Letter from the Chair

This past summer I was delighted to learn about NASW’s Restoring Hope: The Power of Social Work Conference. I believe social work is all about hope. It is a profession that helps struggling individuals to meet their needs in areas that range from the basics—such as food, clothing, and shelter—to the more complex social issues that require sophisticated advocacy. All of the assistance given is based on relaying a most important message: every individual has the right to have their common human needs met, and social justice is not merely a priority in our world, but, in fact, the number-one priority of our profession. All of our efforts in assisting individuals, communities, our nation, and our planet have as the primary goal the attainment of greater social, economic, and environmental justice for all.

How does one have hope, and how does a social worker foster it in today’s world? Hope is not something one can just will into existence; it can occur only within the context of trust and from a secure knowledge and experience of being the focus of care and concern from others. This trust, of course, first comes to most people from within their families, but, as social workers, we are in a position to establish trust by giving others the chance to experience caring and concern from within their community as well. Trust fosters hope, and once a person learns to hope, the memory of it—and what led to it—can be carried within their mind, heart, and soul. This “reservoir” of hope can then be called upon during tough times, thereby sustaining an individual and keeping him or her from falling into an abyss of despair.

Without hope, individuals and groups have no frame of reference to seek and find the solutions needed to help themselves. In my previous job as a mental health clinician, I came to realize that even someone facing the most daunting of challenges had a better chance of success than did their seemingly more fortunate peers—if they could obtain and maintain a sense of hope and trust in others. This is a major accomplishment particularly in a prison setting. During the past year, I participated in the implementation of a new program aimed at better assisting and supporting inmates as they faced release. Unmistakably, during interviews with client inmates, I heard about and saw an increase in hopeful thinking. I also witnessed results: more inmates reached out and connected with others in ways that brought about positive results for their futures.

On my last day, my closing remarks to the inmate group was what I’ve written here about hope: never lose it, and always look for someone who can be trusted to care, no matter how long and hard the search, because such people do exist. I will always be grateful to those men for allowing me to learn from them, and I will always be grateful to our profession for allowing me to experience its legacy of hope.

Mary Anne Nulty, LCSW
Chair, Social and Economic Justice & Peace Specialty Practice Section
WHY HUMAN RIGHTS EDUCATION?
When discussing globalization, it would seem natural to parlay it into social work education. Human rights issues strike at the very core of social work values and have been addressed in social work in the United States for more than 50 years. Social exclusion, racial and religious intolerance, gender inequality/violence, and the rights of women, children, refugees, older people, and the lesbian, gay, bisexual, and transgender (LGBT) community are social justice issues that have long concerned social workers. With the notion of the person-in-environment in mind, social workers should be aware of the effects of human rights violations on the growth and development of the individual as well as society in general. Whether in a micro- or macro-setting, social work education must confront these issues not only on a local but also on a global scale.

The Council of Social Work Education has mandated the integration of human rights into social work education, but this endeavor is still in its beginning stages (Reichert, 2011). Interestingly, international social work—separate and apart from human rights education and work—has continued to thrive.

POTENTIAL AREAS OF FOCUS IN INTERNATIONAL SOCIAL WORK
Within the various levels of social work practice and intervention, it is easy to see where such intervention could take place. Micro-, mezzo-, and macro-levels all provide opportunities for the global social worker and especially those workers who focus on human rights. Human rights social workers will encounter conventional social issues and problems that take on a new form, requiring unconventional interventions and practice.

At the micro-level, opportunities consist of clinical and immediate intervention to compensate for the lack of resources. Examples include working with individuals during and after conflicts and natural disasters.

The mezzo-level offers a wide variety of opportunities on the individual as well as community level. Examples include helping to alleviate humanitarian crises and aiding governments and
challenges in addressing the complex needs of immigrants, and limited translation services are among the biggest challenges.

organizations in their efforts to return services and get back to a state of homeostasis.

At the macro-level, social workers can take on governmental and legislative reforms. Such programs occur at the community level, and such action can also promote the profession while providing necessary assistance (Buzducea, 2010).

POINTS TO REMEMBER IN INTERNATIONAL/HUMAN RIGHTS WORK

Social workers can respond to general international trends by establishing a common identity and representative similarities within a context of acceptance among the different states. Social workers who serve in an international capacity must consider points that are unique to their work. They must:

• Understand the consequences, good and bad, of economic globalization;
• Be aware of the relations between their country of origin, their country of residence, and the country where they wish to practice;
• Emphasize to students that what they may have learned about social work may not apply globally;
• Become critically aware of whether social work is recognized as a profession or as an important player in addressing social issues in their chosen country;
• Recognize within nations the global “north” and “south” power as they relate to differences of social class, gender, sexual orientation, ethnicity, and race;
• Understand how policies in one context impact a segment of the population in another context;
• Understand that true change comes from standing with people in struggle rather than doing for people (charity versus solidarity) (Wehbi, 2011).

Through this introspection, social workers will begin to prepare themselves for human rights and international work—and for the challenges ahead. A human rights perspective in social work includes striving for freedom from diverse oppressions, encouraging the participation and ownership from marginalized peoples, and engaging in a reflective, productive discourse that links personal and collective change (Cemlyn, 2008). According to Social Work Speaks, as social workers and advocates of human rights, we promote the principle that the rights of the people take precedence over social customs when those customs exploit human rights (NASW, 2012).

The pledge to human rights is clearly expressed in current international social work documents and codes of ethics. International associations of social work educators and practitioners endorse all United Nation human rights conventions and provide modern principles in terms of rights, self-determination, and participation. These are the foundation for strengths-based empowerment (Cemlyn, 2008). The NASW Code of Ethics Preamble tells us that the social work profession’s primary mission is to enhance human well-being with particular attention to empowerment (NASW, 2008). It is this strengths-based empowerment that results in real and lasting change, and this is the desired change when dealing with human rights. Those essential rights—belonging to every human being—empower all people and strengthen self-determination, which are the tenets of the social work profession.

Lynn Purnell Hagan, PsyD, LCSW, provides consultative services in Aberdeen, Scotland, and is an online instructor at University of Phoenix. She is a member of NASW’s Social, Economic, Justice and Peace Specialty Practice Section Committee. She can be reached at lynnghagan@email.phoenix.edu.

REFERENCES


RESOURCES

www.hrea.org
Human Rights Education Associates (HREA)
An international nongovernmental organization that supports human rights learning; the training of activists and professionals; the development of educational materials and programming; and community-building through online technologies.

www.amnesty.org
Amnesty International
A global movement of more than three million supporters, members, and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

www.unesco.org
UNESCO
A specialized agency of the United Nations (UN). Its stated purpose is to contribute to peace and security by promoting international collaboration through education, science, and culture in order to further universal respect for justice, the rule of law, and human rights along with fundamental freedoms proclaimed in the UN Charter.
Today in America, many young people find themselves caught in a painful predicament. Approximately 1.8 million American children receive elementary and secondary education, but they are not given the opportunity to make the dream of higher education and a rewarding career a reality. Each year, about 65,000 undocumented children who have lived in the United States for five years or longer graduate from an American high school (Gonzales, 2009). Without some means to legalize their status as residents of a state, these children are seldom able to attend college and cannot legally work in this country. In some states, these students can legally attend college, but most are eligible for neither in-state tuition nor any financial assistance. Some states have gone so far as to pass legislation to prevent undocumented students from even being accepted into colleges and universities.

On May 11, 2011, Senator Dick Durbin (D-IL) and 34 fellow Senators introduced the Development, Relief, and Education for Alien Minors (DREAM) Act before the United States Senate. This bipartisan legislation sought to address the educational adversity faced by young people who have grown up in the United States and have graduated from high school but who are not granted access to higher education due to current immigration laws. The DREAM Act of 2011 was intended to enact two major changes to current immigration law. The first would allow certain immigrant students who have grown up in the United States to apply for and eventually obtain legal status and become eligible for citizenship if they go to college or serve in the U.S. military. To qualify for this legal status, students would be required to meet specific criteria. These students must have come to the U.S. at age 15 or younger and must have spent at least five years in the country before the date of the bill’s enactment. The student must have maintained good moral character while in the United States and have never committed a crime or been considered a security risk. Also, these students must have graduated from a U.S. high school or have been awarded a GED in the United States. Finally, under the Senate bill, a qualifying student must be under the age of 35 (DREAM Act, 2011).

The DREAM Act would offer conditional, permanent resident status to undocumented students similar to lawful permanent resident status, except it would only be awarded for the limited duration of six years instead of indefinitely. Students with this kind of conditional resident status would be able to work, drive, and attend school on the same terms as other Americans. These students would not be allowed to travel abroad for lengthy time periods or be eligible for Pell Grants; however, they would qualify for federal work study programs and student loans. At the end of the conditional residency period, the students would be granted lawful permanent resident status as long as they maintained good moral character, avoided lengthy trips abroad, graduated from a two-year college or vocational college, studied for at least two years toward a bachelor’s degree or higher, or served in the U.S. armed forces for at least two years (National Immigration Law Center, 2011).

The second major change is the elimination of the federal provision penalizing states that provide in-state tuition without regard to a student’s immigration status (DREAM Act, 2011). This is a change to section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which discourages states from providing in-state tuition or any other higher education benefits without regard to immigration status. Under the current section 505, any state that provides a higher education benefit based on residency to an undocumented immigrant must also provide that same benefit to any U.S. citizen, regardless of their state of residence (National Immigration Law Center, 2011).

The debate over education and undocumented immigrants is not new. In 1982, the U.S. Supreme Court ruled in Plyer v. Doe that undocumented children are in fact “persons” under the Fourteenth Amendment of the Constitution and are
covered under the Equal Protection Clause just as any native-born American. This court ruling went on to pose that children cannot be denied access to public elementary and secondary education on the basis of their legal status (Gonzales, 2008). In 1996, however, the IIRIRA and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) put federal rules in place that allowed undocumented students to attend college, but it required states that wished to allow these students to be eligible for in-state tuition to pass legislation permitting the student to establish in-state residency (Olivas, 2009).

Many people might ask the question: Why is the DREAM Act needed, or why is this even a problem? The current education and immigration laws fail not only undocumented students but also the community at large. By allowing these children to receive elementary and secondary education and then not permitting them to go on to receive college degrees, the initial investment these communities make into the students is lost. Additionally, undocumented children are incredibly susceptible to exploitation, as employers can threaten them with deportation. Unauthorized immigrant workers routinely face violations of minimum wage, overtime, and workplace safety laws (Jimenez, 2011). Not only would the DREAM Act affect the lives of the students, but it would also positively influence the United States economy. If students are given the opportunity to receive additional education and move to better paying jobs, then they would pay more taxes and have money to spend in the U.S. economy (Gonzales, 2009). So, this act could also help to stimulate more revenue for the U.S. economy. A study by the University of California, Los Angeles, has shown that DREAM Act participants could generate between $1.4 trillion and $3.6 trillion over 40 years (North American Integration and Development Center, 2010). If there are more highly skilled students coming into the workforce, the United States could also be more globally competitive in the areas of science, technology, and medicine.

There is much debate about allowing undocumented students to qualify for in-state tuition, with the main argument against it being that it will displace native-born students. In the ten states that have passed laws permitting undocumented students who graduate from high school to qualify for in-state tuition, this has not been the case at all. It has been noted that allowing undocumented students to qualify for in-state tuition has increased school revenues by bringing in tuition from students who might not otherwise be able to attend (Gonzales, 2009). This kind of research should be evidence enough that the DREAM Act of 2011 can be successful and contribute not only to the education attainment of undocumented students but also to the growth of the economy.

The DREAM Act offers the opportunity for undocumented students to gain citizenship and join the middle class. It also serves as a gateway for entire families to enjoy a middle-class standard of living and to reduce their dependence on public assistance. All of these things substantially benefit the American public as well as undocumented immigrants.

Tara Brewster is a current MSW student at the University of Southern California. She works full time as the senior training and development coordinator for the Virginia Department of Corrections’ Academy for Staff Development–West. Before her position at the Department of Corrections, Tara worked as the coordinator and forensic interviewer for the Children’s Advocacy Center of the New River Valley, and prior to that she was the sexual assault services coordinator for the Women’s Resource Center of the New River Valley. She can be reached at tbrewste@usc.edu.

REFERENCES


This article was originally printed as a NASW Human Rights Update

The number of immigrants in Immigration and Customs Enforcement (ICE) custody on an average day is well over 30,000 (Chaudry et al., 2010). Many of these individuals are parents and primary caregivers of U.S. citizen children and have no criminal record. Social workers are often responsible for ensuring the welfare of the children who must live without one or both parents due to immigration enforcement. As immigration enforcement increases and comprehensive immigration reform remains on the distant horizon, social workers must actively promote policies that are designed to keep family units together and preserve the quality of life for all children growing up in America.

BACKGROUND
There are approximately 5.5 million children in the United States with at least one undocumented parent. 73 percent of these children are U.S. citizens (Chaudry et al., 2010). A growing concern among many social workers is that too many undocumented parents are being sent to immigration detention facilities and separated from their children. Agreements between local police departments and the Department of Homeland Security (DHS), under a set of programs called ICE ACCESS, allow police to carry out federal immigration laws. While these agreements are facilitated to target “high-risk” criminal immigrants, depending on the jurisdiction, from 55 percent to 87 percent of arrests through these programs stem from misdemeanors such as traffic violations (Capps et al., 2011; Nguyen & Gill, 2010). Once arrested, many parents are transferred from the area in which they were apprehended to an immigration detention center without knowing what care arrangements have been made for their children and without being able to contact their children. For these parents, it has been difficult if not impossible to locate the parents or the parents are unable to participate in family court proceedings because of immigration detention.

IMPACT ON CHILDREN
When parents are held in detention, the subsequent family separation poses great risks for their children. Whether as a result of witnessing their parents’ arrest or simply not understanding why their parents cannot come home, children are likely to face multiple consequences when separated from their primary caregivers. Children experience emotional trauma, safety concerns, economic instability, and diminished overall well-being. This can lead to interruptions in these children’s schooling, depression, aggression and rebellion (Chaudry et al., 2010).

THE INTERSECTION OF THE TWO DISCIPLINES: IMMIGRATION LAW AND FAMILY AND CHILD WELFARE SERVICES
The complicated intersection of the immigration and child welfare systems presents often insurmountable barriers for detained parents to locate and know where their children are, to make child care plans and to participate in reunification case plans. This situation is compounded by language barriers that exacerbate communication difficulties between families, immigration and child welfare systems. The Immigration and Customs Enforcement agency holds parents for long periods, far from home, their children, their children’s caretakers, and even far from caseworkers and lawyers, and provides parents little way to communicate with or contact their children or children’s caretakers. Child welfare workers often have not been trained in how to navigate the detention system to locate a parent. Family court officials do not understand that parents might not appear at custody proceedings because they are in detention and the systems do not interface. Equally important, immigration judges are not afforded the necessary discretion to keep parents and children together. And workers in both systems may frequently find themselves battling discrimination and bias against immigrants.
WHAT SOCIAL WORKERS CAN DO
NASW supports policies that uphold equity and human rights for immigrants, while at the same time protecting national security (NASW, 2009). According to the NASW Code of Ethics (2008), social workers:

- Should engage in social and political action that seeks to ensure that all people have equal access to the resources, employment, services, and opportunities they require to meet their basic human needs and to develop fully. Social workers should be aware of the impact of the political arena on practice and should advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice. – 6.04 (a)
- Should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability. – 6.04 2(d)

ADVOCATE, EDUCATE, INITIATE
As advocates and practitioners, social workers can take the following actions:

1. Challenge yourself to see how this issue holds relevance in your everyday practice as a social worker. Learn as much as you can about the issue and take a look at the resources referenced in this update.

2. When working with families, learn whether children have been separated from their parents by immigration policies and investigate with the appropriate agencies to determine whether additional efforts are necessary to provide resources and services that will protect the rights of the parents and ensure the best interests of the child.

3. Actively educate and raise awareness in the community at large and engage and mobilize grassroots support to help families remain united while navigating the immigration/child welfare systems. Forward this document or hand it out to colleagues in the community. Blog, write letters to editors, share your thoughts via social media outlets, and talk to people about the issue.

4. Join NASW’s Advocacy list serve to receive alerts to take action on current legislation on this topic. Write to or call your members of Congress and ask them to ensure that immigration laws protect children impacted by the detention and deportation of their parents and that parents retain their parental rights while in detention and are afforded opportunities to plan for the care of their children. Sign up here: http://capwiz.com/socialworkers/home/

5. Join coalitions that call for improved immigration protocols that support family unification. National coalitions supported by NASW include: Detention Watch Network, Migration and Child Welfare National Network, Bridging Refugee Youth and Children’s Services, among others. Your NASW chapter may have information on state-level coalitions in which you can become involved.

Learn more about our work: SocialWorkers.org/practice/Issues/immigration.asp

FACTS ON DETENTION
Since 1994, the immigration detention system has expanded five-fold, from 6,785 beds per night to over 33,400. Although staying in the United States without proper documentation is a civil violation, immigrants are often held in facilities with and treated as criminal offenders. In fact, over 58 percent of immigrant detainees being held in ICE facilities have no criminal record.

- Immigrants have become the fastest growing population in federally funded detention facilities.
- Across the United States, the Department of Homeland Security holds immigrant detainees in over 175 facilities, half of which are privately operated.
- Private prison corporations vie for federal contracts to hold immigrants, charging on average $122/night for each detainee, costing taxpayers $1.7 billion in 2009.

RESOURCES
NASW Practice Update: Meeting the Needs of Immigrant Children and Youth in Child Welfare

Maintaining Parental Rights During Immigration Enforcement Actions and Detention
www.womensrefugeecommission.org/reports/cat_view/68-reports/71-detention-a-asylum

The Women’s Refugee Commission, the Florence Immigrant and Refugee Rights Project and the Applied Research Center provide an overview and recommendations regarding maintaining parental rights during immigration enforcement actions and detention.

The Impact of Immigration Enforcement on Child Welfare
This policy brief examines the intersection of immigration enforcement and child welfare and the difficulties facing immigrant families caught between the two systems. www.firstfocus.net/sites/default/files/CaughtBetweenSystems.pdf

Torn Apart by Immigration Enforcement: Parental Rights and Immigration Detention
This report by the Women’s Refugee Commission outlines the loss of parental rights when immigrant parents are detained or deported and risk losing their U.S. citizen children. http://womensrefugeecommission.org/programs/detention/parental-rights

Disappearing Parents: A Report on Immigration and the Child Welfare System
This report from the University of Arizona presents findings from interviews with personnel in the child welfare system and makes recommendations for reforms of both the federal immigration enforcement system and the state child welfare system. www.law.arizona.edu/depts/bacon_program/disappearing_parents_report.cfm
A Social Worker’s Tool Kit for Working With Immigrant Families
Written by the Migration and Child Welfare National Network, this tool kit provides public child welfare and community-based agencies working with immigrant families with guidelines for integrating child welfare practice — from engagement to case closure — with trauma-informed care and trauma-specific services.

Amy Bess has 20 years of program and management experience with international non-profit organizations, including five years working in conflict zones.

REFERENCES


RESOURCES


Learn more about the NASW’s International Efforts:
NASW Human Rights and International Affairs www.socialworkers.org/practice/intl/default.asp

Are you looking for a way to grow your private practice or supplement your existing income?
Participating members receive referrals to help individuals with an Employee Assistance Program (EAP). This workplace employee benefit helps employees with a personal issue adversely affecting their work, health and wellbeing.

EAPrefer® has already negotiated with network providers in your area to provide fair compensation. Participation is easy—and free—for NASW members and EAP network providers.

Visit us at www.EAPrefer.org and enroll today!

Put your expertise and experience to use through NASW’s revolutionary new program.

EAPrefer® connects qualified members with EAP network providers who have clients in need of short term counseling.

EAPrefer® is a program of NASW Assurance Services, a subsidiary of the National Association of Social Workers.
Did You Know

Minority and poor populations are disproportionally uninsured. U.S. families with incomes below 200 percent of the federal poverty level run the highest risk of being uninsured. More than 80 percent of the uninsured people are in working families.

Call for Social Work Practitioner Submissions

NASW invites current social work practitioners to submit brief articles for our specialty practice publications. Topics must be relevant to one or more of the following specialized areas:

- Administration/Supervision
- Aging
- Alcohol, Tobacco, and Other Drugs
- Child Welfare
- Children, Adolescents, and Young Adults
- Health
- Mental Health
- Private Practice
- School Social Work
- Social and Economic Justice & Peace
- Social Work and the Courts

For submission details and author guidelines, go to SocialWorkers.org/Sections. If you need more information, email sections@naswdc.org.

For more information, visit SocialWorkers.org/Sections