



**CHARTING THE COURSE TOWARDS  
PERMANENCY  
FOR CHILDREN IN PENNSYLVANIA:  
A Knowledge and Skills-Based Curriculum**

**MODULE ONE (1)  
INTRODUCTION TO PENNSYLVANIA'S CHILD  
WELFARE SYSTEM**

**Standard Curriculum**

**Revised by  
Sharon S. England**

**For:  
The Pennsylvania Child Welfare  
Resource Center  
University of Pittsburgh,  
School of Social Work**

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**Agenda for a One-Day Workshop on  
Module 1: Introduction to Pennsylvania's Child Welfare System**

<b>Estimated Time</b>	<b>Content</b>	<b>Page</b>
50 minutes	Section I: Introduction to Charting the Course Towards Permanency For Children in Pennsylvania	1
1 hour 10 minutes	Section II: Introduction to the Pennsylvania Child Welfare System of Casework Practice	11
3 hours 30 minutes	Section III: Federal and Pennsylvania Laws and Regulations	21
30 minutes	Section IV: Summary	47

# **Module 1: Introduction to Pennsylvania's Child Welfare System**

## **Section I: Introduction to Charting the Course Towards Permanency For Children in Pennsylvania**

### **Estimated Length of Time:**

50 minutes

### **Performance Objectives:**

When presented information regarding the Charting the Course Towards Permanency For Children in Pennsylvania, the participants will identify three resources to support their child welfare practice and identify an action plan for implementing one of those resources.

### **Methods of Presentation:**

Activity, Lecture, Large Group Discussion

### **Materials Needed:**

- ✓ Name Tents
- ✓ Masking tape
- ✓ Colored markers
- ✓ 2 Flip chart stands
- ✓ 2 Blank flip chart pads
- ✓ PowerPoint Projector and Screen
- ✓ Lab Top computer
- ✓ ***Reference Manual for Charting the Course Towards Permanency For Children in Pennsylvania*** (1 per participant, for use in the training room)
- ✓ **Handout #2: Introduction Bingo**
- ✓ **Handout #3: Learning Objectives**
- ✓ **Handout #4: Agenda**
- ✓ **Handout #5: New Caseworker Packet**
- ✓ **Handout #6: Charting the Course Towards Permanency For Children in Pennsylvania Modules**
- ✓ **Handout #7: Idea Catcher/Action Plan**
- ✓ **Appendix #1: Additional Participant Resources**
- ✓ **PowerPoint Slide #1: Charting the Course Towards Permanency For Children in Pennsylvania, Module 1: Introduction to Pennsylvania's Child Welfare Practice**
- ✓ **PowerPoint Slide #2: Learning Objectives**
- ✓ **PowerPoint Slide #3: Agenda**
- ✓ **PowerPoint Slide #4: Collaborative Partnership of the Pennsylvania Child Welfare Resource Center**
- ✓ **PowerPoint Slide #5-6: Charting the Course Towards Permanency For Children in Pennsylvania Modules**

## Section I: Introduction to Charting the Course Towards Permanency For Children in Pennsylvania

**Trainer Note:** Prepare the training room in advance by placing name tents, multiple color markers, and handout packets at each table. Lay blank flip chart paper at each table. As the participants arrive, greet each one.

### Step 1: Introduction Bingo

#### Group Activity

(10 minutes)

As the participants arrive, give them **Handout #2 (Introduction Bingo)**. Explain the Bingo Game instructions and encourage the participants to circulate around the room and meet the other participants by learning who matches the criteria within the bingo squares. The individual who qualifies for a particular square should sign his/her name in the appropriate box. Explain that each trainee may sign only one square on his/her own card, and a maximum of two squares on other participants' cards. The object of the game is to be the first to reach Bingo (i.e. have a complete row, column, diagonal, four corners, or a full card.) Whoever calls out Bingo by completing the appropriate squares, wins.

**Trainer Note:** The trainer may give a small token or prize to the first participants to have a complete row, column, diagonal, four corners, or a full card (5 winners) or a small prize or token only for the winner of a coverall. If time allows, the trainer may use the information on the BINGO card to identify and discuss with the participants their respective backgrounds and work experience.

### Step 2: Introductions of the trainer, the facilities and participants

#### Lecture

(10 minutes)

**Trainer Note:** Promptly start the training session at 9:00 AM. By doing so, the trainer is establishing promptness as the culture of the resource center and promoting courtesy to others. Later in this section, you will impart other important guidelines to be followed throughout the 120 hours of training.

Welcome the participants to the training by introducing yourself and sharing information about the training facility including location of restrooms and, if known, restaurants. If available in the training room, direct the participants to the "facility guide," which includes information about the facility and nearby amenities.

Invite the participants to introduce themselves to each other first through preparing name tents. Ask the participants to print their names on the tents and add additional information in the four corners of their name tent. Tell them to write the county in which they work in the top left corner of the name tent, their position in the agency in the top

right corner, the length of time in their position in the bottom left corner, and one word that describes a strength that they bring to the child welfare profession in the bottom right hand corner.

To assist the participants, the trainer may prepare, in advance, on a flip chart a model for how their name tents should be completed.

County	Position
Length of time in position	Strength you bring to the child welfare profession

Ask the participants to introduce themselves to the group by sharing their name, agency, position and the one word identifying what strength they bring to the child welfare profession.

**Trainer Prepared Flip Charts:** Prepare a What's In It For Me (WIIFM) and Parking Lot flip charts. Trainer may wish to prepare strips of paper cut to the width of the flip chart paper so the participants can record their WIIFM on the strips. The trainer can tape the WIIFM that will be covered during the training day on the WIIFM flip chart and those responses that won't be covered on the Parking Lot.

After the introductions explain to the participants the purpose of the What's In It For Me (WIIFM) flip chart and how at the end of the day the trainer will review the WIIFM flip chart to determine if the participants' questions have been answered or if their needs have been met. Ask the participants what they hope to gain from their participation in this first Module of Charting the Course Towards Permanency for Permanency for Children in Pennsylvania and record their responses on the flip chart. Also explain to the participants the purpose of the "Parking Lot" flip chart which is for those questions or concerns that the trainer cannot address during this first module. However, you will direct them to a resource that can meet their need at the end of the day.

### **Step 3: Learning Objectives and Agenda**

#### **Lecture**

(5 minutes)

Using **Handout #3 (Learning Objectives)** and **PowerPoint Slide #2 (Learning Objectives)** review the learning objectives for Module 1.

- Recognize the purpose of the Charting the Course curriculum, its organization, and procedures leading to the direct service worker certification;
- Examine the Pennsylvania child welfare system, its mission, vision, practice principles and guidelines; and
- Identify key federal and state laws and regulations that govern Child Welfare Practice in Pennsylvania.

Refer the participants to **Handout #4 (Agenda) and PowerPoint Slide #3 (Agenda)** and describe for them how the learning objectives will be accomplished throughout day one. Remind them that they will have breaks in the morning and in the afternoon.

#### **Step 4: Expectations and guidelines**

##### **Lecture**

(5 minutes)

Briefly explain that it is important to establish a training room “culture,” which is done by identifying both the Child Welfare Resource Center and the participants’ expectations and guidelines that will guide everyone’s behaviors and actions during the training.

**Trainer Prepared Flipchart:** The training room guidelines should be on a prepared flip chart.

#### **Schedule, timeliness and attendance**

Training Schedule: 9:00 to 4:00 with morning, lunch and afternoon breaks

Timeliness: Explain the 15-minute rule, which provides that any training participant who misses more than 15 minutes of the training day will not receive credit for the training being provided. This rule applies to any training being delivered by the University of Pittsburgh. Trainers are under contract to provide specified training and are responsible to monitor the attendance of training participants. The trainer must inform any participant who misses more than 15 minutes of any training day that he or she will not receive credit for that training seminar and must repeat that particular training day to obtain full credit towards the direct service worker certification or their attendance at the training day.

Documentation of Attendance: Explain that the participants must always document their attendance on the sign-in sheet provided. Explain that the trainers also must document the participants’ absences and lateness as part of the University of Pittsburgh’s contractual obligation to the Department of Human Services and to maintain accountability for the time and resources invested in these training seminars. Remind the participants that when the module consists of more than one day it is very important that they initial the sign in sheet for each day.

#### **Step 5: Creation of an effective training room environment**

##### **Activity**

(10 minutes)

Explain that the Child Welfare Resource Center desires to create a training environment that is conducive to learning by encouraging participants to take risks that will help them to learn and try out new skills in the safety of the classroom. Several behaviors that the Child Welfare Resource Center has identified as conducive to a positive training environment are:



Provide each other constructive and motivational feedback

Demonstrate respect and courtesy for others by:

- Listening while others are speaking.
- Limit personal and/or off training topic discussions to break times.
- Turning off phone in the classroom.
- Taking calls, messages or text messaging only during breaks.
- Contacting office only in the event of an emergency.

Suggest that participants may wish to identify that they are out of the office on training days on their voice mail and automatic email message returns, which will reduce the number of calls and emails they receive while they are away from the office.

In a large group, ask the participants to respond to the question: “How do you want people in your community to interact with you?” Ask them to think about how they want to be treated by the members of the various communities that they belong to such as home, neighborhood or work. Record their responses on the flip chart.

Explain that this Charting the Course “cohort” also is a community and that they will be growing and learning together throughout the 120 hours of the curriculum. Invite them to allow the guidelines that are provided by the Child Welfare Resource Center and those they identified to guide their time together. Inform the participants that they should hang their cohort developed guidelines up in the room for each of the modules.

**Trainer Note:** Assist the participants with developing a strategy for returning the single sheet of the cohort participants’ guidelines to be hung in the room at subsequent training modules.

### **Step 6: Introduction to the Pennsylvania Child Welfare Resource Center Lecture** (20 minutes)

**Using PowerPoint Slide #4 (Collaborative Partnership of Pennsylvania Child Welfare Resource Center)** briefly introduce the Pennsylvania Child Welfare Resource Center, identifying it as part of a collaborative partnership of the Pennsylvania Children and Youth Administrators; Department of Human Services, Office of Children, Youth and Families; and the University of Pittsburgh, School of Social Work. Explain that representatives from these organizations as well as professionals from the local Children, Youth and Families offices worked and collaborated together to design the Charting the Course curriculum as well as other curriculums provided by the Child Welfare Resource Center.

Provide the participants **Handout #5 (New Caseworker Packet)** and briefly review the content with the participants.

Contents of New Caseworker Packet:

- Pennsylvania Child Welfare Values & Principles;
- Child Welfare Resource Center Mission and Values;

- Child Welfare Resource Center General and Contact Information;
- Map of Regions of Pennsylvania and Regional Training Specialists' Contact Information;
- List of Regional Team and Roles of Each: Statement that describes the provision of technical assistance services through the Regional Team Department of the Child Welfare Resource Center;
- Certification, Foundation, Individual and Training Needs Assessment (ITNA) and On-going Training Information Sheet;
- Requirements for Direct Service Workers and Supervisors;
- Second Layer Core Description;
- Child Sexual Abuse Certificate Series;
- 15 Minute Rule: Statement describing policy regarding the distribution of credit in the case of participant lateness; and
- County Winter/Inclement Weather Policy: Statement providing guidance regarding under what circumstances a training workshop will be canceled.

### **Development of Curricula:**

Share with the participants that seasoned representatives of the collaborative partnership and professionals from various disciplines developed this curriculum to provide the foundational knowledge and skills needed to become an effective child welfare professional and to ensure the safety, well-being and permanency of Pennsylvania's children. Each module is designed to include explanation, demonstration and practice of important skills. Experienced curriculum and instructional specialists with the assistance of trainers and feedback from participants routinely review, update and revise the curriculum to insure continued relevance and accuracy. Explain to the participants that the entire Charting the Course curriculum consists of 120 in-class instruction and six hours of online transfer of learning activities.

Using **Handout #6 (Charting the Course Towards Permanency For Children in Pennsylvania Modules)** and **PowerPoint Slide #5 and #6 (Charting the Course Towards Permanency For Children in Pennsylvania Modules)** provide the participants a brief description of the 10 modules of Charting the Course Towards Permanency For Children in Pennsylvania.

- ✓ Module 1: Introduction to Pennsylvania's Child Welfare System (1 day)

This module will introduce the new child welfare professional to the evolution of child welfare services in the United States and the role that values and laws have in the provision of child welfare services today.

- ✓ Module 2: Identifying Child Abuse and Neglect (2 days)

This module will introduce the new child welfare professional to how Pennsylvania laws define child maltreatment and what constitutes child abuse and neglect.

- ✓ Module 3: Using Interactional Helping Skills to Achieve Lasting Change (3 days)

This module introduces participants to the four phases of the Interactional Helping Skills, which is the foundation for effective engagement, interviewing, and information gathering.

- ✓ Module 4: In Home Safety Assessment and Management (3 days)

This module will introduce the participants to how the In-Home Safety Assessment and Management process is used to identify how serious harm to a child is assessed throughout the entire casework process.

- ✓ Module 5: Risk Assessment (2 days)

This module will introduce Risk Assessment and explore the risk factors to determine the likelihood of future risk of harm to children.

- ✓ Module 6: Case Planning With Families (2 days)

This module introduces the new child welfare professional to the knowledge and skills that are required to provide effective service planning with families.

- ✓ Module 7: The Court Process (1 day)

This module will introduce the new child welfare professional to the dependency court process including filing a dependency petition, preparing for the court process and testifying in court.

- ✓ Module 8: Assessing Safety in Out of Home Care (2 days)

This module will focus on assessing safety of children who are placed out of the home and will provide a specific approach for child welfare professionals to assess, judge and confirm that a child will be safe when placed.

- ✓ Module 9: Out of Home Placement and Permanency Planning (3 days)

This module covers the traumatic impact of separation on children in out of home care. The course also covers the array of permanency options available to achieve permanency for children in out of home care and the casework tasks associated with achieving permanency for children.

- ✓ Module 10: Making Permanent Connections: Outcomes for Professional Development (1 day)

This module is designed to assist child welfare professionals in applying their child welfare, practice knowledge, and skills to personal growth and professional development.

Total Days  
Total Hours

20 days  
120 hours

### **Training Delivery:**

Explain that the Child Welfare Resource Center is committed to using experienced and/or current practitioners throughout the training process. The Child Welfare Resource Center recognizes that their familiarity with front-line practice enhances the relevance and practicality of participants' training experience. In each training session, the participants will have opportunities to acquire knowledge and practice skills. In addition, the participants remain with the same cohort throughout the duration of the 120 hours of the in-class delivery of the Charting the Course training. The use of cohort experience is intended to promote trusting relationships among the participants and increase their ability to take risks, practice new skills, discuss concepts, and provide each other constructive, candid and useful feedback.

### **Transfer of Learning (TOL):**

Explain that Charting the Course is a skill-based training series that focuses on skill development. Each module includes presentation of information, discussions and activities designed to assist the trainee to understand and practice the information presented in the content. To enhance skill development and support integration of content and knowledge, on-line transfer of learning (TOL) activities follow the conclusion of each module. Participants should have already had the opportunity to log-on to the online system (creating their user name and password) to obtain and complete their pre-work for this course.

<p><b>Trainer Note:</b> Check in with the participants to see if they were all able to accomplish this task successfully. If not, be available to help at the breaks.</p>
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Explain that prior to and following each module, activities have been designed to foster deeper understanding and skill of the information learned. The pre-work also is designed to enhance the in-class learning experience.

The purposes of the transfer of learning assignments are to:

- Support the skill development of county children and youth agency staff in topic areas specific to child welfare practice improvement;
- Provide on-site coaching and mentoring that supports transfer of learning and skills taught in the Charting the Course curriculum;
- Assess transfer of learning through collection of data; and

- Conduct ongoing training needs assessment for agency staff.

Remind the participants that as professionals they share responsibility for their own learning and growth throughout their careers through their active participation in Charting the Course, participation in transfer of learning activities, use of supervision and through their future participation in specialized and related training opportunities.

### **Professional Development Plan**

At the conclusion of the entire Charting the Course Towards Permanency For Children in Pennsylvania curriculum they will complete a professional development plan with their supervisor. In this plan, they identify additional training needs which can be fulfilled through attending specialized and related training workshops provided by the Child Welfare Resource Center. All CYS caseworkers must attend a minimum of 20 hours of ongoing training annually to maintain their certification.

Inform the participants that a list of specialized and related training workshops is available on-line on the Child Welfare Resource Center website at [www.pacwrc.pitt.edu](http://www.pacwrc.pitt.edu). This address can be found in their New Caseworker Packet. They also will receive a calendar of specialized and related training workshops biannually at their agencies.

### **Step 7: Child Welfare Resource Center Resources and Reference Material**

#### **Lecture**

(5 minutes)

Explain to the participants that knowledge needed to become an effective child welfare professional is so expansive that it cannot possibly be presented in 120 hours let alone retained in their memory. Therefore, the Child Welfare Resource Center is providing resources online for their use at any time. Distribute **Appendix #1 (Additional Participant Resources)**. Explain that additional information about online trainings is available as well as the following items which are used in this course and throughout Charting the Course, on the CWRC website:

- **Charting the Course Towards Permanency For Children in Pennsylvania**
- **Child and Adolescent Development Resource Book**

Ask the participants if they were able to access this resource online through the Pennsylvania Child Welfare Resource Center website at [www.pacwrc.pitt.edu](http://www.pacwrc.pitt.edu).

Ask for one person at each table to pick up one copy of the Reference Manual for Charting the Course Towards Permanency For Children in Pennsylvania and the Child and Adolescent Development Resource Book and bring them back to their table for their use during the remainder of the day.

Review the contents of the **Reference Manual for Charting the Course** with the participants telling them that they will have a greater opportunity to use this Reference Manual throughout the Charting the Course training program.

**Trainer Note:** The reference manuals are to be kept in the training room, but **Appendix #1 (Additional Participant Resources)** is for the participants to take home with them.

### **Step 8: Idea Catcher/Action Plan**

#### **Activity**

(5 minutes)

Distribute **Handout #7 (Idea Catcher/Action Plan)** and explain to the participants that this form will be used throughout today to support their ability to intentionally implement what they learn today into action in the field. Encourage the participants to write down any ideas or concepts that they would like to use in the spaces provided and identify how they intend to use it. Ask the participants to start the process by identifying three resources provided in the Charting the Course Towards Permanency For Children in Pennsylvania that will support their child welfare practice and identify an action plan to implement one of those resources.

# **Module 1: Introduction to Pennsylvania's Child Welfare System**

## **Section II: Introduction to the Pennsylvania Child Welfare System of Casework Practice**

### **Estimated Length of Time:**

1 hour, 10 minutes

### **Performance Objectives:**

When presented with twelve statements the participants will distinguish between strength-based and traditional, problem focused statements 100 percent of the time.

### **Methods of Presentation:**

Small group activity, large group discussion

### **Materials Needed:**

- ✓ Flip chart paper
- ✓ Color Markers
- ✓ PowerPoint Projector and Screen
- ✓ Laptop computer
- ✓ Reference manuals: Reference Manual for Charting the Course Towards Permanency For Children in Pennsylvania (1 for each participant to use during the training. NOTE: These are to stay in the training room.)
- ✓ **Handout #5: New Caseworker Packet: Pennsylvania Child Welfare Values & Principles**
- ✓ **PowerPoint Slide #6: Second Slide of Charting the Course Towards Permanency For Children in Pennsylvania Modules**
- ✓ **PowerPoint Slide #7-8: Historical Outcomes of Good Intentions**
- ✓ **PowerPoint Slide #9: Potential Biases**
- ✓ **PowerPoint Slide #10: Today's Child Welfare Practice Challenges**
- ✓ **PowerPoint Slide #11: Comparison of Approaches**
- ✓ **PowerPoint Slide #12: Components of Genuine Family and Parent Engagement**
- ✓ **PowerPoint Slide #13-14: Developmental Challenges of Children in Child Welfare**
- ✓ **Video #1: Families First (Caseworker Job Preview 2013)**
- ✓ **Appendix #2: Prepared Cards**
- ✓ **Poster #1: Pennsylvania Child Welfare Practice Model**

## Section II: Introduction to Pennsylvania Child Welfare Practice

### Step 1: Historical Child Welfare Practice: Imposition of Bias, Values and the Use of the Medical Practice Model

#### Lecture /Large Group Discussion

(20 minutes)

Start the section by introducing **Video #1 (Families First – Caseworker Job Preview 2013)** located at the bottom of **PowerPoint Slide #6 (the second slide of Charting the Course Towards Permanency For Children in Pennsylvania Modules)**, as well as on the PA Child Welfare Resource Center website

(<http://www.pacwrc.pitt.edu/Videos.htm>). Please use the hyperlink to access this video.

**Trainer Note:** Those who have taken the civil service exam may already have seen this video. If the majority of your participants have taken this exam, use your discretion as to whether or not to show this video.

Using **PowerPoint Slide #7 and #8 (Historical Outcomes of Good Intentions)**, provide the participants a brief overview of the history of child welfare practice in the United States.

Explain to the participants that from 1854 to 1929, it is estimated that 150,000 to 200,000 children were sent out west via “Orphan Trains” to live with other families. Many were lined up on train platforms separated from siblings, inspected and sometimes exploited as farm hands. (Graham, 1995)

In a large group, ask the participants what they think might have motivated this separation of children from their families during this time period?

After a couple of responses are given, explain to the participants that the origins of foster care in our country came about from the “good intentions” of New York society in aiding street orphans. These well-meaning individuals or “child savers” as they have been referred to historically used their personal beliefs, assumptions and bias to guide their interventions. The intent was to save these “street orphans” by sending them from the dangerous city streets via “orphan trains” to the wholesome “kind Christian homes in the country.” Not all of the children were orphans. Many children left their families by either voluntary relinquishment or persuasion due to social problems such as child abuse or poverty or based on the perception that the bohemian lifestyle of immigrant families was harmful to the children. (Crosson-Tower, 1998)

Native American Children: Referring to the statistics on **PowerPoint Slide # 7 (Historical Outcomes of Good Intentions)** and explain that Native American children also faced similar forced assimilation in the same time period. From the 1870’s through the 1920’s over 100,000 Native American children were forced by the U.S. Government to attend Christian day and boarding schools for the purpose of enculturating them into white society. (Smith, 2007)



In a large group ask the participants whether they believe these attitudes, practices and outcomes have continued throughout today?

After a few responses, display **PowerPoint Slide #8 (Historical Outcomes of Good Intentions)**. Explain to the participants that in spite of laws and policies enacted to protect children and families the unequal and unfair outcomes for children and families of color continue to occur today.

Studies in the 60's and 70's determined that 20 to 25%, of Native American children removed from their homes were placed into non-Native American homes. In Minnesota, one of every four Native American children "younger than age one was removed from his or her home and adopted by a non- Native American couple."

Although in 1978 a federal law, the Indian Child Welfare Act (ICWA), which participants will learn more about in Section III, was enacted in response to these findings, unequal outcomes continue to occur today.

- A 2004 study found that although African American and Native American represent 8% of the population of King County, Washington, they represented "50% of the children in long-term foster care." (Iwakaki, 2008)
- Nationally, African American children fare worse. A substantially higher proportion of children in the child welfare system are African American. (Golden, 2009)
- Black children are more likely to come into contact with the system, more likely to be placed in out of home care and more likely to have longer stays in out of home care than white children.
- Children of color and their families experience poorer outcomes and receive fewer services than Caucasians." (Courtney, 1996)

Using a flip chart to record their responses, and ask the participants to identify the values, biases, and prejudices that are evident in this historical overview as well as today.

Explain to the participants that bias and prejudice are not always overt reactions to the race, ethnicity, and religious orientation. Sometimes bias and prejudice can arise from other factors. Ask the participants to identify more subtle forms of bias and prejudice.

Using **PowerPoint Slide #9 (Potential Biases)** review with the participants these other possible biases.

- Bias against biological parents and extended family members seeing them as unworthy, guilty, damaged or incapable of change.

- Bias against single parents, gay, lesbian, birth and resource parents.
- Valuing the comfort of the status quo, versus the work and effort involved in implementing a service plan designed to maintain or reunify a child with his or her family.
- Favoring a resource/foster/kinship provider over the birth parents or extended family.
- Favoring a particular program in which an agency or professional has invested time or has collaborated with over the birth parents' comfort or preferences.
- Other dubious motives/biases such as obtaining gratification from the power and drama inherent in child protection.

Explain that from an individual perspective these occurrences of prejudice and bias are commonplace among individuals. The question is not whether we will experience bias and prejudice, we all will. The question, as child welfare professionals, is whether **we will identify our biases and prejudices** through self-reflection and/or through supervision and whether we will either alter them and/or work to ensure that they do not adversely affect our practice.

Explain to the participants that historically child welfare practice has been influenced by its use of the Medical Model of practice which focused on the identification of illnesses, determining a treatment and implementing that treatment. However, over the years and through “trial and learning” it has been determined that a problem focus in child welfare practice was ineffective and possibly detrimental. As a result a purposeful and deliberate transition to a strength-based approach which focuses on parents' and families' strengths, abilities and assets has been formally adopted by many states throughout the country, including Pennsylvania.

Display **PowerPoint Slide #10 (Today's Child Welfare Practice Challenges)** and review with the participants the challenges to today's child welfare professionals:

- Reject the practice of imposing values and biases on children and families;
- Resist focusing on what is wrong with clients and identifying how to fix them; and
- Form “protective partnerships” with parents and families to assure the safety, permanency, and well-being of children.

## **Step 2: Pennsylvania's Child Welfare Practice Model**

### **Lecture**

(10 minutes)

Refer participants to Pennsylvania's Child Welfare Practice Model contained within **Handout #5 (New Caseworker Packet)** and displayed as **Poster #1 (Pennsylvania Child Welfare Practice Model)**. The Child Welfare Practice Model guides children, youth, families, child welfare representatives and other child and family service partners in working together, providing a consistent basis for decision making; clear expectations of outcomes, shared values and ethics; and a principled way to evaluate their own skills and performance. It helps us to benchmark our achievement, and clearly links the abstract ideals of mission, vision and strategic plans to day-to-day practice.

Pennsylvania's Child Welfare Practice Model supports a team approach, and emphasizes modeling the values and principles of child welfare practice at every level and across all partnerships.

Application of Pennsylvania's Child Welfare Practice Model shapes and improves our ability to engage and serve the children, youth, and families of our state. The model delineates the outcomes, values and principles, and essential skills of successful child welfare practice.

Under Pennsylvania's Child Welfare Practice Model, team members work together to achieve and maintain six key outcomes:

1. Safety from abuse and neglect.
2. Enduring and certain permanence and timely achievement of stability, supports and lifelong connections.
3. Enhancement of the family's ability to meet their child/youth's wellbeing, including physical, emotional, behavioral and educational needs.
4. Support families within their own homes and communities through comprehensive and accessible services that build on strengths and address individual trauma, needs and concerns.
5. Strengthened families that successfully sustain positive changes that lead to safe, nurturing and healthy environments, and
6. Skilled and responsive child welfare professionals, who perform with a shared sense of accountability for assuring child-centered, family-focused policy, best practice and positive outcomes.

Pennsylvania's Child Welfare Practice Model cites and describes values and principles in seven areas, enumerating and carrying into practice our belief in:

1. Children, Youth and Families,
2. Community,
3. Honesty,
4. Cultural awareness and responsiveness,
5. Respect,
6. Teaming, and
7. Organizational excellence.

The Practice Model also describes six skills essential to achieving our desired outcomes:

1. Engaging, or establishing and maintaining relationships;
2. Teaming, or collaborating with others, including the family, in a unified effort throughout all phases of the change process;
3. Assessing and Understanding, or gathering and sharing information to fully inform the team, and using that information to keep the team's understanding current and comprehensive;
4. Planning, or developing strategies and supports to achieve goals;
5. Implementing, or actively performing roles to produce sustainable results; and
6. Monitoring and Adjusting, or continuously evaluating effectiveness and modifying until goals are achieved

Pennsylvania's Child Welfare Practice Model provides a standard for best practice, and is an important component of Pennsylvania's implementation of continuous quality improvement, leading to better practice and results for the children, youth and families receiving services.

### **Step 3: Strength- Based and Solution- Focused Approach**

#### **Activity**

#### **Large Group Discussion**

(20 minutes)

Explain to the participants that it can be a challenge to focus on strengths and solutions when presented with the problems that families face in the child welfare system. To illustrate this approach, ask the participants to divide into pairs making sure they are each paired with someone they do not know, or do not know well. If there is an uneven number, ask one group to form a triad. Ask the participants to each take turns sharing a "problem" that they are having either personally or professionally. While the one person is sharing the problem, the other person is to **listen only** and **focus on and identify** the "strengths" in the person sharing or in the situation. Encourage the participants to select a problem they are comfortable sharing. Each participant will have **five minutes** to share a problem and the listener should take about two minutes to provide feedback that focuses on the strengths. Remind the participants that discretion and confidentiality is expected.

**Trainer Note:** The purpose of this activity is to encourage the participants to identify strengths in others in the context of a problem. Also, this activity, deliberately provided at the beginning of the cohort development, is designed to provide the participants a potentially uncomfortable experience similar to what their clients may experience when they are asked to divulge and discuss personal issues with unfamiliar child welfare professionals. Encourage resistant participants to genuinely engage in this activity by reminding them that unlike their clients they have the option of choosing their problem to discuss and unlike their clients they will not be asked probing and embarrassing

questions. It is recommended that the trainer come prepared to share his or her own example of a problem as a way of modeling taking a risk, appropriate sharing and clarifying the activity. After providing the example, the trainer could ask the large group to identify any strengths they see in the example.

After each person has had the opportunity to share and listen. Ask the participants to identify and name the strengths they observed in the sharer’s account. Ask the participants what challenges or successes they had in identifying these strengths. Remind the participants that they should resist defining each other, children, parents and families by problems alone. Emphasize that all parental assessments should start with ascertaining first the strengths, resilience and protective capacities of the parent and family.

**Trainer Prepared Flip-Chart:** Prepare in advance two trainer prepared flip charts, one titled: Strength-Based, Solution-Focused Approach and one titled: Traditional Approach (Problem Focused)

Using **PowerPoint Slide #11 (Comparison of Approaches)**, briefly review the differences between a strength-based solution-focused approach and the traditional, problem focused, approach to working with parents and families.

Pass out to each table group 2 to 3 cards from **Appendix #2 (Prepared Cards)** with the statements or questions printed on them. Make sure that each table has a mixture of strength-based and traditional statements and/or questions. Ask the table groups to place the statements or questions where they best fit under the strength-based chart or under the traditional approach side.

<b>Strength-Based, Solution-Focused Approach</b>	<b>Traditional Approach (Problem-Focused)</b>
1. “What do you want to happen?”	1. “Your depression is causing you to ignore your child’s problems.”
2. “What do you think would work best?”	2. “I know exactly what you need to do to fix this situation. It works for everyone else.”
3. “Tell me about a time that you were able to help your child with her homework?”	3. Don’t you think your reaction is causing your child’s behavior?
4. “What do you think would help your child to complete household chores?”	4. Do you understand the homework schedule I have outlined for you and your son?
5. “Why don’t you try your plan and then we can talk about how well it worked when we meet again?”	5. “Please make sure that you follow these instructions exactly as I have told you or you won’t be in compliance.”

Ask participants if they can connect the strengths-based, solution-focused (SBSF) approach to the Pennsylvania Child Welfare Practice Model.

- What outcomes does SBSF support? For example, remaining solution focused helps with the outcome of achieving timely stability.
- What values and principles promote a SBSF approach? For example, the values and principles state a belief in children, youth, and families, and more specifically, that all families have strengths. This is modeled in the SBSF approach.
- How does SBSF interface with the skills identified in the Practice Model? For example, professionals must use the skill of engaging families in order to know their strengths.

#### **Step 4: Effective Child Welfare Intervention**

##### **(Lecture)**

(15 minutes)

Explain to the participants that family engagement, collaboration and building protective partnerships are key to promoting a strength-based and solution-focused approach. Empirical research has found that essential components of effective child welfare intervention are:

- Genuine family and parent engagement; and
- Supporting healthy child development (Golden, 2009)

Explain to the participants that the development of effective parent and family engagement skills requires **intentional and disciplined** efforts on the part of the child welfare professional. For that reason, parent and family engagement is considered to be a foundation of child welfare practice in Pennsylvania and will be explored and discussed throughout the Charting the Course curriculum. In Module 3: Using Interactional Helping Skills to Achieve Lasting Change they will be learning those interactional helping skills that will promote effective parent and family engagement and the formation of **protective partnerships**.

Using **PowerPoint Slide #12 (Components of Genuine Family and Parent Engagement)** review the components of successful family and parent engagement:

- Identifying strengths, protective capacities and resilience in parents
- Building relationships and rapport with parents through empathy and compassion
- Promoting parents as the experts for matters concerning their family
- Supporting parents' use of community-based resources to achieve positive outcomes for families

Explain to the participants that they can **support healthy child development** by educating themselves as well as the parents' and caregivers, when needed, regarding appropriate child development. Explain to the participants that throughout Charting the Course, reference will be made to relevant child developmental issues. **Emphasize** that it is imperative that at all times they consider the child's actual development with the child's appropriate chronological development at every stage of intervention. This

knowledge and deliberate comparison is critical to identifying and delivering appropriate and effective services to children and families.

- Ask the participants to raise their hands if they have completed the portion of the pre-work transfer of learning assignment where they were asked to observe a child and review the Child and Adolescent Development Resource Book.
- Ask the participants if any of them learned anything new about child development through their observation and review of the resource book.
- Ask one or two participants to share what they learned.
- Ask the participants if they believe the development of the children involved in child welfare will be different or the same of those children not involved in child welfare.

Display **PowerPoint Slide #13 (Developmental Challenges of Children in Child Welfare)**.

Inform the participants that children involved in the child welfare system are indeed at a disadvantage developmentally compared to other children. Of the children **involved** in the child welfare system:

- 40% are born premature and/or with low birth weight;
- Experience developmental delay at 4 to 5 times the rate of the general population;
- Have substantially lower grades and test scores;
- Have more absences and grade repetitions; and
- Have an increased risk of special educational needs. (Center for the Study of Social Policy, 2009)

Display **PowerPoint Slide #14 (Developmental Challenges of Children in Child Welfare)**. In addition to these development delays research has determined that:

- Poverty is the “single best predictor of child abuse and neglect
- Children who live in families with annual incomes of less than \$15,000 are 22 times more likely to be abused or neglected than those with annual incomes of \$20,000 or more.” (Children’s Defense Fund, 2005)
- A 2006 study found that more than half of the children in foster care were identified as having birth families “who had difficulty meeting their basic needs at the time of the investigation.” (Barth, 2006)

**Trainer Note:** Emphasize to the participants that child maltreatment occurs in all socioeconomic groups.

Explain to the participants as a result of the recognition of the developmental challenges children involved in the child welfare system face, Federal and Pennsylvania laws and regulations have been enacted to ensure that all children in the child welfare system are properly screened for developmental delays and problems. These screening

mechanisms such as Early Periodic Screening, Diagnosis and Treatment (EPSDT); Ages and Stages Questionnaire©; and other assessment tools will be discussed in Module 6.

### **Step 5: Idea Catcher/Action Plan**

#### **Activity**

(5 minutes)

To conclude this section, ask the participants to refer to **Handout #7 (Idea Catcher/Action Plan)** and ask them to record at least one idea from this section that they can use in their practice and an action plan for implementing this use.



# **Module 1: Introduction to Pennsylvania's Child Welfare System**

## **Section III: Federal and Pennsylvania Laws and Regulations**

### **Estimated Length of Time:**

3 hours 30 minutes

### **Performance Objectives:**

- ✓ When presented with a federal or Pennsylvania state law, the participants will identify the purpose of the law and identify five significant provisions and impact these laws have on child welfare practice.

### **Methods of Presentation:**

Lecture, Large group discussions, Small and large group activities

### **Materials Needed:**

- ✓ Masking tape
- ✓ Colored markers
- ✓ 2 Flip chart stands
- ✓ 2 Blank flip chart pads
- ✓ PowerPoint Projector and Screen
- ✓ ***Reference Manual for Charting the Course Towards Permanency For Children in Pennsylvania*** (15 table copies in the training room.)
- ✓ **Appendix #3: Prepared Sentence Strips**
- ✓ **Handout #8: Timeline of Major Federal Child Welfare Legislation**
- ✓ **Handout #9: Child Family Service Review**
- ✓ **Handout #10: Multiethnic Placement Act as amended by the Interethnic Placement Act (MEPA-IEPA) Guide**
- ✓ **Handout #11: Multiethnic Placement Act (MEPA) and Interethnic Placement Act (IEPA) Screening Aid**
- ✓ **Handout #12: Summary of Major Federal Legislation (1974-Present)**
- ✓ **Handout #13: Office of Children, Youth, and Families Bulletin #3130-09-01, Implementation of the Indian Child Welfare Act of 1978**
- ✓ **Handout #14: Summary of Pennsylvania Law Bulletins and Regulations**
- ✓ **PowerPoint Slide #15-17: Balancing Parent's Rights with State's Interests Leading to Children's Protection**
- ✓ **PowerPoint Slide #18: The Testimony of Mary Ellen**
- ✓ **PowerPoint Slide #19: Interdependence of Child Welfare Practice and the Law**
- ✓ **PowerPoint Slide #20: Child Family Service Reviews**
- ✓ **Poster #2: Timeline of Major Federal Child Welfare Legislation**

## Section III: Federal and Pennsylvania Laws and Regulations

### Step 1: Balancing Parents' Rights with State's Interest Leading to Children's Protection

#### (Lecture)

(5 minutes)

Display **PowerPoint Slide #15, #16, and #17 (Balancing Parent's Rights with State's Interests Leading to Children's Protection)** explain to the participants that the United States Constitution was written with an emphasis on guaranteeing individual rights. Laws were written, whenever possible to avoid imposing on individual rights to freedom, unless the state could identify a "compelling interest" to interfere with individual rights.

At first, children, were not identified as individuals and did not have rights. The earliest laws and court decisions upheld parents' rights to raise their children however they wanted and did not intervene even when children were injured.

Eventually, courts and legislators began to recognize:

- The impact of harm caused to children by their parents and caregivers
- The future of the United States was dependent upon:
  - Development of Healthy Children
  - Productive and Educated Citizens
  - Protecting Children from Harm and Dangers

States enacted laws, such as child protection laws and compulsory education laws to ensure the development of its citizens. If the state could prove that parents were unable or unwilling to protect their children from harm then the state would have a compelling interest and could intervene and interfere with a parent's rights.

Eventually, laws were written and enforced to protect the safety, well-being and permanency of its child citizens.

### Step 2: Evolution and the Interdependence of Law and Child Welfare Practice (Lecture/Large Group Discussion)

(15 minutes)

Explain to the participants that just as the child welfare profession has evolved over time so have the laws and regulations that govern child welfare practice. Explain to the participants that while many practitioners believe that their practice is controlled by laws and regulations; the truth is that the experiences and research coming out of the child welfare practice has had tremendous influence on the enactment of child welfare laws and regulations.

Together and interdependently, child welfare practice and the laws governing child welfare practice have evolved since the inception of this country. The earliest child welfare advocates struggled to improve the care of children in a society that did not yet recognize the importance of the healthy growth of all children to its country's continuation. When the law fell short of what was needed to intervene effectively, these early reformers, settlement workers and social workers sought to reform and enforce laws to make them more responsive to the needs of children. In one famous case, a mission worker sought the services of an attorney from the American Society for the Prevention of Cruelty to Animals (ASPCA) to aid a severely abused child.

Display **PowerPoint Slide #18 (The Testimony of Mary Ellen)** and briefly describe the famous case of Mary Ellen to the participants:

Soon after she was born in 1864, Mary Ellen's father died and her mother went to work, boarding Mary Ellen with a woman named Mary Score. When her mother could no longer pay for Mary Ellen's care, Ms. Score gave two-year-old Mary Ellen to the city's Department of Charities. The Department placed Mary Ellen illegally with Thomas McCormack and his wife Mary, without proper documentation and insufficient oversight. Mr. McCormack, who falsely claimed to be Mary Ellen's biological father, died shortly afterwards, and his wife moved and remarried becoming Mary Connolly. Mary Connolly mistreated Mary Ellen to the extent that neighbors became alarmed and reported their concerns to Etta Wheeler, a mission worker. Ms. Wheeler attempted to find legal assistance for Mary Ellen. Although New York had a law prohibiting excessive discipline, the authorities would not intervene. Ms. Wheeler eventually sought the assistance of the founder of the ASPCA who with the assistance of an ASPCA attorney prepared a petition to remove Mary Ellen from her home. At the hearing Mary Ellen, dressed in rags, bruised all over her body and a gash over her left eye and cheek where Mary Connelly had struck her with a pair of scissors, testified regarding the years of abuse she experienced. The publicity that followed galvanized child advocates nationwide to call for a formalized child protection system and resulting in the enactment of laws throughout the country designed to protect children from harm.

After Mary Ellen's plight came to the attention of the authorities, Etta Wheeler's advocacy efforts continued. The authorities had placed Mary Ellen in an inappropriate institutional shelter for adolescent girls. Upon learning of this placement, Etta Wheeler insisted that she be removed from the institution and placed with Ms. Wheeler's own family members. Ultimately, Mary Ellen married, gave birth to two daughters, raised a foster daughter and died at the age of 92 in 1956. (The Nixzmary Brown Law, 2009)

**Trainer's Note:** The trainer may abbreviate this section if needed to allow more time to focus on federal laws.

Using **PowerPoint Slide #19 (Interdependence of Child Welfare Practice and the Law)**, demonstrate the evolution and interdependence of laws and regulations in child welfare practice. Explain to the participants that this PowerPoint Slide depicts how child

welfare practice and the laws governing practice have evolved overtime starting with the United States Constitution, which established the predominance of individual rights and consequently parental rights.

In the early 1900's, the Federal government recognized the need to guide, support and perhaps control states' efforts to effectively serve and protect children and families. Through the creation of the Children's Bureau in 1912 and then enacting the Social Security Act in 1935, the federal government provided support and more importantly funding to eligible state programs that sought to serve children and families.

Over the years, the federal government's involvement in and authority over states' delivery of child welfare services has increased tremendously. Explain to the participants that federal laws or statutes are passed by the United States Congress and signed into law by the President. Often, as a condition for receipt of federal funds to support delivery of child welfare services, states are required by these Federal laws to enact their own laws and statutes and adopt federal regulations.

Federal regulations clarify and explain federal law, have the same force as federal law and provide more guidance to states on how to develop its laws. States, when enacting their own laws and regulations, are permitted to provide more rights than federal laws, but to receive federal funds they cannot provide fewer rights than guaranteed by federal law. If a state law or regulation was in direct conflict with a federal law and regulation, the federal law and regulation would control. (Supremacy Clause, United States Constitution)

These federal laws and regulations have been and continue to be developed with the assistance of leaders in child welfare practice, social work and other professional disciplines. "Over the years, the child welfare profession has dramatically increased its utilization of both quantitative and qualitative data in determining interventions allowing for greater accountability." As the science of child welfare practice has improved, its corresponding impact on Federal and State laws has expanded and become more relevant. Consequently, as child welfare practice itself has evolved, the laws that ultimately govern child welfare practice have changed accordingly. (Golden, 2009)

### **Step 3: Federal Laws Governing Child Welfare Practice (Lecture/Small Group Activity/Large Group Discussion) (2 hours)**

Refer to **Handout #8 (Timeline of Major Federal Child Welfare Legislation)** and **Poster #2 (Timeline of Major Federal Child Welfare Legislation)**.

Explain to the participants that this timeline of major federal child welfare legislation provides a chronological and historical overview of significant child welfare federal laws. Some of these laws are provided in full in the **Reference Manual for Charting the Course Towards Permanency For Children in Pennsylvania**.

**Trainer Note:** Throughout this presentation the trainer should refer back to the timeline on the PowerPoint and handout to assist the participants' recognition of the chronology. The trainer also may edit the content presented if time is short.

Explain to the participants that in this section the trainer will first review the Child Abuse Prevention Treatment Act of 1974 and identify its purpose, key provisions and impact on child welfare practice. Second, they will review together Indian Child Welfare Act and as a large group they will identify together its purpose, key provisions and impact on child welfare practice. Third, each table group will review one Federal law and identify its purpose, key provisions and impact on child welfare practice. Finally, each table group will present on their findings to the larger group.

**Trainer Prepared Flipchart:** To reinforce and remind the participants to think about these questions prepare and display a flip chart with the questions below.

- The purpose of this Federal Law is:
- Key provisions of this law are:
- The impact on child welfare practice as a result of this law are:

**Trainer Note:** Refer to the Charting the Course Resource Manual.

### **The Child Abuse Prevention and Treatment Act (CAPTA) of 1974, P.L. 93-247**

Ask the participants to locate CAPTA of 1974 in the resource manual.

Explain to the participants that CAPTA of 1974 was the first significant legislation enacted by congress to guide child protection throughout the United States. It has since been reenacted and revised several times, most recently in 2003.

- **Purpose:** To provide financial assistance for State's demonstration programs for the prevention, identification, and treatment of child abuse and neglect.
- **Significant Provisions:**
  - Provide Assistance to States to develop child abuse and neglect identification and prevention programs
  - Supported research into child abuse prevention and treatment
  - Established the National Center on Child Abuse and Neglect (NCCAN) within the Department of Health, Education and Welfare
  - Created the National Clearinghouse on Child Abuse and Neglect Information

- Established Basic State Grants and Demonstration Grants for training personnel and to support innovative prevention and treatment programs for child maltreatment

To qualify for assistance under this law, States were required to enact certain laws and/or provide certain services including but not limited to:

- Enact state child abuse and neglect law which included a provisions for immunity for persons reporting instances of child abuse and neglect from prosecution
- Provide for the reporting of known and suspected instances of child abuse and neglect
- Provide for a prompt investigation and take immediate steps to protect the health and welfare of the abused or neglected child as well as any other child under the same care who may be in danger of abuse or neglect
- Demonstrate that personnel in connection with enforcement of child abuse and neglect are trained to deal effectively with child abuse and neglect cases
- Provide methods to preserve confidentiality of all records
- Provide for cooperation of law enforcement officials, courts, and appropriate State agencies providing human services
- Provide for a guardian *ad litem* to represent the child in court proceedings
- Disseminate information to general public regarding child abuse and neglect, prevention, and treatment

➤ **Impact on Practice:**

Encourage the participants to make a connection between these provisions and practice. Ask the participants to consider if they were working in child welfare in the late 1970's how this law and its provisions might impact their practice. Record their responses on the flip chart. Suggested responses are:

- Immunity: Increase in reports of child abuse and neglect
- Prompt investigations: Increase in staff and defined procedures for investigation
- Protect welfare of children: Establishment of “ongoing units” and/or funding to purchases services
- Training: Provision of training and technical support for staff and agencies
- Public awareness: Increase in number of reports and corresponding increase in staff to investigate

**Trainer’s Note:** Remind the participants that this federal law has been amended several times to expand its scope and modify its mandates. Like other federal laws, practitioners must always determine whether provisions have been amended or repealed.

### **The Indian Child Welfare Act (ICWA) of 1978, P.L. 95-608.**

Refer the participants back to **Poster #2 (Timeline of Major Federal Child Welfare Legislation)** and point out that the next significant legislation, the Indian Child Welfare Act or ICWA was enacted to protect Native American children. Remind the participants’ that earlier in the day information was presented regarding the early forced assimilation of Native American children and then later the disproportionate number of Native American children who were placed in white foster and adoptive homes.

Ask the participants to locate the Act or the Indian Child Welfare Act in the resource book and assist the participants in identifying the purpose, significant provisions and the impact on child welfare practice.

Remind the participants of the earlier discussion about the impact early child welfare services have had on Native American populations. Inform the participants that “ICWA applies to Pennsylvania even though there are no federally-recognized tribes/nations within the Commonwealth.” (Children, Youth, and Families Bulletin #3130-09-01, Implementation of the Indian Child Welfare Act of 1978, 2009)

Direct the participants’ attention to the Indian Child Welfare Act (ICWA) of 1978, P.L. 95-608 in the Charting the Course Reference Manual and inform the participants that Sections 1901 (Congressional findings) and 1902 (Congressional declaration of policy) provides the purpose or intent of this Act.

- **Purpose:** To protect the best interests of Native American children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.
  
- **Significant provisions**

Direct the participants to Sections 1903 (Definitions), 1911 (Indian tribe jurisdiction over Indian child custody proceedings), and 1912 (Pending court proceedings) of the act which provides definitions of terms within the act, as well as clarification of the act.

- Ask the participants to locate the definition for “Indian child” and ask a volunteer to read the definition
- Ask the participants to locate the definition for “Indian tribe” and ask a volunteer to read the definition

- Ask the participants to locate the provisions regarding which court should have jurisdiction over child custody proceedings involving a Native American child

If participants struggle with this request direct them to:

- Sec. 1911(a) of the act for the answer: “Indian tribe shall have jurisdiction exclusive as to any State over any child custody proceeding involving an Indian child who resides or is domiciled within the reservation...”
- Sec. 1911 (b) also provides “In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child not domiciled or residing within the reservation ...shall transfer the proceeding to the jurisdiction of the tribe...”

Ask the participants to review Section 1912 (Pending court proceedings) to locate the following provisions:

- For the type of efforts that must be made to prevent the breakup of Native American families (**active efforts, 1912(c)**);
- That describes the standard of when ordering a foster care placement (**clear and convincing, including testimony of qualified expert witness, 1912(e)**); and
- That must be used in court for the termination of parental rights: (**beyond reasonable doubt supported by testimony of qualified expert, 1912(f)**)

After the participants have located and shared these provisions inform the participants that in future modules they will learn that the standard of proof for the termination of parental rights and the mandate for active efforts are different for non-Native American children. This heightened standard of proof and active efforts provisions were mandated to overcome the history of forced assimilation and the disproportionate representation of Native American children in foster and adoptive homes.

Inform participants that **active efforts**:

- Are Affirmative, Active, Thorough, and Timely Efforts
- Take into consideration the prevailing social and cultural conditions and way of life of the Indian child’s tribe
- Involve and use the available resources of the extended family, the tribe, Indian social services, and individual Indian caregivers
- Are intended primarily to maintain or reunite child with his or her family
- Involve assisting the parent/parents/Indian custodian through steps of case plan and with accessing or developing necessary resources to satisfy case plan
- Are provided in manner consistent with prevailing social and cultural conditions and way of life of Tribe and in partnership with the child, parents, extended family, Indian custodians, and Tribe.



State that active efforts must be conducted while investigating whether the child is a member of a tribe or eligible for membership.

Inform the participants that additional significant provisions of ICWA are:

- Required notice of a Native American child's pending placement to tribes and tribal courts
- Tribal courts were established as the primary jurisdiction
- A **hierarchy of placement preferences** for foster care placement and adoption

➤ **Impact on Practice:**

Invite the participants to identify the impact these provisions would have on their practice.

Explain to the participants that they will now have the opportunity to review at their table groups a federal law, identify the Purpose, Provisions and Impact on Practice and present to the large group.

If there are not already five table groups, divide the large group into 5 table groups and assign each table group one of the following federal laws. One group will be assigned to two federal laws as indicated below.

- Adoption Assistance and Child Welfare Act of 1980
- Adoption and Safe Families Act of 1997
- Foster Care Independence Act of 1999 (Chafee Act)
- Fostering Connections to Success and Increasing Adoptions Act of 2008
- The Multiethnic Placement Act of 1994 P.L. 103-382 **and** Removal of Barriers to Interethnic Adoption: AKA The Interethnic Provisions of 1996. P.L. 104-188

Ask each table to record on flip chart paper:

- The purpose of the federal law
- Five significant provisions
- Impact on child welfare practice

Give the table groups 15 minutes to complete their small group work.

After the groups have completed their law review and before the groups present, pass out **Handout #12 (Summary of Major Federal Legislation)** and explain that it provides a summary of federal laws. Emphasize that this handout is not exhaustive of every provision in the various federal laws and groups may certainly report out on other pieces that the identified as important.

Upon completion ask each table group to present to the larger group the results of their review.

At the conclusion of each table's presentation the trainer will add any significant information that is missed as identified below:

**Trainer's Note:** The following are key points that should be made regarding each federal law. Encourage the participants to review the provisions first before selecting the five significant provisions they wish to record.

### **Adoption Assistance and Child Welfare Act of 1980, P.L. 96-272**

Explain to the participants that this law was enacted after congress recognized a growing number of children in foster care was increasing dramatically, children returned home were quickly returning to foster care, children were staying in foster care longer and experiencing multiple placements. This phenomenon was referred to as "foster care drift". Of great concern was that parents were uninformed and unaware of corrective actions they needed to take for their children to be returned to them.

- **Purpose:** The Adoption Assistance and Child Welfare Act of 1980 was enacted to provide foster care and adoption assistance for children, who otherwise would be eligible for assistance under the State's plan, and to provide funds to carry the provisions in the law.
- **Significant Provisions:** With this act, Congress required states to enact laws that mandated both child welfare agencies and courts to institute some of the following payments, definitions, services and findings:
  - Required States to make **adoption assistance payments**, which take into account the circumstances of the adopting parents and the child, parents who adopt a child who is eligible for Aid to Families with Dependent Children (AFDC) and is a child with special needs.
  - Defined a child with special needs as a child who:
    - Cannot be returned to the parent's home
    - Has a special condition such that the child cannot be placed without providing assistance
    - Has not been able to be placed without assistance
  - Required, as a condition of receiving Federal foster care matching funds, that States make "**reasonable efforts**" to prevent removal of the child from the home and return those children who have been removed as soon as possible and required a judicial determination of the same.

**Trainer's Note:** When reasonable efforts are identified the trainer should ask the participants how this provision differs from the provision in ICWA. The answer should be that ICWA requires "active efforts," a higher standard, when the case involves Native American children.

- Required participating States to establish reunification and preventive programs for all children in foster care

- Required the State to place a child in the **least restrictive setting** and, if the child will benefit, one that is **close to the parent's home**
- Required a written case plan for every child in out-of-home placement
- Required the court or agency to **review** the status of a child in any nonpermanent setting **every 6 months** to determine what is in the **best interest of the child**, with most emphasis placed on **returning the child home as soon as possible**
- Required the court or administrative body to **determine** the child's future status, whether it is a return to parents, adoption, or continued foster care, **within 18 months after initial placement into foster care**

➤ **Impact on Practice:**

- Directs child welfare professionals to prioritize resources and services to maintaining children in their own homes
- Must write plans for every child in out-of-home placement
- Provides more guidance on how to serve children and families
- Requires periodic judicial review of all cases
- Requires a permanent plan for the child within 18 months of placement

### **Adoption and Safe Families Act of 1997, P.L. 105-89**

- **Purpose:** The purpose of the Adoption and Safe Families Act or ASFA was to promote the adoption of children in foster care and to reauthorize the Family Preservation and Family Support program and rename it the Safe and Stable Families Program. Significantly, AFSA added the language “safety of the child” to every step of the case plan and review process.
- **Significant Provisions:** AFSA required significant changes to the timeline for permanency for children, clarified the term “reasonable efforts” to include children’s health and safety and added several new mandates to promote adoption in extreme situations. Specific provisions include but are not limited to:
  - Reasonable efforts:
    - Health and safety of the child shall be the paramount concern
    - Shall be made to preserve and reunify families
    - Shall be made prior to the placement of a child in foster care to prevent or eliminate the need for removing the child from the child’s home
    - Shall be made to make it possible for a child to safely return to the child’s home
    - Shall be made to place the child in a timely manner in accordance with the permanency plan and to finalize the permanent placement of the child
    - Shall not be required to be made when the parent has subjected the child to aggravated circumstances as defined in state law

- Shall not be required if the parent has committed murder, voluntary manslaughter, felony assault resulting in serious bodily injury, or was a party to any of the former as to the parent's child or surviving child
- Shall not be required if the parental rights of the parent to a sibling has been terminated involuntarily
- Required permanency hearings to be held **no later than 12 months after entering foster care.**

**Trainer Note:** Explain to the participants that this provision provides an example of how Pennsylvania law may provide greater protection than federal law. The Pennsylvania Juvenile Act mandates that permanency hearings be held no later than 6 months after the date the child enters out-of-home care. By conducting permanency hearings more frequently, Pennsylvania exceeds the requirements of federal law yet is in compliance with federal law.

- Accelerated pursuit of termination of parental rights when:
  - A child has been in out-of-home placement for at least **15 of the most recent 22 months**, unless an exception exists
  - The child is an abandoned infant as defined under state law
  - The parent has been convicted of any of the crimes listed above
- Required criminal background checks for foster/adoptive parents
- Required the Department of Health and Human Services to develop a set of **outcome measures** that can be used to assess the performance of States in operating child protection and child welfare programs to ensure the safety of children

➤ **Impact on Practice:**

- Provides more guidance to child welfare professionals on the nature and extent of reasonable efforts
- Changed how child welfare professionals viewed and recorded success to focus on actual outcomes rather than compliance with service plans

**Trainer's Note:** At this point, suspend the table group reporting and provide the participants some clarification on the Child and Family Service Reviews (CFSR)

Explain to the participants that the development of outcome measures provided in this federal law expanded upon earlier provisions in the Social Security Act Amendments of 1994 (P.L. 103-432). The enactment of AFSA created an unprecedented opportunity to make the child welfare system more responsive to the complex needs of children and families by establishing clear goals as well as creating a method to evaluate whether states are meeting these goals through outcome measures. Previously, states were monitored by assessing compliance with procedural requirements through a review of

case documentation, not on whether families actually experienced positive outcomes. This review system is called the Child and Family Service Review (CFSR).

### **Child and Family Service Review (CFSR)**

Display **PowerPoint Slide #20 (Child and Family Service Reviews)** and explain to the participants' that just as they will be responsible for holding parents accountable for participating in services and accomplishing goals in service or permanency plans, the federal government through the Children's Bureau utilizes the CFSR to hold states accountable and responsible for delivering mandated services. These reviews are designed to:

- Ensure the state's conformity with federal child welfare requirements
- Determine what is actually happening to children and families engaged in child welfare services
- Assist states to improve its ability to help children and families achieve positive outcomes

Remind the participants that just as they assist parents and families by identifying their strengths and needs for services and assisting families in obtaining those services, the Children's Bureau uses the CFSRs to identify both the strengths and needs within State programs, as well as areas where technical assistance can lead to program improvements.

Ultimately, the goal of the CFSRs is to help States improve child welfare services and achieve the following seven outcomes for families and children who receive child welfare services which are divided into three separate key areas.

Using **Handout: #9 (Child Family Service Reviews)** review the seven outcome goals with the participants.

#### **Safety**

- Children are, first and foremost, protected from abuse and neglect
- Children are safely maintained in their homes whenever possible

#### **Permanency**

- Children have permanency and stability in their living conditions
- The continuity of family relationships and connections is preserved for children

#### **Well-Being**

- Families have enhanced capacity to provide for their children's needs
- Children receive appropriate services to meet their educational needs
- Children receive adequate services to meet their physical and mental health needs

Explain to the participants that they will learn much more about these outcome measures in subsequent modules.

**Trainer's Note:** Return to the report out by the table groups.

### **Foster Care Independence Act of 1999 (Chafee Act) P.L. 106-169.**

- **Purpose:** The purpose of the Chafee Act was to provide states with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency by amending the Social Security Act.
- **Significant Provisions:** In this Act, Congress recognized that although reasonable efforts are required to find adoptive placements for all children, older children who continued to live in foster care should receive independent living services to help them prepare for employment, postsecondary education and successful management of adult responsibilities while reasonable efforts are concurrently made to identify an adoptive placement. Provisions to improve and expand Independent Living Programs include but are not limited to:
  - Assist children in obtaining:
    - a high school diploma
    - career exploration
    - vocational training
    - job placement and retention
    - training in daily living skills
    - training in budget and financial management skills
    - substance abuse prevention
    - preventive health activities
  - Provide personal and emotional support to children aging out of foster care through mentors and promotion of interaction with dedicated adults.
  - Provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age;
    - to compliment their own efforts to achieve self-sufficiency
    - to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood
  - Development of outcome measures to assess state performance in operating independent living programs
  - State plans must certify that prospective parents will be adequately prepared to provide for the needs of the child

- Provide states the option to extend Medicaid coverage from 18 to 21 year olds who have been emancipated from foster care

➤ **Impact on Practice:**

- Required child welfare professionals to focus efforts on older youth
- Directed resources to fund these services

**Fostering Connections to Success and Increasing Adoptions Act of 2008, P.L. 110-351.**

- **Purpose:** The primary purpose of the Fostering Connections to Success and Increasing Adoptions Act of 2008 is to connect and support relative caregivers, improve outcomes for children in foster care, provide for tribal foster care and adoption access and improve incentives for adoptions. This act also will be discussed more thoroughly in subsequent modules.
- **Significant Provisions:** The provisions of this Act are presented according to the following categories and include but are not limited to:
  - Connecting and Supporting Relative Caregivers
  - Mandates that within 30 days after the removal of a child the state shall exercise due diligence to identify and provide notice to all adult grandparents and other adult relatives of the child. Notification includes:
    - The child has been or is being removed from parents
    - Relative options under federal, state and local law to participate in the care and placement of the child, and any options lost by failing to respond to the notice
    - Describes requirements to become a foster family and available services and supports
    - Availability of kinship guardianship assistance payments
  - Improving Outcomes for Children in Foster Care by requiring:
    - Personalized transition planning for older youth within 90 days prior to their exit from foster care
    - A plan for ensuring the educational stability of the child while in foster care including:
      - Assurances that each child required by state law to attend school that the child is:
        - ✓ Enrolled or in the process of enrolling in school
        - ✓ Home schooled according to state law
        - ✓ Participating in an independent study program administered by the local school; or

- ✓ Incapable of attending school on a full-time basis due to a medical condition of the child and that this incapability is supported by regularly updated information in the case plan of the child
    - Health oversight and coordination plan for each child in foster care which shall ensure a coordinated strategy to identify and respond to the health care needs of children in foster care placements including mental health and dental health needs
- Requires reasonable efforts to be made:
  - To place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement unless such joint placement is found to be contrary to the safety or well-being of any of the siblings and
  - In case of siblings not being placed together to provide for frequent visitation or other ongoing interaction between the siblings unless deemed to be contrary to the safety or well-being of any of the siblings.
- Tribal Foster Care and Adoption Access
  - Permits Native American tribes direct access to federal foster care, adoption assistance or kinship or guardianship funds
  - Permits Native American tribe access to independent living services
  - Permits Native American tribes direct allocation from Chafee Foster Care Independence Program funds
- **Impact on Practice:**
  - Child welfare professionals now must give “first consideration” to placement with relatives when the child is placed in out-of-home care
  - Child welfare professionals must document their attempts and reasons for failure if a relative placement is not made
  - Relatives must receive the same foster care rates as other foster parents

## **The Multiethnic Placement Act of 1994 P.L. 103-382**

Use **Handout #10 (Multiethnic Placement Act as amended by the Interethnic Placement Act (MEPA-IEPA) Guide)** and **Handout #11 (Multiethnic Placement Act (MEPA) and Interethnic Placement Act (IEPA) Screening Aid)** to facilitate discussion around the following sections concerning MEPA and IEPA.

- **Purpose:** The Multiethnic Placement Act of 1994 (MEPA), which was passed as an amendment in the Improving America’s Schools Act, was enacted to decrease the length of time that children wait to be adopted; to prevent discrimination in the placement of children based on race, color, or national origin and to facilitate the identification and recruitment of foster and adoptive parents who can meet children's needs.



- **Significant Provisions:** This Act enumerated specific prohibitions to those agencies or entities that received federal assistance and is involved in adoption or foster care placements. Specific provisions include but are not limited to:
  - Prohibits a categorical denial of any person the opportunity to become an adoptive or a foster parent, solely on the basis of the race, color or national origin of the adoptive or foster parent, or the child, involved.
  - Prohibits a denial or delay in the placement of a child for adoption or into foster care, or otherwise discriminate in making a placement decision, solely on the basis of the race, color, or national origin of the adoptive or foster parent, or the child involved.
  - Permits consideration of the cultural, ethnic, or racial background of the child and the capacity of the prospective foster or adoptive parents to meet the needs of a child of this background as one of a number of factors used to determine the best interests of a child.
  - Violations of these provisions are deemed a violation of title VI of the Civil Rights Act of 1964.
  - This Act and its provisions do not affect the application of the Indian Child Welfare Act of 1978.
  - Required states to develop plans to recruit foster and adoptive parents who reflect racial and ethnic diversity of children in the State for whom families are needed.
- **Impact on Practice:**
  - Expanded the focus on the recruitment of **adoptive homes** that reflect the race and ethnicity of children to include the recruitment of **foster homes** that reflect the race and ethnicity of children.

### **Removal of Barriers to Interethnic Adoption: AKA The Interethnic Provisions of 1996. P.L. 104-188**

**Purpose:** The Removal of Barriers to Interethnic Adoption or the Interethnic Provisions of 1996 (IEPA) amended MEPA above and was enacted in the Small Business Job Protection Act of 1996. Its purpose was to modify the provisions of MEPA, to expand its requirements to include all entities involved in adoption and foster care that received federal funds and strengthen the enforcement provisions. In addition, it amended the Adoption Assistance provisions by adding a new section to include allowable tax credits for qualified adoption expenses incurred by individuals who adopt children.

- **Significant Provisions:** IEPA modified the MEPA language to clarify that no State or any other entity in the State that receives federal funds and are involved in adoption or foster care placements may:
  - Deny to any person the opportunity to become an adoptive or foster parent, on the basis of the race, color, or national origin of the person, or of the child, involved.
  - Delay or deny the placement of a child for adoption or into foster care, on the basis of the race, color, or national origin of the adoptive or foster parent, or the child involved.
  - Strengthened minority adoption and foster parent recruitment requirements by making it a title IV-B State Plan requirement.
  - Applied a system of graduated financial penalties for States that do not comply with the title IV-E State Plan requirement or corrective actions plans.
  - Repealed language that permitted consideration of the cultural, ethnic, or racial background of the child and consideration of the capacity of the prospective parent to meet the needs of a child.
- **Impact on Practice:**
  - Prohibited discrimination in the selection of foster and adoptive parents based solely on cultural, ethnic, or racial background.

Using **Handout: #12 (Summary of Major Federal Legislation)** review the Justice for Victims of Trafficking Act of 2015 and the Preventing Sex Trafficking and Strengthening Families Act of 2014, P.L. 113-183.

### **Justice for Victims of Trafficking Act of 2015 (JVTA), P.L. 114-22**

- **Purpose:** To provide grants to state and local governments that implement victim centered anti-trafficking initiatives for law enforcement and imposed criminal liability on those who are purchasers as traffickers.
- **Significant Provisions:** Defines sex traffickers as any person who recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits a person for the purpose of a commercial sex act, in which the commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age.
- **Impact on Practice:** Child protective service workers must be trained in the identification, assessment, and providing comprehensive services to child sex trafficking victims and all child reports with known or suspected sex trafficking victims must be identified and assessed.

## Preventing Sex Trafficking and Strengthening Families Act of 2014, P.L. 113-183

- **Purpose:** To prevent and address the sex trafficking of children involved with child welfare agencies, to develop standards for reasonable and prudent parenting to allow foster children to participate in age-appropriate activities, and to extend and improve adoption incentives, and to improve international child support recovery.
- **Significant Provisions:** Requires states to develop policies and procedures to identify, document, screen and determine appropriate services for children under the child welfare agency's placement, care or supervision, who are victims of, or at risk of, sex trafficking, including children who run away or are missing from foster care. These protocols must include developing screening tools to determine if the child is a sex trafficking victim, and annually report information to Health and Human Services. Also requires state agencies to develop reasonable and prudent parent standards for any foster family home or title IV-E funded child care institution. The development of strategies for foster parents to apply the reasonable and prudent parent standard are also required, in order to promote safety along with the experience of normal and beneficial childhood activities.
- **Impact on Practice:** Reporting requirements changes are a major outcome of this law. State child welfare agencies must immediately report children in their care identified as sex trafficking victims to law enforcement, and missing children and youth must be reported to law enforcement within 24 hours.

### Step 6: Idea Catcher/Action Plan

#### (Activity)

(5 minutes)

Ask the participants to refer to **Handout #7 (Idea Catcher/Action Plan)** and to identify two laws that they have learned about for the first time today and identified an action plan for how they will incorporate the information into their practice.

### Step 7: Pennsylvania Laws

#### (Lecture, Small Group)

(1 hour)

Inform the participants that this section will provide an introduction to Pennsylvania laws, regulations and bulletins. Pennsylvanian policy also will be discussed more thoroughly in Module 2 and throughout the Charting the Course Towards Permanency For Children in Pennsylvania curriculum.

#### Display **PowerPoint Slide #19 (Interdependence of Child Welfare Practice and Law)**

and remind the participants about how federal law can lead to enactments and modification in corresponding changes in state law. Also inform the participants that states, like Pennsylvania, enact laws that do not require modification after enactment of federal laws, because those state laws already are in compliance with the new federal law.

Divide the participant into three groups. Assign each table group to review the Juvenile Act, the Child Protective Services Law and the Pennsylvania Adoption Act. Ask each table to record the purpose of the law, to identify at least five significant provisions, and the impact on their child welfare practice. After 15 minutes ask a volunteer from each table to make a presentation on their findings.

After the groups have completed their state law review and before the groups present, pass out **Handout #14 (Summary of Pennsylvania Law, Regulations and Bulletins)** and explain that it provides a summary of state laws. Emphasize that this handout is not exhaustive of every provision in the various laws and groups may certainly report out on other pieces that the identified as important.

As each table group presents their findings, make sure the following information is captured for each law.

### **The Juvenile Act, 42 Pa. C.S. § 6301 - 6365**

**Purpose:** The Juvenile Act was first enacted in 1972 and provides for the protection of children from child maltreatment by authorizing state intervention while at the same time balancing parental rights with the state's compelling interest to intervene by recognizing the importance of family unity. The Act identified five key purposes:

- Preserve the unity of the family whenever possible or to provide another permanent family, when the unity of the family cannot be maintained;
- Provide for the care, protection, safety and wholesome mental and physical development of children coming within its provisions;
- Provide for children committing delinquent acts, programs of supervision, care and rehabilitation which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed, and the development of competencies to enable children to become responsible and productive members of the community;
- Achieve these purposes in a family environment whenever possible, separating the child from parents only when necessary for his/her welfare, safety or health, or in the interests of public safety; and
- Provide a means through which the Act's provisions are executed and enforced, and in which the parties are assured a fair hearing and their constitutional and other legal rights are recognized and enforced.

### **Significant Provisions:**

The Juvenile Act provides detail regarding the proceedings in which a child is alleged to be dependent including but not limited to:

- Defines Child and Dependent Child;
- Establishes the court's jurisdiction and authority over the child's parent, guardian or custodian;

- Mandates the appointment of a guardian *ad litem* for a child in all dependency cases;
- Identifies how, when and where a child can be taken into custody;
- Details the required contents of a petition for Dependency and Aggravated Circumstances;
- Describes the Informal, Adjudication, Disposition and Permanency hearings and those matters that must be determined at each of these hearings; and
- Identifies considerations for reasonable efforts determinations.

### **Child Protective Services Law (CPSL), 23 Pa. C.S. §§ 6301- 6385**

**Purpose:** The Child Protective Services Law (CPSL) was first enacted in 1975 to provide for prompt and complete reporting of child abuse. In the act's findings it states that "abused children are in urgent need of an effective child protective service to prevent them from suffering further injury and impairment." The Act identifies several purposes including:

- Encourage more complete reporting of suspected child abuse;
- Involve law enforcement agencies in responding to child abuse;
- Establish in each county protective services for the purpose of:
  - Investigating the reports swiftly and competently;
  - Providing protection for children from further abuse;
  - Providing rehabilitative services for children and parents;
  - To ensure the child's well-being; and
  - Preserve, stabilize and protect the integrity of family life wherever appropriate or to provide another alternative permanent family when the unity of the family cannot be maintained.
- Ensure that each county children and youth agency establish a program of protective services with procedures to:
  - Assess risk of harm to a child;
  - Respond adequately to meet the needs of the family and the child who is at risk; and
  - Prioritize the response and services to children most at risk.

Remind the participants that this statute will be discussed in more detail in Module 2.

### **Significant Provisions:**

The CPSL provisions are designed to ensure accomplishments of the above purposes and include but are not limited to:

- Definitions of key terms including founded report, indicated report and child abuse;
- Responsibilities for reporting suspected child abuse;
- Powers and duties of the Department of Human Services including establishing a statewide central registry of abuse reports and statewide toll-free number;
- Prompt provision of child protective services in instances of child abuse in every county;

- Provision of general protective services in cases involving less severe forms of neglect;
- Protecting well-being of children maintained outside of home;
- Provisions for the investigation of suspected student abuse; and
- Background checks of prospective school employees and child care employees.

## **Pennsylvania Adoption Act, 23 Pa. C.S. Chapter 21-29**

**Purpose:** Pennsylvania Adoption Act identifies the provisions for adoption in Pennsylvania.

### **Significant Provisions:**

The Adoption Act governs both termination of parental rights and adoption procedures which are generally heard in the Orphan's Court with the exception of Philadelphia and Allegheny counties where the juvenile division of the court of common pleas retains jurisdiction for termination of parental rights. Additional provisions of the Adoption Act, which will be discussed in more detail in Module 9 include but are not limited to:

- Grounds and procedures for the voluntary termination of parental rights.
- Grounds and procedures for the involuntary termination of parental rights.
- Home studies and pre-placement reports.
- Pennsylvania Adoption Cooperation Exchange and its responsibilities.
- Adoption procedures and access to records.

## **Pennsylvania Adoption Opportunities Act of 1974**

The purpose of this law is to promote placement of children who are physically and/or mentally handicapped, emotionally disturbed or difficult to place by virtue of their age, sibling relationship, or ethnicity. Under this law, adopting families may apply for financial assistance on behalf of children with special needs.

Referencing **Handout: #14 (Summary of Pennsylvania Law, Regulations and Bulletins)**, briefly review Act 105 of 2014.

**Purpose:** Act 105 of 2014 is Pennsylvania's comprehensive anti-trafficking law. It amends Pennsylvania's Crimes Code, Title 18, and the Civil Code, Title 42, by revising laws on human trafficking in part to more clearly define sex and labor trafficking. By defining sex trafficking and sexual servitude in the Crimes Code, prosecutors have new important tools for charging traffickers.

**Significant Provisions:** It addresses purchasers by imposing criminal liability on those who purchase sex from someone they know to be a sex trafficking victim. It also defines sex trafficking of a minor as a Megan's law offense, requiring convicted sex traffickers of minors to register as a sex offender.

- **Trafficking of Minors:** A person commits a felony of the first degree if the person recruits, entices, solicits, harbors, transports, provides, obtains or maintains an individual if the person knows or recklessly disregards that the individual will be

subject to involuntary servitude, or knowingly benefits financially, or receives anything of value from any act that facilitates any activity that results in a minor's being subject to sexual servitude.

- **Sexual Servitude:** Any sex act or performance involving a sex act for which anything of value is directly or indirectly given, promised to or received by any individual or which is performed or provided by any individual and is induced or obtained from a minor or any other individual by any means set forth in Section 3012(b) of the statute.
- **Sexual Servitude of Minors:** A person commits a felony of the second degree if the person engages in any sex act or performance with another individual knowing that the act or performance is a result of the individual being a victim of sex trafficking.

In addition to defining crimes, Act 105 of 2014 establishes provisions for victims of sex trafficking to be eligible for benefits and compensation under the Crime Victims Act of 1998. It also decrees that services to a minor victim of human trafficking by the commonwealth or by any institution or person established or licensed by the commonwealth shall be carried out in a manner that is in the best interest of the minor and appropriate to the particular situation.

**Trainer Note:** Please remind participants that they can learn more about this law by taking the online trainings “Overview of Reasonable and Prudent Parenting and Public Law 113-183” and the “Commercial Sexual Exploitation (CSEC)” modules 1 and 2, following the directions on Appendix #1.

## **Step 8: Pennsylvania Regulations, Bulletins, and Special Transmittals (Lecture, Activity)**

(30 minutes)

Explain to the participants that Pennsylvania's laws like federal laws are further explained and clarified by regulations promulgated by state agencies. In Pennsylvania, the Department of Human Services (DHS) through the Office of Children and Youth and Families (OCYF) oversees the provision of child welfare services provided by counties. DHS is responsible for devising and disseminating regulations that bind each county in its administration and provision of services. These regulations, like federal regulations, have the “**force of law**” and provide a description of how to implement the legal requirements of the law. In addition, DHS and other state agencies periodically issue bulletins which also provide clarification regarding the implementation of federal and state laws and regulations.

Regulations are rules for controlling governmental bodies' behavior. The regulations are issued by administrative agencies, such as the Department of Human Services. They bind each county in its administration and provision of services and describe implementation of legal requirements. They are the fundamental workings of the law that elaborate upon implementing the law on a daily basis. Regulations relating to child welfare practice include:

**Trainer Note:** In advance of this presentation, the trainer should place the titles of these regulations on the wall for the “Stick the Bulletin on the Regulation” game that will follow.

- 55 Pa. Code Chapter 3130 - Administration of County Children and Youth Social Service Programs
  - Goal of Children and Youth Social Services;
  - Administrative, Program, Personnel Requirements;
  - Case Planning and Case Management;
  - Case Review of Children in Placement; and
  - Requirement for Foster Care Programs and Child Care Facilities Operated by a County Agency.
- 55 Pa. Code Chapter 3350 - Adoption Services
  - General Provisions;
  - Procedures; and
  - Statement of Policy on Adoption Record Disclosure Procedures
- 55 Pa. Code Chapter 3490 - Protective Services
  - Child Protective Services
  - Abuse of Students in School
  - General Protective Services
  - General Requirements for Child Protective Services and General Protective Services.
- 55 Pa. Code Chapter 3700 - Foster Family Care Agency
  - Program Requirements;
  - Health Care Requirements; and
  - Requirements for Foster Family Care Agencies Approval of Foster Families.

## Bulletins

Explain to the participants that bulletins are issued by administrative and regulatory agencies, such as DHS, to present statements of policy and guidelines. Bulletins are used, for the most part, until final regulations are published, to explain regulations requirements in more detail, or to clarify the implementation of federal law or regulation.

**Appendix #3 (Prepared Sentence Strips)** (Write each set of bullet point information on a separate sentence strips, cut from flip chart paper.)

Distribute the prepared sentence strips to the table groups and ask the participants to match the sentence strips with the corresponding regulation flip chart posted in the room.

- **Children, Youth, and Families Bulletin #3130-09-01, Implementation of the Indian Child Welfare Act of 1978:** Establishes policy requirements relative to



the protection of Native American children as required in the Federal Indian Child Welfare Act of 1978

- **Children, Youth, and Families Bulletin #3490-08-05, Frequency and Tracking of Caseworker Visits to Children in Federally Defined Foster Care:** Informs all programs, both county and private, of visitation and reporting requirements related to mandated monthly caseworker visits, as well as details about the federal funding deadlines for submission of required data.
- **Children, Youth, and Families Bulletin #3490-08-03, Implementation of Act 179 of 2006 and Act 73 of 2007 Amending the Child Protective Services Law:** Explains and clarifies new background check of household members, age 14 and older for the initial approval of resource family applicants and other requirements related to Act 179, as well as Act 73 and clarifies how these amendments co-exist with the requirements of Act 160 of 2004.
- **Children, Youth, and Families Bulletin #3130-01-03, Child Placements with Emergency Caregivers:** Defines the procedural steps a county agency must follow if they are placing a child in a potential kinship home in an emergency situation.
- **Children, Youth, and Families Bulletin #00-03-03, Kinship Care Policy:** Defines Formal and Informal Kinship Care and establishes policies and procedures for county agencies to follow when considering kinship families as potential placement resources for children. Formal Kinship Care providers must be assessed and approved as foster parents.
- **Children Youth and Families Bulletin #3130-03-01, Permanent Legal Custodianship Policy:** Establishes a policy for using kinship homes as permanent homes for children when reunification with birth family and adoption has been ruled out.
- **Children Youth and Families Bulletin #3350-03-01, Statewide Adoption Network Policies & Procedures:** Authorizes and explains the services provided through SWAN to support permanency for children including child and family profiles, child preparation, child specific recruitment and post permanency services.
- **Children Youth and Families Bulletin #00-97-12, Priority Placement Request Procedures for the Interstate Compact on the Placement of Children (ICPC):** Provides guidelines for county agencies to follow to receive approval to place a child in a potential kinship home in another state. The ICPC takes precedence over the Children Youth and Families Bulletin #3130-03-01 Permanent Legal Custodianship Policy listed above.

As you review and correct the participants' matches explain to the participants how bulletins are numbered as indicated below. Also explain that some bulletins are not associated with a particular regulations and how its numbering reflects the same.

- 3130:** denotes the regulations the bulletin is associated with  
**00 or 99:** is used when the bulletin is not associated with a regulation  
**09:** indicates the year the bulletin was issued  
**01:** specifies the sequential order

Distribute **Handout #13 (Office of Children, Youth, and Families Bulletin #3130-09-01, Implementation of the Indian Child Welfare Act of 1978)** to illustrate how a bulletin can distinguish a law or regulation. Ask a volunteer to read out loud the section on "Intake Procedures" on page 3 of the bulletin. Ask the participants how this section would impact their practice when collecting demographic information from a family. Encourage the participants to take the time to read this bulletin thoroughly after this module and to engage in the habit of thoroughly reviewing all bulletins whenever they receive them.

### Special Transmittals

Also explain to the participants that Pennsylvania state agencies also may issue special transmittals to convey information to county and private children and youth social service agencies or other departments regarding recent enactment of laws that require immediate implementation provide standardized forms or other communications. Some examples of subject matter of special transmittals include:

- Fostering Connections to Success and Increasing Adoptions Act of 2008.
- Pennsylvania Standardized Service Plan Forms.
- Random Moment Time Study Requirements Family Service Plan Documentation
- Enrollment of foster children in schools

Distribute **Handout #14: (Summary of Pennsylvania Laws, Regulations and Bulletins)** and inform the participants that it provides an overview of Pennsylvania laws, regulations, and bulletins. Remind the participants that this list is not exhaustive as it provides an overview of the laws, not an entire listing. They can refer to the **Charting the Course Reference Manual** to review the specific laws in more detail.

### Practice Model

Ask participants to reflect for a moment, through large group discussion, on how the Pennsylvania Child Welfare Practice model informs how child welfare professionals balance parent's rights with state interests. For example, the outcomes "safety from abuse and neglect" and "Timely achievement of stability", speak to a state's interests, while the outcomes of supporting and strengthening families speak to parent's rights.

# **Module 1: Introduction to Pennsylvania's Child Welfare System**

## **Section IV: Summary**

### **Estimated Length of Time:**

30 minutes

### **Performance Objectives:**

At the conclusion of the presentation of Module 1 the participants will identify the importance of the information presented in the module and an action plan for how they will incorporate one new thing they learned in their practice.

### **Methods of Presentation:**

Lecture, Individual Activity, Large Group Discussion

### **Materials Needed:**

- ✓ Flip chart paper
- ✓ Flip chart stand
- ✓ Colored markers
- ✓ Trainer evaluation forms
- ✓ **Handout #7: Idea Catcher and Action Plan**
- ✓ **Handout #15: References**
- ✓ **Appendix #4: Charting the Course Mod 2: Act 31 Flyer**

## Section IV: Summary and Transfer of Learning

**Trainer Note:** This is a critical section and will need the entire time allotted.

### Step 1:

Refer to the *WIIFM* trainer prepared flip chart from earlier in the day and read the first item on the *WIIFM*. Ask the participant who offered the item as a training need and whether or not this need was addressed in the module. If the participant reveals that it was, thank the participant and read the next item. If the participant relates that the need was not met, attempt briefly to address the need if possible. If you cannot address the need, ask the participant to place the comment/question on the *Parking Lot*. Provide clarification of which module will respond to the pilot or offer to speak with the participant after the training. If applicable, direct the participant to other training/resources that might address the participant's need.

Ask participants whether they have any additional thoughts or questions.

### Step 2:

Ask participants to locate **Handout #7 (Idea Catcher/Action Plan)** and review the action steps that they identified on their idea catchers/action plans throughout the training. Ask participants to share their ideas concerning what they learned and how they plan to use the information. Tell participants that part of the purpose of this information sharing is to network and consider whether the action plans that others wrote might benefit them.

### Step 3:

Distribute **Handout #15 (References)** and inform the participants that references for the material presented in this module is identified. Encourage the participants to expand their knowledge and improve their skills by obtaining and reading professional journals and current research in child welfare practice.

### Step 4:

Provide the participants the workshop number, if available, and ask the participants to complete the Resource Center Feedback/Training Evaluation form and **Appendix #4 (Charting the Course Mod 2: Act 31 Flyer)**. Explain to the participants that they can use a No. 2 pencil, blue or black ball pen only on the evaluation form. Ask them to make heavy black marks that fill the bubble completely and to cleanly erase any mark they may wish to change. Ask them to complete the demographic information and respond accordingly to the rating scale in the designated areas. Encourage the participants to answer the questions on the back of the form. Also encourage them to take time to provide written specific comments as these comments are very useful in modifying and improving the content of the curriculum as well as the delivery of the curriculum.

**Step 5:**

Refer to **Appendix #4 (Charting the Course Mod 2: Act 31 Flyer)** and remind the participants to complete their post work for Module 1 as well as their pre work for Module 2, if they have not already completed it, prior to the next module. Inform participants that Charting the Course Module 2 has been approved by the Department of Human Services and the Department of State to meet Act 31 of 2014 for training requirements. In order to receive this accreditation, participants must complete the pre-work and post work for that module.

**Step 6:**

Thank the participants for their attention and participation in this module.

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