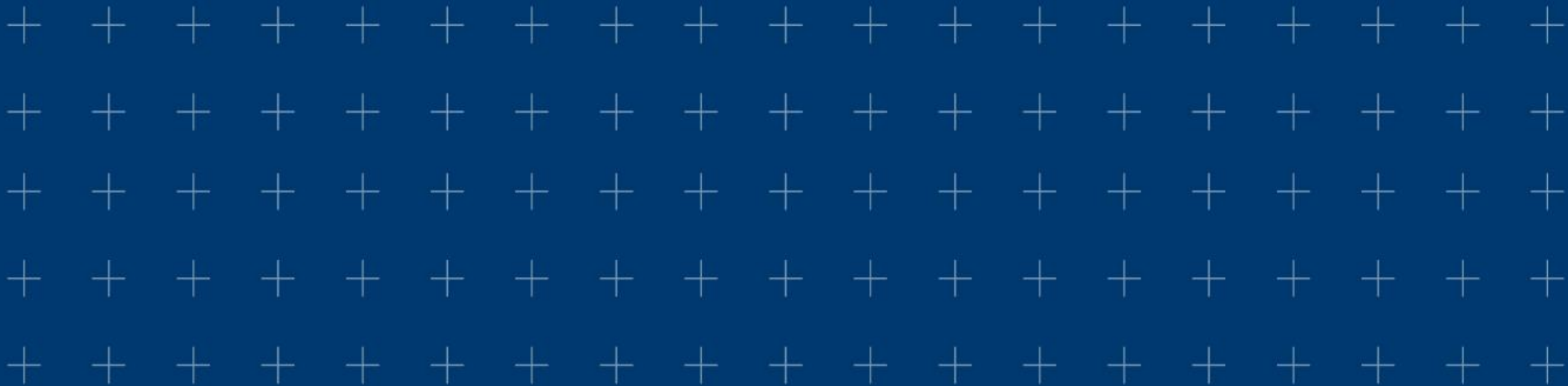




DOMINICAN UNIVERSITY

Reimagining Child Welfare

Webinar Presented on 02 December 2022





Overview

- Introduction
- Where have we been?
 - Religious Responsibility
 - Child Savers
 - Child Protection
- Where are we today?
 - Racial and Ethnic Disparities
 - Movement to End Child Welfare
- Where do we go in the future?



Where Have We Been?

- Child Welfare Prior to 1878
 - Orphanages and Institutional Care
 - Religious Responsibility
- Child Saving Movement
 - The Story of Mary Ellen
 - Charles Loring Brace and Orphan Trains
 - American Indian Boarding Schools



Where Have We Been?

- Child Welfare 1962 to the Present –
Protecting Children
 - Removing children from families
 - Poverty and children
 - The Children's Bureau and
Environmental Factors



Where Have We Been?

- Children's rights and the United Nations Convention on the Rights of the Child
- The African Charter on the Rights and Welfare of the Child
- Adoption
- Out of home placement



Where Have We Been?

- Child Welfare Laws
 - Beginning in 1935 to the present 37 national bills impacting child welfare have been signed into law.
 - Major focus has been on providing services to children who have been abused or neglected
 - Only one has definitive provisions for prevention services.



Where Are We Today?

- The Children's Bureau
 - Original Mandate: "investigate and report...upon all matters pertaining to the welfare of children and child life among all classes of our people."



Where Are We Today?

- The Children's Bureau
 - Julia Lathrop and Grace Abbott
 - Initially focused on child mortality
 - Worked to eliminate child labor
 - Staff of the Children's Bureau later worked to include Aid to Families in the Social Security Act of 1935



Where Are We Today?

- The Children's Bureau
 - Initially located in the Department of Commerce and Labor
 - In 1946 moved to the Social Security Department
 - Increasingly became less prominent in government through burial in other departments.



Where Are We Today?

- **Children at Risk in the USA**
 - **Poverty**
 - 17% (12 million) of children under 18 live in poverty
 - At least 38% of children under 18 will experience over one year of living in poverty
 - **Child Rights**
 - No state complied with all of the following rights recognized by the Convention on the Rights of the Child
 - Child Marriage
 - Corporal Punishment
 - Child Labor
 - Juvenile Justice



Where Are We Today?

- Children at Risk in the USA Today cont.
 - Forceable removal of children from parents who cross the border illegally (continues today)
 - Drugs
 - 10% of children under 18 (nearly 8 million) are given drugs not approved by the FDA
 - Many of these drugs are off-label or black box
 - Roe v. Wade
 - Prior to the Supreme Court decision over 83,000 children received abortions



Where Are We Today?

- **Children at Risk in the USA**
 - **Domestic Violence**
 - About 15 million children live in homes where domestic violence occurs
 - **Substance Abuse**
 - About 8.7 million children live in homes where one or both parents suffer from substance abuse



Where Are We Today?

- Laws
 - Laws have influenced how child welfare services are provided at the state level
 - Laws are inconsistently applied through the use of waivers.
 - The federal government exercises control through its power of the purse
 - Has inconsistent application and effect
 - Use of waivers often undermine



Where Are We Today?

- Legal
 - Court decisions have shifted the role of the court to one of an adversarial process.
 - Judgmental
 - Intimidating
 - Child's voice is not heard



Where Are We Today?

- States
 - Interpretation of federal laws differs from state to state.
 - Services to children, youth, and families decentralized
 - Decisions made about child welfare with little or no input from children or their families.



Where Are We Today?

- Environment
 - Poverty and its effects.
 - Parental risk factors
 - Developmental and health challenges
 - Brain functioning
 - Community violence
 - Nutrition
 - Housing instability



Where Are We Today?

- Environment
 - Poverty
 - US has highest rate of poverty among persons aged 18 and under of all developed nations (20%)
 - Impact on education and behavioral health



Where Are We Today

- What we Know
 - Environmental influences are significant and must be addressed
 - Biological families are important to children
 - Racial and ethnic disparities persist in healthcare, environmental influences and stresses on families



Where Are We Today

- **Abolish Child Welfare Movement**
 - Child welfare services disproportionately affect families of color.
 - “Neglect” is often the primary reason given for removing children of color from their homes
 - The effect has been the disruption of family systems and imposing further traumatic experiences on children.
 - Child welfare has been weaponized as a means for the dominant culture to impose its will on members of non-dominant cultures



Where Are We Today

- Workforce
 - Turnover is high
 - Workload exceeds what is possible to adequately service clients
 - Predictions of future labor shortages
 - Focus on policies and procedures and not client engagement
 - Supervision is outcome focused and not supportive



Where Are We Today

- Child Protection
 - While “protection” includes “prevention” it is interpreted to mean “prevent further harm”
 - In other words, the child must first be harmed to qualify for protection.
 - Methods for determining potential harm are not uniformly or accurately applied



Where Are We Today

- Child Protection
 - Expensive
 - Burnout and secondary trauma
 - Repeated exposure to traumatic experiences
 - Removal from home creates more trauma
 - Depends on concept of child's resilience



Where Do We Go In the Future?

- The Family First Prevention Services Act
 - This act requires empirically-proven interventions in families where substance abuse and/or mental health issues threaten the ability of children to remain in the home.
 - It shifts funding from out-of-home care programs to ensure that these services are implemented with sufficient funds.



Where Do We Go In the Future?

- The Family First Prevention Services Act
 - It is a step in the right direction but is too limited in scope.
 - It still requires children to have adverse experiences before interervention services are provided.
 - It does not address issues such as poverty, domestic violence, illness, or disability that can also be a threat to child's remaining with his/her biological parents



Where Do We Go In the Future?

- Human Rights
 - Legal Rights
 - Rights bestowed upon citizens by their governments.
 - By virtue of their citizenship, persons can claim and exercise these rights
 - Often come with requirements by which citizens may access these rights.



Where Do We Go In the Future?

- Human Rights
 - Natural rights
 - Rights that exist as inherent to being a human being
 - All persons possess these rights
 - Cannot be legally removed
 - May be unrecognized



Where Do We Go In the Future?

- Children's Rights
 - These are natural rights
 - Recognized by the United Nations Convention on the Rights of the Child (UNCRC)
 - The UNCRC does not grant these rights, but recognizes them as existing in all persons aged under age 18



Where Do We Go In the Future?

- Children's Rights cont.
 - Negative Rights
 - Civil
 - Political
 - Positive Rights
 - Economic
 - Social
 - Cultural
 - Rights and Responsibility
 - Parents' Responsibility
 - Children's Responsibility



Where Do We Go In the Future?

- A Rights-Based Approach to Child Welfare
 - The United Nations Convention on the Rights of the Child delineates in some detail what those rights are and how Nation States are to ensure their activation.
 - They provide policy and procedures for Nation States to develop and implement in ensuring children's rights are recognized and respected



Where Do We Go In the Future?

- Children's Rights
 - Because these rights are internationally recognized, they provide a blueprint for child welfare programs, particularly in a nation as diverse as the United States.
 - A rights-based approach will unify disparate child welfare programs across the states, thus ensuring that all children will receive similar services regardless of where they live.



Where Do We Go In the Future?

- Children's Rights
 - A rights-based approach will ensure that all children will have their rights respected, regardless of their economic status, class, political status, ethnicity, religion, or any other basis for discrimination.



Where Do We Go In the Future?

- Children's Rights
 - A rights-based approach is preventive in nature.
 - It ensures that all children are educated in, and supported in, the exercise of their rights.
 - In so doing, children at risk of having action taken against any of their rights come to the attention of those providing capable intervention to ensure that those rights are respected.



Where Do We Go In the Future?

- Children's Rights
 - A rights-based approach recognizes the primacy of the family and ensures that families in need of support in carrying out their responsibilities to children receive that support.
 - A rights-based approach provides the philosophical clarity and mission needed by workers in child welfare.



Where Do We Go In the Future?

- A Rights-Based Approach
 - First Step
 - Ratify the Convention on the Rights of the Child
 - The United States has signed the Convention in which it agrees to do nothing that will interfere with the principles of the Convention.
 - This signature is not binding, and can be, and has been, violated.



Where Do We Go In the Future?

- A Rights-Based Approach
 - First Step
 - Ratification by a two-thirds vote in the Senate and signature by the President will make the enforcement of the Convention a legally-binding requirement for the United States.



Where Do We Go In the Future?

- A Rights-Based Approach
 - Second Step
 - Laws implementing the requirements of the Convention throughout the United States and in each of the states will then need to be implemented.
 - This means that some laws currently on the books in states and nationally will have to be rescinded and new ones replacing them.



Where Do We Go In the Future?

- A Rights-Based Approach
 - Third Step
 - The National Government and all State Governments will need to ensure that the changes made in the laws have sufficient financial support to be effective.
 - The National Government can also financially assist states where needed in meeting these goals.



Where Do We Go In the Future?

- A Rights-Based Approach
 - Fourth Step
 - Reorganize governments to place a Director of Children Youth and Families at a cabinet level position, where one does not currently exist.
 - The lack of such a directory is particularly noticeable at the national government level.



Where Do We Go In the Future?

- A Rights-Based Approach
 - Fourth Step
 - This position would elevate the Children's Bureau to a cabinet level position.
 - The Children's Bureau could oversee all services affecting children, youth, and their families to ensure that they conform to the principles of the United Nations Convention on the Rights of the Child



Where Do We Go In the Future?

- A Rights-Based Approach
 - Fourth Step
 - Ensure that children are elected from children to represent the voice of children in all of the decisions and reviews being implemented.



Where Do We Go In the Future?

- A Rights-Based Approach
 - Fifth Step
 - Train child welfare social workers in the principles of the United Nations Convention on the Rights of the Child
 - Develop policies and procedures for ensuring that the rights of children are respected
 - Train juvenile court personnel on the principles of the United Nations Convention on the Rights of the Child



Where Do We Go In the Future?

- A Rights-Based Approach
 - Sixth Step
 - Incorporate the principles of the United Nations Convention on the Rights of the Child into elementary education programs to teach children about the rights they possess.
 - Provide information and training to parents about how they fit into the requirements of the United Nations Convention on the Rights of the Child



Where Do We Go In the Future?

- A Rights-Based Approach
 - Sixth Step
 - Ensure that every household has information on the Convention on the Rights of the Child



Where Do We Go In the Future?

- A Rights-Based Approach
 - This change in our approach to child welfare is a generational change that will require not only implementation, but acceptance by the political body of this approach.
 - This does mean changing some powerful influences on governments to ensure that the rights of children are respected.



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