

**THE CASA KANE COUNTY
CASA/GAL TRAINING PROGRAM**



**READING PACKET
NO. 7**

Sorting People Activity

Go to http://www.pbs.org/race/002_SortingPeople/002_00-home.htm and complete the Sorting People exercise. Then consider the following questions:

- How did you do?
- What surprised you about the exercise?
- Think about the Harris-Price Case. Have you observed any stereotyping? If so, how did it affect the family members?

Exploring Culture and Perceptions Activity

For each of the categories from the list below, think about your culture and life experiences, and how you would describe yourself, your family of origin or your current family situation to someone you know well. After you have some thoughts in mind, consider the following questions:

- Are there categories that you would be uncomfortable sharing in front of the large group?
- What contributes to your feelings of safety when you are asked to disclose personal information?
 - Race
 - Family Form (single parent, married with no children, etc.)
 - Ethnicity (cultural description or country of origin)
 - Gender
 - Geographic Identity (rural, urban; in the US, eastern, Midwestern, etc.)
 - Age
 - Sexual Orientation
 - Religion or Spirituality
 - Language
 - Disabilities
 - Socioeconomic Status (low-income, working-class, middle-class, wealthy)

Now imagine that you are Kathy Price, and you are describing yourself to someone who has power over your life—for instance, the caseworker, a judge, or an attorney. Answer the following questions:

- How do you think a caseworker or others might perceive you and what would be the implications?
- When you describe yourself to this person, what might you leave out or try to make fit what you think might be more acceptable to them? Why?
- If you had to do this often, what do you think would happen to these characteristics of yourself?

Stereotyping vs. Cultural Competence

Stereotypes based on appearances can impact how a volunteer approaches and builds relationships with families and children. Stereotypes are rigid and inflexible. Stereotypes hold even when a person is presented with evidence contrary to the stereotype. Stereotypes are harmful because they limit people's potential, perpetuate myths and are gross generalizations about a particular group.

For instance, a person might believe that people who wear large, baggy clothes shoplift. Because some teenagers wear large, baggy jackets, this person may assume that teenagers shoplift. Such stereotypes can adversely affect a volunteer's interactions with children and others in the community. Even stereotypes that include "positive" elements (e.g., "they" are quite industrious) can be harmful because the stereotypes are rigid, limiting and generalized.

Unlike stereotyping, cultural competence can be compared to making an educated hypothesis. An educated hypothesis contains what you understand about cultural norms and the social, political and historical experiences of the children and families you work with. You might hypothesize, for example, that a Jewish family is not available for a meeting on Yom Kippur, or that they would not want to eat pork. However, you recognize and allow for individual differences in the expression and experience of a culture; for instance, some Jewish people eat pork and are still closely tied to their Jewish faith or heritage. Another example might be that some African American families celebrate Kwanzaa, while others do not.

As an advocate, you need to examine your biases and recognize that they are based on your own life and do not usually reflect what is true for the stereotyped groups. Everyone has certain biases. Everyone stereotypes from time to time. Developing cultural competence is an ongoing process of recognizing and overcoming these biases by thinking flexibly and finding sources of information about those who are different from you. Being aware of differences allows you to be informed about culturally competent child advocacy.

It is important to recognize that child-rearing practices vary across cultures. For instance, the following mainstream US child-rearing practices may be viewed as harmful to children by people from other countries: isolating children in beds or rooms of their own at night, making children wait for food when they are hungry, requiring children to wear painful braces on their teeth, forcing young children to sit in a classroom all day or allowing infants to "cry it out."

Stereotyping vs. Cultural Competence, Cont'd.

Conversely, practices that are culturally acceptable elsewhere may be misunderstood in the United States. One example is the Southeast Asian practice of “coin rubbing,” a traditional curing method in which heated metal coins are pressed on a child’s body. This practice is believed to reduce fevers, chills and headaches. Because it generally leaves red streaks or bruises, it can easily be misdiagnosed as child abuse by those who don’t understand the intention behind this cultural practice.

Practicing culturally competent child advocacy entails being aware and respectful of the cultural norms, values, traditions and parenting styles of those with whom you work. Striving to be culturally competent means cultivating an open mind and new skills and meeting people where they are, rather than making them conform to your standards. Each child and each family is made up of a combination of cultural, familial and personal traits. In working with families, you need to learn about an individual’s or family’s culture. When in doubt, ask the people you are working with. It might feel awkward at first, but learning how to ask questions respectfully is a vital skill to develop as you grow in cultural competence. Once people understand that you sincerely want to learn and be respectful, they are usually very generous with their help.

10 Benefits of Practicing Culturally Competent Child Advocacy

1. Ensures that case issues are viewed from the cultural perspective of the child and/or family:
 - Considers cultural norms, practices, traditions, intra-familial relationships, roles, kinship ties and other culturally appropriate values
 - Advocates for demonstrated sensitivity to this cultural perspective on the part of caseworkers, service providers, caregivers or others involved with the child and family
2. Ensures that the child’s long-term needs are viewed from a culturally appropriate perspective
 - Takes into account the child’s need to develop and maintain a positive self-image and cultural heritage
 - Takes into account the child’s need to positively identify and interact with others from his/her cultural background

Stereotyping vs. Cultural Competence, Cont'd.

3. Prevents cultural practices from being mistaken for child maltreatment or family dysfunction
4. Assists with identifying when parents are truly not complying with a court order and when the problem is culturally inappropriate or a result of non-inclusive service delivery
5. Contributes to more accurate assessment of the child's welfare, family system, available support systems, placement needs, service needs and delivery
6. Decreases cross-cultural communication clashes and opportunities for misunderstandings
7. Allows the family to utilize culturally appropriate solutions for problem solving
8. Encourages participation of family members in seeking assistance or support
9. Recognizes, appreciates and incorporates cultural differences in ways that promote cooperation
10. Allows all participants to be heard objectively

Adapted from a document created by CASA for Children, Inc., Portland, Oregon.

Institutional Bias Checklist for Volunteers

As a CASA/GAL volunteer, ask yourself:

- What assumptions have I made about the cultural identity, genders and background of this family?
- What is my understanding of this family's unique culture and circumstances?
- How are my recommendations specific to this child and this family?
- Would I make the same recommendations if this were a white child or a white family versus an African American, Latino, Asian American or Native child or family?
- What evidence has supported the conclusions I have drawn and how have I challenged unsupported assumptions?
- Have reasonable efforts (or active efforts in ICWA cases) been made in an individualized way to match the needs of the family?
- Have relatives been fully explored as preferred placement options as long as they can protect the child and support the permanency plan?

Institutional Bias Checklist for Volunteers, Cont'd.

- Are there family members and/or other important people who have not been contacted who should be involved in this process?
- What services are being offered to allow the child to remain at home or reunify the family (as applicable)? Are these services culturally appropriate? How are these services related to the safety threat?
- Are this child and family receiving the same level and tailoring of services as other children and families?

Other things to consider:

- If applicable, has Special Immigration Juvenile Status (SIJ) been filed?
- If applicable, have individualized efforts been made to ensure the needs and safety of LGBTQ youth?
- Have all resources available to the family of the child been explored (military, federal, tribal, state/local, etc.)?
- Are there organizations in the community that might serve as resources for the child?
- What active efforts have been made to determine if the child is covered under the Indian Child Welfare Act? Has there been communication with the relevant tribe(s)? If not, has the Bureau of Indian Affairs been notified?

*Adapted from material created by the
National Council of Juvenile and Family Court Judges.*

Tips on How to Become More Culturally Competent

- Learn about your culture and values, focusing on how they inform your attitudes, behavior and verbal and nonverbal communication.
- Don't think that "good" and "right" values exist in your own culture exclusively; acknowledge that the beliefs and practices of other cultures are just as valid.
- Question your cultural assumptions: Check their reality, rather than immediately acting on them.
- Accept cultures different from your own and understand that those differences can be learned.
- Learn to contrast other cultures and values with your own.
- Learn to assess whether differences of opinion are based on style (communication, learning or conflict) or substance (issue).
- Practice the communication loop; don't rely on your perceptions of what is being said.
- Examine the circle in which you live, work, and play (this reflects your choice of peers). Expand your circle to include people of other races, cultures, values, and beliefs.
- Learn more about the history of racism and oppression in the United States.
- Continue to read and learn about other cultures. Do your homework: Know something about another culture group prior to approaching them.
 - Follow appropriate protocol: Know and demonstrate respectful behavior based on the values of the group.
 - Use collaborative networks—churches, synagogues, mosques and other spiritual groups, community organizations or other natural support groups of that culture.
 - Practice respect.
- Understand that any change or new learning experience can be challenging, unsettling and tiresome; give yourself a break and allow for mistakes.
- Remember the reciprocal nature of relationships—give something back.
- See developing cultural competence as a fulfilling and resourceful way to live.
- Be courageous enough to address biased thinking when you hear it in others.

Adapted from materials developed by CASA for Children, Inc., Portland, Oregon.

Individual Action Plan for Cultural Competence

Prepare a plan to become more culturally competent. Use the following format to create the plan.

Name _____

Date _____

Specific: Write a very specific goal that clearly defines what you are going to do to improve your cultural competence skills.

Measurable: Identify how you will measure your progress. (How will you know when you have achieved your goal? Will something look different? Will you receive certain types of feedback?)

Attainable: Is this goal within your reach? The goal should stretch you slightly so you feel challenged, but it should be realistic and within your ability to achieve.

Realistic: Identify personal strengths or favorable factors in your environment that will support your progress.

Timely: Set a deadline by which you will accomplish this plan of action.

Benefits: What are the benefits (for you, for others) of setting and accomplishing this goal?

Signature/Date

Understanding Domestic Violence

Domestic violence is the willful intimidation, physical assault, battery, sexual assault and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, psychological violence and emotional abuse. The frequency and severity of domestic violence can vary dramatically; however, the one constant component of domestic violence is one partner's consistent efforts to maintain power and control over the other.

Domestic violence ranges from threats of violence to hitting to severe beating, rape and even murder. Victims and perpetrators range in age, racial, socioeconomic status, sexual orientation, education level, occupational attainment, and geographic and religious affiliation. Abuse by men against women is by far the most common form, but domestic violence does occur in same-sex relationships, and some women do abuse men.

The Power & Control Wheel...

Abusive relationships are based on the mistaken belief that one person has the right to control another. When the actions described in the spokes of this wheel don't work, the person in power moves on to actual physical and sexual violence. The relationship is based on the exercise of power to gain and maintain control. The dignity of both partners is stripped away.

Adapted from a model developed by the Domestic Abuse Intervention Project, Duluth, Minnesota.



Understanding Domestic Violence, Cont'd.

Causes

Domestic violence is not caused by illness, genetics, gender, alcohol or other drugs, anger, stress, the victim's behavior or relationship problems. However, such factors may play a role in the complex web of factors that result in domestic violence. Domestic violence is learned behavior; it is a choice. It is learned through observation, experience and reinforcement (perpetrators perceive that it works). It is learned in the family, in society and in the media.

Legal System Response

The legal system can respond to domestic violence as a violation of criminal and/or civil law. While definitions and procedures differ from one state to another, physical assault is illegal in all states. Law enforcement can press charges in criminal court with the victim as a witness. Victims may also secure a restraining/protective order and, in rare instances, may bring a civil lawsuit.

Availability and willingness of court personnel to act in domestic violence cases vary widely. Unless judges and attorneys, including prosecutors, have been educated about the dynamics of domestic violence, protective laws are inconsistently enforced. The repeated pattern of the abused spouse bringing charges and subsequently dropping them, often discourages law enforcement personnel from giving these cases their immediate attention. Thus, the victim is re-victimized.

The other setting in which the legal system and domestic violence may intersect is a court hearing regarding allegations of child abuse and/or neglect. As a CASA/ GAL volunteer, you should be aware that a determination of domestic violence within the child's home will significantly influence placement decisions and what is expected of the non-abusing parent to retain/regain custody. The standard risk assessment, conducted by child welfare agencies to evaluate whether a child needs to be removed from his/her home, generally includes domestic violence as a factor that negatively relates to the child's safety at home. A child found to be living in a violent home is more likely to be removed. A child abuse or neglect case may also be substantiated against the battered parent for "failure to protect" the child because the victim did not leave the batterer, even if the victim lacked the resources to do so or it was not safe to do so.

Understanding Domestic Violence, Cont'd.

Barriers to Leaving a Violent Relationship

For people who have not experienced domestic violence, it is hard to understand why the victim stays—or returns again and again to reenter the cycle of violence. The primary reason given by victims for staying with their abusers is fear of continued violence and the lack of real options to be safe with their children. This fear of violence is real; domestic violence usually escalates when victims leave their relationships. In addition to fear, the lack of shelter, protection and support creates barriers to leaving. Other barriers include lack of employment and legal assistance, immobilization by psychological or physical trauma, cultural/religious/family values, hope or belief in the perpetrator's promises to change and the message from others (police, friends, family, counselors, etc.) that the violence is the victim's fault and that she could stop the abuse by simply complying with her abuser's demands. Leaving a violent relationship is often a process that takes place over time, as the victim can access resources she needs. The victim may leave temporarily many times before making a final separation.

*Adapted from Domestic Violence: A National Curriculum for Children's Protective Services,
Anne Ganley and Susan Schechter, Family Violence Prevention Fund.*

Domestic Violence Statistics

Read the statistics on domestic violence at:

<http://nc.casaforchildren.org/files/secure/community/programs/Training/2016%20Pilot/Domestic%20Violence%20Statistics.PDF>

Signs of Childhood Domestic Violence (CDV)

	Infant	Preschool-Aged	School-Aged	Adolescent
Behavior	Being Fussy / Decreased Responsiveness / Trouble Sleeping / Trouble Eating	Aggression / Behavior Problems / Yelling / Irritability / Trouble Sleeping / Frequent bedwetting / Repetitive play expressing disturbing themes	Aggression / Acting out or frequent outbursts / Disobedience / Bullying others / Frequent bedwetting / Repetitive play expressing disturbing themes	Dating violence / Bullying others / Drug or alcohol use / Criminal behavior / Running away / Attempting suicide / Inflicting self-harm / Frequent tardiness or absence from school, activities, or work / Early sexual activity
Social		Trouble interacting with or getting along with peers / Isolating themselves from others / Startling easily and frequently	Fewer and poor quality peer relations	Few quality relationships / Dating violence (victim or perpetrator) / Teen pregnancy / Starting easily and frequently
Emotional/ Psychological	Attachment needs not met	Emotionally withdrawn or detached / Fear and anxiety, sadness, worry / PTSD / Feeling unsafe / Separation anxiety / Trouble eating	Emotionally withdrawn or detached / Frequent physical complaints / Fear and anxiety, depression / Separation anxiety / Low self-esteem, shame / PTSD / Emotional responses not matching situation / Trouble eating / Frequent health complaints	Emotionally withdrawn or detached / Substance abuse / Frequent thoughts of suicide / PTSD / Feeling rage, shame / Unresponsiveness / Frequent health complaints

Signs of Childhood Domestic Violence (CDV)

	Infant	Preschool-Aged	School-Aged	Adolescent
Cognitive	Inability to understand	Self-blame / Difficulty trusting others / Bad dreams / Efforts to avoid thoughts, feelings or conversations associated with the issue / Difficulty concentrating / Lower verbal skills	Self-blame / Distracted, inattentive / Lack of interest in hobbies or activities / Academic problems / Pro-violent attitude / Difficulty trusting others / Bad dreams / Illusions, hallucinations and flashbacks / Efforts to avoid thoughts, feelings or conversations associated with the issue / Difficulty concentrating / Lower verbal skills and reading levels	Short attention span, difficulty concentrating / Lower verbal skills / Lack of interest in hobbies or activities / Pro-violent attitude / Defensiveness / Difficulty trusting others

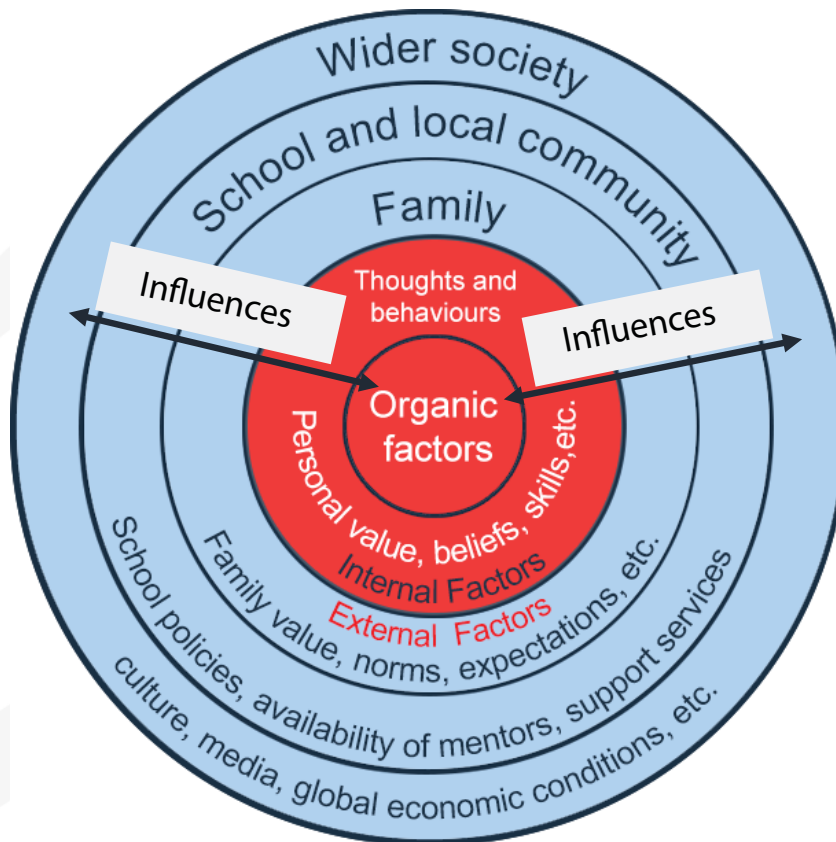
Statistics on Youth Aging Out of Foster Care

According to Casey Family Programs, about 25,000 young people between the ages of 18 and 21 must leave foster care each year. These young people have experienced maltreatment and have lived with instability and are unprepared for the social and financial demands of emancipation.

Aging out of foster care without a permanent home is the highest risk outcome for a foster youth.

Ecological Model of Factors Affecting Resilience

Resilience research has increasingly embraced an ecological model, in which the child's functioning and behavior is viewed within the context of the child's relationships, including family, school, peers, neighborhood and the wider society. While genetic factors do play a role in resilience, ultimately much more important is the quality of interpersonal relationships and the availability of networks of support.



From www.embracethefuture.org.au/resiliency

Laws Related to Older Youth in Foster Care

Preventing Sex Trafficking and Strengthening Families Act of 2014

The Preventing Sex Trafficking and Strengthening Families Act includes several provisions relevant to children removed from their parents' care or at risk of removal. Focusing on providing support and services for youth at risk of sex trafficking, the law requires child welfare agencies to locate children missing from care, to ensure that children in care have the opportunity to participate in "normal" age-appropriate activities, and for states to provide family strengthening services.

Key Provisions of This Legislation

- State agencies must report to law enforcement, within 24 hours, information on children or youth identified as victims of sex trafficking.
- State child welfare agencies must develop and implement procedures to locate children and youth who have run away or are missing from foster care. Further, they must determine the factors that led to the child or youth running away and determine what happened to the child while absent from foster care.
- The law defines a standard for reasonable and prudent care (also referred to as normalcy) to mean the careful and sensible parental decisions necessary to maintain the health, safety, well-being and best interest of the child. It provides for foster parents or caregivers to make decisions about the child's participation in extracurricular, enrichment, cultural and social activities including sports, field trips and overnight activities. It requires that states must provide training for caregivers related to this standard.
- The law requires states to develop policies related to foster parent liability and the reasonable and prudent care standard.
- The law eliminates APPLA (Another Planned Permanent Living Arrangement) as a permanency goal for children under 16. This has typically been used as a permanency goal for youth who will "age out" of the system.
- The law requires consultation of youth age 14 or older in the development and revision of his or her case plan. The youth may choose up to two members of the case planning team who are not the youth's foster parent or caseworker. The youth may designate one of these two people as an

Laws Related to Older Youth in Foster Care, Cont'd.

advisor who may advocate for the youth regarding the application of the reasonable and prudent parent standard. These roles could be filled by the youth's CASA/GAL volunteer if they so choose.

- The case plan must include a document describing the rights of the youth and signed acknowledgment that the youth has received a copy of the plan.
- Youth leaving foster care at age 18 or older must be provided with an official copy of their birth certificate, their social security card, health insurance information (including a health insurance card), their medical records and a driver's license or identification card issued by the state in which they reside.
- The law allows subsidy payments approved as part of a kinship guardianship agreement to go to a successor guardian upon the death or incapacity of the original guardianship. Adoption subsidy payments are already subject to this rule.
- States must collect data on adoption or kinship guardianship disruption and the return of child or youth to foster care.
- All parents of siblings of a child or youth brought into care must be identified and notified within 30 days after removal of the child from the custody of their parent(s). This includes individuals who would have been considered siblings if not for the termination or other disruption of their parents' rights. The only exception is in cases where a sibling's parent does not have legal custody of the sibling. The idea is to ensure that all potential resources within the extended family are explored, including the parents of half-siblings, and that children do not lose contact with siblings or half-siblings while in foster care.

Key Impact of This Legislation on CASA/GAL Advocacy

Advocacy concerns center primarily on the second part of this act. Specifically, there is added strength in advocating for experiences that create a sense of normalcy for children in care and that promote their well-being. Youth under age 16 should no longer have Alternative Planned Permanent Living Arrangement (APPLA) as their permanency goal. Youth age 14 and up must be a participant in their case planning and they must sign the case plan.

Laws Related to Older Youth in Foster Care, Cont'd.

Furthermore, there is an opportunity for CASA/GAL volunteers to participate in case planning for these youth if the youth so wishes.

Fostering Connections to Success and Increasing Adoptions Act, P.L. 110-351

The Fostering Connections to Success Act is a significant and far-reaching law enacted in 2008 that is designed to improve outcomes for youth in care, particularly older youth. The legislation is a series of building blocks, based on evidence-based practices that have demonstrated positive outcomes. The focus is on connections to family, to siblings and to other adults to foster successful transitions to adulthood.

Key Provisions of This Legislation

- State agencies are required to provide notice to relatives within 30 days of the child's removal from the home and to explain the options for the relative's participation in the child's care, from acting as a placement to engaging in the child's case in other ways. This can be the beginning of establishing a permanent connection for the child with the extended family, perhaps even as a permanent placement option.
- In addition to maintaining the child's connection with family, the legislation maintains the child's connection with siblings. Interviews of youth have consistently revealed that the greatest loss they experienced when removed from home is the loss of their connection with their siblings. Too often, they are never able to reconnect with them. With this law in place, state agencies must make reasonable efforts to place sibling groups together in foster, family or adoptive placements, if in the children's best interests. If placement together is not feasible, the agency must ensure continuing contact among siblings, at least once a month.
- A new, specific transition plan must be developed at least 90 days prior to the youth's transition out of foster care (at age 18 or older). This is over and above the plan that should normally begin around the age of 16. The new, personalized plan should be developed with the caseworker and other appropriate representatives. The plan should be as detailed as the youth directs, and include specifics on housing, health insurance, education,

Laws Related to Older Youth in Foster Care, Cont'd.

opportunities for mentors and continuing support services, workforce supports and employment services.

- Educational stability for children in care is underscored by requiring that the child's case plan include provisions to ensure that the child remains in the school of origin, unless not in the child's best interest. The child's placement should take into account the appropriateness of the educational setting and proximity of the school in which the child is enrolled at the time of placement. If the school of origin is not in the child's best interest, then the agency must provide immediate enrollment in a new school and provide all educational records.

For children in care who are IV-E* eligible (varies from state from state; nationally about 50% of children in care):

- States may choose to extend support for youth in care to age 19, 20 or 21 and receive federal assistance to provide such support, including the extension of Medicaid. Youth must be enrolled or participating in an eligible program.
- States also have the option of receiving federal assistance to provide payments to qualified grandparents and other kin who are willing to become legal guardians and who meet state requirements for placement.

Once state budgets allow sufficient resources to cover the match requirement, it is anticipated that states will expand these provisions to all children in care, and not exclusively to IV-E* eligible children, as the federal law allows.

* Title IV-E eligibility hinges on the family's income at the time the child was removed from the home. Generally, if the family is or would be eligible for Aid to Families with Dependent Children (AFDC), the child is then Title IV-E eligible. As the summary points out, this generally should not matter in terms of CASA/GAL advocacy, as federal guidelines anticipate that states will have uniform guidelines for all children removed from their parents' care, regardless of Title IV-E eligibility.

Laws Related to Older Youth in Foster Care, Cont'd.

Key Impact of This Legislation on CASA/GAL Advocacy

Search and notification of relatives does not end after 30 days; birth relatives need to understand that there are multiple ways they can be involved beyond acting as a placement option (examples include attending school events, providing transportation and celebrating holidays). When appropriate, volunteers should keep family engaged and informed.

Carl Perkins Vocational Education Act

This law requires integrated academic and vocational education that ensures full and equal access for special populations, including special services that might be needed to succeed.

Family Educational Rights and Privacy Act (FERPA)

This federal law protects the privacy of a student's education records. It also ensures a parent's right to inspect and review these records and to consent to disclosures of personally identifiable information about themselves and their children. FERPA allows schools to disclose those records, without consent, to comply with a judicial order. This may be applicable to CASA/GAL volunteers pursuant to state law.

Indian Education Act

This act provides funding to local educational agencies to support special education programs for Native Americans. It requires tribe or parent involvement in planning, development and operation.

Individuals with Disabilities Education Act (IDEA)

This act ensures that all children with disabilities have access to a free, appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living.

Laws Related to Older Youth in Foster Care, Cont'd.

McKinney-Vento Act

This law ensures that homeless children and youth have equal access to the same free, appropriate public education that is provided to other children. This can be applied to children in foster care.

No Child Left Behind Act

Passed in 2001, this law ensures that all children and youth have a fair, equal and significant opportunity to obtain a high-quality education and reach proficiency on challenging state academic achievement standards and state academic assessments. In addition, this act requires that all schools be safe and drug free.

School-to-Work Opportunities Act

This law provides funds to states for planning grants and for state subgrants to local partnerships to give all students the chance to complete a career major. It assures equal access to the full range of program components for all students, including youth in out-of-home care.

Questions Based on K-12 Experiences

Reflect on your own K-12 school experience by thinking about the following questions:

- What enabled you to succeed in school? If school was difficult for you, what would have been helpful?
- Did you ever have to move from one school to another? How did it feel or how might it feel to be the “new kid” in school, particularly in the middle of the school year?
- Did you have someone at home who helped you with homework, attended parent-teacher conferences or advocated for additional services if you needed them?

Write down your experiences.

Educational Challenges for Children in the Child Welfare System

Most children have parents who monitor their academic progress, attend parent-teacher conferences, enroll them in appropriate classes and generally ensure they receive a high-quality education. When these children do not receive appropriate educational opportunities, their parents speak up on their behalf. Foster youth frequently lack such educational advocates. As a consequence, they often fail to receive the educational opportunities they need to succeed in school and, as a result, fall behind their peers academically. As a CASA/GAL volunteer, you can help advocate for a child's educational needs.

Teachers who see the child every day have a wealth of knowledge about the child's behavior, attitude, likes and dislikes, and about the best ways to communicate with that child. As you inquire about a child's progress in school, you may discover that the child has special educational needs and should be referred for an evaluation. In some areas, an abundance of resources may be available for special-needs children; in other areas, you may have to advocate for the creation of needed resources.

Cultural Considerations

Children from racial, ethnic or cultural backgrounds, different from the majority culture, may also have special needs based on discriminatory practices in the educational system. For instance, children may face racist or homophobic taunts, teachers who believe they can't learn, and testing that is racially or culturally biased. Many studies have found that children from minority racial or ethnic groups are overrepresented in the special education population and underrepresented in gifted and talented programs. Additionally, according to the National Education Association report Truth in Labeling, students of color experience "excessive incidence, duration, and types of disciplinary actions, including suspensions and expulsions."

It is important to realistically assess the school difficulties of a child and determine how the educational system, as well as the child's particular school setting, may be creating or sustaining those problems.

Concurrent Planning

Given the two possible permanent resolutions to a case—return to parent and adoption by a relative or nonrelative—your role is to encourage the court and child welfare professionals to do what is called “concurrent planning,” which means working on two plans at the same time from the very beginning of a case: one to return the child home and another to find an alternative permanent placement. Traditionally, case management in child welfare has consisted of efforts to reunite children with their parent(s), and if those efforts failed, a second plan would be pursued. This created a process that kept many children in foster care for too many years.

Concurrent planning was developed as an alternative that moves a case more quickly through the system with better results. The concurrent planning approach is family-centered, with parents involved in decision making from the start. Throughout the case, parents are regularly given direct, culturally sensitive feedback about their progress. From the start of the case, while providing services to the parents, the caseworker explores kinship options, the applicability of the Indian Child Welfare Act and possible foster/adoptive situations for the child.

Permanent Resolutions: Questions to Consider

There are only two truly permanent options: return to parents and adoption. These resolutions are most possible when the following questions can be answered and the underlying issues they suggest have been dealt with.

Return to Parents	Adoption
<ul style="list-style-type: none"> • Have issues that brought the child into care been addressed by the agency? 	<ul style="list-style-type: none"> • Are we ready to proceed with a termination of parental rights (TPR) case?
<ul style="list-style-type: none"> • Have the parents made the changes that the child protection agency requested? 	<ul style="list-style-type: none"> • Do legal grounds exist?
<ul style="list-style-type: none"> • Has the child protection agency caseworker observed and documented a reduction of risk? 	<ul style="list-style-type: none"> • Have we also considered the best interest issues that must be presented to the judge?
<ul style="list-style-type: none"> • What have the visits we observed told us about the parents' ability to care for the child? 	<ul style="list-style-type: none"> • How long will the court process take?
<ul style="list-style-type: none"> • Have we considered recommending a trial placement as a way to observe actual changes in childcare? 	<ul style="list-style-type: none"> • Have the parents been asked to release the child for adoption?
<ul style="list-style-type: none"> • Have new issues that relate to risk been observed and addressed? 	<ul style="list-style-type: none"> • Is the child already living with caretakers who are willing and able to adopt?
<ul style="list-style-type: none"> • Has the child protection agency changed the rules or "raised the bar" in reference to expectations that are not related to risk? 	<ul style="list-style-type: none"> • Are there relatives who are available to adopt?
<ul style="list-style-type: none"> • Would the child protection agency remove this child today? 	<ul style="list-style-type: none"> • How soon can the child be placed?

Permanent Resolutions, Cont'd.

Return to Parents	Adoption
<ul style="list-style-type: none"> • Is this a multi-problem family that is likely to relapse? 	<ul style="list-style-type: none"> • Who can help the child through the placement process?
<ul style="list-style-type: none"> • What services can be put in place to prevent relapse? 	<ul style="list-style-type: none"> • Have we assessed and evaluated the child’s particular needs and strengths?
<ul style="list-style-type: none"> • Have the legal and/or biological father(s) been identified? 	<ul style="list-style-type: none"> • What is the child’s relationship with his/her siblings?
<ul style="list-style-type: none"> • Have we recognized the child’s grief and need to reconnect to the family of origin? 	<ul style="list-style-type: none"> • Should the child be placed with siblings? Can the child be placed with siblings?
	<ul style="list-style-type: none"> • Have we identified a placement option that will be able to meet the child’s needs?
	<ul style="list-style-type: none"> • Have the child’s ethnic and cultural needs been considered and addressed?
	<ul style="list-style-type: none"> • Are we holding up the child’s placement waiting for a specific type of family?
	<ul style="list-style-type: none"> • Are the child’s needs so severe that finding appropriate parents is unlikely?
	<ul style="list-style-type: none"> • Is the child able to accept “parenting”?

Placement with Relative or Kin: Questions to Consider

Living with someone the child already knows and feels safe with can mitigate the child's feelings of loss, which are part of any placement. The use of a relative or kin placement should be evaluated from the beginning of agency involvement. The following questions should serve as guidance in considering both the pitfalls and benefits involved with kin and relative placements:

- Have the relatives/kin been carefully evaluated?
- Is there a written home study?
- What are the parents' thoughts and wishes in reference to this relative?
- What will be the ongoing relationship with the parents?
- Will the parents create problems with the placement or compromise the child's safety?
- Will the relative be able to protect the child from hostile or inappropriate parental behavior?
- Will the relative be able to be positive about the parent to the child?
- Will there be an "unofficial" return to the biological parents?
- Will this relative support the present service plan?
- If the plan changes, will the relative support the change?
- How will visitation be accomplished?
- Are the relatives able to understand and cooperate with agency expectations?
- Have the relatives of both parents been considered, regardless of the removal home?
- Is placement with relatives a way we can protect the child's roots in his/her community?
- Will placement with a particular relative mean that the child must leave the community?
- Will placement with a particular relative mean that the child will lose other important relative or kinship ties?

Placement with Relative or Kin, Cont'd.

- Will a relative placement mean that the child will have to endure another move?
- What losses will the child experience if another move is required?
- Have we considered sibling attachments, as well as any “toxic” sibling issues?
- Is this potential caretaker related to all the siblings?
- Is this relative able and willing to take all the siblings?
- Will placement with the siblings be positive for this child?
- Will this placement support the child’s ethnic and cultural identity?
- Is this seen as permanent by the potential caretakers?
- Would this relative consider adoption?
- Are there the same issues in the extended family that existed with the parents?
- What pre-placement relationship existed?
- Does the child have any attachment to these relatives?
- Have the child’s wishes been considered?

Long-Term Foster Care—An Impermanent Solution: Questions to Consider

When faced with long-term foster care as the “only” alternative, it is our obligation to insist that this not be the end of the planning process, but rather the beginning of a new dialogue around how to make permanence a reality. Begin this dialogue with these questions:

- What other options have been explored?
- Does the child need specialized care? Is it possible for him/her to have a legal and emotional attachment with a person with whom he/she does not live?
- Is there a significant role model or mentor involved with this child? What barriers exist to this person becoming the legal parent?
- What are the barriers to the caregiver adopting? How can these barriers be removed?
- Have all adoption subsidies, other financial resources and continuing services been explored and offered?
- Who have been the child’s support and attachments in the past? Can any of them be involved now?
- Who are the child’s attachments and support in the present? What is their current involvement?
- What family or kin connections are available—especially with siblings?
- Can parents or other kin be involved anew in this stage of the child’s life?
- What does the child want?
- What resources and persons will be available when this child is an adult?
- Who will be this child’s family for the rest of his/her life?

Adapted from materials created by Jane Malpass, consultant, North Carolina Division of Social Services, and Jane Thompson, attorney, North Carolina Department of Justice. Used with permission.