THIRD WORLD TRAVELER

# Malign Neglect

## Children in New York City public schools are being shortchanged - again

by Jonothan Kozol

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Advocates for children in the New York City public schools were cheering sixteen months ago when lawyers won a landmark ruling from State Supreme Court justice who determined that New York had failed to meet its obligation to psovide a sound and basic education to all children and who ordered that the state's unequal system of school finance be dramatically transformed.

Those of us who had observed the aftermath of court decisions like this elsewhere in the nation did not hold our breath to see immediate infusions of new money pouring down like mighty waters into underfunded innercity schools such as the ones I visit in New York's South Bronx. Legal appeals by governors and maddening resistance to court orders by state legislatures are a pattern everywhere when court decisions pose the seemingly unpleasant prospect of a level playing field in education for the children of the poor. But even the most cynic observers could not easily have looked ahead one year and have prefigured a scenario by which conditions in the district that had won thi and building upkeep, as the Chancellor observed in answer to the Mayor, 90 percent of the entire budget goes directly to the schools.) The Mayor, however, who has made it clear that he would like to wrest control of New York City's schools from New York's Board of Educati may have reasons of his own for casting doubts upon the very able Chancellor's effectiveness and has, in any case, refused to back down f these reckless accusations.

As Governor George Pataki and state legislators met in closeddoor sessions in mid-May to come up with sufficient money to restore abou $200 million of the threatened cutbacks to the New York City schools and to return some other money owed the city from the year before mild optimism briefly flared among school advocates, and Levy noted cautiously that "some of the most severe reductions that our school were forced to contemplate can be scaled back." But the partial restoration of these funds had been achieved by onetime smoke-and-mirr deals that promised no new source of revenue and, in effect, as budget experts and some legislators said' merely deferred the crisis of the city's schools to years immediately ahead.

In refusing to provide the NewYork City public schools with the enormously expanded and consistent funding base they desperately need Governor Pataki and Mayor Bloomberg point to the decline in tax receipts that followed New York's economic, downturn in the wake of attack upon the World Trade Center I towers in September, even though the first big cutback of last year was put in place a month before terrorist attacks. But even the unarguable fact of economic downturn in New York is insufficient to explain or justify the permanent shortchanging of its children, which takes place routinely in good economic times and bad, with bad times seized upon politically to justify these pedagogic thefts while, in good times, losses undergone in crisis years have seldom been restored.

In an earlier budget crisis in the 1970s, for instance, NewYork City's schools were devastated by the loss of school librarians, a virtual fre on school construction and repair, and-possibly the greatest injury to children in the poorest neighborhoods where health conditions were worst-the loss of school physicians. More than a decade later, in the aftermath of an expanded period of economic growth in which financ markets soared and an entire generation of flamboyantly free-spending Wall Street millionaires and billionaires emerged, schools I visited remained in shameful disrepair, school libraries and librarians had not been restored, art and music programs-once the glory of the city's public schools-had all but disappeared, and children in the poorest and most overcrowded schools attended classes frequently in basemen corridors or storerooms without windows. The 400 school physicians who had tended to the health of children in the early 1970s had been reduced to twenty-three, a particularly vicious injury to kids of color in such sections ofthe city as the Bronx, where pediatric HIV began take its toll and pediatric asthma rates had climbed to levels rarely seen before in the developed world. Yet all too few of those within the city's orchestrating classes who have voices that can actually be heard by those in power were demanding that the savage cutbacks of the prior decade be reversed.

Budget crises, then, do not explain and cannot be exploited to justify the education cutbacks of the past nor those inflicted on the children New York again this year. A less polite but more convincing explanation is the shift in racial demographics in the student population of th city in this period. Up until the late 1960s, when white children in large numbers still attended New York City's public schools, spending levels tended to be fairly close to those of the surrounding counties. As late as 1970, in fact, when nearly four in ten schoolchildren in New York were white, the city spent a trifle more per pupil than was spent in Nassau County and adjoining Suffolk County on Long Island, an only about 5 percent below the levels in Westchester. Three decades later, with white student population having plunged to a surviving remnant of 14.5 percent, New York City's spending has collapsed to levels far below all three of these suburban counties.

Noreen Connell, a respected advocate for children who directs the Educational Priorities Panel in New York, speaks candidly about the

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# 30 Education and Social Policy

*Susan Stone*

Very broadly, the term education refers to the system of inputs and institutional goals, structures, and processes designed to transmit socioculturally relevant knowledge to members of a given society. The transmission of this knowledge takes place in many ways. In addition to socialization through the family, children acquire knowledge from their community networks, from religious institutions, and in other ways. In earlier times, very few children benefited from formal education. Indeed, only a few were formally educated through the use of tutors or through religious schools. In modern times, education has been extended through the involvement of government, which is now the primary provider of formal education today.

It is in this context that educational policy and social policy are closely associated. Joel Samoff (1999) contends that "education is perhaps the most public of public policies" (p. 52). His assertion reflects three key characteristics of the public education system. The first is its institutional breadth. For example, over the last century, the United States rapidly achieved nearly universal primary and secondary school enrollment. Compulsory education increasingly became a state and federal versus a local responsibility, and as such, public education represents an integral feature of the modern welfare state. Second, few question the notion that education and educational attainment constitute social goods, at both individual and societal levels. Indeed, public education expenditures are conceived as both social and economic investments. Perhaps most fundamentally, even amid enduring questions about the extent of equity in the distribution of educational resources, opportunities, and outputs and outcomes, few question the primary role of public education as a core socializing institution. There is clearly an underlying American ethos that all children possess a fundamental right to basic education.

The public education system is, of course, complex. Multiple, and often conflicting, forces shape its aims, directions, and hoped-for outcomes.

Compulsory education necessitates complex institutional and organizational forms. As a consequence, there are a variety of options for assessing the processes and outputs of public education. Reflecting this complexity, this chapter summarizes multiple frameworks for analyzing the public education system by focusing exclusively on schools. Although governments are also extensively involved in the provision of postsecondary education, the chapter, primarily because of space limitations, does not discuss the role of colleges and universities in creating opportunities for social mobility.

The chapter begins with a brief historical overview of public schooling in the United States, including a selective review of major federal legislation relevant to public education. It then provides a summary of the various ways that the goals and aims of public education might be conceptualized. Policy studies traditionally analyze either the structural attributes and governance or the outputs and outcomes of the system. Thus, the chapter also reviews relevant scholarship in these areas. Subsequent sections discuss emergent educational equity issues and characterize the set of policy strategies forwarded to address these. The chapter concludes with a discussion of enduring issues in public education reform. Throughout this discussion, focus is placed on key domains of social policy questions and concerns.

## A Brief History of Schooling in the United States

This section reviews key landmarks, including key federal laws, throughout the history and development of the American public education system (see Cohen, 1984; Graham, 2005; Ravitch, 2000; Tyack, 1974). This section is divided into four rough time periods that capture (1) the inception of compulsory primary schooling, (2) the inception of compulsory secondary education, (3) educational reforms related to the civil rights movement, and (4) the move toward standards-based reform.

### Developments During the Colonial Period Through the 19th Century

Kernels of a public primary education system were evident in colonial America. However, schooling at this time largely reflected local efforts and interests. Thus, it was highly variable across regional areas, often organized by religious denomination, and, though public, was not always free. It wasn't until the mid-19th century that free public schools spread throughout the United States, a development largely attributed to the advocacy of Horace Mann. Mann championed the free common secular primary school through the publication of the *Common School Journal*. He asserted that school attendance could enhance democratic values and civic participation and ultimately prevent social ills such as crime and delinquency. Although there were critics of the common and secular orientation inherent in Mann's vision and propositions, states largely adopted compulsory primary education laws by the 1850s.

## Early 20th Century: The Emergence of the High School

Demographic, economic, social, and political forces at the turn of the century also solidified state movement toward compulsory secondary education. Mass immigration, industrialization, urbanization, and a rapid expansion of the child population led educators and social reformers alike to advocate for secondary education, primarily as a social reform strategy. Indeed, there was a strong focus on socializing immigrant populations and selecting and sorting the college bound.

During this time, progressive educators, such as John Dewey, and social reformers alike agreed that schools should and could play a role in bettering the conditions of poor and immigrant children and families. "Scientist" perspectives, such as the ascendancy of formal IQ testing, which suggested techniques that could be used for educational assessment and intervention with what was perceived to be a heterogeneous student population, bolstered these views.

Ravitch (2000) contends that developments during this period set in motion an enduring educational debate about how best to serve a diverse student population. While some argued for a classic and foundational liberal arts education, progressive educators such as John Dewey forwarded the notion of a differentiated curriculum, in which content could be matched to student abilities and interests. Vocational education, academic and curricular tracking systems, and the multicultural education movement, for example, trace back to progressive educational principles.

## The Civil Rights Movement and Great Society Programs

Immediately prior to and after the civil rights movement, concerns about inequitable distribution of social and, in particular, educational opportunities set in motion a series of foundational pieces of federal legislation. During this time, and largely as a result of the efforts and advocacy of affected groups, several federal milestones were put into place. The seminal *Brown v. Board of Education* Supreme Court decision (1954) challenged the "separate but equal" educational provisions for African Americans embedded in Jim Crow laws, ultimately ruling that "separate educational facilities are inherently unequal." In part, the decision also responded to the vast school resource and quality differences particularly evident in southern states.

Subsequent federal legislation included the Bilingual Education Act (1968) and the Education of All Handicapped Children Act (1975). The Bilingual Education Act, originally focused on Spanish speakers, emphasized

English language instruction and supports as well as attention to cultural differences. Special education legislation safeguarded the provision of free and appropriate education in the least restrictive educational environment for students with disabilities.

This period also witnessed the solidification of the Elementary and Secondary Schools Act (ESEA, 1965), which asserted a key federal role in the oversight and funding of public primary and secondary education. In particular, Title I of ESEA earmarked funds for schools and districts serving a critical density (approximately 40%) of poor and minority children. The act has subsequently been reauthorized every five years and is currently referred to as No Child Left Behind (2002).

### The 1980s and Beyond

In 1983, the federally commissioned report *A Nation At Risk* drew attention from both the public and policy makers alike about the underperformance of American students relative to their international counterparts. It also raised concern about the persistent achievement gaps between middle-class, white students and poor and minority youth, despite federal educational legislation enacted during the civil rights era. In many ways, its publication represents the inception of standards-based reform, where all students are expected to achieve at internationally competitive standards. The standards-based reform movement recently culminated in the 2002 reauthorization of ESEA, titled No Child Left Behind (NCLB, 2002). Under NCLB, some would argue that there is an unprecedented federal role in compelling states to specify standards and implement school accountability systems. Specifically, states must set rigorous academic standards, periodically assess progress toward those standards so that all students are proficient in reading and mathematics by 2014. While calls for educational standards are not necessarily new, state-implemented systems to make indicators of student and school progress "transparent" to the public represent a novel school reform strategy. Students and families are offered alternative school choices if their school or district consistently underperforms.

## Varying Conceptions of the Aims and Outcomes of Schooling

Although few would disagree that there should be public provision of compulsory education, there is not necessarily explicit or implicit agreement about what, exactly, the system should provide and, consequently, what expected outcomes—at both individual and systems levels—should be. Over time, several not necessarily exclusive outcomes include (1) initiation to societal mores and values, (2) survival skills such as the promotion of health and safety, (3) basic literacy and numeracy, (4) vocational training or preparation, (5) liberal or general knowledge generally associated with higher or postsecondary education, (6) civic understanding (e.g., rules and tools for participating as a citizen), and (7) knowledge relevant to the development human potential (e.g., skills for making informed decisions and for lifelong learning), including *humanitarian* skills that facilitate functioning, largely from a human rights perspective, in an increasingly technologically complex, global, and diverse world (Thomas, 1990). Among these varying potential educational goals and outcomes, student academic performance has been a central focus since the mid-1950s, with progress typically assessed through student performance on standardized achievement tests

Educational historian Patricia Albjerg Graham (2005) argues that, over the past century, the public education system has been charged with at least three inherently different missions, including (1) expanding enrollments and assimilating the first wave of immigrant families in the early part of the century, (2) effectively serving poor and minority children, and, most recently, (3) educating all children to achieve internationally competitive academic performance standards. As we discuss further in subsequent sections, the social, political, and economic forces that combine to shape the direction of system goals vary over time, and these forces may often be loosely related to the aims and expectations of the children and families served by the system or educators (Ravitch, 2000).

Even in the absence of consensus, such a diverse set of potential goals and outcomes clearly suggests that a diverse or flexible institutional and organizational structure or structures would likely be necessary to enact such goals and achieve such outcomes over time. However, the basic institutional, structural form of the common modern school generally has been quite persistent not only over time but also cross-nationally, leading many critics to question the relevance of the *modern* school (Torres, 2002).

Structurally, education systems display a remarkable degree of homogeneity. Virtually all countries require (or aspire to have) all children attend school for at least a fixed amount of time. In the United States, states typically set compulsory education laws for youth up to age 16, 17, or 18. As in the United States, international educational systems are vertically graded, consisting chiefly of a three-tiered system: primary, secondary, and postsecondary levels (although it is important to acknowledge that this system has generally expanded to include early childhood and adult educational tiers as well). There is regulation of the teaching corps in terms of credentialing and professional development and the implementation of a uniform curriculum. Within the United States, in particular, current public education remains age and peer segregated (Tyack, 1974). The curriculum is separated by subject matter and sequentially organized, with particular topics within subject areas typically introduced in a standard order. Moreover, students who perform or behave poorly relative to their peers are often segregated and served in alternative settings (Deschenes, Cuban, & Tyack, 2001).

## Analyzing and Mapping Public Education

Given these basic institutional and structural attributes, analysis of the public education system generally focuses on either its governance structures or its structural and organizational attributes, or on both. Both public and scholarly discourse around governance and organization focus upon the overall *efficiency* and/or *quality* of the educational system.

### School Governance

The core policy concern related to governance is what (and how) social agencies control the delivery, including funding, of educational services. Educational governance structures vary considerably cross-nationally, ostensibly reflecting unique sociocultural and political histories. These range from statist, bureaucratic structures to functionally or territorially decentralized systems to nongovernmental, including privatized, administrative structures. An enduring dilemma inherent in the governance and financing of mass education is that, as enrollments in educational systems increase, there is considerable pressure to constrain public educational expenditures (Arnove & Torres, 1999; Farrell, 1999)

It is important to note that assessment of governance structures must be approached from multiple units of analysis. The education system is shaped through multiple tiers of influence: federal, state, and local (including both district and schools). Scholarship indicates that these levels often undertake specific functions. Traditionally, the federal government plays a key role in planning and structural issues, such as goal and standard setting, and as a source of funding for schools. States and districts tend to focus on resource allocation. Local schools generally take on primary responsibility for the delivery of instruction.

Competing groups or coalitions within and across these levels press for different interests, often using control of education as a bargaining position. Moreover, conceptions of appropriate governance structures change as a function of overall sociocultural and economic changes. Decisions to create or alter school governance structures are not necessarily driven by educationally focused goals, and perhaps not surprisingly, relationships between governance structures and educational efficiency, equality, or equity typically are weak (McGinn, 1992).

The central dynamics of educational governance structures require social policy analysts to assess critically, on a conceptual level, the social forces and processes that produce *both* centralization and decentralization within the public education system. Two sets of factors shape governance structures (Bray, 1999). The first set of factors includes what are broadly termed *motives*. Motives include political trends and movements, administrative capacity and efficiency, the domain to be controlled (e.g., curriculum, teacher credentialing, school maintenance), and the degree to which system and particular system levels are pressured to adjust to meet local needs. The second set of factors is characterized as contextual. Contextual factors include underlying governmental structures, the extent of diversity within regions (e.g., socioeconomic, racial, ethnic, or linguistic diversity), overall system and population size (e.g., the considerable state and regional variation in age distributions), and the underlying communication infrastructures, which affect, broadly speaking, how efficiently information can be diffused. Thus, a key set of policy questions does not center explicitly on the underlying governance structure but on how particular school and systemic governance structures—considered in terms of both motivational and contextual forces—distribute power among various stakeholders to produce particular educational outcomes.

## Mapping Key School System Variables

Given that educational governance in the United States is somewhat decentralized and generally enacted at the state and local district and school levels (e.g., the majority of educational funding is provided at the local and state levels), school systems are typically mapped or framed in terms of their inputs, organizational structures and processes, and outputs and outcomes (Monk, 1989).

*Inputs*. For a given school or district, inputs essentially refer to the set of variables that are often termed as *exogenous* or *fixed*. Essentially, these are conditions that a school or district is given and likely cannot alter. Perhaps most centrally, public schools vary as a function of the preexisting characteristics of the students or families they serve. These include the underlying ability and overall well-being of students and the sociodemographic background and characteristics of their families and immediate communities. For example, a key federal education report authored by educational sociologist James Coleman and titled *Equality of Educational Opportunity* (1966) offered evidence suggesting that child and family background characteristics largely explained the achievement distribution of children. A second set of inputs refers to available system resources. These include material resources (e.g., funds) as well as the characteristics, qualities, and capacities of the available teaching corps in a given school district or state.

*Organizational Structures*. Unlike inputs, school structural features are not necessarily fixed. That being said, evidence presented previously suggests that the basic structural and organizational form of both primary and secondary schools is largely invariant across localities and states. Such structural features generally capture how students within a given system level are organized for learning. As examples, the features that are commonly referenced include the grade span, enrollment, the physical size of the school, and classroom size. Other structural features include the extent of academic and curricular tracks and school start and end times (Eccles & Roeser, 1999).

*Organizational Process.* Schools, districts, and states vary tremendously in terms of their organizational process characteristics. Such characteristics include the style and quality of management, including the extent to which available resources are prioritized and utilized; the nature and extent of staff relationships and development; academically related goals, missions, and priorities; and the nature and extent of staff relationships with students, families, and local communities.

*Outputs and Outcomes.* Finally, an additional set of key variables includes what have been called *outputs* and *outcomes* (Farrell, 1999). Broadly, these refer to products of the education system. Outputs refer to proximal learning related outcomes whereas outcomes often are framed distally (income, occupational status in adulthood).

## Assessing Progress Toward Educational System Outputs

In the early 1980s, educational systems worldwide were confronted with two dilemmas: (1) rising costs of education that accompanied increasingly universal provision of and expanded enrollments in primary and secondary education and (2) persistence of systemic educational inequity, although the nature of that inequality varied across nationalities (Arnove, Altbach, & Kelly, 1992; Arnove & Torres, 1999). Concerns about the equity of the American public education system—particularly for poor and minority children—have been voiced since the inception of the common school at the turn of the century (Tyack, 1992). These range from initial concern about the accommodation of the first waves of immigrants, differential access to educational resources evidenced in the *Brown v. the Board of Education* decision and in subsequent Federal legislation, and, most recently, persistent achievement gaps between poor and minority versus nonpoor and nonminority youth. This section presents a basic framework for assessing educational inequality and a summary of various accounts of the causes of such inequalities. Finally, I discuss key education reforms, within the context of the map presented in the previous section, that have been forwarded to address such inequalities.

### Conceptualizing Educational Inequality

Farrell (1999) argues that educational inequalities, however defined, may have their source at one or more public education system levels. In the

United States, questions of inequality largely center on poor and minority (particularly African American and Latino) students. *Equality of access* refers to the extent to which children of various social subgroups participate equally across levels of the school system. For example, although there is near equality of access to the public primary and secondary system among key subgroups, much concern has been placed on access of poor and minority to students to postsecondary education. *Equality of survival* refers to relative rates of persistence within a particular systemic level. Thus, the disproportionately high dropout rate among Latino students (Fry, 2003) represents such a survival issue. *Equalities of output and outcome* refer to disproportionate levels of learning and labor force attachment, respectively.

## Alternative Accounts of the Achievement Gap

The question of why poor and minority (especially African American and Latino children) persistently underperform relative to their peers has received a great deal of scrutiny by both American educators and policy makers. This section briefly outlines major explanations of why this may be the case.

*Structural Explanations.* Structural explanations contend that larger sociostructural forces explain the achievement gap. Perhaps the leanest explanation is that the achievement gap reflects inequitable societal distribution of goods and resources, particularly vast income inequalities and, importantly, the racialized nature of these inequalities in the United States (Anyon, 1995; Berliner, 2006). Some structuralists suggest that public schooling alone can neither remedy nor equalize these differences and that these inequalities constrain children's life chances before they enter school. Others suggest that these inequalities, more fundamentally, reflect a class-based economic system (Bowles, 1976). From this perspective, schools inevitably reproduce these larger structural forces.

*System Inflexibility.* Another explanation is that the persistent structure of the public school system contributes to inequities. The modern school system was created under a unique set of historical conditions that match neither the current diversity and needs of the student population nor current social and economic conditions (Deschenes et al., 2001; Tyack, 1974).

*Inequality in School Resources.* A third explanation is that schools and districts do not enjoy an equitable distribution of resources. That is, poor and minority children, on average, attend schools of poorer quality across a wide array of indicators (Darling-Hammond, 2006). The schools they attend have fewer resources, are more likely to employ poorer quality teachers, and have larger class sizes and enrollments. Schools with such attributes also are unlikely to enact effective organizational processes (Anyon, 1995; Sebring, Allensworth, Bryk, Easton, & Luppescu, 2006). Moreover, such schools and districts tend to enroll disproportionate rates of socially vulnerable students. Unequal resources likely have not only direct but also interactive influences on the achievement of poor and minority children. In other words, resource inequalities may further accentuate academic risk among poor and minority children as they progress through school (Lee & Burkam, 2002).

*Sociocultural Mismatches.* A final explanation attends to various levels of sociocultural mismatch. A first area of mismatch occurs between students and their families and teachers. Such mismatch is enacted through day-to-day interactions within classrooms (Delpit, 1995; Heath, 1983). Teachers, who predominantly represent majority and middle-class values, do not necessarily value or capitalize on the different sociocultural experiences of students. These differences may contribute to student disengagement over time. Weinstein (2002) similarly argues that student race and class often condition teacher expectations and behaviors linked to student performance and achievement.

John Ogbu (1987) attends to sociostructural levels of analysis in framing sociocultural mismatch. Members of involuntary minority groups (those in a particular host society as a result of being enslaved or because of colonization) have experienced long-standing social and school discrimination and become, over time, highly distrustful of the educational system. Such experiences—which are often supported through explicit and implicit messages conveyed by families and communities—lead minority students to question whether educational participation will actually benefit them and, ultimately, to disengage from school.

In summary, this brief review of varying accounts of the achievement gap is compelling in that each of the explanations suggests a very different set of educational and social policies—from school input level reforms to educational institutional change to sociostructural change. Overall, scholarship has been mixed in terms of gauging the extent of singular support for any one of these explanations. Thus, addressing the achievement gap will likely require a multipronged effort, incorporating several of these explanations simultaneously.

## Education Reform Strategies

Over the past three decades, the achievement gap has sparked heightened scrutiny of the performance of public schools, which is often assessed in terms of student performance on standardized tests of achievement. Reflecting the map articulated in the previous section, reforms have focused on school resources, organizational structure and processes, addressing or ameliorating student characteristics that place them at academic risk, and market-oriented strategies.

As noted previously, many critics question the capacity of the modern school system, which emerged in a postwar, postcolonial, industrially based context. Its original purpose was to train workers to compete in a nationally localized, skills-based economy. As such, it is argued that the infrastructure has become obsolete, with especially little relevance within the context of a global economy (Torres, 2002). It is therefore important to note that educational reform strategies largely attempt to adjust, but do not fundamentally alter, the basic public school infrastructure to produce desired outcomes and outputs.

## School Resource Inputs

There is great debate in the academic literature about whether and how school resources matter to student and school performance. Educational economist Eric Hanushek's empirical work finds that school expenditures (and investments in public education expenditures) alone may not matter much to overall student achievement (Hanushek, 1998). Similarly mixed findings have emerged regarding building teacher capacity—that is, on the recruitment, training and retention of high quality teachers through post-secondary education, professional development, professionalization, and credentialing. For example, a recent large-scale study of elementary classrooms revealed that classroom quality did not vary significantly as a function of indicators of teacher experience (NICHD, 2005).

There are at least two potential interpretations of such findings. A first interpretation is that much of the variation in student achievement outcomes is explained by exogenous factors, by things related to the students, for example, rather than to teacher training. Echoing findings from the Coleman report (1966), Rutter and Maughan (2002) recently reviewed contemporaneous research assessing the influence of school effects on both pupil academic achievement and adjustment to school. They estimate that a substantial amount of the variability in child ability, achievement, and behavioral adjustment is explained by child and family sociodemographic characteristics, such as socioeconomic status. Thus, schools have a limited potential range of influence on student outcomes. However, an equally compelling interpretation is that schools vary tremendously in how they utilize resources and to what ends. This interpretation is perhaps best reflected in reforms centered on school organization and process.

## School Organization and Process

Reforms focused on school organization and process generally assume that change in particular elements of the educational infrastructure will produce better quality educational outputs, without additional financial resources. This infrastructure includes school and classroom organization (including school size), within-tier streaming or tracking, curriculum and teaching materials, and the qualities and characteristics of the teaching corps. The small school movement and class-size reduction strategies are examples of such reforms. Class-size reductions appear to matter most for young children's achievement, but the effects of class size diminish as students move up grade levels. Biddle and Berliner (2002) argue, however, that a smaller class size increases the probability that effective school process can be enacted.

A robust set of scholarship highlights several school-level attributes that have been linked to both student and school achievement. This body of research, often referred to as the *essential* or *effective* schools literature suggests that, given a set of inputs and structural features, schools that (1) have strong principal leadership, (2) enact "ambitious instruction," (3) are characterized by a student-centered learning climate that combines high staff expectations for students with adequate supports for learning, (4) create strong parent and community partnerships, and (5) cultivate the professional development of teachers are more likely to be high achieving (Rutter & Maughan, 2002; Sebring et al., 2006). In short, this strategy suggests the modification of within-school organizational attributes. This strategy is evidenced in the proliferation and cross-national sharing of materials documenting empirically based "best practices"—in terms of strategies to improve the delivery of instruction and cultivate effective school leaders.

## Student Inputs

Another adjustment focuses on student inputs—preexisting student attributes such as the background characteristics that shape student ability or opportunity to learn. Examples of this include specialized services for students with specialized learning needs, involving parents in their children's education, and the provision of comprehensive health and social services to children and families through schools.

Specifically, scholars from a range of disciplinary backgrounds assert that the psychosocial needs of students represent a salient concern of educational practice and policy. Over the past few decades, a diverse set of models to address these needs has emerged, for example, curriculums focused on social-emotional learning, school-based health and mental health centers, family resource centers, Comer schools, community schools, school-based prevention of risk behaviors, and systems-of-care models (Stone, 2008). These developments share several core assumptions: (1) that there is consensus about what nonacademic needs are as well as their related outcomes, (2) that addressing pupils' psychosocial needs can influence academic progress at either the student or school level, and (3) that the school, albeit in varying forms and levels, represents the logical point of intervention. In recent years, this set of strategies has garnered increasing attention from policy makers. Historically, however, such approaches appear to have made little progress, and programs addressing these needs have been particularly difficult to sustain in schools. These segregated settings may offer suboptimal learning opportunities and set conditions for iatrogenic peer-mediated effects. Finally, the education system often functions as a conduit for various interests, many of which are loosely coupled with the actual capacity of the system as a whole, underscoring the importance of careful deliberation when implicating schools as programmatic levers.

## Output/Market

A final type of adjustment centers on outputs. Reform centered on knowledge outputs, for example, focuses on curriculum innovations and pedagogical strategies that develop the skills needed for computer literacy and understanding of information technology. The proliferation of standards across Western nationalities reflects attention on quality of student outputs (versus the quality of system attributes). Standards-based approaches include such requirements as mandatory grade promotion criteria and secondary leaving exams. Finally, in recent decades, there is an overall trend toward increased state responsibility for the expansion of postsecondary education, and greater enrollments have resulted.

An extension of output-driven reform intends to subject educational outputs to market-related controls. Two recent and controversial examples include (1) efforts to privatize what have traditionally been public education functions and (2) initiatives to expand opportunities for greater school choice, utilizing such strategies as vouchers (see Chubb & Moe, 1990; Fuller, 2000). Such strategies conceptualize educational systems as accountable to consumers (e.g., children and families) oftentimes as a function of student achievement.

## Interpretative Summary

Looking across these various reform strategies, we see clearly that particular strategies tend to focus on one particular element of a given public education system. There is growing consensus among contemporary education scholars that such piecemeal policy approaches are problematic. Three central concerns have emerged. A first concern is that achievement outcomes are simply too narrow a criterion upon which to judge student, school, and system progress (Grubb, 2008). Rather, a broadened set of criteria for evaluating student and school progress is necessary.

Even when it centers on student performance outputs, recent evidence suggests that differing sets of resources, school structures, and organizational processes may have very different relationships to school performance outcomes (Rumberger & Palardy, 2005). Specifically, school characteristics related to achievement productivity over time are quite different from school characteristics related to graduation rates. This evidence implies that there are complex and heterogeneous relationships between school characteristics and qualities and various school outputs.

A third concern is that the relationship between school inputs, school organizational and process features, and particular outputs is much more dynamic than currently conceptualized. This perspective suggests that there are substantial "individual" differences between schools, districts, and states and that the nature and extent of these differences evolve over time. Thus, the process of matching reforms to particular schools and school conditions is essential, but often overlooked (Tyack & Cuban, 1995).

## Conclusion: Policy Issues

This chapter provided an overview of the history and basic institutional features of the American public education system. It centered on the performance of poor and minority children as a key area of concern and described basic reform strategies designed to address this concern. In conclusion, several enduring social policy issues are discussed in light of material presented.

### Educational Aims, Goals, Outputs, and Outcomes

Several sections within this chapter noted that a complex set of social forces shape the aims and desired outputs of the public education system. These issues speak broadly to the intersection between social policy and education. Education systems are in constant flux, especially in terms of their roles in and relationships to other societal structures. It is critical to underscore that school and educational systems are institutions that transmit dominant societal values. Clearly, social policies related to these systems reflect these overall values. A significant role of social policy is to struggle with how schools and educational systems represent a key tableau of inter- and intranation ideological, sociocultural and sociopolitical conflict and how these relate to systemic governance, structures, and outputs.

Jencks (1988) argues that there are pervasive but incorrect assumptions that there is societal consensus about the aims and purposes of education. The same applies for the conceptualization of desired outputs and outcomes. As noted above, education is conceived of as a social and economic investment. Recent scholarship takes a critical look at the dominance of such models in educational policy making and stresses careful rethinking of links (and of the desirability of such links) between the education system and the labor market. Perhaps most critically, there do not appear to be shared understandings of what constitutes equality and equity in educational context. Thus, there is an emergent need to reflect critically on and engage in deep dialogue about the concept of education itself (Ball, 1998).

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## Educational Inequality

A central policy concern relates to the nature and determinants of educational inequalities. These inequalities potentially include those of access (differential entry into various system levels), survival (differential completion rates), and output (differential distribution of learning or educational achievement). Educational systems initially grapple with access issues, then subsequently with survival and output issues. One policy lesson is that investments in education—especially primary and secondary education—generally have diminishing returns (Farrell, 1999). It is also clear that there are resource-related trade-offs between universalizing access and ensuring equality in output. Of note, issues related to inequality will generally persist given political and economic change, migration, and racism.

A related consideration is that global social, economic, and market dynamics shift the role of education—especially in western and northern developed nations such as the United States. This new role—to support competition in a "world market"—places an increased focus on standards (i.e., on the quality of outputs) at the expense of access and survival issues. Social critics worry that this shifting educational role will lead to increased distributional inequalities over time—especially among the most socially vulnerable students served by the most socially vulnerable educational subsystems.

## System and Reform Strategy Limitations

A final policy concern attends to the limits of education systems, in terms of both fiscal and administrative capacity, to produce necessary or desired educational outputs. On one hand, questions have been raised as to the capacity of the education system to address social ills in the absence of other social policies, particularly those focused on inequities in overall income distribution. This also involves acknowledgement of the inherent complexity and imperfection related to educational policy making itself. As Ball (1998) notes, "Most policies are ramshackle, compromise, hit and miss affairs, that are reworked, tinkered with, nuanced, and inflected through complex processes of influence, text production, dissemination and, ultimately, re-creation in contexts of practice" (p. 126).

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# 20 Child and Family Welfare Policies and Services

*Katharine Briar-Lawson,*
*Toni Naccarato, and Jeanette Drews*

Vulnerable children have been among the most marginalized and underserved populations throughout the history of the United States. Their families and the systems that serve them often fail them. Policy makers have not deemed vulnerable children or their families as primary human resource investments. Moreover, the country does not have a comprehensive child and family policy or an integrative framework for investing in families and children.

Services to vulnerable children and their families have long been specialized and categorical. They are characterized by fragmentation and misalignment. Moreover, different eligibility criteria, funding streams, and enabling legislation dictate the type and duration of services. Which service sector children and families enter, such as welfare, child welfare, health, mental health, juvenile justice, schools, disabilities, or child care, will shape the nature of services. The needs of vulnerable children and families usually cross several service sectors, and children and families are often served at the same time by multiple service providers. Since there is no integrated policy for such children and families, service barriers, gaps, and conflicting approaches often impede desired outcomes. Child and family policy in the United States has been characterized as residual, crisis driven, and often child saving rather than family strengthening (Lindsey, 1994). Such policies have created high-cost human and fiscal outcomes that could have been avoided with lower-cost investments in vulnerable children and families (Holzer, 2007).

This chapter explores some of the policy and programmatic challenges facing 21st-century child and family welfare while addressing the historical antecedents. Special attention is placed on child protection and child welfare systems and their relation to poor children and families. This is because child welfare services often constitute the system of last resort, especially also discusses various issues arising out of the descriptive account of each social service field. As will be seen, social service policy formulation and delivery raise complex and often contentious disagreements about which approaches are the most effective way of meeting human needs and promoting peoples' well-being today.

when other service sectors, such as mental health, disabilities, welfare, and schools, are unable to serve children and their families effectively. In addition, innovations in one sector may have implications for more effective services in another, especially in child welfare. A cross-sector, comparative scan also suggests the need for more collaborative practices. Finally, such a scan leads to some design features for more innovative practices and for an integrative child and family policy for the 21st century.

## Dominant Policies, Assumptions, and Approaches

Families perform 90% of all the caregiving, counseling, education, child protection, health care, and policing in the nation and around the world, yet many remain unaided when it comes to their dependent members (Briar-Lawson, Lawson, Hennon, & Jones, 2001). Since the late 1700s in the United States, parents have been charged with the protection and education of their children. During the 1800s, parents who were poor faced the removal of their child simply because of poverty. In 1874, the Society for the Prevention of Cruelty to Children was formed to protect children from maltreatment. Mothers' Pensions for poor families, child labor protections, infant and maternal feeding and health programs, and juvenile courts, along with public schooling, all emerged as Progressive Era innovations to address vulnerable children and families.

Although the 1935 Social Security Act required the protection of children as a focus of public social services, it was not until the discovery of the battered child syndrome in 1962 that child maltreatment emerged as a prominent policy and practice concern across the nation (Helfer, Kempe, & Krugman, 1997). Since then, states have developed a patchwork of programs that can be located somewhere along a continuum of prevention, early intervention, and crisis services (McCrosky, 2004). These include prevention programs such as family supports through prenatal and postnatal care, child care, and early childhood development programs and an array of child abuse prevention initiatives. Early intervention programs include nurse home visiting, Head Start, enhanced early childhood education programs, school-based services, and hotlines. Crisis services include child protection, family preservation promoting placement prevention and intensive family services, kin and non-kin foster care, as well as group and residential care services, adoption, guardianship, and independent living programs. Other crisis services include the detention, incarceration, or hospitalization of youth.

There are several dominant paradigms that undergird practice and policies involving vulnerable children and families. The first, drawn from prevention science, is risk assessment and resilience promotion (Jensen & Fraser, 2006). The evidence base is growing for services that address risk and foster protective factors. Jenson and Fraser (2006) effectively argue that more social policy for children and families should address risk and resilience. Growing knowledge about the developmental challenges, pathways, and trajectories of diverse, vulnerable children and their families should compel more comprehensive policies and programs (Wulczyn, Barth, Yuan, Harden, & Landsverk, 2006). Another approach involves strength-based strategies and services. This focuses on assets and often promotes social capital development and solution-focused practices (Matton, Schellenbach, Leadbeater, & Solarz, 2004; Saleeby, 1992). Such practices are dominant in family support oriented programs. Finally, family systems approaches assume that individuals must be served in the context of their families, with a change in one individual affecting others and the family as a whole. Accordingly, even though the child may have presenting problems, the whole family system requires interventions and services as well. Family therapy is one of several interventions that derive from this framework.

Notwithstanding the promise of these dominant approaches, the persistence of the patchwork of policies and programs across disparate service sectors is aggravated by the dearth of studies on their effectiveness. Many policies and programs draw from a hybrid of theories and strategies and undergo constant revision in trial-and-error improvements that may or may not be linked to evidence. Some are child centered, others family centered. Many are not tailored to the unique needs of children and their families, their cultures, and economic challenges.

Despite the relative lack of effectiveness studies, policy leaders at national, state, and local levels are increasingly expected to enact, foster, and fund more evidence-based practices and programs. Federal monitoring in child welfare now requires evidence of desired outcomes as measured, for example, by the Child and Family Services Reviews. Similarly, outcomes charting and the reporting of student performance are required for public schools in compliance with the No Child Left Behind Act of 2001. Such seemingly desirable practices may unintentionally add to the pressures on systems, families, and children themselves. Moreover, demonstrable improvements are not necessarily guaranteed as root causes such as poverty, inequality, marginalization, and exclusionary practices may go unaddressed or may worsen. Nonetheless, improvements can be seen on selected measures in some states' child welfare system performance over the past several years and in selected underperforming schools (U.S. Department of Education, 2008; U.S. Department of Health & Human Services, 2003).

## Child Abuse and Neglect: Prevention and Service Response

There are many pieces of legislation governing child protection and child welfare systems in the United States. One major policy was the 1974 Child Abuse Prevention and Treatment Act (CAPTA). This act established the

National Center on Child Abuse and Neglect and mandated coordinated practices in prevention, identification, and treatment of abused and neglected children. States received funds to develop reporting systems for investigations and to support the Guardian Ad Litem (GAL) and Court Appointed Special Advocate (CASA) programs that provide court-based advocates for children. Since the passage of the Child Abuse Prevention and Treatment Act, there have been a number of amendments to strengthen prevention, detection, and reporting.

The Keeping Children and Families Safe Act of 2003 reauthorized the 1974 statute along with other provisions. For example, hospital staff must contact Child Protective Services (CPS) when a newborn is affected by substance abuse. In addition, children three years and under who are reported as experiencing child abuse or neglect must be screened for developmental delays and related disabilities. Children with these disabilities have higher rates of abuse (including sexual abuse) and neglect than those without have (Kendall-Tacket, Lyon, Taliaferro, & Little, 2005).

## Offense Versus Service-Based Interventions

For the past several decades, safety and risk assessments have dominated much of the practice in child protection services. A safety assessment is conducted to determine if the child is in imminent danger. A risk assessment addresses the persistence and prevalence of the factors that affect safety. Safety and risk factors include domestic violence, mental illness, substance abuse, homelessness, environmental conditions, history of abuse, age of the child, skills of the caretaker, special needs of the child, and medical challenges. Many safety and risk assessment tools have been developed to counter the incident, offense-based focus of investigations. Only a few focus on family resilience, strengths, and cultural and community assets.

Debates are intensifying over the underlying practice and policy paradigms for child protection. One school of thought focuses on children's legal rights, with abusive parental behaviors seen as crimes requiring police-like rather than social work investigations (Pelton, 1989). Another school of thought seeks to replace the investigatory and abuse substantiation focus with services.

Such service approaches are consistent with research studies that show that, when biological parents receive the supports evidence-based approaches such as parenting classes, improved child welfare outcomes may eventuate (Barth, Berry, Yoshikami, Goodfield, & Carson 2005; Corcoran, 2000). In the last decade, such service-oriented approaches have resulted in child welfare systems called *multi* or *dual track* or *alternative response*. Such systems replace investigations with more supportive services for low- and moderate-risk families. Parents are not investigated for abuse. They are asked what supports and services they need to deal with their stresses. States testing such models show improved outcomes (Merkel-Holguin, Kaplan, & Kwak, 2006).

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## Family-Centered Practice

Over the years, states and counties have experimented with a variety of family-centered practices to address placement prevention and reunification. These include family preservation, family group conferences, family-to-family programs, and family team facilitation. Family preservation initiatives have varied in intensity, duration, worker-family ratios, and the skill of workers. So far, mixed results have emerged (Maluccio, Pine, & Tracy, 2002). Legislation that has helped to reinforce family preservation services includes the Indian Child Welfare Act of 1978, the Adoption Assistance and Child Welfare Act of 1980, and the Family Preservation and Support Services provisions of the Omnibus Reconciliation Act of 1993. Among other mandates, the Indian Child Welfare Act requires that "active efforts" be pursued to ensure that Indian children remain with their families and that tribal courts oversee decision making regarding Indian child welfare.

The Adoption Assistance and Child Welfare Act of 1980 required that "reasonable efforts" be pursued to ensure that children remain with their families. This act mandated preplacement efforts to divert children from going into out-of-home care and required that reunification be expedited and that permanent alternative supports through adoption, kinship care, guardianship, and independent living be provided if reunification is not possible. This act helped to spawn a number of family preservation demonstration projects including Homebuilders (Kinney, Madsen, Fleming, & Haapala, 1977).

The family preservation and support services provisions of the Omnibus Reconciliation Act promoted cohesive strategies to build community-based family supports and preservation strategies. As a result, some communities have experimented with neighborhood teams of child protection and child welfare workers who collaborate with other service providers in decision making and family-centered interventions (Van Wagoner, Boyer, Wiesen, Hinton, & Lawson, 2001). Other innovations being adopted include the Annie E. Casey Foundation's Family to Family Program model, which uses foster parents in the neighborhood where children reside to enable placement in proximity to the parent (Chahine, Van Straaten, & Williams-Isom, 2005). Children thus have fewer disruptions in school, child care, and with peers. Despite these developments, cautions have been recommended about neighborhood-based child welfare services (Berrick, 2006).

Family group conferencing is a strategy brought to the United States from the indigenous Maori communities in New Zealand. Families, however defined, are able to mobilize their own members to solve problems and design case plans. The practice addresses both problem solving and restorative justice, as perpetrators meet their victims and make amends (Burford & Hudson, 2000; Marsh & Crow, 1998; Van Wormer, 2003). Family team facilitation mobilizes service providers in joint meetings who are expected to foster collaborative case plans with the family. A professional facilitator, along with an advocate for the family, helps coordinate the conferences so that more tailored and coherent case plans can be devised.

About 10% of the children who are investigated for maltreatment are removed from their homes and placed in foster or group care (Wulczyn et al., 2006). Of these, higher rates of infants (60%) than of older children go on to be adopted (Wulczyn et al., 2006). Among those aged 1 to 14, 60% will be reunified (Wulczyn et al., 2006). Around 10% of children in foster care who return home re-enter foster care within 12 months (U.S. Department of Health & Human Services, 2003). High caseloads among child welfare workers, inadequate visitation, combined with parental difficulty in follow-through with court ordered case plans have created long stays in foster care, especially for children who are poor and of color. Moreover, disruptions in foster placements have increased over the years, signaling rising behavioral health challenges among abused and neglected children. In addition, rising numbers may be on medications for attention deficit and related disorders.

## Support Services for Older Foster Youth

In the past few decades, new initiatives have been undertaken to better support foster care youth discharged to independent living. These responses attempt to address their barriers involving successful transitions to adulthood and independence. The federally funded Independent Living Program was enacted through the Consolidated Omnibus Budget and Reconciliation Act of 1985 and Title IV-E of the Social Security Act. A subsequent Foster Care Independence Act of 1999 (the Chafee Act) increased independent living financial entitlements and housing resources for youth ages 14 to 21 who have left foster care. Additional funds were to be used for education, vocational training, preparation for postsecondary education, training in daily living skills, substance abuse prevention, pregnancy prevention, preventive health, and training for foster and adoptive parents, group home staff, and others. The Promoting Safe and Stable Families Amendments of 2001 provided educational and training vouchers for youth who age out of foster care, as well as a mentoring program for children with incarcerated parents in federal, state, or local correctional facilities.

## Service Time Limits and the Foster Care Crisis

In the 1990s, the U.S. General Accounting Office (1995) declared that the foster care system was in crisis because of the sharp increases of children in care. In addition, states experienced various forms of class action suits involving their child welfare systems. Rising numbers of children "adrift" and even "aging out" in foster care led to the enactment of the 1997 Adoption and Safe Families Act (ASFA). The act stressed that the child's well-being would be the prominent consideration in determining what was reasonable and consistent with a plan for a timely, permanent placement for a child. Time limits were set for children in care requiring that permanency decisions be made within 12 months of entering the foster care system. Accelerated permanency placement requires that states initiate court proceedings to free a child for adoption once that child has been waiting in foster care for at least 15 of the most recent 22 months unless there is an exception. Children's rights now were to take precedence over those of parents. The "reasonable efforts" requirement was to be waived if a parent had caused serious neglect or injury to a child, or already had rights terminated involving another child.

The Adoption and Safe Families Act gave the courts added responsibilities and tighter time frames for handling abuse and neglect cases, but it failed to provide the necessary resources. Thus, the Strengthening Abuse and Neglect Courts Act of 2000 was adopted to improve the efficiency and effectiveness of courts. It provides grants to courts to develop computerized case tracking systems, to reduce caseloads, and to expand the provision of court-based advocates in underserved areas.

## Permanency, Kinship Care, and Adoption

Kinship foster care enables children to be placed with relatives who may become legal guardians. In some states, up to half of the children in out-of-home care may be in kinship arrangements (Hegar, 1998). Despite the promise of kinship care, reimbursement rates fall behind those granted to non-kin. Recent legislation introduced in Congress may help to rectify this. Kinship care has helped to offset the transracial adoption process by enabling extended family members to be resources for their children, especially in communities of color.

Adoption has long been part of the child welfare system. During the 1980s and early 1990s, attention was diverted away from adoptive services and toward a focus on child protection, family preservation, kinship, and foster and group care services. Despite this, adoption dissolution rates have been a concern of the child welfare system (Barth et al., 1988). Such disruptions, although often preventable, have not been the focus of much child welfare innovation. Thus, new adoption preservation practices and more post-adoption supports are expected to emerge in the near future.

In the 1990s, a controversy arose because, while African American children were in need of permanent homes, white parents were being denied the right to adopt them. This denial was based solely on race. Consequently, Congress passed the Multiethnic Placement Act of 1994, which asserted that race could not be a determining factor in adoption. It prevented discrimination in the placement of children based on race, color, or national origin. Moreover, this legislation was enacted to prevent children from remaining in care while same-race adoptive or foster homes were found.

In 1996, Interethnic Adoption Provisions were enacted that further favored factors other than race to determine the best adoptive or foster placement for a child. Although the evidence to support or refute the value of racial matching is inconclusive, many in the field continue to see children requiring cultural continuities as developmental requisites. Thus, in transracial placements, other kinds of cultural exposure and immersion are fostered whenever possible.

Since the inception of the Adoption and Safe Families Act, adoptions from foster care have nearly doubled from 31,000 in 1997 to approximately 51,000 in 2002 (Child Welfare League of America, 2004). Under the Adoption Promotion Act (2003), states receive financial incentives to increase adoptions, especially for children and adolescents with special needs. International adoptions also were supported through the passage of the Child Citizenship Act of 2000, which permits foreign-born, adopted children of American citizens to obtain American citizenship automatically.

## Child Health, Disability, and Related Programs

Children's health needs have increased with the rise in traumatic brain injuries, attention deficit, autism, and related disorders. Consequently, the Children's Health Act of 2000 was passed. This act expanded, intensified, and coordinated research, prevention, and treatment activities for diseases and conditions having a disproportionate or significant impact on children. These include autism, diabetes, asthma, hearing loss, epilepsy, traumatic brain injuries, infant mortality, lead poisoning, and oral health. This act also addresses the problem of youth substance abuse and the violence associated with it and seeks to improve the health and safety of children receiving child care. The act also authorized the Healthy Start demonstration program, which is designed to reduce the rate of infant mortality and to improve birth outcomes in targeted communities by expanding access to health care services for pregnant women and infants.

Much of the family support movement draws its strength from the disability service sector. Without family supports, children with disabilities might be placed out of their homes or in institutions. Moreover, paralleling the principles of "reasonable efforts" in placement prevention in child welfare are other policy principles that derive from the disability field, such as a child's right to the "least restrictive" environment, to the "least intrusive" interventions, and to have supports that ensure "normalization" and "mainstreaming."

Policies governing children with disabilities mandate specialized care ranging from institutions to skilled nursing facilities, intermediate care facilities, community-based group homes, and family-based individualized support services. Similarly, children with mental health challenges may receive individualized, home, and community-based service options. Some of the most innovative practices have emerged with tailored, "wraparound services," which allow emotionally disturbed children to remain in their own homes and classrooms.

Some of these practice principles are reflected in laws such as the Education for all Handicapped Children Act of 1975 and its reauthorization in 1990 as the Individuals with Disabilities Act (IDEA). These landmark acts require that states provide education and special supports and services to meet the needs of all children—and to provide these supports and services in the least restrictive environments. Thus, children who might have been sent to institutions (including residential treatment facilities) for care and schooling are instead attending local public schools. Accommodations are required by law, ensuring that children are maintained in classrooms rather than sent to day treatment or to schools in residential care or shipped out of state for specialized treatment and confinement. Because of the expectations for the least restrictive setting for children's education and services, most of the mental health services provided to children are offered through schools.

## Children's Mental Health

Children with mental health challenges have not been well served over the decades. Relative inattention to children's mental health, noted by the Joint Commission on Mental Health of Children (1969), Knitzer (1982), and others, has led to some modest reforms. Currently, one in five children may have a diagnosable disorder (Duchnowski, Kutash, & Friedman, 2002; English, 2002). Of these, only one in five will receive services (Gonzalez, 2005). There is wide variation in the definition of emotional and behavioral disturbances, as well as in detection, assessment, and service access.

Policy reforms in children's mental health have promoted "systems of care" that attempt to foster comprehensive and individualized assessment, effective treatment plans, service integration and coordination, and family-centered and evidence-based practices. Congressional support for "systems of care" resulted in the creation of the Comprehensive Community Mental Health Services for Children and their Families program in 1992. Studies of pilots have shown mixed results (Bickman et al., 1995; Bickman, Noser, & Summerfelt, 1999).

Children in impoverished environments lacking services and supports may have higher rates of serious emotional disorders. School-based services that address trauma and detect these disorders and an array of disabilities increasingly demonstrate that accommodation is possible so that children do not need to be placed out of the school (Austin, Briar-Lawson, King-Ingham, Spicer, & Davis, 2006). Despite some promising movements to build school-based services through the community schools, full-service schools, and related initiatives, accountability reforms for educational performance have upstaged if not impeded school-based service movements.

## Educational Policy

The most recent federal legislation, which fosters standards-based educational reform, is the No Child Left Behind Act of 2001. This statute attempts to improve the performance of U.S. primary and secondary schools by boosting accountability standards for states, school districts, and schools and by affording parents increased flexibility when deciding on schools for their children. The No Child Left Behind Act is based on the belief that setting high expectations will result in success for all students.

The effectiveness and desirability of the statute's measures are controversial. Up for possible reauthorization, this legislation has caused considerable debate as Congress considers major changes, including revisions that would provide states much greater freedom from the No Child Left Behind Act's regulations and sanctions. Testing and educational performance have preempted, for many schools, a focus on the needs of children and on their learning barriers, which may stem from poverty and correlates such as community or family violence, substance abuse, unemployment, exclusion, and marginalization. Instead, school drop-out rates may run as high as 50% in urban schools. The Children's Defense Fund (2006) characterizes the trajectory for some poor children as pipelines to prison.

## Juvenile Justice

Juvenile crime has been a long-term concern due to its social and human costs. The Juvenile and Delinquency Prevention Act of 1974 was established to reduce the number of status offenders in secure detention facilities and the number of juveniles in adult jails and, among other provisions, to address the disproportionate detainment of minority youth. Juvenile delinquency policy has experienced a shift in the past decade from retribution and rehabilitation approaches to the promotion of restorative justice. Given high rates of recidivism in juvenile justice institutions, such innovation is warranted. The retribution model views the juvenile offense as a crime against the state warranting punishment of the offender. The rehabilitation model focuses on the treatment of the offender with the assumption that interventions such as probation, multisystemic therapy, and cognitive skills training will alter behavior and reduce the frequency of juvenile offenses (Bradshaw & Roseborough, 2005). However, neither of these models shows significant evidence for reducing recidivism (Bradshaw & Roseborough, 2005; Lipsey, 1995). While the retribution and rehabilitative models focus on the offender, the needs of the victim are often neglected. Restorative justice models focus on the process of restoration and healing for the victim, offender, and community (Bradshaw & Roseborough, 2005; Fields, 2003). This may occur by holding the offender accountable, offering emotional assistance, and giving restitution to the victim (Bradshaw & Roseborough, 2005). Currently, three restorative justice program modalities are being tested, which include victim-offender mediation, family group conferencing, and peacemaking circles. The empirical work evaluating restorative justice approaches has been encouraging; however serious measurement problems exist (Lawson & Katz, 2004).

## Co-Occurring Risk Factors

As attention increasingly focuses not just on children but on their parents for assessment and treatment purposes, mounting research shows the prevalence of co-occurring challenges. Nearly half the children being served by the juvenile justice and foster care system have mental health problems as severe as those children being served by the mental health systems. In fact, 80% of children in foster care (Clausen, Landsverk, Ganger, Chadwick, & Litrownik, 1998; Leslie et al., 2000) and 60% to 70% in juvenile justice have mental disorders (Teplin, Abram, McClelland, Dulcan, & Mericel, 2002). However, specialized treatment is not systematically pursued for these special needs foster care or juvenile justice youth. Moreover, there are no uniform national practices or policies ensuring that the mental health, developmental disabilities, health, and income support needs of children and families are systematically addressed regardless of which system they enter. In fact, a differential response, based on class, income, and ethnicity may be evident in many states and communities (Lindsey, 1994).

Similar co-occurring challenges are seen in parents. For example, it is estimated that between 50% and 70% of all child welfare families have substance abuse as a presenting problem (Ryan, Marsh, Testa, & Louderman, 2006). In many cases, referral resources for families are inadequate; child welfare families do not have "first call" on these resources. For example, few states have enacted policies enabling drug-using pregnant mothers to have priority access to substance abuse treatment beds. In substance abuse treatment, the focus may be on the parent with little attention to his or her role as a caregiver.

Evidence that anywhere from 30% to 50% of child welfare families may have domestic violence co-occurring with child maltreatment warrants far greater interdependence among the service systems addressing domestic violence and child abuse victims (Kohl, Barth, Hazen, & Landsverk, 2005). Instead, the philosophical clashes between child welfare and domestic violence service providers make such close articulation of services and supports often problematic. Philosophical differences stem from the belief that abused women need to leave the perpetrator at any cost; child welfare workers may be addressing the family as a unit and the services needed to keep it intact.

## Disparities and Differential Policies and Services

Children who are poor and of color are disproportionately found in the child welfare and juvenile justice systems, while underserved in mental health. Disproportionalities have been a major concern in the child welfare system (Hill, 2007). A disproportionate number of African American children are referred and placed out of their homes even in areas where poverty is limited (Wulczyn et al., 2006). They are also left with fewer supports and options and encounter longer waiting times for adoption than Hispanic and white children. Rates of placement during adolescence do not show the same differentials as in the younger years, but Wulczyn et al. (2006) suggest that this may be because, during adolescence, a disproportionate number of African American youth are in the juvenile justice system rather than the child welfare system.

Youth of color have higher rates of entry into the juvenile justice system than their white counterparts. At each decision point in the juvenile justice system, they are more likely to be picked up by police and detained, to have less access to probation, and to be charged as an adult and sent to an adult prison (Poe-Yamagata & Jones, 2000). This is the case even when they are charged with lesser crimes than their white counterparts.

In mental health, some disproportionalities may be attributed to socioeconomic status (Gonzalez, 2005). However, with Hispanic youth, even when controlling for socioeconomic status, higher risks for mental health challenges are detected (Barbarin, McCandies, Coleman, & Atkinson, 2004). Rates of access to mental health treatment for children of color reflect severe disparities. Low-income children of color may be more likely to develop mental health problems and are less likely to receive requisite services (Gonzales, 2005).

In some states, children from nonpoor, nonminority families may be served in the mental health or developmental disabilities service systems. Families with children with mental or physical disabilities are less likely to be blamed or punished or to receive investigatory, policelike services than those in the child welfare system. Mental health and disabilities service systems have often sought to provide special supports, such as "wraparound" services, to help families accommodate the challenging behaviors of their children. In contrast, substitute care often has dominated child welfare systems. In some communities, a child with abuse, developmental, and mental health challenges might enter a variety of systems. If the child is first seen for mental health or developmental disabilities, the focus may be on services and specialized care. If a child enters detention and the juvenile justice system, the focus may be on restitution, restorative justice, and possible separation from the family. If the child enters the child welfare system due to abuse, the goal may be safety and permanence, requiring placement and expedited decision making regarding a permanent home.

Despite the fact that victims of abuse and neglect may also have co-occurring symptoms of mental illness and even disabilities, current policy does not ensure that all children, regardless of which system they enter, receive similar rights to and standards of care. Moreover, a child in out-of-home care in one state might receive in-home services if living in another state. Services for parents may vary or be nonexistent. In the child welfare system, many of the of court-ordered services for parents may not be available, especially given the time limits of 12 to 18 months for improvement in functioning.

## Collaborative Practices

The rise of collaborative practices and attempts at service integration are, in part, a response to what are often called *cross systems* children and families. Because of the maze of often contradictory approaches and services for children and families, some states and counties have fostered experiments. These require that service providers collaborate on service plans and even pool funds to ensure that children receive appropriate and coordinated services from all relevant providers. None have achieved, on a large scale, integrated practices that address risk factors across the domains of child abuse and neglect, mental health, substance abuse, juvenile justice, disabilities, and special education.

## Violence to Children by Systems Designed to Serve Them

Violence to children may occur not just in the home but also in systems designed to serve them. At the community systems level, for example, children who have been abused and neglected may face problematic out-of-home placements. Paradoxically, they may become harmed in some of these placements and deprived of requisite mental health and related services. Thus, the trauma of abuse and neglect may be compounded by the trauma of a succession of failed or injurious placements. Many well-intended foster and adoptive parents across the nation are insufficiently prepared for the challenges of caring for children whose abuse and neglect require intensely therapeutic and skilled care, multiple services, and many supports.

The chain of harmful experiences for children may have ripple effects and compounding consequences for their lifetimes. Research increasingly documents the high rate of comorbidities in adults stemming from adverse childhood experiences (Felliti et al., 1998). If untreated for truancy and substance abuse, for example, a third of juvenile offenders will become serious, chronic, violent offenders (Loeber & Farrington, 2001). Despite the fact that many vulnerable children experience trauma from abuse and neglect and related problems, few schools, hospitals, residential treatment and group care programs, or detention and juvenile justice facilities are trauma sanctuaries or draw on trauma informed strategies.

## Poverty, Temporary Assistance to Needy Families, and Child Welfare

Several authors, such as Gil (1970) and Lindsey (1994), argue that poverty is violence against children. Such claims are reinforced by research on brain and behavioral development. Poverty poses grave danger to children's healthy development (Tanner & Finn-Stevenson, 2002). The United States now has the highest income inequality in its history. In addition, the poverty rate remains persistently high. As the predictable stresses of poverty, unemployment, underemployment, substance abuse, mental illness, and intergenerational violence take their toll on parents, they, in turn, may neglect, harm, and hurt their children (Briar, 1988). Rather than promoting investments, such as family allowances, the United States is the only Western, industrialized nation that does not provide health insurance or family allowances for children or families. Welfare assistance was born out of the Mothers' Pension movement to ensure that no full-time caregiver be required to be a full-time employee and thus forced to place a child in an institution. While unevenly enacted across the states, and fraught with access barriers due to race, Mothers' Pensions were the forerunners of the federally provided Aid to Dependent Children (AFDC) program associated with the 1935 Social Security Act. Like Mothers' Pensions, AFDC was once a very critical child welfare service and a protective factor for reunification. Its successor, the Temporary Assistance to Needy Families (TANF) program has become a risk factor for child welfare (Paxon & Waldfogel, 2001).

Since wages have never been based on family income needs, many parents work full time and are still poor. Work-contingent income supplements through Earned Income Tax Credits are the primary vehicles, rather than wages alone, enabling some low-income working parents to rise above the poverty threshold. Research on children in poverty reveals that poor children suffer a higher incidence of adverse health, developmental disabilities, and other conditions than nonpoor children (Chase-Lansdale & Brooks-Gunn, 1995; Duncan & Brooks-Gunn, 2000). In addition, differential rates of child mortality are found between poor and nonpoor families (Duncan & Brooks-Gunn, 2000). Babies born into poverty are 1.4 times as likely as nonpoor counterparts to experience learning disabilities and developmental delays (Duncan & Brooks-Gunn, 2000). Negative outcomes for children's cognitive development have been attributed to maternal employment in the first three years of life (Brooks-Gunn, Han, & Waldfogel, 2002). Poor children also suffer from emotional and behavioral problems more frequently than do nonpoor children (Brooks-Gunn & Duncan, 1997; Duncan & Brooks-Gunn, 2000). Another problem is that childhood poverty creates the conditions for intergenerational transmission of risk factors. For example, children in poverty face higher risks for teen pregnancy (Duncan & Brooks-Gunn, 2000). Moreover, despite declining teen pregnancy rates in the United States, two-thirds of these pregnancies are attributed to rape (Kandakai & Smith, 2007).

Time limits in TANF and in child welfare, due to the Adoption and Safe Families Act, create double jeopardy families and children. First, the family may face loss of the TANF grant, impeding its capacity to parent and care for the child. Then, the family may face time limits in services to parents whose children are placed out of the home. For those who acquire and sustain employment with decent wages, the results may be beneficial (Golden, 1992). However, declining TANF benefits affect the demand for child welfare services (Paxon & Waldfogel, 2001). Like the clash of TANF with child welfare, similar misalignments are seen with child care subsidies. Federal funding for child care has not kept pace with need given that many TANF parents are now at work. Thus, states are forced to ration child care subsidies (Adams, Holcomb, Snyder, Koralek, & Capizzano, 2006).

## Current Legislation and Administrative Features

One of the institutional symbols of the century-long struggle for child protection and well-being is the U.S. Children's Bureau. Established in 1912 to investigate child labor and to advocate for income supports for poor children, the U.S. Children's Bureau has been a source of advocacy and policy making for child welfare and for social work with families. Federal funds are funneled through state and county funding streams. These channels include Title XX of the Social Security Act, which provides block grants to the states for social services. Titles IV-E and IV-B of the Social Security Act primarily support substitute or out-of-home child welfare services. In addition, TANF has catalyzed the potential devolution of federal policy frameworks and entitlements for impoverished children and families. This has raised concerns that similar devolutions would occur with child welfare programs involving the block granting of IV-B and IV-E funds.

While there is a patchwork of public and private services for abused and neglected children across the nation, every state operates child protection, foster and group care, and adoptive services. Increasingly, the functions of child protection and foster care as well as adoption are being contracted out to voluntary social service agencies. Managed care has prompted states and localities to design alternative service delivery systems, to privatize much of the child welfare system, and to manage the cost through de facto service rationing.

Pressures to provide more effective services along with lawsuits have helped to reinforce efforts to reprofessionalize child welfare workforce with trained social workers. Reprofessionalization agendas have fostered two decades of partnerships between schools of social work and public child welfare. These partnerships have involved training for frontline staff, research, practicum programs, faculty and staff exchanges, curricular developments, and demonstration projects. In fact, at this time, most states have reprofessionalization partnerships between universities and child welfare agencies. Facilitators include IV-E funding, 426 funds from the Social Security Act, and commitments by child welfare administrators and schools of social work to reprofessionalize the workforce.

Collaborative efforts by advocates and organizations help to shape national directions for child welfare. Among the key collaborators are the National Association of Public Child Welfare Administrators, the American Public Human Services Association, the National Association of Social Workers, the Council on Social Work Education, the Child Welfare League of America, the American Humane Association, and the Children's Defense Fund. These organizations work together to lobby for child welfare funding, new legislation, child welfare staffing, and systems supports.

Several foundations have been at the center of child welfare and related system reform. The Annie E. Casey Foundation has invested in a collaborative community response to child welfare families and promotes grassroots neighborhood service and partnership approaches. More recently, the Pew Charitable Trust has invested in reform work. Ongoing investments have continued over the past two decades by the Edna McConnell Clark Foundation, focusing on family preservation, child protection reforms, and now youth development.

As policy companions to U.S. initiatives, reforms are underway in countries such as Sweden. The Swedish government, having made corporal punishment illegal, now works to aid families with the tools of child rearing so that the risk of abuse and neglect is reduced. Simultaneously, families in Sweden receive preventive and early intervention rather than just remedial services. For example, families are able to request respite care for exhaustion. This is provided by a "contact family" that can offer an array of respite and socially supportive services to both children and families. Devised to prevent the need for entry into the child welfare system, the Contact Family Program has demonstrated a sound and effective way to reach vulnerable families (Andersson, 1993).

## Future Priorities

Twenty-first century child and family welfare policy paradigms need to be governed by new principles, programs, and approaches. Family capacity building and preventive approaches are urgently needed. Culturally and economically relevant supports rather than punishment and castigation should form the cornerstone of an effective child and family welfare approach. Extensive collaboration with all stakeholders is needed to formulate and advocate for an approach of this kind. More prevention and early intervention innovations such as Parents Anonymous are also needed.

There is an urgent need for the greater use of evidence-based solutions. These should be accompanied by continuous quality improvement frameworks augmented by the use of families, frontline practitioners, and others as key experts. They are well qualified to address the barriers that impede the well-being of children and families. Research into child welfare issues has made great progress in recent times, and ways need to be found of transferring tested knowledge to practitioners and to policy makers as well.

With regard to staffing, occupational ladders for economically disenfranchised parents and paraprofessionals are needed. Intensive services should be co-delivered by former clients trained as paraprofessionals, for example, as parent, reunification, foster care, and adoption support case aides. Much has been done to ensure that professionally qualified social workers are knowledgeable about the latest research and practice approaches in child welfare. The Title IV-E training program has been adopted in many schools of social work around the country and has been an extremely valuable resource. Nevertheless, more needs to be done to train paraprofessionals and parents in effective child welfare interventions.

Greater support for parents who are experiencing family and child welfare challenges is also needed. Neighborhood colleges that support parents in stress reduction should be encouraged. Long-term care supports for chronically fragile or vulnerable families, such as the supports that exist for those with disabilities and in special education, should be introduced. It is necessary to create a single point of entry into an integrated prevention and early intervention system for vulnerable families—a system that addresses the co-occurring challenges facing children and their parents. Vulnerable children's developmental needs and timely access to services should be critical priorities.

Finally, the government of the United States needs to ratify the United Nations Convention on the Rights of the Child. This important international human rights instrument has been ratified by all the Western industrial countries and by the majority of developing countries. The United States currently stands alone in the Western world in having failed to ratify this treaty. Child welfare activists, social workers, policy makers, and all concerned citizens should advocate vigorously for the ratification of this convention. In addition, there should be an end to corporal punishment in schools, and greater emphasis should be placed on promoting children's participation in the policies and services on which they depend.

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