ART OF SOCIAL CHANGE:
CHILD WELFARE, EDUCATION, & JUVENILE JUSTICE

Professor Elizabeth Bartholet
Child Advocacy Program Faculty Director

Crisanne Hazen
Child Advocacy Program Assistant Director

Spring 2017
Thursdays, 5-7 p.m.
WCC 2012

Syllabus
COURSE INFORMATION

I. Course Materials

Bartholet, NOBODY’S CHILDREN: Abuse and Neglect, Foster Drift, and the Adoption Alternative (Beacon Press 1999) [hereafter Nobody’s Children] will serve as the course text together with course materials in weekly Reading Packets that will be available before each class through the Canvas course page, the publicly accessible CAP website (http://cap.law.harvard.edu/), and the Copy Center located in the basement of the Wasserstein Building (WCC).

II. Administrative Details

Professor Elizabeth Bartholet
Office: Hauser Hall 422
Telephone: (617) 495-3128
Email: ebarthol@law.harvard.edu
Office Hours: Fridays: 2-4 pm (Email Prof. Bartholet directly to schedule an appointment)
   Faculty Assistant: Eleanor Topping, Hauser Hall 418, (617) 496-0551
   Email: etopping@law.harvard.edu

Child Advocacy Program Assistant Director Crisanne Hazen
Office: 23 Everett Street, Suite G-24
Telephone: (617) 496-1684
Email: chazen@law.harvard.edu
Office Hours: Wednesdays: 10-12 am (Drop in, or email Ms. Hazen directly to schedule an appointment)
   CAP Program Associate: Margo Strucker, 23 Everett St., G-24, (617) 496-8852
   Email: mstrucker@law.harvard.edu

III. CAP Website

Details about CAP can be found on our publicly accessible website: http://cap.law.harvard.edu/.
A page devoted to the spring 2017 Art of Social Change course provides the speaker schedule, speaker biographies, and links to the course readings (also always available on the Art of Social Change Canvas course page and in the WCC Copy Center): http://cap.law.harvard.edu/spring-2017/.

IV. Canvas Course Page

We will use the Canvas course page for many critical course components.
To access the Canvas course page, log into Canvas (https://canvas.harvard.edu/). Choose “courses” from the top toolbar, and select “Art of Social Change.”

Through Canvas, we will post class announcements and provide you with the weekly Reading Packets, and you will upload your assignments:

1. **Announcements:** We will alert you to important course information (such as when Reading Packets are available, necessary details about upcoming classes, etc.) through the Canvas “Announcements” function. You will receive an email notification when we post each Announcement. All students who gain access to the Canvas page after the first class should review past course Announcements by clicking on the “Announcements” tab in the left toolbar. **Please ensure that your Canvas notifications setting for “Announcements” is set to “ASAP” to ensure that you receive these messages promptly.**

2. **Course Materials:** Course materials, including the Syllabus and each week’s Reading Packet, will be available through the “Files” tab in Canvas, located in the left toolbar. Packets will be posted on a rolling basis by the Friday before the Thursday session.

3. **Assignments:** You will upload your weekly course assignments through the “Assignments” tab in Canvas, located in the left toolbar. **See pp. 12-14 of this Syllabus for an important section on Assignment Specifics, explaining the nature of these writing requirements, how and when to submit, and providing information on grading.**

If you have questions about Canvas or need training, explore the “Help” options at the top right corner of the website to access support. If you cannot access the course website, contact the ITS Student Helpdesk (617-495-9576), located in the basement of WCC.

**V. Course Requirements**

**Attendance is essential** for all enrolled students and those interested in adding the course.

Students are expected to attend all classes and to participate in class discussion. Class begins sharply at 5:00 pm and ends at 7:00 pm. If you are unable to attend class, or expect to arrive late or leave early, you must email Crisanne Hazen (chazen@law.harvard.edu) ahead of time to explain.

Course assignments consist of either brief questions or reaction papers related to the readings and class presentations, turned in weekly. **See pp. 12-14 for an important section on Assignment Specifics, including the dates of your individual assignments.**

**No laptops, tablets, or other electronic devices are to be used in class.**
VI. Post-Class Receptions

Immediately after class we hold a reception in the area just outside the classroom, providing an opportunity for students to speak informally with the guest speakers, CAP faculty, and each other. In addition, these receptions will include some of the many local practitioners, activists, and academics who attend classes related to their work. Although attendance at receptions is not required, we encourage all to take advantage of this important opportunity.

VII. Video Recording

CAP video records each class session for which it receives guest lecturer consent, and posts these videos on CAP’s publicly accessible website after the term ends. Recordings will not be available to students during the term. Only guest lecturers—and not any students—will be identifiable on the recordings. Further, only the lecture portions of classes—and not the subsequent student discussion—will be posted. If you speak during the lecture portion of class, your voice may be audible on the recording, but if you have any concern in this regard, you may request that CAP not post that portion of the video.

VIII. Cross-Registrants and Auditors

Cross-Registrants: Cross-Registrants must submit their petitions during HLS’s designated cross-registration window (January 17-27, 2017), and attend the first class on January 26, 2017. CAP will approve petitions on a rolling basis. The HLS Registrar’s Office will then enroll cross-Registrants until the course is at capacity. When a prospective cross-Registrant is admitted into the course, the HLS Registrar’s Office will send that student an email notification; cross-Registrants are not admitted to the course until they receive this confirmation. Roughly 3–5 days later, the HLS ITS Office will grant the cross-Registrant access to the Canvas course page. Pending this grant of access, cross-Registrants should pick up Reading Packets and other course materials at the Copy Center in the basement of WCC, or download them from CAP’s publicly accessible website (http://cap.law.harvard.edu/). For further information about cross-registration procedures, visit: http://cap.law.harvard.edu/courses/cross-registration-information-2016-2017/.

Auditors: Prospective auditors must first email Crisanne Hazen (chazen@law.harvard.edu) to express their interest in auditing. They should then complete their Request to Audit Form, arrange with Margo Strucker (mstrucker@law.harvard.edu) to sign the form, and drop off the form at the HLS Registrar’s Office (WCC Suite 4007). Auditors should come to the first class, but will be officially admitted to the course only after the Registrar’s Office processes all enrolled students (typically during the second week of the term). Admitted auditors will then gain access to the Canvas course page. To download and print the Request to Audit Form, visit: https://hls.harvard.edu/content/uploads/2016/01/request-to-audit-form.pdf.
COURSE SCHEDULE

Class 1 (Jan. 26): Course Overview

Reading:
- *Nobody’s Children*, pp. 1-29, 33-55, 98-110
- Reading Packet #1

Speakers:
- Elizabeth Bartholet, Prof. of Law and Faculty Director, Child Advocacy Program
- Crisanne Hazen, Assistant Director, Child Advocacy Program

Class 2 (Feb. 2): Early Childhood Adversity and Its Life-Long Impact on Brain and Behavioral Development

Reading:
- *Nobody’s Children*, pp. 59-97
- Reading Packet #2

Guest Speaker:
- Charles Nelson, Professor of Pediatrics, Neuroscience and Psychiatry, Harvard Medical School; Professor of Education, Harvard University; Richard David Scott Chair in Pediatric Developmental Medicine Research, Boston Children’s Hospital

Professor Charles Nelson, one of the world’s leading experts on early brain development, will discuss the impact of early adversity on children, including but not limited to neglect in the domestic U.S. context and institutionalization in orphanages worldwide. Prof. Nelson has led the Bucharest Early Intervention Project, the only gold standard social science study ever conducted on the impact of institutionalization on children, and has advised policy makers both here in the U.S. and throughout the world on child welfare policy. His work is relevant to the wide range of issues that will be addressed in the remaining classes.
Class 3 (Feb. 9): Education Reform from the Inside: Using the Power of a State Department of Education to Reform Failing Schools

Reading:
- Reading Packet #3

Guest Speakers:
- **Rhoda Schneider**, General Counsel, Massachusetts Department of Elementary and Secondary Education
- **Ventura Rodriguez**, Director, Office of Strategic Transformation, Massachusetts Department of Elementary and Secondary Education

An ongoing challenge in our education system is that many of the children in greatest need are trapped in schools that are least prepared to help. The Massachusetts Department of Elementary and Secondary Education has pioneered one promising approach for improving education for children in low-income and minority communities with some of the worst performing schools. This involves placing the troubled school district in receivership, and designing a reform program under the state’s leadership. Those leading this initiative will describe some of the challenges and successes, and compare this approach to alternatives such as charter school initiatives.

Class 4 (Feb. 16): Child Welfare Reform: Birth Match as an Approach to Early Intervention

Reading:
- Reading Packet #4
- *Nobody’s Children*, pp. 163-204

Guest Speakers:
- **Richard Barth**, Dean and Professor, University of Maryland, School of Social Work
- **John Mattingly**, Former Commissioner, New York City Administration for Children’s Services
- **Colin Parks**, State Manager, Children’s Protective Services Program Office, Michigan Department of Health and Human Services

All agree that child welfare systems should work to prevent child fatalities and other abuse, and most agree also that intervening early in the child’s life is important to avoid irreparable harm. But how to do this is an ongoing challenge, especially given concerns with protecting parental autonomy and privacy. One relatively new idea is to check at the time of birth whether the parents involved have records indicating that they are at high risk to abuse their children, such as records that they have abused previous children. Any such “birth match” can then be used to trigger child welfare system
involvement in the form of family services or, in extreme cases, child removal to foster care. Richard Barth, John Mattingly, and Colin Parks will discuss the birth match programs in the only three states implementing this practice to date. Presupposing future child abuse or neglect based on a parent’s past actions is a controversial idea. But is it a good idea? Does it work?

Class 5 (Feb. 23): Youth Homelessness: Problems and Solutions

Reading:
- Reading Packet #5

Guest Speakers:
- Seth Greenberg, Co-Executive Director, Y2Y Harvard Square
- Sarah Rosenkrantz, Co-Executive Director, Y2Y Harvard Square
- Kelly Turley, Director of Advocacy, Massachusetts Coalition for the Homeless

Experts estimate that each year approximately 170,000 unaccompanied young adults in the United States experience homelessness. Some run away due to family violence. Others are forced out because of their sexual orientation or gender identity, or have aged out of the child welfare system and have no place to call home.

Social entrepreneurs Sam Greenberg and Sarah Rosenkrantz are co-Executive Directors of Y2Y Harvard Square, the nation’s first student-run homeless shelter for young adults, opened in November 2015. They will share their challenges and triumphs in founding the shelter, and the ways in which they are mobilizing young people to combat youth homelessness. Kelly Turley directs the advocacy work of the Massachusetts Coalition for the Homeless, a non-profit that works to eradicate homelessness in Massachusetts. She will speak about her organization’s various strategic initiatives to end youth homelessness.

Class 6 (Mar. 2): LGBT Youth Rights: Reflecting on Progress and Outlining the Work Ahead

Reading:
- Reading Packet #6

Guest Speakers:
- Douglas NeJaime, Professor of Law, UCLA School of Law; Faculty Director, The Williams Institute; Visiting Professor at Harvard Law School, Spring 2017
- Dan Zhou, S.J.D. Candidate, Harvard Law School and LGBT Activist in China

LGBT activists have made dramatic progress in the U.S. in recent years. This progress has important implications for young people, and young people have also been
importantly involved in the advocacy efforts. UCLA Professor and HLS Visiting Professor Doug NeJaime will discuss the progress made in the U.S., focusing on the important work that remains. HLS SJD candidate Dan Zhou will discuss the battle for LGBT rights in China, where the movement is just getting off the ground, and where it faces very different challenges given the nature of the government and the judicial system. He will talk about his experience as a gay youth growing up in China, his work there on behalf of LGBT youth, and his current examination of U.S. models for change that may have relevance for China.

Class 7 (Mar. 9): Education Reform from the Outside: Community Organizing, Policy Advocacy, and Systemic Reform Litigation

Reading:
- Reading Packet #7

Guest Speakers:
- John Affeldt, Managing Attorney, Public Advocates, Inc.
- Katy Nuñez-Adler, Community Organizer, Oakland Community Organizations

Many believe that for any reform to be truly meaningful and sustainable, community involvement is key. John Affeldt is Managing Attorney at Public Advocates Inc., one of the first public interest law firms in the nation, and one which initially focused on law reform litigation as its method to effect change. He has focused on education reform over the past several decades. He will discuss: how Public Advocates has evolved in its social change approach since the organization’s founding in the 1960s; its present method involving deep partnerships with grassroots organizations; and its use of litigation as part of a larger, coordinated reform effort. Katy Nuñez-Adler is an attorney for Oakland Community Organizations (OCO), a partner of Public Advocates and an agency that works to help organize Oakland education consumers so they can become effective voices for reform. Guided by ecumenical faith values and belief in democratic participation, OCO is an organization that works to unite people across diverse communities in order to collectively improve the quality of life for families, especially those in greatest need. Ms. Nuñez will address her experiences working on-the-ground with Oakland students and parents to promote education reform on issues affecting their community.
Class 8 (Mar. 23): Reducing Youth Violence: BAM! and WOW!

Reading:
- Reading Packet #8

Guest Speakers:
- **Anthony Ramirez-Di Vittorio**, Founder, Becoming A Man (BAM), and Manager, BAM Training Academy, Youth Guidance
- **Anthony Watson**, Director, Becoming A Man (BAM), Youth Guidance
- **Gail Day**, Program Manager, Working on Womanhood (WOW), Youth Guidance

BAM, which helped inspire President Obama’s *My Brother’s Keeper* initiative, is a violence prevention program offered by Youth Guidance, a non-profit in Chicago that creates and implements school-based programs enabling at-risk children to overcome obstacles, focus on their education, and ultimately, succeed in school and life. Based on cognitive behavioral therapy principles, BAM helps young men develop coping skills to manage situations that might otherwise lead to violent or other negative outcomes. Anthony Ramirez-Di Vittorio and Anthony Watson will discuss how BAM was founded, its core principles, and its curriculum. Gail Day is the Program Manager of Youth Guidance’s Working on Womanhood (WOW), a related program developed for at-risk young women, which provides counseling, mentoring, character development, and educational enrichment. She will discuss WOW’s values and curriculum, and explain its success in motivating young women to graduate and make positive life choices.

Class 9 (Mar. 30): Cause Lawyer

Reading:
- Reading Packet #9

Guest Speakers:
- **Scott Cummings**, Professor of Law, UCLA School of Law
- **Purvi Shah**, Co-Founder, Law 4 Black Lives

Cause or Public Interest Lawyering has played a key role in the fight for justice for some of our country’s most powerless groups. Scott Cummings is a leading scholar of cause lawyering and its evolution over the decades to today’s increased focus on community or movement lawyering. See, e.g., his recent book co-authored with Alan Chen, *Public Interest Lawyering: A Contemporary Perspective* (Wolters Kluwer 2013). Purvi Shah will share her experiences as a lawyer engaged over the years in cause lawyering, including movement lawyering and the Black Lives Matter movement in particular.
Class 10 (Apr. 6): Reforming Juvenile Sex Offender Registry Laws

Reading:
• Reading Packet #10

Guest Speakers:
• **Nicole Pittman**, Director, Center on Youth Registration Reform at Impact Justice
• **Marsha Levick**, Co-Founder, Deputy Director, and Chief Counsel, Juvenile Law Center

Youth are the victims of sexual assault but are also perpetrators of such assault. Our society has responded to the sexual assault phenomenon by passing extremely harsh public registration laws—laws originally designed for adult offenders, but which have been increasingly applied to youth offenders. Nicole Pittman has for the past 10 years led the challenge against the application of sex offender registration laws to youth. She authored the groundbreaking Human Rights Watch Report, *Raised on the Registry: The Irreparable Harm of Placing Children on Sex Offender Registries in the U.S.*, and will discuss the nature of registry laws, their harmful impact on youth, and her advocacy efforts to eliminate such laws. Marsha Levick, Deputy Director, Co-Founder, and Chief Counsel of the Juvenile Law Center, is working together with Ms. Pittman on reform initiatives, and will discuss current litigation she has spearheaded that challenges juvenile sex offender registry laws.

Class 11 (Apr. 13): A Lawyer’s Journey Through Education and Juvenile Justice Reform

Reading:
• Reading Packet #11

Guest Speakers:
• **James Forman**, Clinical Professor of Law, Yale Law School; Visiting Professor, Stanford Law School

Professor James Forman will share his lifetime career experience working to promote better opportunities for youth caught up in the juvenile justice system. He will talk about his personal evolution from serving as a juvenile public defender, and his frustrations with the limits of what he could do for his clients in that role, through his creation of a charter school in the Washington, D.C. juvenile justice system, to his current advocacy work as a law professor. This class will bring together issues of juvenile justice, education reform, and mass incarceration.
Class 12 (Apr. 20): Child Welfare Challenges: The Use and Misuse of Science and Medical Expertise in Connection with Abusive Head Trauma (Shaken Baby Syndrome)

Reading:
- Reading Packet #12

Guest Speakers:
- Dr. Sanjay Gupta, Neurosurgeon and Chief Medical Correspondent at CNN
- Martha Coakley, Partner at Foley Hoag LLP, and former Attorney General of Massachusetts
- Sameer Sabir, Parent and Community Activist

Shaken Baby Syndrome—now more aptly referred to as Abusive Head Trauma (AHT)—kills or injures an estimated 1,280 babies per year in the United States. In the last few decades AHT has received increasing recognition as a problem, and various public policy initiatives have been developed to address it, including parent education, and civil and criminal intervention to address wrongful parental conduct. However, in recent years there has been a significant pushback, with defense lawyers for parents accused of AHT questioning whether infant deaths are actually caused by AHT. This class will present three speakers all of whom share the concern that these challenges to AHT represent the misuse of science. Each has played an important advocacy role in fighting for what they see as the rights of infants to be free from this kind of abuse. Sameer Sabir is a local parent who took his own devastating loss as reason to fight for justice both for his child and for others, using a variety of advocacy strategies. Former Massachusetts Attorney General Martha Coakley prosecuted some of the earliest AHT cases, and has recently been involved representing Sabir and his wife in a case involving their child. Sanjay Gupta, a renowned neurosurgeon developed a compelling piece on AHT for nationwide TV using Sabir’s story and others to illustrate the dangers of ignoring the medical evidence about AHT.
ASSIGNMENT SPECIFICS

For each week’s class, you are responsible for submitting either session questions, due one day before the class, or session reaction papers, due five days after the class. See below for a table detailing your assignment schedule. Your grade will be based on your performance on these assignments.

I. Session Questions

For your assigned dates, you will submit a brief question (or questions) for the upcoming speakers, along with a short comment explaining why the question is significant. The question and accompanying comment should be **NO more than ½ a page single-spaced.** These questions should help you formulate questions you might present in class during the Q&A period, and they will also be used to alert speakers to class concerns. **You must include your name and the session date at the top of your submission to receive credit.**

To submit your question, first save your assignment as a Word file on your computer with the title “[last name]_[session date]_questions.” For example, if your last name is “Quigley,” title the file for your first question submission “quigley_feb2_questions.” Next, log into the Canvas course page, click on “Assignments” in the left toolbar, and upload your question to the appropriate “Questions” assignment listed.

You must upload your question submission to Canvas by **9 am the Wednesday before the Thursday class session** (1 day before class). You will see a green checkbox in the upper right corner of the screen when you successfully upload the document.

II. Session Reaction Papers

Three times during the term, in lieu of session questions, you will submit a reaction paper. Reaction Papers are opportunities for you to genuinely reflect on what you are thinking and learning, and how it might relate to your past work and future goals. But at the same time Reaction Papers are a way to demonstrate that you have understood the readings and the class presentations; since there is no exam, these Papers are the primary way for you to show that you are doing the course work. Keep both these ideas in mind as you write your Reaction Papers. You don’t want simply to summarize the readings and presentations, but you do want to show that you read the materials, attended class, and understood both the basics and also more complex issues (e.g. conflicts between the speakers, connections with other sessions). You also don’t want simply to talk about your past work or your future ambitions or what you think about the issues, but at the same time, you do want to connect your experience with this course to yourself.

You also want to use these Papers as a way to express your cumulative thinking and learning. Thus while each Reaction Paper should focus primarily on the class session assigned,
you should also connect to issues presented in previous class sessions. In your final paper you should reflect in some way on your cumulative experience with the course at that stage. Reaction papers should be 2-3 double-spaced pages but NO more than 3. You must include your name and the session date on the top of your submission to receive credit.

**To submit your reaction paper,** first save it as a Word file on your computer with the title “[lastname]_[date]_reaction.” For example, if your last name is “Adams,” title the file for your first submission “adams_feb2_reaction.” Next, log into the Canvas course page, click on “Assignments” in the left toolbar, and upload your reaction paper to the appropriate “Reaction Papers” assignment listed.

**You must upload your reaction paper to Canvas by 9 am on the Tuesday after the Thursday session** (5 days after class). You will see a green checkbox in the upper right corner of the screen when you successfully upload the document.

**III. Late Assignments**

If you miss the 9 am deadline, you should still upload your question or reaction paper to the appropriate assignment in Canvas. You will see a “late” notification in red in the upper right portion of your screen. Email Crisanne Hazen (chazen@law.harvard.edu), copying Margo Strucker (mstrucker@law.harvard.edu) and Eleanor Topping (etopping@law.harvard.edu), explaining why your assignment is late and notifying them that you have since uploaded your assignment.

**IV. Assignment Dates**

For the First Session: There is no written assignment for the first session (1/26). However all students should read carefully the materials assigned for the first session, as they are critical to themes that will be presented throughout the course. We expect you to weave into your later submissions your reactions to the ideas presented in the first readings and class session.

For All Subsequent Sessions: We have divided question and reaction paper assignments based on the first letter of your last name. Each student will submit a total of 8 questions and 3 reaction papers over the course of the term. For the sessions that you are assigned reaction papers, you do NOT submit questions beforehand. **NOTE:** There will be instances when you will have two assignments due the same week. For example, during the week of 2/2, if your last name is Adams, you will submit a reaction paper based on the 2/2 class due on 2/7 AND questions for the 2/9 class due on 2/8.

Below is a table reflecting by last name the submission required for each class session (“Q” for questions; “R” for reaction papers), followed in parenthesis by the submission due date.
Assignment Submission Problems:

If you have a problem uploading your assignment to the Canvas course page, simply email it to Crisanne Hazen (chazen@law.harvard.edu), copying Margo Strucker (mstrucker@law.harvard.edu) and Eleanor Topping (etopping@law.harvard.edu), with the relevant explanation.

V. Grading

Grades will be based generally on your performance on the weekly written assignments, with greater weight given to the reaction papers. You will receive limited feedback on the reaction papers throughout the term. You are welcome to speak with Prof. Bartholet if you have questions about this feedback or the reaction papers. You will not receive written feedback on your questions, although you are welcome to speak with Crisanne Hazen about your submissions.

Submission of all assignments on a timely basis is important and will be taken into account in your grade. It is your responsibility to check to make sure all of your assignments have been submitted on time. If you are absolutely unable to complete an assignment on the date specified because of some serious medical emergency or family crisis or similarly important issue, contact Crisanne Hazen in advance of the due date to see if you can arrange for later submission or a switched assignment. You should turn in all assignments even if you fail to meet the deadline.

Note for cross-registrants from the HLS Registrar’s Office: Report of grades is obtained from your home Registrar’s Office. The HLS grading system is H, P, LP, and F (Honors, Pass, Low Pass and Fail). A small number of students may be awarded the Dean’s Scholar Prize, given to students whose performance in the course is extraordinary. The notation WD (Withdrawn after Deadline) is applied when a student withdraws from a course after the drop deadline.

Page 14 of 14
Updated January 10, 2017