

“Discipline in Somali Families: Challenges and Responses”

Highlights and Areas of Concern

November 10, 2009

Invited Audience

Somali child and family agencies and metropolitan agencies serving Somali families and children.

Wattenberg Introduction

To understand the Child Welfare system in the USA, it is important to know that for a very long time, there was great reluctance to intervene in the privacy of family life. The first laws dealt with child labor; then came laws directed to education—compulsory school attendance—and then the creation of the juvenile court system. It was less than 50 years ago that we paid attention to the safety and protection of children within their family life. Dr. Henry Kempe, in 1962, in reviewing x-rays of children treated in the emergency room of the hospital discovered broken bones and evidence of brutal and near-death injuries from parental punishment. He introduced the phrase “battered child syndrome.” Within a few years, every state in the country enacted mandatory reporting laws. However, limits in interfering in the privacy of family life persisted. Every aspect of the Child Welfare system, from reporting, to assessment, and case planning is open for court review. Decisions are monitored and challenges are made through the court system.¹ The federal government and Minnesota’s state legislature routinely make changes to Child Welfare laws, in order to improve policy and practice. Child Welfare is the most highly regulated agency among human services, and it is the one that is carefully monitored by the court system.

Minnesota Statutes require those investigating reports of abuse and neglect to take into account accepted child-rearing practices of the parents’ cultural background.

In summary, the Child Welfare system is constantly under review and scrutiny. The guiding principles, however, provide a secure and steady framework: to assure, for every child who touches the Child Welfare System, safety, permanency, and well-being.

¹ Please note this additional observation: The power of the court, in child protection cases derives from a legal source known as “*Parens Patriae*.” This doctrine states that the state has granted to the court the authority to act as the guardian of children whose parents are unable to provide adequate protection.

Remarks from Hassan Ugas, MSW, Center for Somali Family & Children Services

Good afternoon and Asalaamu-Alaykum,

Whether we came here as refugees, asylum seekers, or arrived as other means of migration, we come to a new country with its own culture, customs, institutions, norms and its own faith. We also brought with us our own culture, customs, traditions, and belief system. Even the institutions that exist here and home behave differently. Examples, in Somalia, parents send children to schools (that is their role) and schools are to teach and make children learn (it is their responsibility). Even the food and weather are different for crying out loud.

These differences create challenges for the Somali families. Such challenges include language, under-employment, education, poverty, racism and discrimination, immigration status, system navigation, and family dynamics.

Soon we realized that some of things that worked for us in the past no longer worked in America. We also realized that In America, children have rights and there are laws, statutes (federal, state, and local) which protect children. We heard words such as child abuse, child neglect, child abandonment, and maltreatment. This workshop today explains the laws which govern Child Welfare and will provide definitions.

One repeat question that I often hear from the Somali and other African refugee parents in my encounters is that parents don't know what to do with their children because children will not listen. Parents feel they have lost their ways of disciplining children and don't have new ways to guide their children. Hopefully this work shop today will provide some ideas and alternative ways of providing discipline to children. Finally, our meeting today I hope is not the last but a prelude of more things to come.

The Following "Highlights" Represent the Range of Questions and Areas of Concern

The Definition of Child Maltreatment, Safety and Harm

Pam Orren, Child Protection Screener, Hennepin County Human Services, was the presenter. Power Point slides on the definition of child maltreatment, safety, and harm and an outline of Minnesota's child protection system are outlined in a handout. Of special interest are factors that guide screeners in opening a case or making a referral: Is the child in imminent danger? Is there risk of serious maltreatment? Is there prior history? If a child's safety is threatened and a casework visit is required, how quickly?

How should a parent respond to a child's threat to report child abuse?

Parents should understand that they have the right to use appropriate measures of discipline. It is important to give parents the confidence and power to understand their rights and to trust the system to distinguish between true and false allegations of abuse. This response from parents is predicated on an implicit trust in and understanding of the Child Welfare system. It does not appear that the Somali community has developed this level of trust with the system. Notably, there are no Somali-speaking case workers in the Hennepin County Child Protection system. The hiring of a Somali-speaking case worker

would be an important step in developing a stronger relationship and sense of trust with the Somali community.

Delicate Balance of Discipline

Questions were raised regarding the degree of acceptable discipline. What is too hard? A participant reported instances of Somali families, particularly women, afraid to take their children to a clinic or hospital to receive medical care for fear of suspicion or misunderstandings that might result in allegations of abuse. Additionally, language barriers were identified as a cause for concern in this matter. In response, participants were reminded that failure to seek out proper medical care can also constitute abuse or neglect. Families should always seek medical help when needed.

Mandated Reporters

Participants expressed concern about the authority of teachers and their role as mandated reporters. For example, how far can they go in their obligations to report allegations of abuse? Participants were concerned about teachers “putting words in children’s mouths” or going too far to seek evidence of physical abuse and misinterpreting the child’s response.

Educating Parents and Children about the Child Welfare System

A participant asked about available training and education for children on what constitutes abuse within the Child Welfare system, including the rights of children and the rights of parents. Training offered by Wilder Research includes both parents and children in teaching about the system. Ultimately, the role of the Child Welfare system is to educate parents, improve their parenting skills, and protect children. Removing children from parents is an action taken only in extreme cases where the life of a child is endangered or in the cases of sexual abuse where their life chances are jeopardized.

Confidentiality

Staff from Corner House reported that Somali girls would not speak in front of interpreters for fear that their stories and experiences would be leaked back to the community. Despite the fact that all interpreters are Somali females, concerns about lack of privacy and confidentiality within the community have prevented Somali girls from sharing their stories with trained interpreters.

Female Circumcision

Female circumcision is illegal in the United States. As a result, the Child Welfare system would take reports involving this practice, but has not received reports of this kind to date.

A Clarification

In a “72 hour hold” the child is in immediate danger (physical or sexual abuse, egregious neglect, abandonment, or parental arrest). Only the police are allowed to take a child into custody without prior court authorization. Children in these circumstances are placed in an emergency foster care home or in Hennepin County at a shelter, St Joseph’s home. Police are required to call a child protection worker as soon as possible. If a child protection worker is in the home, they must call law enforcement and they may remove the child together.

Samaria Cooper, Group Facilitator, Wilder Foundation: *Learning More Effective Ways to Manage a Child's Behavior*

“Parenting Across Cultures, Strengthening Multi-Ethnic Families and Communities: A Violence Prevention Parent Training Program,” is a training curriculum Wilder provides as a model for alternative methods of discipline for parents. In addition, a train-the-trainer curriculum is also offered. The handout, “Parenting Across Cultures,” outlines the curriculum for strengthening multi-ethnic families and communities. How one establishes a relationship between parent and child that includes respect and trust is at the center of parent training programs. Additional information based on these concepts may be accessed at <http://www.parentingacrosscultures.com> or by contacting Wilder Foundation, Judy Parr, Supervisor, at 651-280-2118.

A series of questions on the difference between “guidance” and “punishment” ensued. Comments from the audience included:

- Children have a lot of freedom here.
- The law is on the side of the child.
- People come to the United States as a free country, but how free are we with all these child protection laws?
- Do we educate children that parents are parents and therefore have the right to discipline their children?
- How do we empower Somali parents so they are not fearful of disciplining their children?
- The immigration experience changes roles within the family.
- How do families maintain the integrity of their culture, yet meld with American culture at the same time? Core values, such as respect for religious traditions, elders, parents, must be maintained. Parents maintain and encourage the relationship with their children, based on respect and confidence that the parent has the child’s best interest at heart.
- The concept of discipline that is too harsh does not translate well.

In addition, there is not enough funding for parenting programs within the Somali community. Somali community-based organizations have relationships of trust with Somali parents, but no funds for parent training. (Doroth Mayer, Coordinator, East African Women’s Center.)

End Notes:

The Minnesota Department of Human Services issues a variety of notices on emerging issues that provide guidance and a foundation for understanding the child welfare system and the roles and responsibilities of child protection and the court system. These notices, including a Bulletin, are available at <http://edocs.dhs.state.mn.us/>

Certain privacy rights are protected by laws and Minnesota statutes: the name of the person making a child protection report may not be revealed; medical, mental health, school, and substance abuse records are also confidential and can only be released when parents sign the release or a court orders the release.

For additional background please refer to “Practice Notes – The Exploratory Interview of a Maltreatment Report: The First Encounter in a Child Protection System,” available at <http://www.cehd.umn.edu/SSW/cascw/attributes/PDF/practicenotes/Practice%20Notes%2014.pdf>

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Special Guests adding to the observations:

Susan Schmidt, MSW, LGSW, BRYCS Consultant

Doroth Mayer, Director, East African Women’s Center

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Attachments/Handouts

Definition of Child Maltreatment, Safety and Harm (Power Point)

Parenting Across Cultures (pdf)