

Child Well-Being in the United States

PANELISTS:

Judge Oscar Gabaldon, Presiding Judge 65th Judicial District Child Protection Court, El Paso, Texas

Alan Dettlaff, Ph.D., University of Illinois at Chicago

Deborah Escobedo, Staff Attorney, Youth Law Center, San Francisco, CA.

Sandra Rodriguez, Child Protective Services Program Director, Lower Region 11, Edinburg, Texas.

Luis Flores, Executive Vice President, SCAN-Inc., Laredo, Texas.

MODERATOR:

Jorge Cabrera, MSW, ACSW, Senior Director, Casey Family Programs, San Diego, CA.

2020: A Vision for America's Children



casey family programs

fostering families. fostering change.

2020 Strategy

Reduce and Reinvest

Safely reduce the U.S. foster care population by 50% and reinvest the savings to strengthen child welfare

✓ **Prevention of Placement**

Reduce the population in foster care by preventing abuse and neglect, strengthening families and community supports, and providing quality after-care services

✓ **Permanency**

Quickly and safely reach permanency for children who are placed in foster care

✓ **Build Collective Will for Change**

Increase national and local political and public will to support vulnerable children and families and child welfare

Lead federal and state policy strategy to allow greater child welfare funding flexibility

Improve Self-Sufficiency

Improve the path to self-sufficiency for children who enter the foster care system

✓ **Education**

Increase high school and college graduation rates for youth in foster care to equal the general population

✓ **Employment**

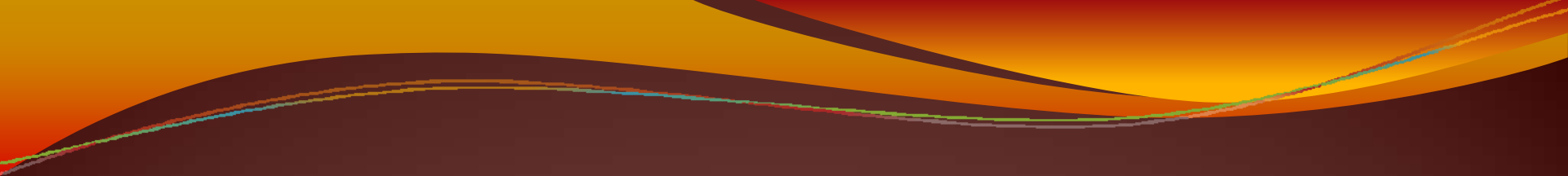
Increase employment rates for youth from foster care to equal the general population

✓ **Mental Health**

Improve mental health services to ensure youth in foster care can function as productive adults without being impeded by mental illnesses

2020 Strategy

- The 2020 Strategy includes an intentional focus on reducing the disproportionate representation and disparity of outcomes for children of color in the child welfare system.
- Children and families with immigrant involvements become integral to any efforts to reduce disproportionality and disparity and thus an important target population for the 2020 strategy.



What We Know About Immigrant Children and Families Who Come to the Attention of the Child Welfare System

Alan J. Dettlaff, PhD
Jane Addams College of Social Work
University of Illinois at Chicago

Contact with the Child Welfare System

- Little information is available on the number of immigrant children and families involved with the child welfare system as this information is not collected by state or national reporting systems
- However, estimates can be made using the National Survey of Child and Adolescent Well-being (NSCAW)
- According to this dataset:
 - Children or immigrants represent 9.6% of all children who come to the attention of the child welfare system
 - Of these children, 68% are Latino
 - Latino children of immigrants represent 5.2% of all children

Unique Issues and Challenges

- Immigrant children and families experience a number of unique challenges upon entering the U.S., including language barriers, unfamiliar customs and systems, and financial stress
- The stress resulting from acculturation has been associated with depression, isolation, domestic violence, marital problems, and drug and alcohol abuse
- Many of the risk factors for maltreatment - *financial distress, personal dissatisfaction, depression, family conflict, stressful life events* - are all factors associated with acculturative stress

Risk Factors Present in Immigrant Families

Risk Factors Associated with Maltreatment	% of Immigrant Families
Active alcohol use	12.9
Active drug use	2.3
Mental health problem	5.4
Intellectual impairment	0.1
Poor parenting skills	17.4
Active domestic violence	13.8
Use of excessive discipline	19.5
History of maltreatment	23.9
Difficulty meeting basic needs	13.6
High family stress	42.9
History of arrest	1.9
At least 1 risk factor	77.5

Community Risk Factors

Community Risk Factors	% of Immigrant Families
Assaults / Muggings	17.3
Drug Problem	32.9
Gang Activity	24.3
Unsupervised Children	27.8
Teenagers Making Nuisance	19.0

Potential Protective Factors

Protective Factors	% of Immigrant Families
Relative in home	17.5
Biological father in home	40.6
Stability of caregiver	97.7
Helpful neighbors	79.8
Safe neighborhood	82.6
Involved parents in community	60.4

History of US/Mexican Border CPS-Related Agreements

Judge Oscar Gabaldon
Presiding Judge
65th Judicial District
Child Protection Court
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History of US/Mexican Border CPS-Related Agreements

- Tri-regional meeting involving Texas, Arizona, and New Mexico (1984)
- Third Annual Robert L. Sutherland Symposium in Austin, TX (1986)
- Agreement between U.T. Austin and Desarrollo Integral de la Familia
- 1st Good Will Border Agreement (signed 1989, ratified 1989)
- Convention on the Rights of the Child (adopted 1989, signed 1990)
- Controlling Border Agreement between Texas and D.I.F. (1999)
- Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (adopted 1993)

El Paso 65th Judicial District Child Protection Model Court

- Mandated to pursue “best practices”
- Special Immigrant Status Hearings - 101(a)(27)(J) *Immigration and Nationality Act of 1952, as amended.*
- Texas CPS and NCJFCJ Disproportionality Partnership and Ongoing Efforts
- Ongoing relationship with the Mexican Consulate
- Ongoing relationship with Border Protection and Homeland Security
- Ongoing relationship with Mexican CPS counterpart (D.I.F.)
- Appointing of Attorney Ad Litem for Immigration Purposes
- Participation of Parents and Witnesses at Hearings and Mediations
- Participation of Mexican licensed attorneys as Texas CPS hearings

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Child Protective Services of Texas

Sandra Rodriguez
Child Protective Services Program Director
Lower Region 11
Edinburgh, Texas

Child Protective Services of Texas

- Children First, Protected & Connected
- Border Contact Liaisons in Texas CPS
 - Role & Function
- Building Relationships with other agencies
 - ICE, Border Patrol, Interpol, ORR, DUCCS, DIF, Foreign Consuls
- Reporting Abuse & Neglect

Trends & Patterns

- The New Immigrant Influx
 - Increase in immigrants coming from Central American Countries
- Types of Reports Received
 - Human Trafficking
 - Unaccompanied minors
 - Crimes against minors while entering country
 - Separated families
 - Minors in detention centers

Trends & Patterns

- Consular Offices
 - Working with Central American Consulate Offices
- Current Statistics of Undocumented Minors in CPS care
 - 231 minors who *may* qualify for SIJS
 - Region 11 has highest number 69
 - Does not include children *not* in care but who may be receiving services through CPS

Obstacles & Challenges

- Limited services to undocumented children
 - So close but yet so far
- Risk of Deportation
 - Further separation of child from family
- Detaining of CPS staff
- Barrier to Permanency
- New Consular Offices Involved
- No official agreement or MOU with Homeland Security

Hopes For Our Children

- To develop an agreement with the Dept. of Homeland Security that would allow children in our care to be able to travel within Texas to receive any service needed to insure the child's physical, medical, emotional & educational well-being



Immigrant Children And Education

Deborah Escobedo
Staff Attorney
Youth Law Center
San Francisco, California

Immigrant Children Cannot Be Denied Education



Children cannot be denied access to our schools, solely on the basis of their undocumented immigration status.

Plyler v. Doe (1982) 457 U.S. 202

Immigrant Children Have Special Educational Rights Under Law



- Does your state keep accurate data concerning the number of foster youth who are:
 - Limited English Proficient (LEP) or English Learners (EL);
 - Fluent English Proficient (FEP); or
 - Eligible for Migrant Education services?
- How do we address the educational needs of a foster youth if the youth is LEP, FEP and/or Migrant?

Must Overcome Language Barriers



- Access to educational programs to address their language needs
- Access to programs to teach them academic English
- Access to the curriculum & must not incur academic deficits
- Continuity of program is very important to ensure academic success

Equal Educational Opportunities Act, 20 U.S.C. § 1703(f); *Lau v. Nichols* (1974) 414 U.S. 563; *Castañeda v. Pickard* (5th Cir. 1981) 648 F.2d 989; NCLB -Title III, 20 U.S.C. § 6801.

Migrant Education



- Supports high quality and comprehensive educational programs to help overcome educational disruption, cultural & language barriers, social isolation & health related problems that prohibit migrant students from doing well in school.
- Gives migrant students access to supplemental services & programs to address their unique educational needs.

NCLB - Education of Migratory Children, 20 U.S.C. § 6391

Eligibility: Who Qualifies



- Child/youth 3-21 years of age
- Child is a migrant agricultural worker or a migrant fisher or has a parent, spouse or guardian who is a migrant agricultural worker or fisher; and,
- Child has moved within the preceding 36 months in order to obtain (or seek) or to accompany a parent, spouse, or guardian to obtain (or seek) temporary or seasonal employment in agricultural or fishing work; and
- The child has moved from one school district to another.

Meeting the Emotional Needs of Immigrant/Border Children

Immigration, Child Welfare and Borders Conference
San Antonio, Texas January 27, 2009

Luis E. Flores
Border Traumatic Stress Response Center
Serving Children and Adolescents in Need Inc. (SCAN)

Border Families

- Adversities Pre-involvement with CPS

- Uprooting
- Journey to Border and Crossing
- Acculturation
- Separation from Family and Support Systems
- Isolation
- Reunifications
- Environmental Stressors
- Unfamiliarity with US Child Protection laws
- Constant Worry about apprehension and deportation
- Unable to access MH/SA and other services

- Secondary Adversities

- Caregiver Deportation
- Multiple Separations
- Experiences in foster care
- Separation from siblings
- Cross-border interaction
- Gaps in School Attendance
- Trauma of Separation
- Drug Trafficking Violence
- Witnessing Arrests



Impact of Trauma, Attachment and Separation

- Trauma
 - Re-experiencing
 - Increased Arousal
 - Avoidance
- Complex Trauma
- Misdiagnosis
- Impact on Development
- Unmet Needs



Impact of Trauma and other Adversities on Development



Impact on Development

- Attachment
- Biology
- Affect Regulation
- Dissociation
- Behavioral Control
- Cognition
- Self-Concept

Trauma-Informed Responses



- Seeing the family and child through a trauma lens
- Trauma-informed systems
- Child Welfare Essential Elements
 1. Maximize safety
 2. Assist Reducing Overwhelming emotion
 3. New meaning of trauma/experiences
 4. Address impact of trauma and subsequent changes
 5. Coordinate Services
 6. Comprehensive assessment of trauma and its impact to guide services
 7. Support/promote positive and stable relationships
 8. Support and guide family and caregivers
 9. Manage professional stress

(Child Welfare Collaborative Group, NCTSN 2008)
- Cultural and Linguistic Competence

Resources and References

- National Child Traumatic Stress Network
 - www.NCTSN.org
- Child Welfare Trauma Toolkit:
 - http://www.nctsnet.org/nccts/nav.do?pid=ctr_cwtool
- *Adaptation Guidelines for Serving Latino Children and Families Affected by Trauma:*
 - <http://www.chadwickcenter.org/WALS.htm>
- Harris, M. & Fallot, R.D.(Eds) (2001). *Using trauma theory to design service systems*. Jossey-Bass
- Child Welfare Committee, National Child Traumatic Stress Network. (2008). *Child welfare trauma training toolkit: Comprehensive guide (2nd ed.)*. Los Angeles, CA & Durham, NC: National Center for Child Traumatic Stress.
- The Workgroup on Adapting Latino Services. (2008). *Adaptation guidelines for serving Latino children and families affected by trauma (1st ed.)*. San Diego, CA: Chadwick Center for Children and Families.

Questions and Discussion Time

