Coordination with Tribes

Tribal Consultation

Participation and consultation of Tribal representatives is an important process of the Title IV-B plan. Tribal consultation is considered an on-going process in Oregon. Numerous opportunities for tribal consultation are ongoing in Oregon which provide for collaboration with Oregon Tribes. Some of the structured involvement is through participation in ongoing meetings such as the SB770 Health Cluster Quarterly meetings, Indian Child Welfare Act (ICWA) Quarterly Advisory Committee meetings, Quarterly ICWA Regional Liaison meetings, Tribal representation on statewide Child Welfare Advisory Committee, ICWA conference planning committee, Native American Independent Living Program (ILP) conference planning committee, and other special initiatives. These are addressed in more detail throughout the report.

The Oregon Tribal representatives recommend goals and objectives for Oregon’s five-year plan which are actively worked on throughout the year. This is done through specific meetings scheduled in addition to discussing the plans at the ICWA Advisory Committee meetings that are held quarterly and through projects and goals submitted as part of the Title IV-B Plan. There is a total of 40 hours spent by DHS in consultation with the Tribes in compiling the 5 year plan. Outcome measures and progress are discussed at the ICWA Tribal/State advisory meetings. Small work groups are organized depending upon the project.

The Tribes consult with and share their 5 year and annual plans with DHS through the quarterly ICWA Advisory Committee meetings. DHS shares the State’s 5 year and annual plans with the Tribes electronically at the time the plans are submitted to ACF and at the ICWA Advisory committee meetings.

Each year one of the Oregon Tribes co-hosts, with DHS, the Tribal/State ICWA Conference. The Cow Creek Band of Umpqua Indians co-hosted last years ICWA Conference held October 13 – 14, 2010. The conferences provide essential training on the importance of the Indian Child Welfare Act, the best interests of Indian children, the stability and security of those children, their Tribes, families and communities. The conferences also focus on the importance of traditions and the continued collaboration between DHS and the Tribes.
CAF executive staff and central office managers also meet periodically with the Coalition of Communities of Color, an organization representing many providers and advocates in the Portland area including the Native American Youth and Family Center. These meetings focus on improving communication and collaboration around issues of concern to communities of color including recruitment and retention of native foster and adoptive homes.

**Quarterly ICWA Advisory Committee**

The Oregon Tribal/State ICWA Advisory Committee meets quarterly and serves two main functions:

1. To identify barriers in Department policy and rules in providing services to Indian children, in both state and Tribal custody; and,
2. To work on direct communications between DHS and the Tribes.

The CAF/ICWA Advisory Committee continues to work on outstanding issues and develop stronger consultation and collaboration between the State and the Oregon Tribes. Tribal representation on CAF program work groups is critical to policy development that may affect Indian children, families and the Oregon Tribes.

Some of the issues addressed in the Advisory Committee this last year were: ICWA practice and accountability; the continued lack of native foster/adoptive homes; lack of qualified expert witnesses as required by the ICWA; addressing the need to do active efforts up front to prevent removal of native children from their homes or to safely return native children to their homes or guardians; tribal access and training related to OR-Kids; the renewed focus on the disproportionality of native children in the child welfare system; continued efforts to provide tribes access to criminal records checks.

As a result of these discussions some of the things that have happened include: a refocusing of work at the upcoming Tribal/State ICWA Conference towards addressing active efforts before and after removal of native children from their homes; the continuation of the expert witness workgroup now focusing on recruitment and a training curriculum; discussions have been initiated between DHS/CAF management staff and tribes around practice and accountability.
Senate Bill 770 Health Services Cluster Meetings

The SB 770 meetings allow both administrators from DHS and Tribal Representatives to meet quarterly and work on issues together to maintain a cooperative relationship with the Tribes. This meeting is an outcome of Executive Order from the Governor and legislative action, with the expectation that Departments within State government form and strengthen relationships with Tribes.

Title IV-E Training

The Department provides on-going Title IV-E training either on-site with individual Tribes, or group training for Tribes (the non-Title IV-E Tribes are also encouraged to participate, if they chose). The trainings are primarily focused on providing technical assistance to Tribes with Title IV-E agreements, but can be expanded to all Oregon Tribes, depending on the topic. The trainings are intended to shorten the response time for questions from the Tribes and allow more frequent discussion between the State and the Tribes, while providing an opportunity to follow-up on training related to federal funds. In 2010, seven individual trainings and technical assistance visits were conducted with the Tribes. These included trainings for new staff, assistance for reporting and documentation especially around administrative claiming, and coordination of Title IV-E eligibility needs.

District Managers Collaboration with Oregon Tribes

Monthly or quarterly contact between District Managers, Tribal Managers and respective staff has been strongly encouraged to strengthen relationships. Some districts have developed processes with the Tribes which enable them to have better relationships. The agency has encouraged other districts to take the model and work through the process with their local Tribe. It is more about working through the process with each other that strengthens the relationship. DHS also encourages the involvement of the Tribes in local planning and training.

Many of the District offices have regularly scheduled meetings with the Tribes throughout the state to network and discuss issues. This has proven very beneficial and continues to be suggested to other Districts as a way to promote better collaboration between the agency and local Tribes.
Consultation and Collaboration with Central Office DHS

The co-chair of the ICWA Tribal/State advisory committee is the representative to the statewide Child Welfare Advisory, which is a statutory committee. Administrators and program managers attend the Quarterly ICWA Tribal/State advisory meetings. Administrators have also recruited Tribal participation on DHS committees which effect policy. There are a total of 51 ICWA liaisons in all of the DHS Child Welfare offices; as the designated staff, they are the first point of contact for Native American cases that may be identified as ICWA. The liaisons also communicate with the Oregon Tribes in their region. The state of Oregon has two ICWA units, (Portland and Salem) that are fully staffed with supervisors, and staff to address the high native population and provide ICWA services to the children and families. DHS administration, as a result of discussions with the ICWA Advisory Committee, asked the Tribes to put together a Native American specific list of recommendations for the Task Force. This was accomplished and presented to the Task Force at their May 21, 2010 meeting.

Oregon has identified the following goals in our 2009-2014 Child and Family Services Plan. They are as follows:

**Workforce Development**

Goal: To have ICWA competent Liaison’s in each branch office.

Measurement: Annual survey of each branch office.

- Further develop the role of the ICWA Liaison.

In 2011 the ICWA Liaisons’ Roles & Responsibilities was finalized and distributed to the District Managers; this will better define the expectations of the Field Office ICWA Liaison position and improve their ability to assist branch staff in providing appropriate services to Native children and their families.

Goal: Increase the ICWA cultural competency of staff

Measurement: Increase number of staff who have completed ICWA training.
- Move ICWA Core Training to Tribal Service Areas.
- Involve Tribal members in developing and implementing ICWA training.
- Improve cultural testimony in DHS ICWA cases.

450 Child Welfare staff attended CORE training over the previous reporting year. Number of attendees for the current reporting year is not yet available. Included in DHS Child Welfare CORE training is our ICWA core training. There is work toward enhancing representation of all nine Oregon Tribes in the Child Welfare Core training. The classroom training includes an overview of Native American and the ICWA history, as well as suggestions and resources for caseworkers working with tribal children. A project currently is in place to augment the classroom training experience. The nine Tribes are preparing a tri-fold that will be displayed and included in the training program. Each of the tri-fold displays will be educational and provide the opportunity for the Tribes to share their own culture. The displays will include items such as specific tribal pictures, typical life style, resources available to children and their families, and time lines specific to their Tribe.

There has been an active DHS-Tribal workgroup working on developing a list of tribal experts. The workgroup started out by defining what questions were appropriate for use when a qualified expert witness was testifying based on the categories listed out in the ICWA. They are currently developing a recruitment strategy; the final step in the process will be designing a training plan for qualified expert witnesses. In addition, training will be developed for our legal partners to help them understand the role of the qualified expert witness in regards to Indian child welfare cases.

Goal: Increase ICWA compliance

Measurement: Decreased number of active efforts findings by the court.

Data cleanup and improved accuracy of the data gathered from families and entered into the SACWIS system continues to move forward. The ICWA Program Manager has continued to participate in the development of the OR-Kids system to ensure that the ICWA data collected would be entered as accurately as possible when the new system is implemented.

Also this past year, the ICWA Program Manager has continued to visit the
field district offices to meet with management and ICWA line staff to provide training and updates on procedures. These meetings were and will be used as a way to gather information and problem solve on issues that the field is encountering that make it more difficult to comply with the ICWA. The ICWA Program Manager continues to work with the Department’s training unit on improving the training for new caseworkers to make sure they are more knowledgeable when they start out.

The ICWA Program Manager consults with caseworkers on a regular basis to help make sure they are complying with the ICWA.

In a 7 county review by the Oregon Judicial Department it was found that, for the 125 cases sampled, the findings in court were: active efforts were met 72.41% of the time; placement preference were met 24.4% of the time; tribes were notified 58.08% of the time and expert witness testimony happened 24.07% of the time.

**Permanency Planning**

Goal: Increase tribal consultation in case planning for tribal children in DHS custody.

Measurement: Branch survey to determine if there is an increased number of ICWA staffings.

- Continue to develop ICWA staffings in branch offices/tribal service areas.
- There has not been a formal survey of the branch offices to date. This was due to a lack of resources as a result of budget cutbacks and staffing issues. The plan is to survey the branch offices to develop a baseline for the coming year.

Goal: Complete a decision point analysis of case decisions.

Measurement: Change in disproportionate number of native children in foster care.

Oregon has engaged in a disproportionality initiative with Casey Family Services. The initiative has encompassed eight Oregon counties and focuses on reducing the number of African American and Native American children
in foster care. The eight counties include Coos, Deschutes, Multnomah, Jackson, Malheur, Tillamook, and Washington. Part of this initiative included the completion of a Decision Point Analysis that was initially completed in December 2009 with an additional report completed in March 2010. Oregon is in the process of analyzing the information and developing further activities as a result of the plan. For those counties with Tribes, the Tribes are an active part of the planning and activities.

- Determine and assess the decisions at key decision points in the continuum of a child’s care that may lead to disproportionality of Native children in foster care.

This will continue to be a focus area over the next year as the Decision Point Analysis was completed in March 2010.

**Permanency Planning and Safety**

Goal: Complete Five ICWA CFSR’s.

Measurement: Completed reports.

There have not been any ICWA focused Child and Family Services Reviews over the past year. CFSR Review focus has been on targeted cases for Oregon’s Program Improvement Plan. Planning will commence over the next year to resume conducting a CFSR review of ICWA cases one time per year.

**Resources**

Goal: Increase Foster Parent recruitment that focuses efforts to increase placement resources for children, increase efforts on targeted recruitment, specifically related to increasing the pool Native American Foster Homes, and increase child specific recruitment.

Measurement: Data inquiry showing a change in the number of Native American foster homes.

- Engage Oregon’s Native American Tribes in planning foster and adoptive home recruitment and retention strategies.

Efforts have been made to engage and include Oregon’s Native American
Tribes in planning foster and adoptive home recruitment and retention. Multnomah County has added an ICWA certifier to their certification unit who is Native American. This position was carved out of Multnomah Certification allocation based on the recognized need to reach out to this community. This position started in November 2009 and has 20 Native American foster homes in their certification work load with 7 of these certified within the last year; and one pending certification. The worker goes out once a week and conducts informational meetings at the Native American Youth Association (NAYA), and participates in the Native American case staffings in Multnomah.

There are additional efforts to increase the number of Native American foster homes through efforts to provide specific recruitment funds for Tribes as well as a general RFP to address minority recruitment.