting. In addition, the study found that there was a negative correlation between years of experience and familiarity with the application of the established school protocol for custodial situations in the educational setting. On the other hand, the study showed that no other demographic variable correlated with knowledge of written protocol or familiarity with the application of the established school protocol for custodial situations. Furthermore, the study showed that years of experience did not significantly correlate with ability to interpret custodial documents given hypothetical custodial arrangements. In the following chapter, these results will be discussed with the limitations of the study and future research opportunities.

Chapter 5: Discussion

This chapter will provide a discussion of the results presented in the previous chapter. First, a summary of the study will be presented along with a reminder of the research questions. A methodology review will follow. Next, major findings of the study will be presented as well as the significance of the study. Lastly, this chapter will address implications of the study and areas for future research.

Summary of the Study

According to Wasserman (2020), fewer than fifty percent of children will grow up in a household with married biological parents in today's society. There are many factors that contribute to the changes in family structure, such as a rise in divorce rate (Coontz, 2006), an increase in cohabitation (Kennedy & Ruggles, 2013), and an increase in unwed mothers (Wasserman, 2020). These non-traditional family structures often contribute to negative effects on children, especially if custody is highly contentious (Ricci, 1997). In addition to the negative impact on children, custody disputes often put the school in the middle.

However, there are steps that schools can take to help ameliorate the negative impacts of custody disputes on the child as well as those that impact the school setting. First, the school must remember, "The school is not the battleground" (Gatens, 2015). Schools must also take steps to shield the child from custodial disputes (Gatens, 2015). Furthermore, schools should have established, written protocols in place regarding custodial rights in the educational setting (Rock, 2018). Finally, administrators must be well-versed in reading custody documents (Rock, 2018).

The current study focused on the school leaders' knowledge of written protocol regarding custodial rights, familiarity with the application of the established school protocol for custodial

situations in the educational setting, and abilities to interpret custody documents given hypothetical, custodial arrangements. The purpose of this quantitative, correlational study was to examine the relationship between knowledge of protocol and familiarity with the application of custodial situations in the educational setting. This study assessed both the self-reported knowledge of school leaders with current school and/or system protocols regarding custodial rights and the school leaders' familiarity regarding the application of the established school protocol for custodial situations in the educational setting. The significance of any possible relationship between knowledge and familiarity regarding the application of the established school protocol for custodial rights might shed light on any gaps between these two constructs. The data collection process included a voluntary survey and follow-up interviews.

Research Questions

The following research questions were examined:

1. To what extent does knowledge of established written protocol regarding custodial rights in the educational setting correlate to familiarity of the application of custodial situations?
2. What demographics factors correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
 - A. To what extent does years of experience as a school leader correlate to knowledge of established written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?
 - B. To what extent does grade level served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?

C. To what extent does type of school served correlate to knowledge of written protocol regarding custodial rights and/or familiarity with the application of established school protocol for custodial situations?

3. To what extent does years of experience as an administrator correlate to the ability to interpret custody documents in the educational setting given hypothetical custodial situations?

Methodology Review

The study was conducted via a quantitative research design. An initial survey was developed and emailed to all 1,427 principals in the public Alabama schools as listed in the EdDir. The initial survey collected data on knowledge of written protocol regarding custodial rights in the educational system, a self-rating of familiarity with the application of the established school protocol for custodial situations in the educational setting, and basic demographic information. In total, 236 responses were received, with 207 of those being valid responses, which equated to a 14.5% response rate.

Follow-up interviews were conducted via phone where data were collected on the school leaders' ability to appropriately interpret custodial documents given hypothetical, custodial arrangements. Finally, data were analyzed to determine what demographic factors correlated with knowledge of protocol, familiarity with the application of the established school protocol for custodial rights, and ability to interpret custodial situations in the educational setting.

Major Findings

As non-nuclear families continue to increase in number (Wasserman, 2020), schools must be more equipped to handle custodial situations that creep into the educational setting. School leaders can best protect the school and, most importantly, the students by having specific

protocols in place to address common custodial situations that may arise (Rock, 2018). Similarly, school leaders must be well-versed in reading custody documents to interpret how the documents influence the educational setting (AFCC, 2009). This study aimed to examine these two areas and what demographic factors might influence a school leader's knowledge of protocol and/or familiarity with the application of the established school protocol for custodial situations in the educational setting.

Knowledge of written protocol. This study examined how knowledgeable school leaders were pertaining to established, written protocols within their schools regarding custodial rights in the educational setting. The survey provided ten common issues that arise out of custodial situations and asked the school leaders if they were knowledgeable of whether or not their schools and/or systems had written protocols in place for that common custodial issue. Overwhelmingly, the school leaders answered "yes" that they were knowledgeable of established, written protocol. In addition, when this knowledge of written protocol was compared to the demographics of years of experience, grade levels served, and urban-central school type, there were no statistically significant correlations found.

Familiarity with the application of the established school protocol for custodial situations in the educational setting. Another variable that this study examined was the school leaders' familiarity with the application of the established school protocol for custodial situations in the educational setting. Most school leaders reported a high level of familiarity with the application of the established school protocol for custodial situations in the educational setting. The application rating was also compared to the demographics of years of experience, grade levels served, and urban-central school type. No statistically significant correlation was found regarding the demographics of grade levels served and urban-central school type. However, a

statistically significant correlation was found between familiarity with the application of the established school protocol for custodial situations in the educational setting and years of experience. The study found that as years of experience increased, the school leaders' familiarity with the application of the established school protocol for custodial situations in educational settings also increased.

Knowledge – application link. One might think that a school leader being knowledgeable of written protocol would correlate to the school leader's familiarity with the application of the established school protocol for custodial situations in the educational setting. This study examined to determine if a correlation existed between these two variables, and a statistically significant correlation was found between these two variables. Surprisingly, the correlation showed that as knowledge of written protocol increased, familiarity with the application of the established school protocol for custodial situations decreased.

A possible explanation for this might be that although school leaders are knowledgeable of written protocols, the school leaders may not be trained on how to implement those protocols which results in a lack of familiarity with the application of the established school protocol for custodial situations in the educational setting. Another possible explanation arose in the follow-up interviews. After the respondents were told the hypothetical custodial scenario, they were asked how they would handle the situation and what written protocols were in place that pertained to the situation. Most respondents gave an appropriate interpretation and were quick to say that their school did have protocol in place; however, when asked, the respondents were rarely able to recall the exact protocol. Therefore, it is a possibility that respondents answered "yes" to the knowledge subset without fully knowing the protocol.

Years of experience – ability to interpret custodial documents. The last variable that this study examined was school leaders' abilities to appropriately interpret custodial documents in the educational setting. Data was taken from interviews with school leaders of varying years of experience. Although school leaders provided mostly appropriate responses to the hypothetical custodial situations, no statistically significant correlation was found between years of experience and ability to appropriately interpret custodial documents in the educational setting.

Significance of Study

According to Wasserman (2020), approximately fifty percent of children in the United States today are being raised in a non-nuclear family. Many of these non-nuclear homes are capable of successfully co-parenting to the benefit of the children involved (Cohen, 1978); however, increasing numbers of children are being caught in the contention of custody battles (Wasserman, 2020). Not only is custodial contention detrimental to the children involved (Ricci, 1997), the school is often caught in the middle when it comes to the rights of the parents regarding their child's education. Even though the concern of custodial battles on the school grounds is increasing (Gatens, 2015), there has been little research to determine how equipped school leaders are to navigate custodial rights in the educational setting. This study aimed to examine not only how knowledgeable and familiar school leaders were with custodial situations in the educational setting but also what demographic factors correlate to increased knowledge of protocol, familiarity with the application of custodial situations, and/or the ability to appropriately respond to custodial situations given hypothetical custodial scenarios. In addition to assessing the current reality of schools navigating custodial issues in the educational setting, this study also provides valuable information about how to better prepare school leaders for these custodial situations in the future.

Implications

Two major findings emerged from this study. First, as knowledge of written protocol regarding custodial rights in the educational setting increased, familiarity with the application of the established school protocol in these situations decreased. Second, as years of experience increased, so did familiarity with the application of the established school protocol for custodial situations in the educational setting. Both findings are very useful as school systems seek to better prepare school leaders to navigate custodial issues.

Protocols are established to provide a regimented way to address a given situation. In addition, clear protocols help shield the students of custodial disputes as applying protocols consistently reduces the likelihood of confrontation. In this study, the correlation found that as a school leader's knowledge increased, the application decreased, which implied that school leaders are not familiar with the application of the protocols that they knew existed. Furthermore, school leaders became more familiar with the application of the established school protocol for custodial situations in the educational setting as their years of experience increased. The implication is that school leaders need professional development on not only the protocols in place but also how to implement those protocols regarding custodial situations in the educational setting.

Recommendations for Practice

The current study sought to determine if a relationship existed between Alabama school leaders' knowledge of established protocols regarding custodial rights in the educational setting, their familiarity with the application of the established school protocol for custodial situations in the educational setting, and school leaders' abilities to appropriately interpret custodial rights given hypothetical, custodial arrangements. The study found that knowledge of protocols

regarding custodial situations in the educational setting indirectly correlated to the application of the same. In addition, the study found that years of experience directly correlated with familiarity with the application of the established school protocol for custodial situations in the educational setting. Based on these major findings, the following are recommendations for practice:

- As years of experience directly correlated to familiarity with the application of the established school protocol for custodial situations, the use of mentors may assist the novice administrator. Even though there is no substitute for years of experience, a mentor would be a resource with which novice administrators could collaborate on any number of issues, including custodial situations in the educational setting.
- Considering that 96% of respondents stated that they knew whom to call if they were not familiar with the application of the established school protocol for custodial situations, administrators should be provided with a resource list of who to call. This resource list could include counselors, central office personnel, the system attorney, or even local judges. This was reiterated in the follow-up interviews, as one administrator said that she had called the local judge in the past when custodial situations were questionable.
- The indirect correlation between the knowledge of protocol and the familiarity with the application of the established school protocol for custodial situations leads to the need for professional development. According to Freeman et al., “Improving educator effectiveness and school functioning requires continuous attention to practice selection, implementation fidelity, and progress monitoring, especially in the context of systemic school reform efforts” (2016, p. 29).

Recommendations for Future Research

Although this study was very worthwhile in determining the knowledge-application relationship as well as what demographic variables might influence this, further research opportunities certainly still exist. The following are recommendations for future research.

- The same study could be replicated in other states to determine if this study could be generalized to a broader area.
- A similar study could be performed seeking more specific responses on the knowledge subscale as this would eliminate the limitation that administrators may have simply replied “yes” without fully being able to recall the protocol.
- A qualitative design would yield many possibilities including interviewing administrators, parents, domestic relations attorneys, and/or domestic relations judges to determine what concerns they see regularly and, specifically, what concerns school leaders should be made aware and given training.
- Furthermore, professional development models could be implemented and studied to determine the effectiveness. Possible types of professional development could include not only instruction on the laws and protocols regarding custodial issues in the educational setting, but more importantly role play, case studies, group exercises, and especially follow-up to ensure not only knowledge but also an ability to apply that knowledge.

Conclusion

Children in this country and around the world are increasingly growing up in non-traditional homes. In many instances, parents are able to successfully co-parent, which is to the benefit of the children involved. However, schools are becoming a common battleground for the

custodial war (Gatens, 2015). Furthermore, as some of these custodial wars are escalating to child abduction from the school or even homicide of one parent by the other parent at the school, the schools must be proactive with establishing protocols regarding custodial rights in the educational setting and training school leaders to implement these protocols. The establishment of protocols and the consistent application of those protocols regarding custodial rights in the educational setting reduces the likelihood of confrontation at school and thereby helps shield the child from the negative effects of divorce. For an understudied area such as custodial rights in the school setting, this study was merely a springboard for future research. It remains the goal of this study to advance the conversations regarding custodial issues in the educational setting, to show opportunities for growth through professional development and policy, and to ultimately better the lives of the children living in the middle of the custodial war.

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Appendix A: Institutional Review Board

Auburn University Human Research Protection Program

EXEMPTION REVIEW APPLICATION

For information or help completing this form, contact: THE OFFICE OF RESEARCH COMPLIANCE,
Location: 115 Ramsay Hall Phone: 334-844-5966 Email: IRBAoms@auburn.edu

Submit completed application and supporting material as one attachment to IRBsubmit@auburn.edu.

1. PROJECT IDENTIFICATION

Date February 28, 2020

a. Project Title Caught in the social web: How equipped are school leaders to navigate digital rights in the educational setting?

b. Principal Investigator Orlando Erosa Degree(s) Doctor of Philosophy
Rank/Title Doctoral Student Department/School EFLT
Phone Number (334) 504-5780 AU Email erosa0002@auburn.edu

Faculty Principal Investigator (required if PI is a student) Dr. Elen Hahn
Title Associate Professor Department/School EFLT
Phone Number (334) 844-3067 AU Email ehahn@auburn.edu

Dept Head James Witt Department/School EFLT
Phone Number (334) 844-3060 AU Email witt@auburn.edu

c. Project Personnel (other PI) – Identify all individuals who will be involved with the conduct of the research and include their role on the project. Role may include design, recruitment, consent process, data collection, data analysis, and reporting. Attach a table if needed for additional personnel.

Personnel Name _____ Degree (s) _____
Rank/Title _____ Department/School _____
Role _____
AU affiliated? YES NO If no, name of home institution _____
Plan for IRB approval for non-AU affiliated personnel? _____

Personnel Name _____ Degree (s) _____
Rank/Title _____ Department/School _____
Role _____
AU affiliated? YES NO If no, name of home institution _____
Plan for IRB approval for non-AU affiliated personnel? _____

Personnel Name _____ Degree (s) _____
Rank/Title _____ Department/School _____
Role _____
AU affiliated? YES NO If no, name of home institution _____
Plan for IRB approval for non-AU affiliated personnel? _____

d. Training – Have all Key Personnel completed CITI human subjects training (including elective modules related to this research) within the last 3 years? YES NO

The Auburn University Institutional Review Board has approved this Document for use from 03/12/2020 to _____ Protocol # 20-142 EX 2003

e. Funding source – Is this project funded by the investigator(s)? YES NO
 Is this project funded by AUP? YES NO If YES, identify source _____
 Is this project funded by an external sponsor? YES No If YES, provide the name of the sponsor, type of sponsor (governmental, non-profit, corporate, other), and an identification number for the award.
 Name _____ Type _____ Grant # _____

f. List other IRBs associated with this research and submit a copy of their approval and/or protocol.

N/A

2. Mark the category or categories below that describe the proposed research:

1. Research conducted in established or commonly accepted educational settings, involving normal educational practices. The research is not likely to adversely impact students' opportunity to learn or assessment of educators providing instruction. 104(d)(1)
2. Research only includes interactions involving educational tests, surveys, interviews, public observation if at least ONE of the following criteria. (The research includes data collection only; may include visual or auditory recording; may NOT include intervention and only includes interactions). Mark the applicable sub-category below (i, ii, or iii). 104(d)(2)
- (i) Recorded information cannot readily identify the participant (directly or indirectly/linked); OR
- * surveys and interviews: no children;
 - * educational tests or observation of public behavior: can only include children when investigators do not participate in activities being observed.
- (ii) Any disclosures of responses outside would not reasonably place participant at risk; OR
- (iii) Information is recorded with identifiers or code linked to identifiers and IRB conducts limited review: no children. Requires limited review by the IRB.*
3. Research involving Benign Behavioral Interventions (BBIs)** through verbal, written responses (including data entry or audiovisual recording) from adult subjects who prospectively agree and ONE of the following criteria is met. (This research does not include children and does not include medical interventions. Research cannot have deception unless the participant prospectively agrees that they will be unaware of or misled regarding the nature and purpose of the research) Mark the applicable sub-category below (A, B, or C). 104(d)(3)(i)
- (A) Recorded information cannot readily identify the subject (directly or indirectly/linked); OR
- (B) Any disclosure of responses outside of the research would not reasonably place subject at risk; OR
- (C) Information is recorded with identifiers and cannot have deception unless participant prospectively agrees. Requires limited review by the IRB.*
4. Secondary research for which consent is not required: use of identifiable information or identifiable bio-specimen that have been or will be collected for some other 'primary' or 'initial' activity, if one of the following criteria is met. Allows retrospective and prospective secondary use. Mark the applicable sub-category below (i, ii, iii, or iv). 104(d)(4)
- (i) Biospecimens or information are publically available;
- (ii) Information recorded so subject cannot readily be identified, directly or indirectly/linked; investigator does not contact subjects and will not re-identify the subjects; OR

- (iii) Collection and analysis involving investigators use of identifiable health information when use is regulated by HIPAA "health care operations" or "research or "public health activities and purposes" (does not include biospecimens (only PHI and requires federal guidance on how to apply): OR
- (iv) Research information collected by or on behalf of federal government using government generated or collected information obtained for non-research activities.
- 5. Research and demonstration projects which are supported by a federal agency/department AND designed to study and which are designed to study, evaluate, or otherwise examine: (i) public benefit or service programs; (ii) procedures for obtaining benefits or services under those programs; (iii) possible changes in or alternatives to those programs or procedures; or (iv) possible changes in methods or levels of payment for benefits or services under those programs. (must be posted on a federal web site). 104(d)(5) (must be posted on a federal web site)
- 6. Taste and food quality evaluation and consumer acceptance studies, (i) if wholesome foods without additives are consumed or (ii) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture. The research does not involve prisoners as participants. 104(d)(6)

New exemption categories 7 and 8: Both categories 7 and 8 require Broad Consent. (Broad consent is a new type of informed consent provided under the Revised Common Rule pertaining to storage, maintenance, and secondary research with identifiable private information or identifiable biospecimens. Secondary research refers to research use of materials that are collected for either research studies distinct from the current secondary research proposal, or for materials that are collected for non-research purposes, such as materials that are left over from routine clinical diagnosis or treatments. Broad consent does not apply to research that collects information or biospecimens from individuals through direct interaction or intervention specifically for the purpose of the research.) **The Auburn University IRB has determined that as currently interpreted, Broad Consent is not feasible at Auburn and these 2 categories WILL NOT BE IMPLEMENTED at this time.**

Limited IRB review – the IRB Chairs or designated IRB reviewer reviews the protocol to ensure adequate provisions are in place to protect privacy and confidentiality.

****Category 3 – Benign Behavioral Interventions (BBIs)** must be brief in duration, painless/harmless, not physically invasive, not likely to have a significant adverse lasting impact on participants, and it is unlikely participants will find the interventions offensive or embarrassing.

3. PROJECT SUMMARY

a. Does the study target any special populations? (Mark applicable)

- Minors (under 18) YES NO
- Pregnant women, fetuses, or any products of conception YES NO
- Prisoners or wards (unless incidental, not allowed for Exempt research) YES NO
- Temporarily or permanently impaired YES NO

b. Does the research pose more than minimal risk to participants? YES NO

Minimal risk means that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests. 42 CFR 46.102(j)

c. Does the study involve any of the following?

- Procedures subject to FDA regulations (drugs, devices, etc.) YES NO
- Use of school records of identifiable students or information from instructors about specific students. YES NO
- Protected health or medical information when there is a direct or indirect link which could identify the participant. YES NO
- Collection of sensitive aspects of the participant's own behavior, such as illegal conduct, drug use, sexual behavior or alcohol use. YES NO
- Deception of participants YES NO

4. Briefly describe the proposed research, including purpose, participant population, recruitment process, consent process, research procedures and methodology.

The researcher will utilize the list of school leaders in all 1,476 public schools found in the Education Directory published each year by the Alabama State Department of Education. The Education Directory is publically available online for multiple years. Historically, school level administrator emails are included in this publication. The researcher will email the school leader to provide a brief overview of the study and to solicit his/her participation in the study. School leaders will be informed that this is a voluntary survey. The email will include: an introductory letter; informed-consent document, consistent with the guidelines of the Institutional Review Board, and a link to the address of the survey website (URL). The purpose of the introductory letter and consent form will be to outline the purpose of the study, solicit the school leaders' participation in the study, and acquaint the potential respondents with the importance of the study. At the conclusion of the survey instrument, the participant will be asked if he/she would be willing to further discuss this topic. Those participants who select "yes" will be directed to enter their email address on a new survey, so previous answers are kept anonymous. Follow-up interviews will be scheduled in person and/or via phone to discuss how school leaders interpret custodial rights, given multiple, hypothetical arrangements.

This study is quantitative in nature, and asks school leaders to self-report familiarity with existing school and/or system protocols regarding addressing custodial rights in the educational setting. Follow-up interviews will ask school leaders to interpret custodial rights in the educational setting, based on hypothetical custody arrangements. A correlational analysis will then be performed to determine if a relationship exists between the two sets of data. The purpose of this study is to gain insight into how familiar school leaders are with existing protocols as well as how well school leaders can appropriately interpret custodial rights in the educational setting, based on hypothetical custodial arrangements. Through this analysis, new information can be obtained that can better prepare principals for navigating custodial rights in the educational setting.

5. Waivers

Check any waivers that apply and describe how the project meets the criteria for the waiver. Provide the rationale for the waiver request.

- Waiver of Consent (Including existing de-identified data)
- Waiver of Documentation of Consent (Use of Information Letter)
- Waiver of Parental Permission (for college students)

All retrospective information will be de-identified.

Participants will be invited via an email invitation, which will provide a link to the information letter and survey. The information letter will ask participants to agree or disagree to participate in the study. If the recipient prefers not to participate, they should click, "I do not consent. I do not

wish to participate." If the recipient does consent to participate, they should click "I consent, begin the study," and then complete the survey. Participants will give implied consent by completing the survey. At the conclusion of the survey, the participant will be asked if he/she would be willing to further discuss the topic. Those participants who select "yes" will be directed to enter their email address on a new survey, so that the previous answers are kept anonymous. Follow-up interviews will be scheduled in person and/or via phone. The researcher will again provide information that the follow-up interview is voluntary and seek consent of the participant prior to scheduling the interview.

6. Describe how participants/data/specimens will be selected. If applicable, include gender, race, and ethnicity of the participant population.

Participants for the study will be Alabama public school leaders. Data collection will involve the administration of a survey, copy attached to this proposal. In addition, follow-up interviews will be scheduled for those survey participants who volunteer by selecting "yes" to the question "Would you be willing to discuss this further?" If the participant volunteers via this question, a separate survey window will open to ensure the anonymity of the original survey. Follow-up interviews will be scheduled with the participants who agree to discuss the topic further. Data analysis will entail the use of descriptive statistics.

7. Does the research involve deception? YES NO
deception and describe the debriefing process.

NO if YES, please provide the rationale for

8. Describe why none of the research procedures would cause a participant either physical or psychological discomfort or be perceived as discomfort above and beyond what the person would experience in daily life.

There are no foreseeable risks involved with participation in this study. The probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during performance of routine physical or psychological examinations or tests. In addition, a pilot study was performed in order to determine any flaws within the survey procedures. No risk was found or reported.

9. Describe the provisions to maintain confidentiality of data, including collection, transmission, and storage.

<https://www.qualtrics.com/security-statement/>. The electronic survey will remain electronic and will be stored on the researcher's password protected account. Security Policy has been set forth by Qualtrics as follows:

Qualtrics's most important concern is the protection and reliability of Customer data. Our servers are protected by high-end firewall systems, and scans are performed regularly to ensure that any vulnerabilities are quickly found and patched. Complete penetration tests are performed yearly. All services have quick failover points and redundant hardware, with complete backups performed nightly.

Our confidential system component design uses multiple checks to certify that packets from one subsystem can only be received by a designated subsystem. Access to systems is severely restricted to specific individuals, whose access is monitored and audited for compliance.

Customer data are processed (stored, collected, retrieved) in a specific location known to the Customer within a specific region such as North America, Europe, and Australia.

Qualtrics uses Transport Layer Security (TLS) encryption (also known as HTTPS) for all transmitted data. Surveys may be protected with passwords and HTTP referrer checking. Our services are hosted by trusted data centers that are independently audited using the industry standard SSAE-16 method. Since our subscribers control their users data, it is important for the users to practice sound security practices by using strong account passwords and restricting access to their accounts to authorized persons.

FedRAMP

Qualtrics is FedRamp Authorized. FedRAMP is the gold standard of U.S. government security compliance, with over 300 controls based on the highly-regarded NIST 800-53 that requires constant monitoring and periodic independent assessments. More information is found at <https://www.fedramp.gov>. Qualtrics meets the general requirements set forth by many U.S. Federal requirements, including the FISMA Act of 2002. We meet or exceed the minimum requirements as outlined in FIPS Publication 200.

HIPPA

Regarding HIPPA, HITECH, and specific data types: Qualtrics provides general research software and other services where all data are processed equally, without regard to how a Customer might classify their data. As such, Qualtrics cannot declare or represent any data entered into its services. Any processing of specific data types is purely incidental and not required to use the services. HITECH (Health Information Technology for Economic and Clinical Health Act) updated HIPPA rules to ensure that data are properly protected and best security practices followed. Qualtrics safeguards all Customer data and uses secure data centers to ensure the highest protection as per HITECH requirements.

10. Describe the provisions included in the research to protect the privacy interests of participants (e.g., others will not overhear conversations with potential participants, individuals will not be publicly identified or embarrassed).

This survey is anonymous and will not entail identifying information that would give indication of who the school leader is. The final question of the survey asks if the participant is willing to discuss this further. If the participant selects yes, then a new survey will open to allow the participant to log their email address. This identifying information is kept in a separate survey from the answers to the earlier questions, ensuring the anonymity of the original survey answers.

For follow-up interviews, the researcher will ensure that all data collected is reported in aggregate to remove any identifying information. Follow-up interviews will be scheduled at the convenience of the school leader both in time and location and/or via phone. These interviews will be audio recorded for data-collection purposes. Informed consent will be obtained prior to scheduling the interview, and will include consenting to audio recording.

As an additional incentive to participate in the survey portion of the research project, an anonymized raffle will be held via Qualtrics for a \$50 Visa gift card. If participants wish to enter the random drawing, they will be prompted to another survey, which will help insure the anonymity of their survey answers. The new survey will open asking for the participants email address. At the conclusion of the survey window, a winner will be randomly selected through Qualtrics to receive the gift card. Notification will be made through email, and the gift card will be mailed. Participation in the follow-up interviews is not a requirement for the gift card drawing, only participation in the initial survey portion.

11. Will the research involve interacting (communication or direct involvement) with participants?

YES NO If YES, describe the consent process and information to be presented to subjects. This includes identifying that the activities involve research; that participation is voluntary; describing the procedures to be performed; and the PI name and contact information.

- The researcher will utilize the list of school leaders in all 1,476 public schools found in the Education Directory published each year by the Alabama State Department of Education. The researcher will email the school leader to provide a brief overview of the study and to solicit his/her participation in the study. School leaders will be informed that this is a voluntary survey. The email will include: an introductory letter; informed-consent document, consistent with the guidelines of the Institutional Review Board; and a link to the address of the survey website (URL). The purpose of the introductory letter and consent form will be to outline the purpose of the study, solicit the school leaders' participation in the study, and acquaint the potential respondents with the importance of the study. At the conclusion of the survey instrument, the participant will be asked if he/she would be willing to further discuss this topic. Those participants who select "yes" will be directed to enter their email address on a new survey, so previous answers are kept anonymous. Follow-up interviews will be scheduled in person and/or via phone. The researcher will again provide information that the follow-up interview is voluntary and seek consent of the participant prior to scheduling the interview.

Principal Investigator's Signature *Olivia M. Travis* Date 2/28/2020

If PI is a student,
Faculty Principal Investigator's Signature *Ellen B. Hahn* Date 3/2/2020

Department Head's Signature *Asa Pulitto* Date 3/4/2020

Appendix C: Information Letter

Version Date: 03/18/2020

1

DEPARTMENT OF EDUCATIONAL FOUNDATIONS, LEADERSHIP AND
TECHNOLOGY
4306 Haley Center, Auburn, Alabama 36849
(334) 834-4460

(NOTE: DO NOT AGREE TO PARTICIPATE UNLESS IRB APPROVAL
INFORMATION WITH CURRENT DATES HAS BEEN ADDED TO THIS
DOCUMENT.)

INFORMATION LETTER

for a Research Study titled:

Caught in the Uncivil War: How Equipped are School Leaders to Navigate Custodial Rights in the Educational Setting?

I am conducting a survey on how administrators interpret and respond to the custodial rights in the educational setting. "Custodial rights" refers to which parent or guardian has the legal right to make decisions and/or act on behalf of the minor child. The purpose of this study is to gain insight into how familiar school leaders are with existing protocols and how well school leaders can appropriately interpret custodial rights in the educational setting, based on hypothetical custodial arrangements. You are invited to participate because you are identified as a school leader of an Alabama public school and are age 19 or older.

There is minimal risk to this study. If you decide to participate, you will be asked to complete and submit an electronic survey. Your participation is completely voluntary. If you decide to participate in this research study, you will be asked to answer questions related to navigating custodial rights in the educational setting. The survey should only take about 5 minutes of your time. The survey instrument will be administered through the online platform, Qualtrics. The pre-built template will allow the researcher to import or type in questions that address the study. The use of Qualtrics will allow the researcher to reach respondents wherever they are with surveys on mobile devices, computers, and/or tablets. When results are yielded from Qualtrics, iQ applies detailed statistical and text analysis to gain insight needed for the study.

Your answers are anonymous. All information will be summarized so that no individual answers will be identified. If you participate in this study, you can expect to contribute to the research covering how prepared school leaders are to navigate custodial rights in the educational setting. You will not personally benefit from this research. Benefits to others may include information to the field of education. As a reward for your participation, you will have the chance of entering a drawing to win a \$50 Visa gift card. To enter the randomized drawing for the gift card, participants will have the option of entering their name and email address in second survey, the link to which will be provided upon completion of the first survey.

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03/12/2020 to -----
Protocol # 20-142 EX 2003

If you change your mind about participating, you can withdraw at any time by closing your browser window. Once you've submitted anonymous data, it cannot be withdrawn since it will be unidentifiable. Your participation is completely voluntary. Your decision about whether or not to participate or to stop participating will not jeopardize your future relations with Auburn University Department of Education Foundations, Leadership and Technology, or your school district.

Any data obtained in connection with this study will remain anonymous. We will protect your privacy, and the data you provide will remain electronic and will be stored on the researcher's password protected account. The security policy has been set forth by Qualtrics. Information collected through your participation may be used for future research.

If you have any questions or concerns, please contact Olivia Ennis at (334) 504-5780, ome0002@auburn.edu. You may also contact my faculty advisor, Dr. Ellen Hahn, by phone (334) 844-3067 or email at reamseh@auburn.edu. If you have any questions regarding your rights as a research participant, please contact Auburn University Office of Research Compliance or the Institutional Review Board by phone (334) 844-5966 or email at IRBAdmin@auburn.edu or IRBChair@auburn.edu.

Thank you for your time and consideration.

Olivia M. Ennis _____ 03/18/2020
Investigator Date

The Auburn University Institutional Review Board has approved this document for use from _____ to _____. Protocol # _____

FOLLOW LINK TO SURVEY

The Auburn University Institutional
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Protocol # 20-142 EX 2003

Appendix D: Survey of Alabama Principals

2/28/2020

Qualtrics Survey Software

The Auburn University Institutional Review Board has approved this Document for use from 03/12/2020 to Protocol # 20-142 EX 2003

Part I: Establishment of Protocol - indicate yes or no

Do you know whether your school or system has an established written protocol regarding:

Which parent can have access to INOW Home Portal?

Yes

No

Which parent can check out the student during the school day?

Yes

No

Which parent can enroll a student?

Yes

No

Which parent can have copies of report cards?

Yes

No

Which parent can consent to a Special Education evaluation?

Yes

No

Which parent can visit the student during the school day?

https://auburn.edu/qualtrics.com/QT/EditSection/Blocks/Ajax/GetSurveyPrintPreview?ContextSurveyID=SV_1MIV0G0Pqfa26dIT&ContextLibraryID=UK_7HCy31JL...

Yes

No

Which parent can approve of course selections?

Yes

No

Which parent can sign consent for an Individualized Education Plan?

Yes

No

Which parent can receive documentation of enrollment for tax purposes?

Yes

No

For a foster child or the child of a non-parental guardianship, how involved are the biological parents allowed to be in the education of their child?

Yes

No

Part II: Familiarity with Protocols – indicated your level of familiarity

How familiar are you with handling a custodial situation regarding:

	Extremely Familiar	Very Familiar	Moderately Familiar	Slightly Familiar	Not at all Familiar
Which parent can have access to INOW Home Portal?	<input type="radio"/>				
Which parent can check out the student during the school day?	<input type="radio"/>				
Which parent can enroll a student?	<input type="radio"/>				
Which parent can have copies of report cards?	<input type="radio"/>				

	Extremely Familiar	Very Familiar	Moderately Familiar	Slightly Familiar	Not at all Familiar
Which parent can consent to a Special Education evaluation?	<input type="radio"/>				
Which parent can visit the student during the school day?	<input type="radio"/>				
Which parent can approve of course selections?	<input type="radio"/>				
Which parent can sign consent for an Individualized Education Plan?	<input type="radio"/>				
Which parent can receive documentation of enrollment for tax purposes	<input type="radio"/>				
For a foster child or the child of a non-parental guardianship, how involved are the biological parents allowed to be in the education of their child?	<input type="radio"/>				

Am I confident that I know whom to call if I don't know the answer?

Yes

No

If yes, what role does this person play in your school system (i.e. counselor, central office, another administrator)

Part III - Demographics

How many years have you been an administrator?

	0	5	10	15	20	25	30	35	40
Use slider to 0	5	10	15	20	25	30	35	40	
indicate years									

How would you describe your school using the urban-central locale categories released by the National Center for Educational Statistics (2006)?

- City Large - Territory inside an urbanized area and inside a principal city with a population of 250,000 or more
- City Midsize - Territory inside an urbanized area and inside a principal city with population less than 250,000 and greater than or equal to 100,000
- City Small - Territory inside an urbanized area and inside a principal city with population less than 100,000
- Suburb Large - Territory outside a principal city and inside an urbanized area with population of 250,000 or more
- Suburb Midsize - Territory outside a principal city and inside an urbanized area with population less than 250,000 and greater than or equal to 100,000
- Suburb Small - Territory outside a principal city and inside an urbanized area with population less than 100,000
- Town Fringe - Territory inside an urban cluster that is less than or equal to 10 miles from an urbanized area
- Town Distant - Territory inside an urban cluster that is more than 10 miles and less than or equal to 35 miles from an urbanized area
- Town Remote - Territory inside an urban cluster that is more than 35 miles from an urbanized area
- Rural Fringe - Census-defined rural territory that is less than or equal to 5 miles from an urbanized area, as well as rural territory that is less than or equal to 2.5 miles from an urban cluster
- Rural Distant - Census-defined rural territory that is more than 5 miles but less than or equal to 25 miles from an urbanized area, as well as rural territory that is more than 2.5 miles but less than or equal to 10 miles from an urban cluster
- Rural Remote - Census-defined rural territory that is more than 25 miles from an urbanized area and is also more than 10 miles from an urban cluster

What grade levels does your school serve? (Check all that apply)

- Pre-School Grades
- Elementary Grades
- Middle/Junior High Grades
- High School Grades

Requesting Follow Up

Would you be willing to discuss this further?

Yes

No

Would you like to enter a raffle for a chance to win a prize?

Yes

No

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Appendix E: Principal Interview Questions

2/28/2020

Qualtrics Survey Software

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Volunteering for Follow-Up Interviews

What is your email address?

How many years have you been an administrator?

0 5 10 15 20 25 30 35 40

Use slider to indicate years

Would you like to enter a raffle for the chance to win a prize?

Yes

No

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https://auburn.ca1.qualtrics.com/Q?editSection/Blocks/Ajax/GetSurveyPrintPreview?ContextSurveyID=SV_8h1.BkWNsqMmH3JT&ContextLibraryID=UR_71fCy3... 1/1

The Auburn University Institutional
Review Board has approved this
Document for use from
03/12/2020 to
Protocol # 20-142 EX 2003

Raffle Sign Up

Please fill out the information below!

Name

Preferred Phone

Email

Powered by Qualtrics

Individual Follow-Up Interviews

Part IV: Being Well-Versed at Reading Custody Documents - Given the following hypothetical custodial arrangements, answer 1) What would you do? and 2) What are you supposed to do?

11. A mother calls and asks for a tax letter for purposes of claiming the student as a dependent on her taxes. The mother states that the mother and father are living in separate homes with no legal documentation of divorce and requests that the tax letter state that the student lives with her alone. According to the school's records, the student lives at a different address with both parents.
Expected answer: Write the tax letter including the address and parents listed in the school's records.
12. A father calls to have the address and contacts changed for his daughter that he enrolled at the school. The father states that the daughter lives with him, and the mother lives in another town at this point. The school has a copy of the divorce decree and custody agreement which gives joint legal custody to both parents, with mother having primary physical custody, and the father having secondary physical custody.
Expected answer: Obtain the mother's notarized permission to allow the father to change the address and contacts.
13. A mother calls to have her child's father taken off all paperwork, specifically requesting that he not be able to receive any information or grades on the student. The school has a copy of the divorce decree and custody agreement which gives joint legal custody to both parents, with the mother having primary physical custody, and the father having standardized visitation.
Expected answer: Explain to mother that although she can change contacts, the father will still be able to gain information and grades.
14. A biological mother comes to check out her sixteen-year-old daughter who has been recently placed in foster care with a foster parent by the Department of Human Resources. The school has documentation from DHR that the student has been placed with the foster parent for her best interest.
Expected answer: Call the foster mom/DHR to ask if the student can leave with the biological mother.

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15. A non-custodial father enrolled his son with notarized, documented consent of the custodial mother. The notarized consent stated that the non-custodial father had her permission to make educational decisions for the student. The male student is referred for special education services. At the initial consent meeting, the special education teacher needs to have consent agreed to for the special education evaluation.
Expected answer: Call the mother and notify her that she must be the one to sign consent for any special education evaluation.
16. A non-custodial father comes to the school to change his son's course choice form. The custodial mother has already signed the form. The student has requested honor's courses, but is currently failing those courses. In addition, there is a court order on file regarding custody of this child including a provision in the order that precludes the school from giving any information at all to the non-custodial father due to previous domestic violence.
Expected answer: Refuse to speak to the father about the course choice form citing the court order on file.
17. A non-custodial father requests that copies of report cards and progress reports be sent to his home address. A copy of the custody order is on file with the school giving him joint legal custody; however, reserving primary physical custody for the mother.
Expected answer: Send the requested grades to the father.
18. A non-custodial father comes to check out his son on a Friday afternoon. Although his name does not appear on the check-out sheet, he presents a court order that details his visitation time as being from Thursday at 5 pm to Sunday at 5 pm each week.
Expected answer: Call the mother to ensure that the father is presenting the most current court order, and if so, notify her that the school is allowing the father to check the child out.
19. A mother and father have joint legal and split, equal time custody, with the child rotating weeks at each parent's home. A copy of this order is on file with the school. The child assures the school that it is the mother's week as the mother comes to check out the child. Both parents are listed on the check out form.
Expected answer: Allow the mother to check the child out without question.
20. A student brings home fieldtrip permission slip on a Friday, when the student is with the non-custodial father. The father signs the fieldtrip permission slip consenting for the student to attend the trip.
Expected answer: Take the slip, but call the custodial parent to verify that she approves of the student attending the trip.