



National Resource Center for
Family-Centered Practice and Permanency Planning
at the Hunter College School of Social Work

INFORMATION PACKET:
***Parental Rights and Keeping Families
Together with Family Support Services***

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I. SUMMARY

The basic principle underlining child welfare is that the young are vulnerable and that guardians must act as protectors. Due to the life threatening effects of child abuse or if parents are not capable, then our society believes that intervention by the public is necessary for the wellbeing of a child. As defined by the National Clearinghouse on Child Abuse and Neglect in 2005, child welfare services differ by state but nationally the system is “a group of services designed to promote the well-being of children by ensuring safety, achieving permanency, and strengthening families to successfully care for their children.” The social implications of such state intervention on private family life have resulted in an on-going debate between the rights of parents versus the needs of a child. The question remains: how do we keep families together while ensuring child safety?

Since most parents have a desire to provide the best for their children, research has shown that parents and other caretakers who have resources and support are more likely to provide safe homes for their children (Mallon and Hess, 2005). A lack of support services can cause parents to make poor decisions that can lead to neglect or abuse. One approach at helping families to stay together and best provide for their children are family support services. According to the Child Welfare League of America, the focus of family support is on prevention and intended to make community resources available and accessible to all families, not just those in crisis. Family support services build on the strengths of families and address the context in which families exist. Services include child care, vocational training, enhancement of personal development skills, family counseling, housing assistance, and early development screening of children to assess their need for specific services (www.cwla.org).

The New York City’s Administration for Children’s Services (ACS) 2005 “Plan to Realign New York City’s Child Welfare System” represented an effort to keep families together by unveiling initiatives to strengthen NYC’s child welfare system. Commissioner John Mattingly is quoted in the press release as saying, “instead of placing a child in foster care as the first line of help, we will be creating a system that places neighborhood-centered family support at the heart of everything we do. By keeping kids where they belong – with their families whenever its safe to do so – we will be generating

savings that will be reinvested in preventive services, aftercare, and enhancing foster care rates” (Administration for Children’s Services, 2005).

II. FACT SHEETS/STATISTICS

FACT SHEET #1: Child Abuse and Neglect Statistics

The following statistics are from the National Clearinghouse on Child Abuse and Neglect Data System (NCANDS), which is a federally sponsored effort that collects and analyzes annual data on child abuse and neglect. Latest data is from 2004 (<http://www.acf.dhhs.gov/programs/cb/pubs/cm04/index.htm>)

- In 2004, 872,000 children were found to have been victims of abuse or neglect. Of this number, 60% suffered neglect, 18% were physically abused, 10% were sexually abused, 7% were emotionally or psychologically maltreated and 2.3 were medically neglected.
- Two-thirds of referrals were accepted for investigation or assessment.
- Less than 30% of the reports included at least one child who was found to be a victim of abuse or neglect. About 60% of the reports were found to be unsubstantiated.
- The average annual workload of CPS investigation or assessment workers was 63.1 per year.
- Less than 3% of parents committed sexual abuse. More than three-quarters of perpetrators who were friends or neighbors committed sexual abuse.

Services

- 60% of victims and 27% of non-victims received services as a result of an investigation.
- 19% of child victims were placed in foster care, as compared to 15% for 2003.
- 4% of non-victims experienced a removal—usually a short-term placement during the course of the investigation.
- When compared with White child victims, victims of “other” or multiple races were 56 percent more likely to be placed in foster care. Child victims of

undetermined or unknown race were 54 percent less likely to be placed in foster care

- In 2004, about 26.7 per 1,000 children received preventive services. For 2003 the rate was approximately 25.3 per 1,000 children.
- 24% of child victims received family preservation services and 6.9 percent had received family reunification services within the previous 5 years.
- 523,000 children were in foster care as of September 2003 and the mean length of stay is 31 months.
- 48% had a case goal of reunifying with their parents or caretaker.

FACT SHEET #2: “Demographics and Effects of Out of Home Care”

{Extracted from Children’s Trends Database: <http://www.childtrendsdatbank.org>}

- The causes of child maltreatment are not well understood, although abuse and, especially, neglect, are more common in poor and extremely poor families than in families with higher incomes.
- The percentage of children living in families with incomes below the poverty line increased to 17 percent in 2003, where it remained in 2004.
- In 2004, 14 percent of white children and 10 percent of Asian children lived in poor families, compared with 33 percent of black children and 29 percent of Hispanic children.
- Eighty-nine percent of children were covered by private or government health insurance in 2004. In addition to less access to health care, a lack of health insurance can influence children’s school attendance and participation in extracurricular activities, and has even been shown to increase parental financial and emotional stress.
- Children in foster care are more likely than other children to exhibit high levels of behavioral and emotional problems. They are also more likely to be suspended or expelled from school and to exhibit low levels of school engagement and involvement with extracurricular activities.

- Children in foster care are also more likely to have received mental health services in the past year, to have a limiting physical, learning, or mental health condition, or to be in poor or fair health. One study found that almost 60 percent of young children in foster care, ages 2 months to two years, had a high risk for developmental delay or neurological impairment.
- Foster children who age out of foster care instead of returning home have an accumulated set of problems that make a successful transition to adulthood difficult.
- According to the only national study of youth aging out of foster care, 38 percent were emotionally disturbed, 50 percent had used illegal drugs, and 25 percent were involved with the legal system. Educational and career preparation was also a problem for these youth. Only 48 percent of foster children who had "aged out" of the system had graduated from high school at the time of discharge, and only 54 percent had graduated two to four years after discharge. As adults, children who spent long periods of time in multiple foster care homes were more likely than other children to experience problems such as unemployment and homelessness.
- In 2003, nearly half of all foster children lived in foster family homes with non-relatives. Nearly a quarter lived in family foster homes with relatives—often known as "kinship care." Nineteen percent of foster children lived in group homes or institutions, 5 percent lived in pre-adoptive families, and the rest lived in other types of facilities.
- More than a third of children who exited foster care in 2003 lived in foster care for less than six months, and another 16 percent spent six to eleven months in care. Thirty one percent spent one to three years in care, and 19 percent spent more than three years in care.

FACT SHEET #3: Parental Rights and Children's Rights

These are known rights to parents, they are not legislated.

Parental Rights

- Parents have the right to choose the religion of their child
- Parents have the right to place the child in public, private schools, or home school
- Parents have the right to select health care providers and medical treatment
- Parents have the fundamental right to direct the care, custody and control of their children and until proven otherwise, will act in a child's best interest.
- Parents may voluntarily choose to place their children for adoption
- Parents do not have the right to abuse a child
- Parents have the right to appeal when a child is removed from the home if they feel the charges of abuse or neglect were unfair; however, there are often periods of weeks or even months before a court will decide whether or not to return the child home.

Excerpted from:

Wulczyn, Fred. (2004). Family reunification. {Electronic version}. *Children, families, and foster care*, 14, 1, 95-100. Retrieved March 16, 2005 from http://www.futureofchildren.org/pubs-info3133/pubs-info.htm?doc_id=211291.

Children's Rights

- Children and Youth are first and foremost to be protected from abuse and neglect. One aspect of this variable is timeliness of initiating investigations of reports of maltreatment; and the second is the prevention of repeated maltreatment.
- Children and youth are safely maintained in their own homes whenever possible and appropriate. The primary aspect of this variable is the provision of services to families to protect children and youth in their homes and to prevent removal and risk of harm to children and youth.

Excerpted from: Children and Family Service Reviews from

Mallon, G. & Hess, P. (2005). Overview of child and adolescent safety issues. In G. Mallon and P. Hess (Eds.) Child welfare for the twenty-first century: A handbook of practices, policies and programs. New York: Columbia University Press.

FACT SHEET #4: What is Family Support?

From: Family Support America,

http://www.familysupportamerica.org/content/learning_dir/about_FS.htm

A set of beliefs and an approach to strengthening and empowering families and communities so that they can foster the optimal development of children, youth, and adult family members

A type of grassroots, community-based program designed to prevent family problems by strengthening parent-child relationships and providing whatever parents need in order to be good nurturers and providers. These programs have been proliferating across the country since the 1970s.

A shift in human services delivery that encourages public and private agencies to work together and to become more preventive, responsive, flexible, family-focused, strengths-based, and holistic—and thus more effective.

A movement for social change that urges all of us—policymakers, program providers, parents, employers—to take responsibility for improving the lives of children and families. The family support movement strives to transform our society into caring communities of citizens that put children and families first and that ensure that all children and families get what they need to succeed.

Premises of Family Support

- 1) Primary responsibility for the development and well-being of children lies within the family, and all segments of society must support families as they rear their children
- 2) Assuring the well-being of all families is the cornerstone of a healthy society, and requires universal access to support programs and services
- 3) Children and families exist as part of an ecological system
- 4) Child-rearing patterns are influenced by parents' understandings of child development and of their children's unique characteristics, personal sense of competence, and cultural and community traditions and mores
- 5) Enabling families to build on their own strengths and capacities promotes the healthy development of children
- 6) The developmental processes that make up parenthood and family life create needs that are unique at each stage in the life span
- 7) Families are empowered when they have access to information and other resources and take action to improve the well-being of children, families, and communities

III. POLICY AND LEGISLATION

Policies affecting Parental Rights and Keeping Families Together

- *Indian Child Welfare Act of 1978*: contains the strongest language in favor of family preservation and requires proof for any temporary foster care placement and proof beyond a reasonable doubt for termination of parental rights.
- *Adoption Assistance and Child Welfare Act of 1980*: required states to establish programs and make procedural reforms to serve children in their own homes, prevent out of home placement and facilitate family reunification following placement.
- *Family Preservation and Support Services Program of 1993*: earmarked federal funds for family support services and increased the funds available for family preservation services. The FPSSP stipulated that the planning process should include parents and consumers of services, community based service providers, representatives of professional and advocacy organizations, and child welfare agency line staff, administrators, and supervisors. The intent of this law was to help communities build a system of family support services to assist vulnerable children and families in an effort to prevent child maltreatment.
- *Adoption and Safe Families Act of 1997*: requires that child safety be the paramount concern in making service provision, placement, and permanency planning decisions. Although the law reaffirms the concept of permanency planning and reauthorizes the FPSSP, it specifies a number of circumstances under which states are not required to make reasonable efforts to preserve or reunify families. Parents who cannot resolve the problems that led to placement and may require longer treatment are at risk of having their rights terminated, no matter what age of the child or the degree of parent-child attachment. For example, it mandates a permanency hearing after a child has been in care for 12 months and every 12 months thereafter and requires states to file a termination of parental rights petition in cases in which a child has been in care for 15 of the past 22 months.
- *Promoting Safe and Stable Families Amendments of 2001*: encourages and enable states to develop or expand programs of family preservation services, community based family support services, adoption promotion and support services, and time limited family reunification. The legislation added strengthening parental relationships and promoting healthy marriages to the list of allowable activities.

{Excerpts from:

McGowan, Brenda. (2005). Historical evolution of child welfare services.

In G. Mallon and P. Hess. .) Child welfare for the twenty-first century: A handbook of practices, policies and programs. (pp10-48). New York: Columbia University Press.}

IV. MODEL PROGRAMS: Keeping Families Together with Family Support Services

1) Building Strong Families and Strong Communities, Pennsylvania's Family Centers, program under the PA Department of Public Welfare has for nearly a decade provided community services to help families become healthier, better educated and self-sufficient. Family Centers help parents: learn about their children's development, engage in parent education and child development activities, access health care information as well as assistance regarding health care services and insurance, access education, training and employment information, and receive information and assistance on other community resources, such as well-baby care, immunizations and early intervention services. Family Center services may include: Adult Education, Job Training and Placement, Language Skills, Literacy Programs, Parent Support Groups, Parenting Skills Programs, Child Health and Development Screenings, Family Activities, Toy and Book Lending Libraries, Child Care Programs, and Summer and After-School Activities. Currently, there are 48 state-funded Family Centers in Pennsylvania. Family Centers are located in 30 of Pennsylvania's 67 counties. CONTACT: To locate a Family Center see the website at <http://www.dpw.state.pa.us/Child/ChildWelfare/003670967.htm>.

2) Casey Family Services, Family Resource Centers, work in collaboration with the grant-making arm of the Annie E. Casey Foundation, and provide such services as G.E.D. classes, financial literacy, parenting training, homework clubs, after-school activities and other supports for families and children to support families. Casey has established a number of specialized and innovative community-based programs to help strengthen families and enable parents to provide the healthy, nurturing environments their children need to grow and thrive. CONTACT: Casey Family Services, 127 Church Street, New Haven, CT 06510, Tel:(203) 401-6900, <http://www.caseyfamilyservices.org/index.php>

3) The Child Welfare Organizing Project (CWOP) is run by parents that have been involved with NYC's child welfare system to give practical and realistic support to families that are involved or at risk for involvement in the system to help keep families

together. CWOP offers a Parent Leadership Curriculum, an eight-month course of study and community service that requires a 10-hour per week commitment on the part of its participants and trains parents to become parent advocates and knowledgeable on how to successfully navigate the system to keep families together. Coursework includes Interpersonal Communication Skills, History of the NYC Child Welfare System, Navigating the Family Court and Foster Care Systems, Local Resources for Preserving and Reuniting Families, Basics of Community Organizing, and Job Readiness. Experiential learning includes activities such as co-leading support groups, attending public hearings, guest presentations at conferences and universities, and writing for publication. Over 50% of the Curriculum's graduates have secured employment as peer outreach workers, advocates, and / or organizers at over twenty foster care, preventive, legal, and community service agencies. Over 70% of the Parent Leaders who had a child in foster care when they began the Curriculum had reunited their family by its conclusion. CONTACT: Child Welfare Organizing Project, East Harlem Neighborhood Center, 80 E. 110th Street, #1E, New York, NY 10029, 212-348-300, www.cwop.org

4) Center for Family Life in Sunset Park, Brooklyn provides a comprehensive range of preventive social services necessary to sustain and nurture the family, insure the well-being of the community's children and create a supportive environment where they can emerge as confident, capable adults. The Center incorporates a wide range of services and supports for families in Sunset Park for no fee and available to any family resident in Sunset Park. The services at the Center are designed to enrich personal and family functions, while also engaging in community building processes. CONTACT: Center for Family Life, 345 43rd Street, Brooklyn, NY 11232, (718) 788-3500.

5) Department of Housing and Urban Development, The Family Unification Program, provides Section 8 rental assistance to families whose lack of adequate housing is a primary cause of the separation, or imminent separation, of a child or children from their families. It is available to help approximately 16,000 families. CONTACT: <http://www.hud.gov/progdsc/famuni8.cfm>.

6) Head Start Program, with Administration for Children and Families, provides a range of individualized services in the areas of education and early childhood development; medical, dental, and mental health; nutrition; and parent involvement. Good program to support families and it is offered nationally. SEE WEBSITE: <http://www.acf.hhs.gov/programs/hsb/hsweb/index.jsp>.

8) LSNY – Legal Services for New York City (LSNY), Keeping Families Together Program provides city-wide neighborhood-based legal representation and social work services for low-income families in Family Court proceedings. The LSNY offices help parents get the services they need to avoid foster care placement of their children and represent them in neglect proceedings, permanency hearings and termination of parental rights cases. LSNY assists clients in achieving and maintaining stability for their families by providing representation in areas such as housing, public benefits and domestic violence. LSNY offices work closely with agencies in the community that can provide parents with the support and services they need to preserve their families. Offices in Bronx, Brooklyn, Manhattan, Queens, and Staten Island. CONTACT: <http://www.lawhelp.org/program/345/RTF1.cfm?pagename=Offices>

9) Family Support Center in Salt Lake City, UT is devoted to protecting children and strengthening families. The Center has a licensed clinical staff that consists of social workers, psychologists, and marriage and family therapists to assist families in dealing with life's various stressors. The program recognizes factors that can lead to abuse and neglect of children when parents feel isolated, lack appropriate parenting skills, have unrealistic expectations for children, experience economic stress, have more children than the parent is prepared to nurture, have children with developmental irregularities, or experience chronic illness. They provide Crisis Nursery care to any parent who shows need. No fee is ever charged for nursery use. The Crisis Nursery is provided in renovated older homes with warm, homelike atmospheres, situated in quiet residential neighborhoods. Another service offered is Parenting Education classes, where parents are taught to balance their own needs with their child's, to communicate effectively, to build more positive relationships with their children, to develop realistic expectations, to understand the ages and stages of a child's development and to discipline in a non-

abusive manner. CONTACT: Family Support Center, Sugarhouse, 2020 South Lake Street, Salt Lake City, UT, 84105, 801-255-7778 www.familysupportcenter.org

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VI. LINKS AND WEBSITES

1) Administration for Children and Families: www.acf.dhhs.gov

On this website you learn about ACF, an agency of the United States Department of Health and Human Services that provides resources on family assistance (welfare), child support, child care, Head Start, child welfare, and other programs relating to social services supporting families to stay together. A great place to start when looking for available social services. For example, check out the Child Care Bureau which administer funds to assist low-income families in accessing quality child care for children when the parents work or participate in education or training.

2) Annie E. Casey Foundation: www.aecf.org

Working with neighborhoods, the foundation provides grants and other forms of assistance to a limited number of sites in a long-term effort to strengthen the support services, social networks, physical infrastructure, employment, self-determination, and economic vitality of distressed communities.

3) Child Trends: <http://www.childtrendsdatbank.org/>

Continuously updated trend data with the latest national estimates for all indicators. A great source for latest statistics of youth in foster care and the tracks related trends, services, types of placement, and differences of youth in care.

4) Child Welfare Organizing Project: THE SURVIVAL GUIDE TO THE NYC CHILD WELFARE SYSTEM: A WORKBOOK FOR PARENTS BY PARENTS www.cwop.org

I highly recommend that any parent involved with the NYC child welfare system go online and read this book. It is a FREE, easy to read guide on how to realistically navigate the NYC child welfare system. It is written by parents who have been through the system and guides you step by step on your parental rights, keeping your family together and successfully returning your children home.

4) Child Welfare League of America www.cwla.org

CWLA is an association of more than 900 public and private nonprofit agencies that assist more than 3.5 million abused and neglected children and families each year with a range of services. CWLA supports Family Preservation Programs such as Family Support Services (FSS) and offers helpful definitions/facts.

5) Family Support America www.familysupportamerica.org

Family Support America is recognized worldwide as a pioneer in the family support movement. Reputation is based on decades of leadership in building on families' strengths. Great resource for policy and practices related to family support.

6) National Coalition for Child Protection Reform

<http://www.nccpr.org/>

The National Coalition for Child Protection Reform is a non-profit organization dedicated to improving the child welfare system. They believe that many children taken from their homes and placed in foster care don't need to be there. These children could have been safely kept in their own homes. They offer 10 ways to do child welfare "right".

7) National Data Analysis System – Family Preservation and Support

http://ndas.cwla.org/data_stats/access/predefined/home.asp?MainTopicID=5

NDAS provides access to all states' child welfare and related data for the most recent years available.

8) New York City Administration for Children Services (ACS)

<http://www.nyc.gov/html/acs/html/home/home.shtml>

The citywide agency that protects New York City's children from abuse and neglect. A good source for NYC parents to become knowledgeable on family support programs and how city policies affect your family.

9) US Department of Housing and Development – Homes and Communities

<http://www.hud.gov/progdesc/famuni8.cfm>

The federal Department of Housing and Urban Development has a special program, called the Family Unification Program, in which Section 8 vouchers are reserved for families where housing is the issue keeping a family apart or threatening its breakup. A good place to start when housing can be an issue for your family to stay together.