

Confidentiality Guidelines for Alaska Resource Families Including Social Media

Acknowledgements

This handout was developed by a committee consisting of staff from the Office of Children's Services Licensing, the Alaska Center for Resource Families, and the group administrators of Alaska's biggest Facebook support groups. Text written by Kimberly Mouriquand and Rachel Hanft of the Alaska Center for Resource Families.



Confidentiality Requirements

Mandated Reporting Requirement

When it comes to sharing information, talking about the foster youth in your home, or asking for advice on social media, what can a resource parent share? This handout reviews guidelines for resource families in the State of Alaska for what is expected when it comes to confidentiality in sharing information and in social media. Two major requirements of resource families will guide this conversation.

Confidentiality 7 AAC 50.130 Records

(d)A facility shall maintain confidentiality of information about a child and the child's family. A facility caring for a child who is in state custody shall comply with the requirements of 7 AAC [54.010](#) - 7 AAC [54.150](#), 7 AAC [54.300](#) - 7 AAC [54.390](#), and 7 AAC [54.900](#). A facility may not disclose information, including photographs, concerning a child in state custody if disclosure is inconsistent with the child's plan of care or treatment plan or violates a federal or state statute or regulation.

The **Alaska Resource Family Handbook** further discusses confidentiality regarding photographs and social media on page 28. *“Resource parents who use social networking sites, including but not limited to Facebook and Twitter must never include the names, or any personal information about children in the custody of the State in information they post.”*

Reporting Suspected Abuse and Neglect

The Alaska Resource Family Handbook states on page 16, *“Resource parents are mandated reporters under the State of Alaska statute AS 47.17.020(a). A mandated reporter is required to report suspected abuse or neglect. If you suspect a child has been abused or neglected, report immediately by calling 1-800-478-4444 or contact your nearest OCS office. If you are not sure whether to report, then report. Mandated reporters are not expected to investigate suspected child abuse or neglect before they make the required report. It is the duty of OCS to investigate allegations of abuse or neglect.”*

What this means for sharing on social media

Resource families should ensure the privacy and confidentiality of a youth in their care is respected in all interactions. Knowing the child's plan of care or treatment plan is an essential part of understanding what information can be shared and with whom. Additionally, resource families should go above and beyond protecting the personal identity and private family information of a child in their care.

Regardless if a social media account or group membership is set to private, information is still discoverable and can become public when posted online. Erring on the side of caution is best when posting or sharing photos of information about a child with your family.

Regarding photographs, foster parents should seek permission from the placement worker before posting any pictures. The regulations state you cannot disclose information that is inconsistent with the child's plan of care or treatment plan, or if the information violates a federal or state regulation. You may not know if a photo violates any of these policies, so it is best to always seek approval first.

Pro-Tips

General Confidentiality Tips

- Talk with the caseworker and GAL about general and specific informational restrictions or concerns. There are likely situations where certain persons should not have access to information about a youth in custody.
- Information sharing with a provider will be different than sharing on social media or out in a public setting. Be sure to know, be prepared for, and practice the difference in information sharing. Best practice would be need-to-know basis. **W.A.I.T.** before speaking (Why Am Itelling this).
- Information sharing with the medical provider, therapist or teacher may include information from a child's history, such as missed time in school, developmental delays, diagnosis, present supports/deficits or other important details to help a child get on track for development and success.
- Have a plan in place if someone asks you about the youth in the picture or the extra child you have with you at the fast food place. Use positive responses, but closed statements to address someone's curiosity questions.

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Social Media Tips

- Respecting confidentiality applies not only for in person interactions, but within groups, online through social media, support groups, in emails and in text messages.
- Talk with your team about how you plan to share information on social media in advance. For example: posting group photos or asking a support group for behavior management ideas.

Questions you might ask:

- *Is it ok to do group photos and post?*
- *Can I share successes?* Examples: "My little guy just made honor roll!" or "Proud parent here: Z just made the varsity football team!"

- Information sharing on social media should never include details about what brought the child into care or any current situations that are happening in the resource family home or the birth family home. Seeking support in social media settings should be applied to any child and not include any specifics to the case nor references to birth family.
- Avoid posting photos with any type of identifying information (locations you frequent, your house in the background, your child’s school name/mascot).
- When posting on social media, stay professional and avoid trashing or name-calling specific team members or OCS staff.

Things to take into consideration when posting:

1. **Your Location** If you live in a small connected community where it is likely that others would recognize the information you are sharing/requesting support around, you may inadvertently break confidentiality.
2. **Self-Identification** If your social media account identifies you as a licensed foster parent or you make posts like “I love being a foster parent” anything you post may inadvertently break confidentiality.

Examples of Making it Work

Even with restrictions, we can still be creative and be inclusive for our child and for ourselves. How do you seek support while still protecting confidentiality? Here are some examples for both in-person and online interactions.

- You may have to speak to a teacher about why the child is coming into a new school in the middle of the school year: share know grade level, previous school, diagnosis, IEP/504 in place, medications, known strengths and behavioral challenges.
- You may have to explain to the doctor about previous injury or gaps in check-ups or immunizations: share the child are in out of home care, you are taking them for their EPSTD/30 day exam and to direct any case specific question to the caseworker.
- You might have a 7-year-old foster youth with a recent diagnosis of FASD in your home. He has been struggling in school and the 2nd grade teacher has stated he is disrespectful and does not follow rules or directions. The teacher told you he is going to be kicked out of class for his disruptive behavior.
 - How to ask for support on a Facebook page while protecting the confidentiality of the youth you are caring for: “I’m wondering if anyone has suggestions for helping a 2nd grade teacher understand a FASD diagnosis and how that may impact a student?”
- You have an annual tradition of doing a family holiday photo every year; every child living in your home is included in the picture. You have a beautiful collage on the wall in your entryway. It is your turn to host book club.

- Make sure persons coming over know that you are a foster parent and you have a responsibility to guard the privacy of children in your care.
- If you have concerns about the privacy of the child, consider temporarily hanging the collage in another part of the house or do not host meetings in the part of your home where questions may arise.
- You have a negative interaction with a birth parent or recently learned of information that is worrisome and you need to talk to someone.
 - One-on-one Interaction: “Hey, I’m sorry, I can’t share details with you, but can I share some feelings I’m having about something I heard today?”
 - Online: “I heard some tough things today/I had a really tough interaction today, broke my heart a little. Words of support and affirmation would be helpful right now.”
- You bump into a coworker, family friend, etc. and they ask, “Well, who is this?” or “Where did this one come from?” and points to a foster youth. Try saying:
 - “This is Julie. Julie, would you like to say hello to our friend Ms. Sue?”
 - “This is Alicia, she’s staying with us for a little while. How’s the bathroom remodel going?”
 - “Let me introduce you to Michael. He loves cookies and playing with his friends.”

Placement Change and Permanency

What if someone from OCS asks to post a need for a family in a social media group such as Facebook? What then? Caseworkers and resource parents must work together during placement changes to best support the child. OCS has the final authority and responsibility for placement decisions. Below are a few guidelines to consider regarding social media engagement during transitions.

- Resource parents still must protect the confidentiality of a child. This means that if there is an interaction with a “potential” placement through social media, the rule still applies that the other provider can only have information necessary to care for the child. Make sure to talk with the caseworker before sharing any information about a child, as willingness to take placement does not equal approval from OCS.
- Resource families do not have decision making authority for placement. This means you cannot determine who the potential placement for a child is and should never be making arrangements with another provider for potential placement change.
- If you are asked to help identify a potential placement for a child, this information should be shared directly with the caseworker. The resource parent’s role here is to share names and information with the caseworker, not to share information about the child’s history with the potential placement.