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

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Spring 2020
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: Carol Igoe, Hauser Hall 418, (617) 496-0551
   Email: cigoe@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: Thursdays: 10-12 am (Email Crisanne 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 2020 Art of Social Change course provides the speaker schedule, speaker biographies, and other details.

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. You will also upload your Reaction Papers on Canvas:

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 confirm 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 assigned Reaction Papers through the “Assignments” tab in Canvas, located in the left toolbar. See pp. 10-11 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 Helpdesk (617-495-0722), HLS Administrative Services Hub, located in the basement of WCC (walk in: WCC B020 or WCC B037).

V. Course Requirements

Class attendance is very important. You cannot learn what the course has to offer or, relatedly, write good Reaction Papers, without both reading the assignment packets and attending the class sessions. Class participation is also important. Come to class with questions and raise them in the Q&A sessions scheduled for the end of classes. Do not leave class before the end. The Q&A sessions include discussion that is as valuable as the lectures. Let Crisanne Hazen (chazen@law.harvard.edu) know in advance if there’s an important reason you need to miss class or leave early.

Course assignments consist of four reaction papers related to the readings and class presentations, turned in after classes 3, 6, 9, and 12. See pp. 10-11 for an important section on Assignment Specifics.

No laptops, tablets, or other electronic devices are to be used in class, except for students who have registered with Accessibility Services for disability-related accommodations. To request an accommodation for a disability during the course, students should reach out to Accessibility Services in the Dean of Students Office at accessibility@law.harvard.edu or at 5-1880, or visit the office in WCC 3039.

VI. 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.
VII. Cross-Registrants and Auditors

Cross-registrants: Cross-registrants must submit their petitions during HLS’s designated cross-registration window (January 21-January 31, 2020), and attend the first class on January 30, 2020. 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. Pending access to the Canvas course page, cross-registrants should pick up Reading Packets and other course materials at the Copy Center in the basement of WCC. For further information about cross-registration procedures, visit: https://hls.harvard.edu/dept/academics/cross-registration-at-harvard-law-school/cross-registration-for-non-hls-students/.

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 January 31. 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 and the Reading Packets. To download and print the Request to Audit Form, visit: https://hls.harvard.edu/content/uploads/2019/07/Audit-Request-Form-AY1920.pdf.
COURSE SCHEDULE

Class 1 (Jan. 30): Course Overview

Reading:
- Reading Packet #1

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

Class 2 (Feb. 6): Early Brain Development

Reading:
- *Nobody’s Children*, pp. 59-67
- Reading Packet #2

Guest Speakers:
- Judith Edersheim, Assistant Professor of Psychiatry, Harvard Medical School; Psychiatrist, Massachusetts General Hospital; Co-Founder and Co-Director, MGH Center for Law, Brain and Behavior
- Rebecca Compton, Professor of Psychology, Haverford College

Two leading neuroscientists will discuss the science of early brain development and its significance for the developing child and for policy issues in child welfare, education, & juvenile justice. Included will be a discussion of the negative impact of institutionalization and related policy implications for international adoption.

Class 3 (Feb. 13): Child Welfare: CPS Reform Strategies #1—A Non-Profit Advocacy Organization’s Approach to Reform

Reading:
- *Nobody’s Children*, pp. 67-97, 207-32
- Reading Packet #3

Guest Speaker:
- Darcy Olsen, Founder & CEO, Generation Justice

Darcy Olsen is an Arizona-based activist and foster/adoptive parent whose personal experience with the foster care system motivated her to create a new non-profit focused on reforming the child protection system. She and her Generation Justice have focused particular attention on children victimized by abuse and neglect, including in particular children with parents suffering from substance abuse. They have initiated reform designed to further the goal of giving infants and young children the early, permanent, nurturing parenting essential for healthy development.
Class 4 (Feb. 20): Child Rights Past & Present, Here & Abroad

Reading:
- *Nobody’s Children*, pp. 33-38
- Reading Packet #4

Guest Speakers:
- **Jeffrey Shulman**, Professor of Law, Legal Practice, Georgetown University Law Center
- **Katharine Young**, Associate Professor, Boston College Law School

Professor Jeffrey Shulman’s work traces the evolution of parent and child rights in U.S. constitutional law, finding inspiration in our early history for a new understanding of such rights today. Professor Katharine Young’s work on human rights in the international arena, including on positive social and economic rights, provides an important international perspective on how child rights are conceived of in the U.S. with its negative rights tradition.

Class 5 (Feb. 27): Child Welfare: CPS Reform Strategies #2—Investigative Reporting, Documentary Film, Criminal Prosecution, & Change from Within the Child Protective Services System

Reading:
- *Nobody’s Children*, pp. 38-54
- Reading Packet #5

Guest Speakers:
- **Garrett Therolf**, Reporter, Investigative Reporting Program at U.C. Berkeley
- **Jonathan Hatami**, Deputy District Attorney, Los Angeles County District Attorney’s Office
- **Philip Browning**, Former Director, Los Angeles County Department of Children and Family Services

Garrett Therolf is an investigative reporter who has specialized in child welfare. He played a key role in bringing attention to the horrific child abuse case involving Gabriel Fernandez’ torture and death, and he has recently completed a documentary film focused on this case. Jonathan Hatami is the deputy district attorney who successfully prosecuted Gabriel’s mother and her boyfriend for Gabriel’s death, and has been involved in the unprecedented prosecution of the LA County social workers responsible for Gabriel’s case. Philip Browning, former Director of the LA County Department of Children and Family Services (DCFS), now works as a consultant for other child welfare agencies. He will share his perspective on the issues as head of the agency that had jurisdiction over Gabriel’s case, and will discuss his efforts to promote DCFS reform from within.
Class 6 (Mar. 5): Education: Equitable Funding Through Litigation and Legislation

Reading:
- Reading Packet #6

Guest Speakers:
- **Michael Rebell**, Professor and Executive Director, Center for Educational Equity, Teachers College, Columbia University; and Adjunct Professor, Columbia Law School

Professor Michael Rebell, author of an important recent book on education, *Flunking Democracy*, is a leading thinker on educational equity and has played a major role in successful litigation campaigns promoting educational reform. New York State Senator Robert Jackson formerly served as a community activist, and in that connection worked with Prof. Rebell to build community engagement and support for the litigation promoting equitable funding in New York, *CFE v. New York State*. They will discuss their past partnership, as well as their current efforts to fight for educational equity in legislative as well as litigation contexts.

Class 7 (Mar. 12): Education: Expanding Early Education

Reading:
- Reading Packet #7

Guest Speakers:
- **Amy O’Leary**, Director, Early Education for All Campaign, Strategies for Children
- **Samantha Aigner-Treworgy**, Commissioner, Massachusetts Department of Early Education and Care
- **TeeAra Dias**, Boston Universal PreK Director, Boston Public Schools

Rigorous independent research demonstrates the benefits—both to the individual and to society—of high-quality early education programs. However, it is still a challenge to get such programs implemented. Amy O’Leary is the director of the Early Education for All Campaign at Strategies for Children, designed to ensure that children in Massachusetts have access to high-quality early education and become proficient readers by the end of third grade. She will also discuss the Campaign’s strategic approach to accomplishing this goal, its success in rallying both the public and private sectors to encourage legislators to expand access, the challenges it has faced, and planned next steps. Samantha Aigner-Treworgy, the new Commissioner of Early Education, will share her vision, and her strategies for achieving change working from within. TeeAra Davis will look at the issue from the local level, as director of Boston Public School’s new “Universal Pre-K” program.
Class 8 (Mar. 26): Education: Dismantling the School-to-Prison Pipeline

Reading:
• Reading Packet #8

Guest Speakers:
• **Matt Cregor**, Staff Attorney, Mental Health Legal Advisors Committee
• **Tanya Coke**, Director, Gender, Racial, and Ethnic Justice, Ford Foundation

Matthew Cregor is a leading expert on the troubling school-to-prison pipeline (STTP) phenomenon. He will provide an overview of the dynamics involved, the damaging impact on our youth, our schools, and our communities, and the advocacy strategies he and other activists around the country have engaged in to address this problem. Tanya Coke has been a key philanthropic figure in the movement to end the STTP, helping to seed the development of this movement’s national advocacy efforts. Philanthropy has been an important force for change in our society not just in this area but more broadly.

Class 9 (April 2): Juvenile Justice: The Emerging Adults Population

Reading:
• Reading Packet #9

Guest Speakers:
• **Lael Chester**, Director, Emerging Adult Justice Project, Columbia University Justice Lab
• **Mike Lawlor**, Assistant Professor of Criminal Justice, University of New Haven

Social scientists and reform activists have recently focused new attention on the subset of juvenile justice-involved youth now known as “emerging adults”—youth 16-24 years old. Lael Chester is a national leader on juvenile justice reform, who has spent most of her career working on creating better policy for young people caught up in the system. She is now engaged with an academic think-tank focused on the development of promising new methods of addressing this population. Mike Lawlor is a former prosecutor, legislator, and state executive, who is now working nationally, including in partnership with Ms. Chester, to promote specialized rehabilitative treatment for this population.

Class 10 (April 9): Lowering the Voting Age

Reading:
• Reading Packet #10

Guest Speakers:
• **Scott Warren**, CEO, Generation Citizen
• **Abigail Kiesa**, Director of Impact, Center for Information and Research on Civic Learning and Engagement (CIRCLE), Tufts University
• **Andy Vargas**, State Representative, Massachusetts House of Representatives
Vote16 (a project of Generation Citizen) is committed to lowering the voting age to 16. It uses a youth-led organizing strategy to work on multiple fronts. Scott Warren, co-founder and CEO of Generation Citizen, will discuss his vision for the organization, and the strategies they are using to promote change on a national level. Abby Kiesa, Director of Impact at CIRCLE, will share her organization’s sociological approach to this effort. State Legislator Andy Vargas will discuss his efforts to work for legislative change in the voting age in Massachusetts.

Class 11 (April 16): Juvenile Justice: Positive Youth Justice

Reading:
• Reading Packet #11

Guest Speakers:
• Sunindiya Bhalla, Chief of 2Gen Programming and Strategy, Roca
• Other Roca Representatives

“Less jail, more future” is Roca’s motto. Founded in 1988, Roca is dedicated to transforming the lives of troubled youth—those living on the streets, involved in gangs, and swept up in the criminal justice system. Sunindiya Bhalla will discuss the Positive Youth Justice framework Roca uses to inform its programming, as well as some of the challenges Roca has faced and successes it has achieved.

Class 12 (Apr. 23): Juvenile Justice: Litigation & Other Strategies for Systemic Reform

Reading:
• Reading Packet #12

Guest Speaker:
• Marsha Levick, Deputy Director and Chief Counsel, Juvenile Law Center

The Juvenile Law Center (JLC), located in Philadelphia, PA, is the country’s first non-profit, public interest law firm for children. For over 40 years, JLC has been a leader of juvenile justice reform, including its central involvement in the litigation that resulted in the elimination of the death penalty and mandatory life without parole for juveniles. Marsha Levick has been there from the beginning as JLC’s co-founder and legal director. During this final class, we will look at how JLC has approached reform, key choices made over the years, the pros and cons of different strategies, challenges and successes.
ASSIGNMENT SPECIFICS

You are responsible for submitting four reaction papers, based on the readings and class discussions. Your grade will be based on these papers, including their timely submission.

I. Session Reaction Papers

Reaction Paper 1 will cover classes 1-3; Paper 2 will cover classes 4-6; Paper 3 will cover classes 7-9; and the final Paper will cover classes 10-12 but should also include cumulative reactions to the entire course as is appropriate.

Reaction Papers are opportunities for you to genuinely reflect on what you are thinking and learning as you review the reading packets and attend class, and how it might relate to your past work and future goals. But at the same time Reaction Papers should demonstrate that you have understood the readings and the class presentations. Keep both these ideas in mind as you write your Reaction Papers. You don’t want simply to summarize the readings and presentations, but do want to show that you read the materials, attended class, and understood both the basic and also more complex issues (e.g., conflicts between the speakers, connections with other sessions). You also don’t want only to talk about your past work or your future ambitions or your position on 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 three class sessions assigned for that paper, you should also connect to issues presented in previous class sessions. In your final paper you should reflect on your cumulative experience with the course at that stage.

Reaction papers should be no more than 4 double-spaced pages. You must include your name and the session date on the top of your submission.

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 5:00 pm on the Wednesday after the Thursday session (6 days after class). You will see a green checkbox in the upper right corner of the screen when you successfully upload the document. Please see the schedule listed on the last page of this Syllabus for dates assignments are due.

II. Late Assignments

If you miss the 5:00 pm deadline, you should still upload your 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
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 Carol Igoe (cigoe@law.harvard.edu), with the relevant explanation.

III. Grading

Grades will be based generally on your performance on the four written assignments. You will receive limited feedback on the reaction papers throughout the term. You are welcome to speak with Prof. Bartholet or Crisanne Hazen if you have questions about this feedback or more generally about the Reaction Paper assignment.

Submission of all assignments on a timely basis is important and will be taken into account in grading. 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. You should turn in all assignments even if you fail to meet the deadline.

Note for cross-registrants from the HLS Registrar’s Office: All students are graded based on the HLS grading system. 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 (Withdrew after Deadline) is applied when a student withdraws from a course after the drop deadline. Grade reports are obtained from your home institution’s Registrar’s Office.

| 2020 Assignment Schedule |
|---------------------------|--------------------------|
| Classes & Readings        | Due Date                |
| Reaction Paper 1          | Jan. 30; Feb. 6; Feb. 13 | Feb. 19, 5 pm         |
| Reaction Paper 2          | Feb. 20; Feb. 27; Mar. 5 | Mar. 11, 5 pm         |
| Reaction Paper 3          | Mar. 12; Mar. 26; Apr. 2 | Apr. 8, 5 pm          |
| Reaction Paper 4          | Apr. 9; Apr. 16; Apr. 23 | Apr. 29, 5 pm         |