

Self-Study Course

How Foster and Adoptive Parents Can Work With Tribes

2.0 Hours Credit

Revised 7/04

This self-study is based on years of experience working with tribes and the following sources:

McInnis, Aileen (2000) *“Helping Children Stay Connected To Their Families: Continuity and Foster Children.”*, Alaska Center for Resource Families, Fairbanks, Alaska.

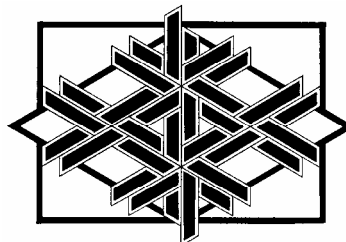
Payne, Diane (2002) *“Some Suggestions for Keeping Native Children Connected”*. Tribal Law and Policy Institute. Anchorage, Alaska.

This self-study course was developed by Deborah A. Hayes, for the Alaska Center for Resource Families, Northern Regional Office. Proper credit should be afforded when reproducing this material for educational purposes.

Alaska Center for Resource Families
815 Second Avenue, Suite 101
Fairbanks, Alaska 99701
1-800-478-7307
(907) 479-7307

Fax (907) 479-9666

www.acrf.org



HOW FOSTER AND ADOPTIVE PARENTS CAN WORK WITH TRIBES

INTRODUCTION

As a foster or adoptive parent, you should be aware of the importance of an Indian child's Tribe and of your relationship with the Tribal representative. Sometimes, Native children are placed in non-native foster or adoptive homes and the alternative families do not know who the Tribal representatives are, what to say to them, how to work with the Tribe or how to contact the Tribe. Sometimes people are confused about the difference between a corporation, an organization and a Tribe. This course will go over all of these areas and provide you with information about how you can work with your Native foster child's Tribe.

In this course you will learn:

- The importance of continuity for Native children
- What rights Tribes have under the Indian Child Welfare Act and Tribal Jurisdiction
- The differences between regional corporations, organizations, and Tribes
- What the role is of the Tribal TFYS worker, ICWA Specialist and the Tribal council
- The importance of working with tribes
- Tips for communicating with tribes and tribal workers

To earn 2.0 hours for foster parent training credit for *How Foster and Adoptive Families Can Work With Tribes*, please fill out the questionnaire at the back of this course. Then detach it from this packet and return it to:

Alaska Center for Resource Families
815 Second Avenue, Suite 101
Fairbanks, Alaska 99701

Or you may fax it to (907) 479-9666.

Think of a ball and string. If a ball passes from one person to another and one still hangs onto the string, then there will be a connection between two people. If that string is cut or allowed to fray, the connection will weaken.

Tribal children are like the ball and string and staying connected to their tribe and extended family is important. All children need to understand the culture and family they are from. This is very important for Native children whose tribal families also have legal rights in child welfare cases.



Continuity for Native Foster Children

When caring for Native children, it is very important for foster and adoptive families to view a child's tribe as "**extended family**" and to look for ways that you can provide continuity in the life of a Native child. Often Tribal families are composed of close and extended relatives and everyone in the tribe is related somehow.

When a Native child is not living in the village and placed in urban foster care, both the tribe and the child lose touch, and the threads of connectedness are broken. Continuity for Native foster children is important for two reasons. First children should maintain connections to family, culture and religious values. Second, you can help prevent gaps in a child's history.

Maintaining ongoing contact with Tribal members, whenever possible, helps the child and Tribal family to stay connected with each other. Providing this kind of continuity means sharing stories of how children are doing in school or other activities the child is involved in. It means providing pictures to keep the tribal family connected. Secondly, placement in foster care is a part of a child's history. As a foster parent, you can provide the tribe with pieces of the child's history so that member of the family is not "lost".

Overview of the rights of Tribes, under ICWA and Tribal Jurisdiction decisions

You need to be aware that Tribes have a legal right to many areas regarding the placement and care of tribal children who are in foster care. Two factors give Tribes rights regarding the welfare of their children: *The Indian Child Welfare Act (ICWA) and Tribal Jurisdiction*.

ICWA was established by congress in 1978 because a high percentage of Native children were removed from their homes and placed in non-Native homes. Tribes were losing their identity, culture and future generations. **The creation of ICWA gives Tribes the right to legally intervene in any court case where the child is either a member or is eligible for membership in an Indian tribe.** When the tribe intervenes, they become a party to the court case. This means they can have access to all the records, call court hearings and be involved in the decision making process for the child. Furthermore, the state of Alaska must notify the tribe if the child is either Native American or Alaskan Native and has an open OCS case, to ensure Tribal participation.

Once notified of an open OCS case, Tribes can request legal jurisdiction of the matter. *Tribal Jurisdiction means that the OCS court case is transferred to the Tribal Court and the Tribe has the legal authority to make decisions.* Remember that Tribes can exercise the right to request legal jurisdiction at any point in a OCS case; and it is likely the case will be transferred to Tribal Court upon request, unless there are “good cause” reasons not to transfer.



Please refer to ACRF’s other Self-Study courses titled: “*Understanding Tribal Jurisdiction*”, and “*How the Indian Child Welfare Act Impacts the Placement of Native Children*” for a complete description.

As a foster or adoptive family, you may want to help communicate and keep the child connected to the Tribe. Knowing whom in the tribe to contact and how to contact them can be very confusing!!

Regional ICWA Specialists

The State of Alaska Office of Children's Services has a special unit of social workers who assist with monitoring cases where native children are in the custody of OCS. These social workers are called **Regional ICWA Specialists**. These ICWA Specialists help the assigned social worker to understand the Indian Child Welfare Act, work with Tribes and their representatives, and conduct ICWA case conferences (*see "Understanding the Case Review Process, Self-Study packet*).

As a foster or adoptive parent of a Native child, it is important for you to know who your regional ICWA Specialist is and to contact that person if you have any questions about which tribe your foster child is from, who the representative is, and for further information about how to work with that tribe.

The Regional ICWA Specialists are (as of 12/02):

ICWA Program Coordinator, Sandra Benzel, Juneau Central Office 465-2213
Anchorage Region, ICWA Specialist, Dara Lively, Anchorage Office 269-4023
Northern Region, ICWA Specialist Kiki Carey, Fairbanks Office 451-2072
Southeast, ICWA Specialist, Steve Hudson, Ketchikan Office 225-3253

It helps to understand there are differences between tribes, language groups, and Native corporations. Also, some tribal groups get together and form organizations, which deliver all sorts of social services. Understanding these differences and knowing who to communicate with can make the process much easier.

Map of Different Native Language Groups in Alaska



In Alaska there are 265 different Native tribes through out the State. (*See the Alaska Tribal Directory, attached.*) Tribes belong to different regional language groups, which are located in different areas through out the State of Alaska. Each tribe has a representative that serves as a liaison between the community and the tribal council.

Sometimes a Native person may identify themselves as “Athabascan” or ”Yupik”; however, they are referring to a geographic language area and to some cultural similarities; however, they are not identifying their tribe. **Language groups are not tribes.** These Native language groups possess unique cultural variations and characteristics and the tribes exist within the language groups.

Some tribes form larger groups and create Native organizations or associations that assist with social services, health, child protection, Tribal welfare and land management. There are Tribal Organizations or Associations located regionally throughout the State.

An example of an interior Alaska Tribal organization is Tanana Chief’s Conference. Tanana Chief’s Conference (TCC) is composed of 37 individual Tribes. TCC has ICWA caseworkers that communicate with the individual Tribal representatives (sometimes called TFYS workers) or with Tribal Councils. TFYS workers are usually located in the villages. If you have a native child in your home

find out what Tribe they belong to. Then ask what Native organizations or associations provide services to the tribe. Those services often extend to the foster children and their families and can be a wonderful resource and very beneficial.

Often times, those associations/organizations have Tribal Child Welfare/Child Protection units and have skilled case managers who can provide valuable information and be a link for the foster child, the foster family and the Tribe and the child's parents. Often the case managers are also "ICWA Workers" and will want information regarding you as a foster parent. The Tribal Organization ICWA Worker may also represent the Tribe during court hearings. It is very important for you to provide as much information to the ICWA Worker because they will communicate the information back to the tribal council or tribal representative. The representative may present the Tribe's position to the court regarding the child's placement. During hearings, they may also ask you or any other witness questions, present their own witnesses and cross-examine any witnesses. (Remember the child's tribe is a party to an ICWA case, if the Tribe chooses to intervene.)

Following is a list of the primary Native Associations and Organizations located in Alaska.

Ms. Grace Smith, ICWA Coordinator
Aleutian/Pribilof Islands Association
201 East 3rd Avenue
Anchorage, AK 99501

Ms. Francine Eddy Jones, Central Council,
Tlingit & Haida Indian Tribes of Alaska
320 W. Willoughby Avenue, Suite 300
Juneau, AK 99801-9983

Ms. Colleen Akpik-Lemen,
Social Services Director
Arctic Slope Native Association
P. O. Box 1232
Barrow, AK 99723

Ms. Susan LaBelle,
Social Services Manager
Chugachmiut
4201 Tudor Center Drive, # 210
Anchorage, AK 99508

Mr. Patrick Samson,
Social Service Director
Association of Village Council Presidents
P. O. Box 219
Bethel, AK 99559

Ms. Richelle Holmes,
IV-E Program Coordinator
Cook Inlet Tribal Council
670 West Fireweed Lane
Anchorage, AK 99503

Ms. Lou Johnson,
Social Services Director
Bristol Bay Native Association
P. O. Box 310
Dillingham, AK 99576

Ms. Freda Williams,
Directory of Community Service
Fairbanks Native Association
315 Wendell Street
Fairbanks, AK 99701

Ms. Melanie Edwards, VP, HFS
Kawerak, Inc.
P. O. Box 948
Nome, AK 99762

Ms. Esperanza M. Redelfs, LCSW, Social Services Director, THC.
Ketchikan Indian Corporation
3289 Tongass Avenue
Ketchikan, AK 99901

Ms. Melissa Bourton,
Community Health
Kodiak Area Native Association
3449 Rezanof Drive East
Kodiak, AK 99615

Ms. Susan L. White,
Director, Family Resources
Maniilaq Association
P. O. Box 256
Kotzebue, AK 99752

Ms. Patricia Alexander,
Social Services Director
Sitka Tribe of Alaska
456 Katlian Street
Sitka, AK 99835

Mr. Don Shircel,
Director of Family Services
Tanana Chiefs Conference
122 First Avenue, Suite 600
Fairbanks, AK 99701

Mr. Ed Krause, Human Services Director
Copper River Native Association
P. O. Box H
Copper Center, AK 99576

Another type of Alaska Native group is the **Alaska Native Regional Corporations**, which were created as a settlement to aboriginal land claims and a result of the Alaska Native Claims Settlement Act of 1971. The Regional Corporations encompass geographical areas and they include different Tribes. Native Corporations are not tribes but they may offer services to the Tribal members that belong to the Corporations.

The following is a map of Alaska's Native Regional Corporation:



The role of the Tribal Worker and the Tribal Council in custody cases

Tribal councils/governments work together to make decisions for their community and members, according to Tribal laws. Some Tribes are highly organized, with formalized Tribal governments (usually called Tribal Council). Other Tribes' governments or Tribal Council's operate on an informal basis.

One responsibility of the Tribal Council is to look after the Tribal child welfare matters. The Tribal Council is composed of members of the tribe, and usually respected elders. If Tribal Councils do not have all of the case information of the child's situation or do not know the families involved, they do not have all of the pieces to make informed decisions. It is important that the foster and adoptive parents help the tribes to have all of the information so they can make informed decisions regarding their tribal members.

The importance of working with Tribes

As you can see, there are many benefits associated with working with the child's tribe or tribal representative. These benefits include support for you as a foster parent, support by you of the child's cultural identity and family history.

Pulling it all together: Tips for how to work with Tribes

If you have a Native foster or adoptive child in your home, be sure to:

- Maintain contact with your social worker, the child's CASA or Guardian Ad Litem and the child's Tribal representative, and ask questions.
- Ask questions about the status of the custody case and if the tribe will be requesting a transfer of jurisdiction.
- Remember that the Tribal worker is another member of a team of professionals who are very concerned about the best interest and well being of the child.
- Contact your Regional ICWA Specialist and ask them about the Tribe your foster child is from. Ask the ICWA Specialist who your tribal contact is (a Tribal TFYS worker, an ICWA worker, etc.).

- Once you have determined who your tribal representative is, contact them and introduce yourself and let them know you would like them to visit the family.
- If the Tribal representative is located in a village, try to contact that person by phone. Remember you may need to call several times.
- Send photographs of your foster child and your family to the Tribal worker or representative.
- Keep the Tribal representative updated on the child's progress in school, with services, and with family visits. Share the child's accomplishments.
- Invite the Tribal representative to visit and take opportunities when they present, such as meeting the Tribal worker at a case review.
- Always remember that many times the village Tribal representatives are volunteers. Be patient.
- Understand the tribe views their children as a valuable resource that must be protected.



ALASKA CENTER FOR RESOURCE FAMILIES SELF-STUDY QUESTIONNAIRE FOR FOSTER PARENTS

COURSE: HOW FOSTER PARENTS CAN WORK WITH TRIBES **2.0 HOURS TRAINING CREDIT**

Please read the above-entitled self-study. Then complete the questionnaire found on the following pages. Try answering the questions first from your understanding of the material before referring back to the orientation packet. These questions pertain specifically to the course which you have read.

After you have answered all the questions, please **send or FAX (907) 479-9666 your completed questionnaire to the Alaska Center for Resource Families, 815 Second Avenue, Suite 101, Fairbanks, AK 99701.** We will score your answers, credit 2.0 training hour to your training record, and return a scored copy to you. A score of 50% correct or better will entitle you to receive 2.0 training hour credits. In the event your score is less than 50% correct, we will contact you to determine if you wish to review the material and retake the questionnaire.

If you have questions or concerns about this self-study course, please call us on our **toll-free line 1-800-478-7307.** If you are calling from the **local Fairbanks/North Pole area dial: 479-7307.**

The following section is an evaluation of the self-study materials. Please fill it out upon completion of the questionnaire, and return this page to us with the rest of the course materials. Thank you for your time and comments. It helps us provide appropriate training to meet the needs of foster parents.

*******EVALUATION OF SELF-STUDY MATERIALS*******
Please complete the following questions.

1. Did this self-study course meet with your expectations? YES NO
2. How would you rate the written presentation of information on the topic?
 Excellent Good Fair Poor
3. Did this course add to your knowledge and/or skills?
 YES If so, how?
 NO If not, why?
4. If you have additional comments or concerns, please use the back of this page to write them.

NAME: _____ **PHONE NO.:** _____

Only one person per questionnaire. Feel free to make additional copies if needed.

ADDRESS: _____
Street or Post Office *City/State* *Zip*

EMAIL: _____

Yes! I would like to receive ACRF's upcoming training and the quarterly newsletter by email.

Are you a foster parent? YES NO If YES, what is your Foster Home License #: _____

If NO, please check one: Pending Foster Parent OCS Birth Parent Adoptive Parent

Residential Treatment Facility (License #: _____) Agency: _____

Other (*please specify*): _____

CHECK YOUR UNDERSTANDING
COURSE: HOW FOSTER PARENTS CAN WORK WITH TRIBES

Check or fill in the appropriate answer to the following questions. First try to answer from your understanding of the material before referring back to the course. These questions address information specifically stated in the reading.

1. When caring for Native children, it is important for foster families to view the child's tribe as _____ (Fill in the blanks)

2. Two factors give Tribes rights regarding the welfare of their children. Name the two factors:
1. _____
2. _____

3. The Office of Children's Services has a special unit of social workers who assist with monitoring cases where Native children are in the custody of OCS. Those social workers are called _____ (Fill in the Blanks)

4. Sometimes a Native person may identify himself or herself as "Yupik" or "Athabaskan". When they say this they are referring to an Alaskan Native _____ (Fill in the blanks).

CHECK YOUR UNDERSTANDING

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5. Alaska Native Regional Corporations are not Native Tribes. They were created as a result of the Alaska Native Claims Settlement Act of 1971. Name three (3) of the Alaska Native Regional Corporations:.

1. _____

2. _____

3. _____

6. List four (4) things that a foster parent can do to assist a Native child maintain their cultural and Tribal connections:

1. _____

2. _____

3. _____

4. _____

FOR SCORING AND TRAINING CREDIT OF 2.0 HOURS, PLEASE RETURN YOUR COMPLETED QUESTIONNAIRE TO:

Alaska Center for Resource Families
815 Second Avenue, STE 101
Fairbanks, Alaska 99701
Or fax to
907-479-9666

*****OFFICE USE ONLY*****

_____ TOTAL SCORE

_____ PERCENT (%) CORRECT