

# Reaching Out

CURRENT ISSUES FOR CHILD WELFARE PRACTICE IN RURAL COMMUNITIES

SPRING 2006



## Rates for children in child welfare supervised foster care by ethnicity

### chart #1

(California, July 1, 2004)

Ethnicity	In-Care Rate (per 1,000)
White	7.0
Hispanic	6.9
African American	35.4
Asian	1.8
Native American	13.8
Other	0.6
Average rate for all children	8.4

Reference article on page 9

## Native American Communities and the Child Welfare System

By Susan Brooks, Director, Northern California Training Academy, The Center for Human Services, UC Davis Extension

Native American tribes and the U.S. child welfare system share a difficult and painful history. After more than a century of government efforts to remove Native American children from their families in an attempt to assimilate them into dominant U.S. culture, the pendulum has begun to swing the other way. Battles waged by Native American tribes and their supporters resulted in the passage of the Indian Child Welfare Act (ICWA) and other efforts toward improving tribal-government relations and outcomes for Indian children across the nation.

In this issue of *Reaching Out*, we look at the relationship between Native American tribes and county child welfare services in Northern California. We start with a historical perspective on tribes in California. We also include an article about the Indian Child Welfare Act, (passed by the U.S. Congress in 1978). This issue of *Reaching Out* examines ICWA implementation issues and explores innovative collaborations among tribes, counties and the state.

While Native American tribes and child welfare agencies have made positive progress in working together for the well-being of Indian children and their families, we continue to face real and troubling challenges.

For example, Native American children are still disproportionately represented in the child welfare system in Northern California (see article on page 9). As we address these challenges, we do so with the benefit of strong partnerships and a shared commitment to building the needed positive systems and relationships to support all families.

## WHAT'S INSIDE:

Introduction	Cover
Map of Calif. Tribes	2
American Indian History	2
Indian Terminology	4
History of ICWA	4
Tips from Prof. Cowan	6
CDSS' ICWA Workgroup	7
Butte County Collaborations	8
Circle of Life	8
Database Report	9
Tribal Advocate Profile	10
Lassen County Collaborations	11
Tips for Tribal Protocol	12
MSW Curriculum	14
Resources	15
Announcements/Thanks	Back Cover

# FEDERALLY RECOGNIZED CALIFORNIA TRIBES



## American Indian Families in California: A Brief Historical Perspective

With more than 564,000 residents, California has the largest American Indian/Alaskan Native population in the United States. It also has the largest population of American Indians who live in urban areas. The American Indians who live in California are members of approximately 270 tribes from all across the U.S., and they live in communities all across California.

There are more than 100 federally-recognized tribes in California and approximately 50 non-federally recognized tribes. (Please see Native American Terminology 101 on page XX for definition and implications of being federally recognized.) Fewer than 10 percent (approximately 40,000) of Indians living in California are members of federally-recognized tribes, while an additional 75,000 California Indians are members of non-federally-recognized tribes. Of the 106 federally-recognized tribes in California, the majority (64) are in the counties served by the Northern California Training Academy

## Before Contact with Europeans and Americans

Before contact with Europeans, California Native peoples lived in tribal communities all over the state, from the interior deserts to the northern coastal redwood forests. Their population was approximately 300,000 people. Because there were areas of great natural abundance and clement weather, certain California tribes had permanent villages with populations of up to 200 people. There were 64 different spoken languages, giving California "more linguistic diversity than all of Europe."



## Contact with Europeans and Americans

As elsewhere in the United States, the history of contact with the Europeans and Americans proved to be genocidal for the California Indians, decimating their population, tearing apart their tribes and nearly destroying their native cultures. By 1870, the indigenous population was down to 40,000 people. From the beginning, the official and unofficial policies and strategies of the Europeans and Americans towards the Native people they encountered in America alternated between trying to exterminate the Native people to moving them out of their way.

In the 1850s, the U.S. government negotiated treaties with a large number of California Indian tribes. The tribes were forced to give over large tracts of land in exchange for 18 reservations. But Congress received pressure from the European-American settlers in California not to designate any land for the Indians, and so they did not ratify these treaties. In the late 19th and early 20th centuries, the U.S. government did establish a number of small reservations and rancherias that were mostly on undesirable land and only accommodated less than half of the California Indian population.

In the mid-19th and 20th centuries, government-sponsored efforts further aimed to destroy Indian culture through assimilation. These assimilation efforts often targeted Indian children. The most infamous of these were Bureau of Indian Affairs-sponsored boarding schools. The BIA many times forcibly removed children from their families and tribes and sent them to boarding schools often hundreds of miles away. These children stayed at these schools for years without any contact with their families. They were not allowed to dress in their traditional dress, speak their native language or practice any tribal rituals. Fortunately, as a result of the mixing of Indians from different tribes over time, Indians developed a pan-Indian identity, which became an important political force in the 1960s and 70s.

In the 1950s the U.S. government tried yet another strategy to encourage American Indians to move off their tribal lands by offering them financial assistance and the promise of job training and jobs in exchange for relocating to U.S. urban areas. California Indians were sent to cities in the East and Midwest, while Indians from tribes outside of California were sent to San Francisco and Los Angeles. This resulted in a large increase in the Indian population in urban areas, and a further dilution of specific tribal cultures.

## California Indians Today

California Indian tribes in California represent individual sovereign nations. California Indians still live in communities that range from rural northeastern Siskiyou County to the deserts of Imperial County to the urban sprawl of Los Angeles County. They include six distinct language groups and a wide variety of cultural practices and forms of government. There is no one "Indian experience" in California.

Due to the reluctance of the U.S. government to ratify treaties with California tribes, California Indians received far below their fair share of federal support. Collectively, California Indians have received less federal funding for health, educational and social programs than tribes in other states. As a

result, California Indians who live on reservations have much higher rates of poverty, less secondary education and higher unemployment than Indians in other states who live on reservations.

In the last 15 years, there has been a change in economic status for federally-recognized California tribes as a result of tribal gaming.

Tribal gaming arose as an economic opportunity when tribes realized that they could capitalize on their status as sovereign nations and negotiate compacts with individual states to set up legal gaming operations. Today, 54 tribes have gaming compacts, but as part of these compacts, all federally-recognized tribes in California receive an annual amount of funds from gaming, not just those tribes that actually have casinos. These gaming operations range from large casino and hotel complexes to modest Bingo parlors. While Indian gaming can yield significant revenue, only about three percent of California Indians benefit directly (and in widely varying degrees) from Indian gaming. And it is not feasible for most California tribes to benefit at all from gaming because 1) they may not be federally recognized and therefore do not have sovereign nation status with the U.S. government; or 2) they may be located in remote areas without much access to a tourist population.

Today, despite more than 200 years of struggle and near genocide, California Indians continue to survive and to enrich the state with their various cultures. It is more vital now than ever to support the economic development, civil rights, and cultural and national sovereignty of California Indian tribes.





# American Indian Terminology 101

**American Indian:** Any person who self identifies as belonging to one or more indigenous tribes in the lower 48 states of the U.S. (excluding Alaska and Hawaii).

**Native American:** In the context of this newsletter, Native American refers to any person who self identifies as belonging to one or more indigenous tribes in the U.S. including Alaska and Hawaii. This term includes American Indians and Alaskan Natives.

**California Indians:** Those American Indians who are from tribes indigenous to California.

**Federally-recognized tribes\*:** Indian tribes recognized by the federal government as self-governing entities with which the U.S. maintains a government-to-government political relationship. This relationship may be established by treaty or agreement, congressional legislation, executive order, judicial ruling or Secretary of the Interior's decision. Recognized tribes are eligible for special services and benefits designated solely for such tribes (e.g., BIA programs, Indian Health Services). Along with these services and benefits comes the right to have tribally-held land.

**Non-federally-recognized tribes:** These are Indian tribes that are not legally recognized as sovereign nations by the federal government. These tribes are nations both historically and culturally.

**Dual citizenship\*:** The Indian Citizenship Act of 1924 extends the rights of full citizenship to American Indians born within the Territorial United States. It is a dual citizenship wherein American Indians do not lose civil rights because of their status as tribal citizens, and individual tribal citizens are not denied tribal rights because of their American citizenship.

**ICWA:** The Indian Child Welfare Act, passed by the U.S. Congress in 1978, is a federal law which regulates placement proceedings involving Indian children who are either members of a federally-recognized tribe or eligible for membership in a federally-recognized tribe. These rights apply to any child protective case involving adoption, guardianships, termination of parental rights action, runaway/truancy matters or voluntary placement of an Indian child. See article on this page for more information.

**Bureau of Indian Affairs (BIA):** A branch of the U.S. Department of the Interior that is responsible for "the administration and management of 55.7 million acres of land held in trust by the United States for American Indians, Indian tribes and Alaska Natives. Developing forestlands, leasing assets on these lands, directing agricultural programs, protecting water and land rights, developing and maintaining infrastructure, and economic development are all part of the agency's responsibility."

**Tribe\*:** A community or combination of communities that occupy a common territory, share a political ideology and are related by kinship, traditions and language.

**Rancheria\*:** Spanish term applied to small Indian reservations in California.

*\* These definitions are taken from the following source:  
Fann, A. J. (2005). *Forgotten Students: American Indian High School Student Narratives on College Access*. Doctoral dissertation, University of California, Los Angeles.*

## Roots of the Indian Child Welfare Act

The relationship between American Indian tribes and the U.S. federal and state government bears a tragic history, especially with regard to Indian children. Beginning in the last 19th century, the U.S. government, through the Bureau of Indian Affairs, removed thousands of Indian children from their homes and families on reservations to distant boarding schools. The goal for this action was, specifically, to eradicate indigenous language and culture and assimilate Indian youth into the dominant U.S. culture.

In the mid-20th century, the Child Welfare League of America, with funding from the Bureau of Indian Affairs and the U.S. Children's Bureau, began the Indian Adoption Project. At a time when the predominate philosophy in adoption was to match children and adoptive families racially and culturally, this project sought to place Indian children with Caucasian adoptive families. The belief was that Caucasian, middle-class families would provide a culturally richer and financially more comfortable life for American Indian children than their extended tribal family. The Indian Adoption Project represented "the first national effort to place an entire child population transracially and transculturally." The Indian Adoption Project lasted from 1958 through 1967.

"In the late 1960s and early 1970s, Native American activists and their allies challenged the idea that the Indian Adoption Project was a triumph for civil rights and equality. They denounced the project as the most recent in a long line of genocidal policies toward native communities and cultures. Tribal advocates worked hard for the passage of the Indian Child Welfare Act (1978), which reacted against the Indian Adoption Project by making it extremely difficult for Native American children to be adopted by non-native parents."

Passed by the U.S. Congress in 1978, the Indian Child Welfare Act recognizes that "there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children." To quote further from the ICWA: "An alarmingly high percentage of Indian families are broken up by the removal, often unwarranted, of their children by non-tribal public and private agencies and that an alarmingly high percentage of such children are placed in

non-Indian foster and adoptive homes and institutions; and that the States, exercising their recognized jurisdiction over Indian child custody proceedings through administrative and judicial bodies, have often failed to recognize the essential tribal relations of Indian people and the cultural and social standards prevailing in Indian communities and families.”

The Congressional declaration of policy in the ICWA states that: “The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.”

The ICWA is one of the few federal laws governing state proceedings in the areas of child welfare. It represents a significant philosophical shift from seeing each child welfare case individually to recognizing the compelling interest in tribal jurisdiction over child custody proceedings involving Indian children. The ICWA gives American Indian tribes jurisdiction over four specific aspects of child welfare: 1) foster care placements; 2) termination of certain parental rights involving any proceeding that may result in the termination of the parental rights of the Indian child’s parents or the custodial rights of the child’s Indian custodian; 3) pre-adoption placements; and 4) adoption placements. The ICWA also recognizes that any child living on an Indian reservation is under the jurisdiction of the tribal courts.

***We can’t publish this newsletter without you.***

We welcome your comments and specific story ideas about what’s happening in your agency or county. Please send your suggestions to [kolesen@unexmail.ucdavis.edu](mailto:kolesen@unexmail.ucdavis.edu).

The theme for our next issue will be *Alcohol/Drug Abuse and Child Welfare Services*.







## **“Go Out of Your Way:” An Interview with Professor Geni Cowan**

Geni Cowan, Ph.D., a professor at Sacramento State University and a trainer for the Northern California Training Academy, knows a lot about the Indian Child Welfare Act. She is a member of the statewide ICWA Advisory Group and an ICWA expert witness for Sacramento County. In her job as an ICWA expert witness, Dr. Cowan writes the reports required by law to verify that in a case where an Indian child has been detained by Child Protective Services, the county has made active efforts and provided culturally appropriate services to keep the family intact.

Dr. Cowan emphasizes what an important and necessary law the ICWA is. “It is vital to assuring that a child’s status as a member of an Indian tribe is being honored in the child welfare system,” she explains.

Dr. Cowan generously shared her thoughts on what she feels are the necessary ingredients for a county’s successful execution of the ICWA requirements:

- Every county should have a clearly written procedure on when the ICWA applies and what social workers need to do when they identify an ICWA case. This policy and procedure should be written in conjunction with representatives from local tribes, if possible.
- County social service agencies need to have a working relationship with members of local tribes. They must bear in mind that local tribes may vary in their size and organization.
- Counties need to build up a sufficient list of available ICWA expert witnesses to write the required reports stating the county is in compliance when an ICWA case is brought to court.
- County court personnel also need training on both the ICWA and Native cultures so that they can knowledgeably address legal and child custody issues within the context of the ICWA.
- Social workers must have training in several areas to effectively carry out provisions in the ICWA.

Not only do they need to understand the county’s ICWA policies and procedures, they also need to understand why there is a need for the ICWA. Social workers should have a clear

idea of what is needed to be in compliance with the ICWA. They should also understand issues of jurisdiction between the county and Indian tribes which, if federally recognized, are sovereign nations.

- Social workers must have training on general aspects of American Indian culture and appropriate practice strategies when working with Indian families.
- Social workers need to know about the culturally-relevant services for Indian families in their communities.

Addressing this last guideline, Dr. Cowan talked about the challenge that the search for culturally-relevant services might entail for social workers in counties with a small American Indian population. But, finding these resources is a critical aspect of successful practice. It can make the difference between a family’s successfully receiving help or falling between the cracks. Dr. Cowan exhorts, “Go out of your way to identify culturally-relevant services. Then build a relationship with your local tribes.” This will go a long way towards not only successful compliance with the ICWA, but effective work with American Indian families as well.



**above**  
**Miwok man holding  
spear, sitting on  
boulder in a creek.**

*c1924. Curtis, Edward S.,  
photographer.*

**“Go out of your  
way to identify  
culturally-relevant  
services. Then  
build a relation-  
ship with your  
local tribes.”**

*~ Geni Cowan*

**Right**  
**Athapascan Hupa  
woman from  
northwestern  
California, wearing  
shell headbands,  
necklace, and holding  
up two baskets.**

*c1923. Curtis, Edward S.,  
photographer.*

## CDSS' ICWA Workgroup: Raising Awareness, Improving Compliance

California is home to the largest number of American Indian people in the nation. This includes those affiliated with the more than 150 federally and non-federally recognized American Indian tribes, as well as the large number affiliated with non-California tribes. California faces a unique and complex relationship with its tribes. As a mandatory Public Law 280 state, California has concurrent criminal and certain civil jurisdiction with its tribes, relieving the federal government of that jurisdiction. The California Department of Social Services (CDSS) has responsibility — through its Children and Family Services Division — for assuring implementation of the Indian Child Welfare Act (ICWA), as well as addressing the many tribal concerns that have historically been barriers to tribal-state relations. By establishing an ICWA specialist and an ICWA Workgroup, CDSS continues to work toward overcoming these barriers and challenges.

As CDSS' ICWA specialist, Anne Smith serves as the main point of contact for ICWA issues. For more than six years she has provided technical assistance to Indian families, Indian tribes, tribal organizations and advocates, as well as county child welfare and probation agencies regarding implementation and compliance with ICWA.

"Because in most counties the number of child welfare cases involving Indian families and children is relatively small as compared to non-Indian cases, county staff did not have much experience with the requirements of the act and, therefore, had questions about this," Smith says. "But recently the number of questions from social workers has become much less, hopefully as a result of the ICWA training that our department began conducting in 2002 for social workers."

Smith says that now more of the questions she receives come from county probation officers. That's because recently more emphasis has been placed on the application of ICWA in delinquency cases. "Our department just completed the first round of ICWA training in the delinquency context for probation officers, so they are becoming more familiar with the requirements now," adds Smith.

In addition to employing an ICWA specialist to serve as a resource for county staff and tribal workers alike, CDSS formed a collaborative workgroup in 2002 with the sole intent of fostering communication and collaboration among the State, tribal representatives, county child welfare workers and county probation officers on ICWA-related issues. Its primary objective

aims to identify problems that exist, and to develop recommendations and solutions for tribes, counties and the State in order to achieve greater ICWA compliance. The workgroup membership currently consists of 32 tribal ICWA workers/advocates, 11 county child welfare and probation representatives and 10 CDSS staff. Virginia Hill of Virginia Hill & Associates in Pauma Valley and Theresa Sam of Santa Rosa Rancheria, Tachi Tribe, serve as the tribal co-chairs, and Susan Nisenbaum, branch chief of the Child Protection and Family Support Branch, serves as the CDSS co-chair.

"The workgroup has helped us understand issues around ICWA, but it has also helped us better understand the history and issues of the tribes themselves," Smith says. "It's an opportunity for them to have a voice and provide input."

To date, the workgroup's accomplishments include development of the following:

- CDSS' ICWA training curriculum
- contract with the Judicial Council of California for provision of technical assistance to judges and judicial staff on the implementation of ICWA
- new forms to be used for ICWA noticing purposes
- recommended revisions to CDSS' child welfare services regulations (California Code of Regulations, Division 31) regarding ICWA
- specific outcomes relative to ICWA for the AB 636 Outcomes and Accountability process

Future goals of the workgroup include implementing the next phase of training curriculum development and delivery. This phase moves the focus of training from the legal requirements of ICWA to the day-to-day operational functions of what social workers and probation officers must do once a case is identified as a possible ICWA case. Also, much more emphasis will be placed on the cultural perspective.

While its efforts remain a work in progress, CDSS has received feedback from many tribal representatives indicating that the assistance provided by Smith, as well as the contributions of the workgroup, has made a positive difference in the outcomes for California's Indian children and families.

*For more information about the ICWA Workgroup or other questions about ICWA, contact Anne Smith at (916) 651-6031 or email [anne.smith@dss.ca.gov](mailto:anne.smith@dss.ca.gov).*

## Butte County: A Model Program for Helping Native American Families

Children's Services in Butte County is making strides toward protecting, encouraging and strengthening the relationships between Native American children, their families and their tribal communities. Although still a work in progress, ICWA efforts are producing keen results as indicated by more effective coordination of social services and growing support from tribal communities.

Efforts began several years ago with the formation of work groups, resulting in an Expert Witness Protocol that was adopted by the state as a model for use in other counties.

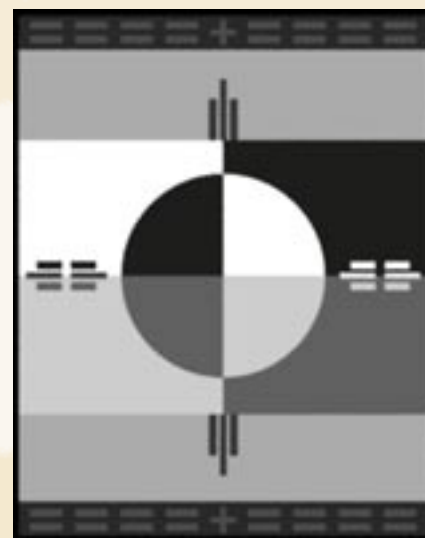
Social workers and staff went to training classes, specific to ICWA law and cultural issues, and a workshop was presented to the tribes in order to recruit Native American foster parents. A Children's Services supervisor now sits on the Tribal Committee Task Force, and a tribal representative attends placement meetings and is fully involved with all decisions involving Native American children.

ICWA worker Bobbie Peterson has helped put the policies and procedures in place, collecting resources, researching ancestry and maintaining databases using the federal registry of tribes. Social workers are very enthusiastic about providing for these children in spite of a sometimes cumbersome process, and there is a high level of cooperation by tribal members.

Butte County Social Services is committed to a full engagement with the tribes within its jurisdiction. Mike McIver, program manager of Children's Services, states that the spirit is there among all parties to help maintain the cultural heritage of these youngsters. "Although the tribes and Children's Services do not

### *The Circle of Life Blanket*

According to Native American culture, all things are interrelated and an equal part of the whole. This belief is represented by the "Circle of Life" design, often embroidered on blankets worn by tribal elders. The Circle of Life teaches that when mixed together, the four sacred colors of yellow, red, black and white (which, according to Native Americans, represent the four races of man) create brown, the color of Mother Earth. The Circle of Life blanket visually illustrates that "we are all children of the Earth, and we all share an equal place in the circle." These four sacred colors also represent direction. Yellow represents the Sun (east); red represents the warmth and vitality of life-blood (south); black represents the darkness of night (west); and white represents the purity of snow (north). The four directions further symbolize the various stages of life: east symbolizes birth; south, the vitality of youth; west, the maturity of experience; and north, the wisdom of age. The Circle of Life blanket also incorporates the colors of blue for the sky and green for the Earth. To Native Americans, the Circle of Life design depicts a world of dissimilar things coming together to form a harmonious, beautiful picture — one that helps tribal elders keep their culture alive generation after generation.



always agree, the tribes recognize our efforts and we maintain an open atmosphere in which we work together to provide the best services we can to both the children and their families."

As a result of McIver's hard work and the progress he and his office have made, Feather River Tribal Health honored him a few years ago with a beautiful, Circle of Life blanket, a tribute generally reserved only for Native Americans.

In spite of the successes, however, it's not always an easy road. "Concerns over child safety occasionally arise, but we work closely with the tribal leaders in such cases," notes McIver. "There are some homes that would not ordinarily be approved for placement if not for ICWA, however, these are the relative exception."

Attorney David Kennedy states that the social workers in Butte County do an excellent job but that the next step is for the tribes to identify needs and participate in the expansion of current programs to make them more broadly available. "What needs to happen next is for the tribes themselves to develop services that are uniquely Native American. At this point, it is still a guessing game. Tribes need to create culturally-appropriate services in order to broaden services and extend the outreach."

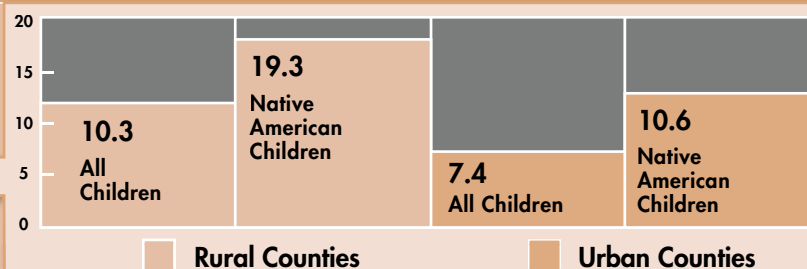
Feather River Tribal Health honored Butte County Children's Services program manager Mike McIver with a beautiful Circle of Life blanket, a tribute generally reserved only for Native Americans.



### Rural /Urban disproportionality of foster care placements of Native American children in California

Incidence rate per 1,000 children

chart #2



## Database Research Reveals Disproportionality of Native American Children in Foster Care in California Counties

Native American children make up only 0.7 percent of the state's population of children under age 18, but they represent 1.2 percent of the foster care placements (2004). These numbers may not seem significant at first, but when we take a closer look at these statistics, they reveal significant cases of disproportionality within our 58 counties and California as a whole. *Source: Child Welfare Services Reports for California, data retrieved from the UC Berkeley Center for Social Services Research Web site. Data source: CWS/CMS 2004 Quarter 2 extract.*

**In California, African American and Native American children are much more likely to enter child welfare supervised foster care than children in other ethnic groups. See chart #1 (on cover).**

- In California, Native American children are nearly twice as likely to enter the foster care system as white children (13.8 per 1,000 children vs. 7 per 1,000 children, respectively).

**The disproportionate number of Native American children placed in foster care (when compared to other ethnic groups) is represented across both rural and urban counties.**

- The total incidence rate of foster care placements for *all* children in California's rural counties was 10.3 per 1,000 children. But when looking at *Native American* children placed in foster care in rural counties, the number nearly doubles to 19.3 placements per 1,000 Native American children.
- The total incidence rate of foster care placements for *all* children in California's urban counties was 7.4 per 1,000 children. This number jumps to 10.6 placements per 1,000 *Native American* children within urban counties.

**California's rural counties are much more likely to place Native American children in foster care than in urban counties. See chart #2.**

- The total incidence rate of foster care placements of Native American children was 19.3 children per 1,000 across all 21 rural counties vs. a total incidence rate of 10.6 children per 1,000 across all 37 urban counties statewide.
- Rural counties with the highest foster care placement rates for Native American children were Mono (41.7 per 1,000 children), Del Norte (44 per 1,000) and Mendocino (60.7 per 1,000).
- Rural counties with the lowest foster care placement rates for Native American children were Colusa and Modoc Counties, both with no placements of Native American children.
- Urban counties with the highest foster care placement rates for Native American children were San Diego (28.5 per 1,000) and San Francisco County with 73.5 placements per 1,000 children (the highest in-care rate in the state).
- Urban counties with the lowest foster care placement rates were San Luis Obispo and San Joaquin Counties (with 2.4 and 2.6 placements per 1,000, respectively), Santa Barbara County (1.1 placements per 1,000) and Merced, San Mateo and Santa Cruz Counties with no placements of Native American children into foster care.

While it's evident that more efforts are needed to reduce the disproportionality of Native American children in the foster care system, it's important to acknowledge that we've come a long way. For example, when we examine the types of in-care placements of Native American children in California, the majority of them (31 percent) are placed with relatives, as compared to 13 percent in foster homes, 23 percent in FFAs and 10 percent in group homes. These statistics bear a sharp contrast to the pre-ICWA years, when one in every three or four Native American children were taken from their families, severed from their tribal lives and placed into boarding schools for Anglo assimilation.

## Tribal Advocate Liz Elgin DeRouen Making Strides to Preserve Indian Families

When we think of the role an Indian tribal leader plays, we may tend to fall back on the stereotype of a wise (probably male) tribal elder who presides over cultural ceremonies, but is somewhat removed from the day-to-day business and political issues that govern Native American life. Liz Elgin DeRouen's life as a Native American leader turns this stereotype on its head.

In addition to her more traditional tribal activities as a singer, dancer and active educator on Indian parenting and holistic wellness, Liz Elgin DeRouen leads a busy life as a tribal advocate. For many years she served as chairperson, vice chairperson and tribal administrator for her tribe — the Dry Creek Rancheria Band of Pomo Indians of Sonoma County. Currently, she sits on the board of directors for that tribe; participates in the Lake, Mendocino and Sonoma County ICWA Roundtable forums as well as the Tribal/State ICWA Workgroup; serves as a qualified expert witness on the ICWA in numerous counties; serves on the California Nations Indian Gaming Association Legislative Committee; serves as a board member of the California Indian Museum and Cultural Center; and serves as tribal spokesperson for Senate Bill 678-ICWA legislation.

As if her schedule were not busy enough, Liz also works full time as an Indian Child Welfare Act advocate for a seven-tribe consortium covering Mendocino, Lake and Sonoma Counties. This consortium — known as the Indian Child and Family Preservation Program — has been helping families since 1994, and Liz has been there every step of the way.

"The laughter, stories, songs and, yes, even the tears of sorrow when a family is torn apart allow me to learn about who they are as individuals," Liz says about her work. "I love the community members, and I especially love working with the children."

As an ICWA advocate, Liz serves as an expert witness for child welfare cases, sitting in on as many as 10 court appearances each week. In this capacity, she is entitled to make recommendations on case plans as well as make recommendations on where a child is placed.

"When it comes to cases involving Indian children, Mom, Dad and the tribe have rights,"

she explains. "I'm there to make sure there is no violation of federal or state law and that the ICWA is being complied with."

A major function of the Indian Child and Family Preservation Program is to recommend options for the family in all case planning that are culturally relevant and traditionally sensitive in program delivery. "We try to keep in mind all the various tribal customs and be respectful of how to portray the requirements to fulfill those responsibilities while doing a court-ordered plan for reunifying an Indian family," Liz says.

Over the years, the Indian Child and Family Preservation Program has proven to be a valuable resource for social services agencies in Sonoma and its surrounding counties. For example, many tribal governments have their own cultural, spiritual, educational, housing resources and professional staff who could offer much needed testimony, and advocates like Liz can help counties identify these experts. In addition, as tribal governments are able to provide more assistance in areas like housing, education and transportation, many more clients are able to get additional services from their own tribes. As county social workers become more familiar with tribal staff and representatives, a tailored service plan (one that's uniquely designed for that particular tribal family) becomes possible.

**When it comes  
to cases involving Indian  
children, Mom, Dad and the  
tribe all have rights,  
says Liz Elgin DeRouen.**

Through it all, Liz remains passionate about preserving tribal customs and traditions while furthering the understanding of self-determination of tribal governments through the consultation and education of tribes and social services professionals alike.

"Placing children into families that are related and share the same or similar family values, hopes and unconditional love for one another makes it all worth while," she says with a smile.

*For more information about the Indian Child and Family Preservation Program, call (707) 463-2644.*



 **above**  
**Washoe Indians,  
The Chief's Family**

*c1866. Lawrence &  
Houseworth, publisher.*

## A Good Working Relationship: Lassen County Collaborations

When it comes to following the guidelines for the Indian Child Welfare Act, the Susanville Rancheria — whose members include Paiute, Pit River, Maidu and Washoe Indians — and the Lassen County Division of Child and Family Protective Services have a good working relationship. But it hasn't always been so, according to Eugene Pasqua, the ICWA specialist and coordinator for the Susanville Rancheria and Jessica Herman, the interim director of the Lassen County Division of Children and Family Protective Services.

In the past, there were many barriers to ICWA compliance in Lassen County. The tribe was not always notified if a social worker removed a child from a tribal home. This happened either because CFPS staff didn't know ICWA guidelines or didn't have a contact person in the tribe to check in with before taking an action. CFPS workers didn't always have the necessary knowledge of tribal culture to know how to practice in a culturally-sensitive way. In addition, high CFPS staff turnover meant enormous difficulties in maintaining knowledge of ICWA and contacts with the rancheria.

Almost two years ago, Lassen County made a commitment to address and eliminate these barriers, and Pasqua proved vital to these efforts. As part of this commitment, the county hired a consultant to help them make a plan to improve their services and Pasqua was invited to meet with the consultant as a representative of the Susanville Rancheria. As a member of one group of stakeholders in Lassen County, Pasqua made valuable contributions that were then incorporated into the county's plan.

Both Pasqua and Herman referred to the resulting positive transformation in the institutional culture of the Division of Child and Family Protective Services as a result of this new plan. Many of the specific changes made by the division have improved both the county's compliance with ICWA and its relationship with the Susanville Rancheria. Here are some examples:

- The Division of Child and Family Protective Service has designated one social worker to carry any cases involving families from the Susanville Rancheria. While all the social workers receive training on ICWA guidelines, Pasqua provides this social worker additional ICWA training as well as training on tribal culture and traditions. Also as part of this orientation, he took the current social worker out to the rancheria to show her around and to introduce her to tribal members.



- CFPS now has a strong and visible contact person at the rancheria. Pasqua is now informed either by CFPS, the school district or the parents if a child from the tribe is removed from his/her family. He is very involved with his community, and people there know who he is and what he does. Pasqua also goes to court to ensure ICWA compliance in appropriate cases.
- The designated social worker goes out on joint visits with Pasqua to co-certify foster homes as appropriate placements for ICWA cases. This joint certification practice is not only efficient but also offers another opportunity for Pasqua to share his observations and perspective with the social worker on the appropriateness of a possible foster home.

While not specified in the strategic plan for the Division of Children and Family Protective Services, several other changes have also contributed to a smoother and better relationship between Lassen County and the Susanville Rancheria. For example, the Susanville Rancheria hosts a regular networking breakfast for members of the tribal council, the tribal chairman, the sheriff, the chief of police, as well as representatives from CFPS, the Probation Department and the Division of Alcohol and Drugs. This regular breakfast meeting provides a place to get information updates, to get progress reports on how smoothly things are working and to informally work out any problems that come up.

So, what are the things that work? Sensitive workers, a coordinator to help the county follow ICWA guidelines and a strong network between the tribe and county social service and law enforcement staff. The most important element, however, is the commitment and goodwill to work together.



## Tips for Following Protocol When Working with Tribal Communities

By Tom Lidot, Tlingit, and Karan Kolb Williamson, Luiseno.  
Tribal STAR Program

*This article has been edited. Original article appeared in the San Diego State University TribalSTAR Drumneats Summer/Fall 2005 Newsletter.*

Because of a long history of broken treaties, attempted genocide (California policy in 1848) and federal policies that broke apart Native families, Native communities are hesitant to collaborate with health departments, non-tribal social service agencies and academic institutions. The ability to follow and understand protocol when working with tribal communities will assist one's efforts to establish a foundation for long-lasting and trusting relationships.

The use of protocol when engaging with Native community members can show tribal gatekeepers that one has taken the time to learn the value of culture, tradition, and humility.

Using protocol does not guarantee tribal participation, but it increases probability. The following recommendations are not based on the culture of any single tribe, but on the application of tribal values to group and individual interactions.

### A new frame of reference

Tribal protocol requires behavior that demonstrates humility, respect, the awareness that all things are connected and that our individual and group behaviors can help and hurt current efforts to solve community problems. Tribal values emphasize family/clan/group/tribe, not the self or individual as in contemporary mainstream society. When working with tribal entities, it is important to behave as if one is acting on behalf of the group's greater good. Questions are best framed in a manner that conveys awareness that the "family" (or greater whole) may be affected, positively or negatively, by the answer.

For example, when asking tribal leaders to participate in an advisory capacity (or give input in a decision-making process) it is best to ask for the "help and advice that will help impact the well-being and future of tribal youth within the community." When hosting an event, one should approach his or her role as though he or she were leading a large family reunion, making sure every individual is acknowledged, and that the group discussion and decision process is conducted in a respectful and harmonious manner, with an emphasis on ensuring the entire group benefits from each individual that is present.



**Here are three cornerstones that help encourage trust among tribal people:**

1. Demonstrate respect for elders, tribal leaders, elected tribal leaders and spiritual leaders by acknowledging and appreciating their roles in the community and seeking their advice as experts of the community.
2. Schedule meetings and events around meals, and impart the sense of importance of eating together combined with community sharing. This is a good time to recognize individuals new to the community and to praise an individual or organization's recent success.
3. Always publicly acknowledge tribal participation at meetings and make sure non-tribal participants know who, in attendance, is from one of the local reservations, as well as any who are recognized as leaders. Model a spirit of cross-cultural collaboration by including and recognizing the efforts of both tribal and non-tribal entities throughout your event.

### Engaging Tribal Leadership

- Know your local tribe(s): know where the reservations are located and if you are in an urban area, know which tribe(s) is acknowledged to have occupied the land where you or your training is located.
- Try to attend a local community event (such as fiestas, gatherings, pow wows, storytelling or cultural events). Identify the leadership at the event, and humbly and respectfully introduce yourself.
- When asking for support, frame your request in the context of how it will help tribal youth and the community.
- Be yourself, with sincerity. Follow through with each commitment you make verbally, or run the risk of being part of a continuous chain of broken promises and dishonor. Remember to “honor your own words.”



### When Hosting an Event:

- Ask representatives from the local tribes to help officially welcome attendees.
- When elders and tribal leaders are attending, make sure to recognize them formally in front of the group.
- When a new tribal representative arrives (especially to standing meetings), make sure to personally take the time to introduce them to everyone before the meeting starts, so they can begin building on a face-to-face interaction.
- Model cross-cultural collaboration by your own behavior: create the time and space for everyone's participation and point of view.

# WHAT NOT TO DO

(Tips from Karan Kolb Williamson, Luiseno)

**A**lthough it is important to know all you can about the history of tribal people, be careful not to imply that you are an “expert” about a tribe (especially when speaking to a member of the Tribe). Remember that much of the published literature about tribal people was written by non-Natives, so it is improper to correct any tribal person when they are speaking about tribal or cultural affairs.

At times, it is best to be silent. Don't try to impress or flatter tribal people by dressing as a tribal member. It could be interpreted as trying too hard to “fit in.”

For more information on this topic, visit the Tribal STAR Web site:

<http://pcwta.sdsu.edu/TribalSTAR>.





## MSW Curriculum Targeted to Rural and Native American Families

Professional preparation for social work practice in public child welfare is an essential element in improving the quality and consistency of supporting children and families through difficult times. In rural communities, the challenges of attracting and retaining skilled master-level social workers to work in public child welfare are great unless individuals are committed to living and working often for less money, and fewer benefits and opportunities than in other suburban and urban counties.

The development of the new MSW program at Humboldt State University, now in its second year, was in part, to address the needs of rural communities and to increase the workforce of master-level social workers in public and nonprofit agencies that

provide our local human services. Equally significant, the MSW at Humboldt State University is committed to improving professional social work preparation to work more effectively with Native American communities with particular attention to our regional, indigenous tribes. Efforts to increase Native American student enrollments in social work to pursue county and tribal child welfare services are a high priority for the program, and the curriculum is structured to increase knowledge and skills related to working with culturally-diverse Native American families and communities.

*For more information about the program, please email [sat3@humboldt.edu](mailto:sat3@humboldt.edu) or visit the Web site at [www.humboldt.edu/~swp/mswprogram.shtml](http://www.humboldt.edu/~swp/mswprogram.shtml).*

*Top left, Title: Hupa mother, c1923, Curtis, Edward S., photographer.*

*Top right, Title: In the tule swamp-upper lake Pomo, c1924, Curtis, Edward S., photographer.*



# Resources on the ICWA and California Indian Tribes

- Web site with maps and information about California Indian tribes:

**[www.kstrom.net/isk/maps/ca/california.html](http://www.kstrom.net/isk/maps/ca/california.html)**

- The National Indian Child Welfare Association, a private, nonprofit organization, is a national voice for American Indian children and families. It is a membership organization whose main constituency is tribal governments, urban Indian social service programs and, in particular, the frontline staff who work with Indian children and families.

National Indian Child Welfare Association, Inc.  
5100 SW Macadam Avenue, Suite 300  
Portland, OR 97239

**[www.nicwa.org](http://www.nicwa.org)**

- The National Tribal Justice Resource Center is a national clearinghouse of information for Native American tribal courts, providing both technical assistance and resources for the development and enhancement of tribal justice system personnel. It has specific information and Web links on the ICWA.

**[www.tribalresourcecenter.org/legal](http://www.tribalresourcecenter.org/legal)**

- The American Bar Association Web site is a source for legal information on the ICWA:

**[www.abanet.org](http://www.abanet.org)**

- National Court-Appointed Special Advocates (CASA) is an organization with state and local members whose mission is to support and promote court-appointed volunteer advocacy for abused and neglected children. ICWA-specific information is available on the judges' Web site:

**[www.nationalcasa.org/JudgesPage](http://www.nationalcasa.org/JudgesPage)**

- California Indian Legal Services (CILS) is an Indian-controlled law firm, created by California Indian leaders and public-interest attorneys to provide specialized legal representation to Indians and Indian tribes. CILS produces the ICWA California Judges' Bench Guide.

**[www.calindian.org/icwa.htm](http://www.calindian.org/icwa.htm)**

- The Bureau of Indian Affairs under the Department of the Interior is the agency of the federal government that has the responsibility for working with federally-recognized Indian tribes to help develop and maintain infrastructure and economic development, among other duties.

**[www.doi.gov/bureau-indian-affairs.html](http://www.doi.gov/bureau-indian-affairs.html)**



**[www.kstrom.net/isk/maps/ca/california.html](http://www.kstrom.net/isk/maps/ca/california.html)**



**[www.nicwa.org](http://www.nicwa.org)**



**[www.tribalresourcecenter.org/legal](http://www.tribalresourcecenter.org/legal)**



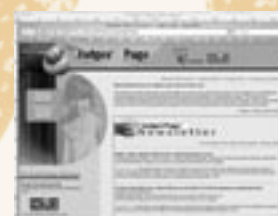
**[www.abanet.org](http://www.abanet.org)**



**[www.nationalcasa.org/JudgesPage](http://www.nationalcasa.org/JudgesPage)**



**[www.calindian.org/icwa.htm](http://www.calindian.org/icwa.htm)**



**[www.doi.gov/bureau-indian-affairs.html](http://www.doi.gov/bureau-indian-affairs.html)**

## ANNOUNCEMENTS

### **Research to Practice: The Impact of Alcohol and Drugs on Children and Families in the Child Welfare System**

This two-day symposium provides a continuation of last year's symposium, The Nature of Nurture: Biology, Environment and the Drug-Exposed Child. Presenters will examine the biological changes in brain function and structure caused by prenatal exposure to alcohol and other drugs, as well as the social and environmental factors that exacerbate and ameliorate the effects of these changes. The main focus, however, will be on community-based strategies that can support the successful outcomes of children at risk from prenatal exposure. For more information, go to [www.humanservices.ucdavis.edu/academy](http://www.humanservices.ucdavis.edu/academy).

**March 22-23 in Redding**

**March 23-24 in Davis**

### **Common Health Issues in Foster Children: A Symposium for Nurses**

This symposium for nurses will focus on special medical needs of children and adolescents in the foster care system. Topics Include: new American Academy of Pediatrics guidelines for health in foster care, recent changes in immunization recommendations, overview of physical findings which may be mistaken for child abuse and special physical and mental health needs of adolescents in foster care. For more information, go to [www.humanservices.ucdavis.edu/academy](http://www.humanservices.ucdavis.edu/academy).

**April 18 in Davis**

#### *Special thanks to those who contributed articles to this issue:*

Sabina Mayo-Smith, MSW Consultant, Live Oak Learning

Kristin Mick, Editor, UC Davis Extension

Ken Nakamura, Director of MSW Program, Humboldt State University

Susan Silva, Editor, UC Davis Extension

Tom Lidot, Tlingit, and Karan Kolb Williamson, Luiseno, Tribal STAR Program

Anne Smith, ICWA Specialist, California Department of Social Services

## NORTHERN CALIFORNIA Training Academy

*Supporting Children & Family Services*

### **About the Northern California Training Academy**

The Northern California Training Academy provides training, technical assistance and consultation for 33 northern California counties. The counties include rural and urban counties with various training challenges for child welfare staff. The focus on integrated training across disciplines is a high priority in the region. This publication is supported by funds from the California Department of Social Services.



### **About The Center for Human Services**

The Center began in 1979 with a small grant to train child welfare workers in northern California. It has grown to become an organization that offers staff development and professional services to public and private human service agencies throughout the state. The Center combines a depth of knowledge about human service agencies, a standard of excellence associated with the University of California, extensive experience in developing human resources and a deep dedication to public social services.

Northern California Training Academy  
UC Davis Extension  
University of California  
1632 Da Vinci Court  
Davis, CA 95616

Phone: (530) 757-8643

Fax: (530) 752-6910

Email: [academy@unexmail.ucdavis.edu](mailto:academy@unexmail.ucdavis.edu)

Web: <http://humanservices.ucdavis.edu/academy>

053 134