

UNIVERSITY OF PENNSYLVANIA

School of Social Policy & Practice

SWRK 706

Section 001

Spring, 2019

Policies for Children and Their Families

Tuesday 12:00 to 2:30 pm

Caster D-28

I. COURSE PURPOSE

The course examines policies for children and their families. Specifically, the majority of the course focuses on child welfare policy. The course examines: federal and state laws that govern the funding and operation of child welfare systems; the history of child welfare policies; and, the legal, political, and social forces that influence the structure and function of child welfare systems in the United States. The course examines the knowledge base on child maltreatment—extent, incidence, causes, consequences, and the effectiveness of interventions and whether and how the knowledge base is applied to federal and state policies for children and families. The course builds on a liberal arts perspective by developing students' capacity to think critically and analytically about a specific issue. Specifically, students will gain the ability to identify the features of child welfare laws that currently drive policies for children and families. Students will be knowledgeable about the major challenges of providing safety, permanency, and wellbeing to children in foster care; the federal and state proposals designed to address challenges; and the federal and state information systems used to inform child welfare stakeholders, including social workers, social policy analysts, and states about progress, or lack thereof, of the system in providing for children in out-of-home care. Students will be able to apply the rules of evidence to statements about the effectiveness of specific interventions and policies. In addition, students will learn how to analyze child welfare policy with an eye toward reforming the system. Students will also learn about the impact of child welfare policy on direct and macro social work practice.

With regard to crosscutting themes and content areas, the course purposes include:

- Understanding how values regarding children and families shape the development and implementation of child welfare policy in the United States, at the federal level, the state, and local levels.
- Knowing and evaluating the ethical dilemmas that arise in the implementation of child welfare policy, specifically balancing a family's basic Constitutional rights to privacy and protection from inappropriate government intrusion against children's rights to (or needs for)

protection, safety, permanency, and wellbeing. Ethical issues regarding mandatory reporting laws, home investigations, and child placement options (including family preservation and family reunification services, guardianship, kinship care, long term foster care in family or group home settings, adoption, transracial adoption, as well as international adoption) will be examined.

- Become familiar with research-based evidence to understand the impact of child welfare policy on infants and young children, older youth, children whose parents have had their parental rights terminated, and children who are disabled or “age out” of the system. Victims of domestic violence, children with parents who have substance abuse or mental health issues or are in prison will also be explored.
- Understand the context of child welfare policy as influenced by the major child protection legislation of the past fifty years.
- Be able to evaluate various research approaches to developing a knowledge base on child maltreatment and evaluations of prevention and treatment programs to avoid the placement of the child into out-of-home care.

II. EDUCATIONAL OBJECTIVES

The overall educational objective is to increase student’s knowledge about the workings of the American child welfare system and the federal and state policies that govern both the organization and administration of child welfare agencies. The impact of existing social policies on direct practice is also examined. The specific course objectives are:

1. Increase knowledge about the nature, extent, correlates, and consequences of child maltreatment.
2. Increase knowledge about the history and development of the child welfare system in the United States.
3. Understand the philosophical and ideological underpinnings of the child welfare system in the United States.
4. Increase knowledge about the organization and function of the child welfare system and child welfare policies, including:
 - The relationship between federal and state laws.
 - The interaction between federal and state statutes and judicial discretion.
 - The key pieces of federal legislation governing child welfare policy.
 - The key court decisions affecting child welfare policy.
5. Increase knowledge about the services offered by child welfare systems.
6. Increase knowledge about the effectiveness of services offered by the child welfare system.

7. Develop and sharpen analytic skills, writing skills, information searching, and oral presentation skills.
8. Demonstrate the ability to critically evaluate claims, assumptions, and statements about child welfare policies and their impact on children and families.
9. Know the rules of evidence of social research and use them to evaluate professional writing and discussion about child welfare policies and practices.
10. Demonstrate an understanding of the core values that influence child welfare policies.
11. Be capable of demonstrating achievement of the above educational objectives in writing as well as in oral briefs and presentations.
12. Demonstrate sensitivity to cultural issues as they relate to child welfare policies and the application of child welfare policies.
13. Know how to apply knowledge about child welfare policy to social work direct practice and macro practice.
14. Know the difference between taking an advocacy position and the type of information used to support a claim and taking a policy analyst position and the type of information used to support a claim. Know what drives each position to its conclusion.

III. COURSE REQUIREMENTS

Required Books

Gelles, R. (2017). *Out of harm's way: Creating and effective child welfare system*. New York: Oxford University Press.

Berrick, J.B. (2018). *The impossible imperative: Navigating the competing principles of child protection*. New York: Oxford University Press.

Beam, C. (2013). *To the end of June: The intimate life of American foster care*. New York: Mariner Books.

B. Additional Required Readings

Available on Canvas

C. Additional Reading for Those Interested in a More In-depth understanding of Child Welfare Policy

Bernstein, N. (2001). *The Lost children of Wilder: The epic struggle to change foster care*. New York, Pantheon. (perhaps the best known class action suit brought against one of the largest child welfare systems in the United States).

Duncan, G.J. & Chase-Landsdale, L. (2002). *For better and for worse: Welfare reform and the well-being of children and families*. New York: Russell Sage Foundation.

Lindsey, D. (2008) *Child poverty and inequality: Securing a better future for America's children*. New York: Oxford University Press (Lindsey's attempt to implement a policy that would be universal and could prevent child maltreatment).

Woodhouse, B. (2008) *Hidden in plain sight: The tragedy of children's rights from Ben Franklin to Lionel Tate*. Princeton, NJ: Princeton University Press. (A thorough legal analysis of children's involvement in the legal system, including juvenile delinquency)

D. Course Assignments and Expectations

- Read each assignment before class.
- Attend class and actively participate.

- Complete three (3) written assignments on time (discussion of these assignments are during office hours or via phone; no extensions will be granted without prior documented requests)
- Make one 5-minute oral presentation.
- **Written Assignment # 1:**

Select three (3) states and examine each state's definition of child maltreatment (see <https://www.childwelfare.gov/pubPDFs/define.pdf>).

Write a 3 to 5 page (double spaced) essay that compares and contrasts the definitions of child maltreatment in the three states.

DUE: February 19, 2019

➤ **Written Assignment #2: Op Ed**

Select an aspect of child protective services or child welfare policy and write an op-ed (an editorial) that: (1) Identifies a critical policy issue; or (2) Proposes a policy; or (3) Promotes a specific policy approach to child welfare policy and/or services.

Avoid writing a moral conclusion "all children should be loved" or using a hackneyed expression "children are our most treasured resources. **Be sure to include a specific action or step that needs to be taken for meaningful change to take place.** Use the present tense.

Length: 750 words

DUE: March 19, 2019

NB: Examples of Op-Eds will be posted on Canvas for you to consult.

➤ **Written Assignment #3: Background Paper with One Page Briefing Paper - Written drafts may be submitted BEFORE**

Oral Presentation (based on one pager) – will be made on APRIL 24th and April 30, 2019

PAPER DUE: April 30, 2019

Define an emerging child and family policy issue. Give relevant statistics to show the scope of the problem and cite all relevant variables i.e., SES, gender, age, race, marital status, etc. that influence differential results. Shed light on the issue by indicating the relevance of pertinent

research to the policy under discussion. Offer at least two possible policy solutions that could be implemented on the local, state, or federal levels of government or by the private sector such as NGOs, private charities, businesses or civil society. Use APA style for footnotes.

Length: Background Paper - 8 minimum to 10 maximum pages **DO NOT WRITE BEYOND 10 PAGES**; Briefing Paper or Summary Page – one page; Oral Presentation – 5 minutes maximum.

E. Grading Policy

- **Readiness to participate in class discussion 10%.**
- **Two (2) short written assignments 30% each (60% total) (Due #1 February 19th; #2-March 19th)**
- **One 8-10 page background paper with a one page briefing paper and 5 minute presentation 30% (Due #3 May 1st). LAST two days of class; 5-minute oral presentation will also be made on April 23rd^{and} April 30th, 2019.**

F. Class Participation

Students are expected to participate in all aspects of class including:

- Questions that you raise in class and issues raised by reading assignments
- Readiness to participate means that the readings have been read and that you are prepared to discuss the facts.

G. Attendance

The class will meet once a week. Classroom learning is a fundamental component of your professional education. Attendance is therefore expected and will be considered in the determination of overall achievement of class learning objectives. In the event that you are sick or cannot attend class for other reasons, you should notify your class instructor (from the School of Social Policy & Practice MSW Handbook).

H. Other Policies

- Written work must be uploaded onto Canvas or sent as a Word attachment before the beginning of the class on the due date.
- Students must post the assignment on the Canvas Assignment Site or as a Word attachment.

All written work must be submitted double-spaced. **All written work must be original with referenced materials properly footnoted**

according to the American Psychological Association style manual. Consult the Student Manual for a complete discussion of plagiarism. Be especially careful about using quotes and page numbers when using exact quotations. Written work must be doubled spaced and prepared using 12 point font.

- Students are expected to comport themselves as professionals and meet their class responsibilities as professional social workers or social policy analysts. This includes promptness with regard to arriving at class, appropriate notice of expected absences, and documentation of reasons for non-attendance.

I. Code of Academic Integrity:

Students are expected to conduct themselves consistent with the University of Pennsylvania's Code of Academic Integrity, which presents standards regarding plagiarism, multiple submissions, and other actions. Students are expected to be familiar with the Code, which can be found at: <http://www.upul.upenn.edu/osl/acdint.html>.

III. COURSE SCHEDULE

WEEK 1: January 22, 2019

Overview of the Course

- **Faculty Introduction and Expectations**
- **Student Introductions**
- **Requirements**
- **Class and Course Policy**

- **Video: Maltreatment and Brain Development**

Discussion Topics

- **Why watch the video the first class?**
- **Did watching the infant development video challenge your beliefs about the importance of the early months and years to later brain development?**
- **Student experiences with the child welfare system.**
- **Student knowledge of policy development, implementation at the local, state, or federal level.**
- **How comfortable are the students with the process of policy development.**

WEEK 2: January 29, 2019

An Overview of Child Abuse and Neglect: Historical and Cultural Legacies/Current Research

Reading Assignments

Beam: Preface, Chapters 1, 2 and 8

Canvas:

- **Gelles, Richard J. (2017) Intimate Violence and Abuse in Families (4th Edition)**
 - Chapter 2: pages 18-34; 39-42.**
 - Chapter 3: entire chapter**

Chapter 7: entire chapter

- **Lepore, J. (2016) Baby doe: A political history of tragedy. The New Yorker (February 1). <http://www.newyorker.com/magazine/2016/02/01/baby-doe>.**

Discussion Topics

- **In-class group project: Define “child maltreatment.”**
- **How does the source of data influence what we think we know about child abuse and neglect?**
- **Reviewing theories of intimate violence and abuse, which are most applicable to child maltreatment?**
- **How does the theory one applies to child maltreatment influence policy and intervention strategies?**

WEEK 3: February 5, 2019**A Caseworker’s Role in the Child Welfare System****Reading Assignments**

- **Berrick: Introduction and Chapter 1**
- **Gelles: Introduction; Chapter 1; Chapter 2.**

Canvas:

- **Congressional Research Service (2011) “Continued Attention to Caseworker Visits with Children in Foster Care.” Pp. 4-7.**
- **National Survey of Child and Adolescent Wellbeing Research Brief No. 6 “How do caseworkers’ judgments predict substantiation of child maltreatment?” Pp 1-5.**

Video: Failure to Protect The Caseworker Files**Discussion Topics**

- **The status and role of caseworkers**
- **Investigations**
- **Quality of decision making**
- **Caseworker’s visits formula change in whose best interest?**

WEEK 4: February 12, 2019**Child and Family Policy: Federal and State Laws****Reading Assignments**

- **Gelles: Appendix**

Canvas:

- **How Our Laws Are Made. (2003) Document 109-93.**
- **Congressional Research Service (2016) “Child welfare: An overview of federal programs and their current funding” PP. 1-15 (as edited).**

Discussion Topics

- **What is the process of federal lawmaking?**
- **What is the structure of child and family policy in US?**
- **In terms of setting the requirements for policy what level of government is important?**
- **In term of implementation of policy what level of government is important?**
- **Where is the leverage?**
- **What is the federal role in child and family policy and what is the state/local role in these policies?**
- **What is the role of child welfare agencies?**
- **What are the goals of the child welfare system? Who is the client?**
- **What are the most important metrics to use in examining the system?**
- **How are room and board services paid for?**
- **How are child and family services paid for?**
- **What services are guaranteed to all children in the child welfare system?**
- **What services are available to all of the families who have had their children taken from them due to maltreatment?**

Week 5: February 19, 2019**Who is the Client?****Reading Assignments**

- **Gelles: Chapter 3; Chapter 4**
- **Berrick: Chapter 3 and 10**
- **Beam: Chapter 4**

CANVAS:

- Bartholet, E. (2012). Creating a child-friendly child welfare system: Effective early intervention to prevent maltreatment and protect victimized children. *Buffalo Law Review*, 60, 1321-1372.

Discussion Topics:

- How does the answer to “Who is the client?” shape child welfare policy and practice?
- How does race and socioeconomic status impact the answer to the question “Who is the client?”
- Is it possible for both the child and the parent to be the client? Why? Why not?

Assignment #1 Due February 19, 2019**Week 6: February 26, 2019****CAPTA and the Process of Reporting Suspected Child Maltreatment****Reading Assignments**

- Berrick: Chapter 2
- Beam: Chapter 3

Canvas:

- Child Welfare Information Gateway. “About CAPTA: A Legislative History.”
- Child Welfare Information Gateway. “Mandatory Reporters of Child Abuse and Neglect” (NB: You do not have to read this, it is provided for your reference and files.)
- Besharov, D. J. (2005). Over reporting and underreporting are twin problems. In D.R. Loseke, R. J. Gelles, & M.M. Cavanaugh (Eds.) *Current controversies on family violence*, (pp. 285-298). Thousand Oaks, CA: Sage Publications.
- Finkelhor, D. (2005). The main problem is underreporting child abuse and neglect. *Current controversies on family violence*. In D.R. Loseke, R. J. Gelles, & M.M. Cavanaugh (Eds.) *Current controversies on family violence*, (pp. 299-310). Thousand Oaks, CA: Sage Publications.

Discussion Topics

- Federal Mandates: Child Abuse Prevention and Treatment Act.
- State and Local Obligations.
- Organizational Mandates and Mission.

- **Reporting and Reporting Laws.**
- **Mandatory Reporting: Are children safer? At what cost?**
- **Services and Assessments.**
- **Standard of Care.**
- **What Can Go Wrong?**

Week 7: March 12, 2019

Decision Making

Reading Assignments

- **Gelles, Chapter 5**
- **Berrick, Chapter 4 and 9**

Canvas:

- **Coulton, C. J., Goerge, R., Putnam-Hornstein, E., & de Haan, B. (2015). Harnessing Big Data for Social Good: A Grand Challenge for Social Work.**

Discussion Points

- **What are the Key Decision Points in the Child Welfare System?**
- **How accurate is clinical judgment?**
- **How likely is it that local child welfare systems will adopt predictive analytic decision tools?**

SPRING BREAK MARCH 1-10, 2019

Week 8: March 19, 2019

Racial Disproportionality in the Child Welfare System

Reading Assignments

- **Berrick: Chapter 8**

Canvas:

- Bartholet, Elizabeth. (2009) “The Racial Disproportionality Movement in Child Welfare: False Facts and Dangerous Directions.” *Arizona Law Review*, 51, 871-932
- Roberts, D.E. (2003), Child welfare and civil rights. *University of Illinois Law Review*, 171-182.

Discussion Topics

- Does race matter in the placement of foster or adoptive children?
- Should children wait longer for a same race placement?
- When should children not be placed with families of a different race or ethnicity?
- Is there a “political correctness/liberal” position on this topic?
- Why does racial disproportionality exist?

Assignment #2: Due March 19, 2019

Week 9: March 26, 2019

Foster Care

Reading Assignments

- Gelles: Chapters 5
- Berrick: Chapters 5 and 6
- Beam: Chapters 5, 6, 7, 9, and 10

Canvas

<https://www.congress.gov/bill/115th-congress/house-bill/253/text?q=%7B%22search%22%3A%5B%22family+first+prevention+services+act%22%5D%7D&r=1>

Discussion Points

- How did a system that was designed to be short-term evolve into the current foster care system?
- What is the “perverse incentive” of the current foster care system?
- What are the strength and weakness of the proposed “Families First Prevention Act Services Act of 2016?”

Week 10: April 2, 2019**How Much and What Kind of Evidence Drives Policy?****Reading Assignments**

- Gelles, R.J. (2011). *The third lie: Why government programs don't work and a blueprint for change*. Walnut Creek California: Left Coast Press. Chapter 7.
- Olds, David L., JoAnn Robinson, Ruth O'Brien, Dennis W. Luckey, Lisa M Pettitt, Charles R. Henderson, Rosanna K. Ng, Karen L. Sheff, Jon Korfmacher, Susan Hiatt, and Ayelet Talmi. 2002. "Home Visiting by Paraprofessionals and by Nurses: A Randomized, Controlled Trial." *Pediatrics*, 110, 486-496.
- Paulsell, Diane, Sarah Avellar, Emily Sama Martin, and Patricia Del Grosso. 2010. *Home Visiting Evidence of Effectiveness Review: Executive Summary*. Princeton, NJ: Mathematica Policy Research.
- Fact Sheet President Obama's Plan for Early Education for all Americans <http://www.whitehouse.gov/the-press-office/2013/02/13/fact-sheet-president-obama-s-plan-early-education-all-americans>
- Orszag, Peter. (June 8, 2009) Building Rigorous Evidence to Drive Policy <http://www.whitehouse.gov/omb/blog/09/06/08/buildingrigorousevidencetodrivepolicy>

Discussion Points

- What were the factors that lead researchers to determine that home visiting was a successful program?
- Is there evidence that home visiting can be replicated as a successful model?
- Is there evidence that home visiting can be *modified as an intervention* and still be a successful model?
- Is there evidence that home visiting can be *scaled up* as per the President's request and still be a successful intervention?
- Why are some policy makers viewing the ramping up request for home visiting as the "intervention du jour"?

Week 11: April 9, 2019**Key Court Decisions Impacting the Child Welfare System****Reading Assignments**

Berrick: Chapter 7**Canvas**

- **Smith v. Organization of Foster Families, 431 U.S. 816 (1977)**
<http://supreme.justia.com/us/431/816/>
- **DeShaney v. Winnebago County Department of Social Services (No. 87-154)**
http://www.law.cornell.edu/supct/html/historics/USSC_CR_0489_0189_ZS.html
- **Nicholson.v.Williams**
http://www.youthlaw.org/publications/fc_docket/alpha/nicholsonvwilliams
- **“Grounds for Involuntary TPR” Summary of State Laws” (2007)**
www.childwelfare.gov/systemwide/laws_policies/statutes/groundstermination.pdf

Discussion Topics

- **Who has custody of a child in foster care?**
- **What about the issue of “psychological bond”? How was it used in the Smith v. Org FF case?**
- **In what ways does current law recognize or fail to recognize the “psychological bond?”**
- **Can any child suffer from a parent becoming “too emotionally involved?” What makes being a foster child any different? What role, if any, does the age of the child play?**
- **What stance is the “appropriate” stance for a foster parent toward a foster child?**
- **What rights does the “Due Process” clause or the 14th amendment to the US Constitution affirm? Does this apply to children?**
- **Does the state, under the 14th amendment, have the responsibility to protect children from violence perpetuated by a parent?**
- **If a child is beaten to death by a parent, is this not “deprivation of life” as defined by the 14th amendment?**
- **When a state is aware of the abuse of a child, through a mandated reporter, is the state “compelled to act”? What statute compels the state to act upon a perceived threat to a child?**

WEEK 12: April 16, 2019**Aging Out of Foster Care****Reading Assignments****Gelles, Chapters 6 and 7****Beam: 11, 12, 13, 14, and 15**

Canvas

- Chafee Foster Care Independence Act of 1999 (PL-106-169)
- Fostering Connections to Success and Increasing Adoption (PL 110-357)
- Courtney, Mark et.al. (2007) Executive Summary. “Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 21.” Chicago: Chapin Hall at The University of Chicago. www.chapinhall.org
- Peters, E.M., Dworsky, A., Courtney, M.E., & Pollack. H. (2009) “Extending Foster Care to Age 21: Weighing the Costs of Government Against the Benefits to Youth.” Chicago: Chapin Hall at The University of Chicago. www.chapinhall.org
- Bevan, Statuto C. (2011) Testimony Before Senate Aging and Youth Committee.

Discussion Topics

- What was the purpose of the *Chafee Act*? What has it done to prepare foster youth for independence?
- How did research drive the *Chafee Act*?
- What issues has *Fostering Connections* addressed for youth aging out of foster care?
- What are the issues that continue to challenge youth aging out of foster care?
- How would you design the next legislation addressing child welfare and foster care?
- Does the private sector have a role to play in child welfare and foster care? In what way?
- What systemic changes would you put in place to decrease the negative outcomes that the Mid-west Evaluation found?
- What are the positives and negatives of extending foster care from 18 to 21 or older?

Week 13: April 123, 2019

International Issues in Child Welfare

- The Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption, 29 May.
- The Inter-country Adoption Act of 2000 (IAA) (PL 106-279).

Reading Assignments

- Bartholet, Elizabeth. (2010/11) “International Adoption: A Way Forward.” *New York Law*, 55, 687-699.
- Bartholet, Elizabeth. (2007) “Intercountry Adoption: Thoughts on the Human Rights Issues.” *Buffalo Human Rights Law Review*. 13, 151-179.
- Center for Adoption Policy (2010) “Best Practices in Adoption: A Proposed Framework.”

Discussion Topics

- **With half a million American children in our foster care system, and more than 100,000 waiting for adoption – why should we be concerned with inter-country adoption (ICA)?**
- **What is the purpose of the Hague Convention on Adoption?**
- **What are the issues in intercountry adoption?**
- **Is ICA a human rights issue?**
- **Do prospective adoptive parents have a right to adopt?**
- **Do unparented children have a right to adoption?**

Week 14: April 30, 2019

- **Class presentations**

Assignment #3 Due April 30, 2019