

The Importance of ICWA Trained Staff

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Cultural Awareness

- The Indian Child Welfare Act was passed in 1978 as a remedial act to try and remedy decades of destructive federal Indian policies and to preserve the unique values of Indian culture. Its purpose is to protect the best interests of Indian children and to promote the stability, security, and culture of both Indian Tribes and their families.
- We must recognize the cultural uniqueness of American Indian cultures vs. Anglo-American culture. You cannot learn culture through a book. It must be taught and experienced by each individual through relationships, human contact, and cultural practices.

- Under ICWA, the Federal Government has established requirements for State and private agencies that regulate how placements of Tribal children and services to Tribal families should occur. However, it is not unusual to see Tribal-State conflicts with regard to the implementation of ICWA requirements and such issues as notification, transfer of cases, service provision, placement preferences, preservation of connections, and achievement of permanent family outcomes.

The Benefits of Specialized ICWA Workers

- Having specially trained ICWA child welfare staff enhances ICWA implementation. This does not diminish the value of requiring all child welfare social workers receive ICWA training. It ensures their access to specially trained staff that have experience managing ICWA cases.
- This will result in an expedited process and fewer appeals.
- Staff will have the necessary experience and resources available to handle ICWA cases.
- Specialized staff has the ability to build healthy relationships and strong communication between Tribes and County CW agencies.

- “When State practice moves closer to the values, traditions, and customs of American Indian/Alaska Native (AI/AN) children’s Tribes and families, the children benefit. Practitioners who provide more culturally appropriate options in safety and permanency create greater ownership and buy-in from the child’s Tribe and reduce potential conflicts in case planning. Individual families also are more engaged when there is a more individualized approach. One example of this has been the exploration of more culturally competent permanency options for AI/AN children in many States.” -From 2006 Tribal-State Relations

Tribal and State Relations

- How do we help States and Tribes find ways to work together more effectively to meet the goals of ICWA?
- Understanding the principles of effective practice, along with the history and context for Tribal-State relationships, will assist in developing positive Tribal-State relations in communities.
- Having trained and specialized ICWA social workers in both county and Tribal communities

Differences in Child Welfare Values and Practices

- Differences often arise between State and Tribal child welfare values and practices.
- Within Tribal communities, child welfare decisions often are made based on the concept of community permanency.
- The meaning of family in Tribal settings encompasses individuals outside of the child's biological parents and siblings and is often referred to as the child's extended family.
- From the Tribal perspective, these concepts of identity and belonging are central to the idea of permanency and are considered paramount in decisions regarding the placement of Indian children. When family reunification is not an option, therefore, the Tribal perspective places emphasis on permanency alternatives that help the child stay connected to his or her extended family, clan, and Tribe.

The Value of having Specialized and Centralized ICWA Trained Staff

- Protecting AI/AN children requires a complex system of child welfare services that involves many different entities, including law enforcement, the courts, and social service agencies.
- Improved access to placement and treatment resources
- An increased ability to address underlying issues that affect safety, treatment, reunification, and placement
- Lower risk for disruption in the permanent placement when ICWA preferences are followed
- Enhancement of the child's connection to his or her culture and relationship with his or her Tribe

The Value of having Native American Staff in County and State Agencies

- Offering families the choice to incorporate cultural practices or participate in cultural activities as part of their involvement with the tribal child welfare program
- Supporting families that want to incorporate ceremonies and traditional cultural practices by connecting them with traditional healers, spiritual persons, or crafts persons
- Referring children, youth, and families to cultural activities and cultural programs in the tribal community that will assist them in strengthening their cultural knowledge and understanding
- Making cultural adaptations to non-Native interventions and programs;
- Encouraging and facilitating the participation of children, youth, families, and foster care providers (including non-Native foster parents) in community events
- Using language, history, and cultural programs to build identity and resiliency in children and youth and as a form of prevention programming

References

- http://www.nrc4tribes.org/files/Tab%209_9C_Current%20Gateway%20Collaboration.pdf
- “Noncompliance, jurisdictional indifference, and culturally insensitive services have hindered implementation of the Indian Child Welfare Act of 1978. Training workers to better meet its practice requirements is one way of mitigating the problem. This paper reports on such a training program, called “Teaming for Indian Families.” From: Raymond L. Bending PhD Journal of Multicultural Social Work. Published Online: 22 Oct 2008

References (continued)

- “Cultural competence training has been suggested as one way to help address the over-representation of children of color in the child welfare system. This article describes findings from a mixed-methods study of specialized training in cultural competence knowledge, attitudes, and skills for experienced caseworkers in public child welfare.”
- From: Building Cultural Competence in the Child Welfare Workforce: A Mixed-Methods Analysis Catherine Lawrence, Monna Zuckerman, Brenda D. Smith & Junqing Liu Pages 225-241 | Received 26 Apr 2010, Accepted 04 Apr 2011, Published online: 03 May 2012
- <http://www.tandfonline.com/doi/full/10.1080/15548732.2012.667747?sroll=top&needAccess=true>

My Internship Experience

I was stationed at the following locations:

- Orange County - I worked alongside SSW and ICWA caseworker Priscilla Morfin
- Orange County ICWA noticing unit
- Pala Social Services
- Child Help
- I saw firsthand the value of having trained ICWA staff in county agencies. These workers adhered to and followed all provisions of ICWA, including the Spirit of ICWA. Some went above and beyond their duties as social workers in order to recruit much needed Native American Foster families- with the intent of securing positive outcomes for Native American children and families.

Resources for ICWA Specialists

Academy for Professional Excellence
SAN DIEGO STATE UNIVERSITY SCHOOL OF SOCIAL WORK

ACADEMY Programs > BHETA MASTER LIA PCWTA SDIGEC SACHS TRIBAL STAR

Home > Program Overview > Tribal STAR – Successful Transitions for Adult Readiness > Resources for ICWA Specialists

Resources for ICWA Specialists

Having specially trained staff on ICWA is good practice for both state and tribal child welfare agencies because it supports proper ICWA implementation and can potentially reduce appeals and costs. State and county staff that specialize in tribal child welfare also need to be trained on culturally responsive engagement and historical context about why ICWA was passed. Tribal ICWA Advocates need to understand how their local child welfare services respond when they have good reason to know they have an Indian child in their care. When tribes, Native American communities, state-, and county child welfare agencies work together we can achieve the best outcomes for safety, permanency, and well-being. The video below captures the history the San Diego County Child Welfare Indian Specialty Unit which officially began in 1992.

Click play to watch the 22-minute video about the San Diego County Indian Specialty Unit (ISU).



San Diego County Indian Specialty Unit (ISU)

The screenshot shows a website page for the Academy for Professional Excellence at San Diego State University. The page is titled "Resources for ICWA Specialists" and is part of the Tribal STAR program. It features a navigation menu with options like ACADEMY, Programs, BHETA, MASTER, LIA, PCWTA, SDIGEC, SACHS, and TRIBAL STAR. A sidebar on the left contains a list of links under "ACADEMY" and "PROGRAMS". The main content area includes a paragraph explaining the importance of specially trained staff for ICWA implementation and a video player for a 22-minute video about the San Diego County Indian Specialty Unit (ISU).

<https://theacademy.sdsu.edu/programs/tribal-star/resources-for-icwa-specialists/>

Resources for ICWA Specialists

Our Children, Our Sovereignty, Our Culture, Our Choice

ICWA Guide for Tribal Governments and Leaders

Introduction - A Word From the Authors

Our tribes are threatened by the removal of our youngest and most vulnerable members, our children. As leaders we want to make informed decisions to protect the future of our tribe, our culture, our children and families. Historically, we have seen state and federal programs compromise our dignity and culture by breaking up our families and tribes. Even today we hear of unwarranted removal of our Indian children and the attempts to keep them separated from their culture and tribal identity. The Indian Child Welfare Act (ICWA), when complied with, can help prevent these unwarranted removals and ensure Indian children are kept safe while remaining with their families. The purpose of this Guide is to recommend actions that tribal leadership can take towards ensuring compliance with ICWA.

The recommendations that appear in this guide were made by tribal court judges, tribal attorneys, tribal educators who train on ICWA, tribal legislators, a former Tribal Governor/Social Services Director, Counsel for the County (who was also a tribal member), and directors of social services for tribal child welfare programs. It is important to note that these are recommendations, not mandates, made by individuals who work in various arenas in child welfare.



“Let us put our minds together and see what kind of life we can make for our children.”

- Sitting Bull
Hunkpapa Lakota

Caution: every state and child welfare jurisdiction interprets ICWA compliance differently. Tribal leaders, ICWA designated agents, and Native social service providers should be aware of any MOUs (memoranda of understanding), child welfare protocols, and court standards that can impact outcomes for Native children and families.



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Détente and Decorum for Child Welfare Leaders

Strategic Teaming and Engagement with Tribes and Native American Communities

DEFINITIONS

Détente (n) dé-tente \də-ˈtɛnt\ 1. The relaxation of strained relations or tensions (as between nations). 2. A period of a détente. An ending of unfriendly or hostile relations between countries.

Decorum (n) de-co-rum \də-ˈkɔr-əm\ 1. Literary and dramatic propriety; fitness. 2. Propriety and good taste in conduct or appearance. Correct or proper behaviors that show respect and good manners.

Through the speed of technology and social media we are instantly aware of the cultural, social, and political conflicts happening anywhere in the world with the hit of a button. Yet here in our own backyard centuries of conflict have left a legacy of strained relations, disproportionality and disparities that impact child welfare today.

Efforts to build and strengthen trust between state child welfare agencies and tribes require knowledge of and acknowledgement of bias in social work practice related to the Indian Child Welfare Act of 1978 (ICWA) and past U.S. and California policies detrimental to California's Native Americans. Understanding the tribal narrative of local history and interactions between tribes and child welfare agencies can assist directors, managers and supervisors in navigating a collaborative path to safety, permanency, and well-being for Native American children. Strategic teaming and engagement with tribes and Native American communities can be achieved when child welfare leaders operate as change agents working toward inclusive and sustainable institutions and communities.

To be most effective, child welfare leaders need to lead by example and be aware of privilege, power, humility, and social justice and embrace a growth mindset* that seeks to understand the root causes of disproportionality and disparity related to American Indian children in the child welfare system. For child welfare leaders who are just beginning to team and engage with tribes and Native American communities the American Indian Enhancement (AIE) Implementation Toolkit* provides a framework for decision making and strategies for improving practice when working with Native American families. The resources and recommendations within this document support the California Child Welfare Core Practice Model and the 2016 Federal Regulations and Guidelines for Implementing the Indian Child Welfare Act.

