

# Self-Study Course

## How Foster and Adoptive Parents Can Work with Tribes

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### 2.0 Hours Credit

This self-study is based on 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.



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# 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 or how to contact the tribe. Some 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:

- 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:

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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 from which they come. 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 to provide cultural continuity in the life of the 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 is 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 need connections to family, culture and religious values in order to maintain the emotional ties important to all of us. Second, once they lose that connectedness, gaps develop in the child's history.

When foster and adoptive parents maintain ongoing contact with tribal members, it 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 in which the child is involved; it can include providing pictures. 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

Tribes have a legal right in 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 being 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, can be part of all court hearings and have the right to be involved in the decision-making process for the child. Furthermore, to insure tribal participation, the State of Alaska must notify the tribe if a child with an open OCS case is either Native American or Alaska Native.

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 an OCS case; once requested, it is likely the case will be transferred to Tribal Court, unless there are “good cause” reasons not to transfer.



***As a foster or adoptive family, knowing how to contact a tribe 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 System, 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 how 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 contact numbers for the Regional ICWA Specialists are:

<https://dhss.alaska.gov/ocs/Pages/icwa/contact.aspx>

**ICWA Program Coordinator:** 907-269-4035

**Tribal Compact Coordinator,** 907-375-8268

**Tribal Title IV-E Coordinator,** Juneau 907-465-2104

**Anchorage Region, ICWA Specialist,** Anchorage Office 907-375-7743

**Southcentral Region, ICWA Specialist,** Wasilla Office 907-352-8905

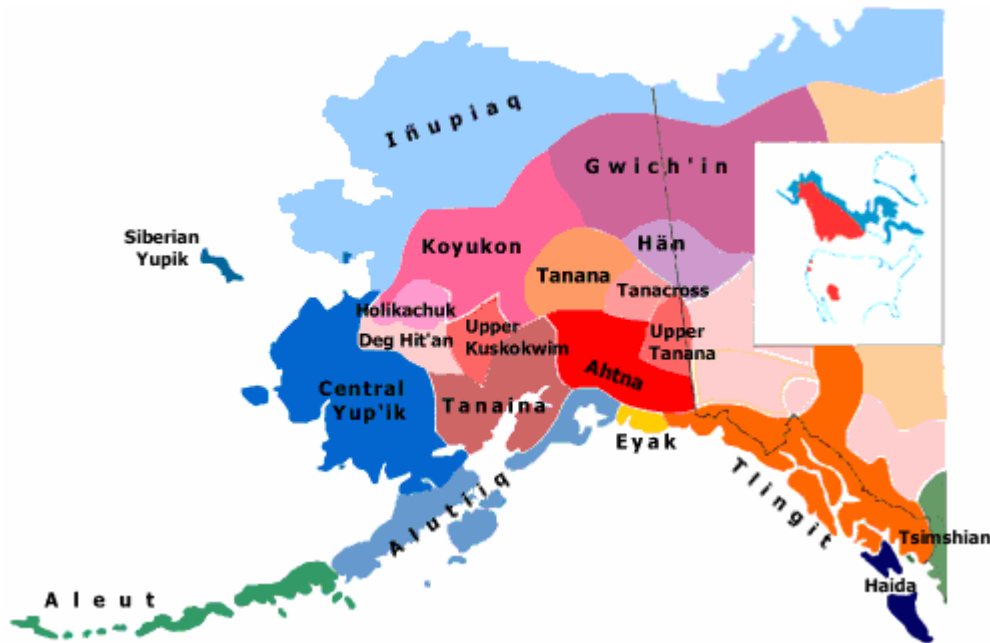
**Northern Region, ICWA Specialist,** Fairbanks Office 907-451-2072

**Southeast Region, ICWA Specialist,** Juneau Office 907-465-8158

**Western Region, ICWA Specialist,** Bethel 907-545-1272

It helps to understand the differences between tribes, language groups, and Native corporations. Also, some tribal groups have formed organizations to deliver various services. Understanding these differences and knowing whom to communicate with can make the process much easier.

## Map of Different Native Language Groups in Alaska



Sometimes Native persons may identify themselves as “Athabascan” or “Yupik.” In such cases, they are referring to a geographic language area and to some cultural similarities; 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.

## Help with understanding the various Alaska Native entities

The passage of the Alaska Native Claims Settlement Act (ANCSA) of 1971 divided Alaska into 12 regions which were defined by the shared culture and interests of the indigenous people within the geographic area. Each region formed a for-profit *Alaska Native Regional Corporation*.

The following is a map of Alaska’s Native Regional Corporations:



Under the umbrella of each Regional Corporation, for-profit *Alaska Native Village Corporations* were formed to manage the lands within and surrounding the villages.

*Alaska Native tribes* were formed by enrolling members in groups based upon the village in which they were living or had familial heritage. Tribal members were then enrolled in both the Regional Corporation and Village Corporation associated with their region. In Alaska there are 229 different Native tribes throughout the State. Tribal members also formed groups within their village, known as *Tribal Councils*, creating a way for them to govern and provide health and social services for its members. Tribal Councils are composed of members of the tribe and usually respected elders. Tribal councils work together to make decisions for their community and members according to tribal laws. Some tribes are highly organized, with formalized tribal governments while some tribal councils operate on an informal basis.

Additionally, non-profit *Regional Organizations* have been formed in various regions of the state to provide a wide variety of health and social services, employment training, and family supports for tribal members. Generally, a tribal member is affiliated with the regional organization their specific tribe is associated with. Services often extend to the foster children and their families and can be a beneficial resource.

## **Alaska Regional Organizations and the region and tribes they represent.**

**Aleutian Pribilof Islands Association (APIA)** (Anchorage) 907-276-2700 • Toll free: 800-478-2742

<https://www.apiai.org/> *Covers the Aleutian/Pribilof region*

Offers primary care services in Atka, Nokolski, St. George, and Unalaska

Tribes: ▪ Atka ▪ Akutan ▪ Belkofski ▪ False Pass ▪ King Cove ▪ Nelson Lagoon ▪ Nikolski ▪ Pauloff Harbor  
▪ Sand Point ▪ St. George ▪ St. Paul ▪ Unalaska ▪ Unga

**Arctic Slope Native Association (ASNA)** (Utqiagvik) 907-852-2762 • Toll free: 800-478-3033

<https://arcticslope.org/> *Covers the northern Alaska region.*

-Samuel Simmonds Memorial Hospital (Utqiagvik) is the health care provider managed by ASNA 907-852-2762 • Toll free: 800-478-3033

Tribes: ▪ Anaktuvuk Pass ▪ Atkasuk ▪ Kaktovik ▪ Nuiqsut ▪ Point Hope ▪ Point Lay ▪ Utqiagvik ▪ Wainwright

**Association of Village Council Presidents (AVCP)** (Bethel) 907-543-7300 • Toll free: 800-478-3521

<https://www.avcp.org/> *Covers the Yukon-Kuskokwim Delta in the western region.*

Tribes: ▪ Chuloonawick ▪ Kotlik ▪ Emmonak ▪ Bill Moores' Slough ▪ Hamilton ▪ Alakanuk ▪ Nunam Iqua  
▪ Mountain Village ▪ Saint Mary's ▪ Pitka's point ▪ Scammon Bay ▪ Paimiut ▪ Hooper Bay ▪ Chevak  
▪ Pilot Station ▪ Marshall ▪ Russian Mission ▪ Ohogamiut ▪ Mekoryuk ▪ Newtown ▪ Tununak  
▪ Toksook Bay ▪ Umkumitu ▪ Nightmute ▪ Nunapitchuk ▪ Kasigluk ▪ Atmaultluak ▪ Napakiak  
▪ Napaskiak ▪ Tuntutuliak ▪ Cheforak ▪ Kipnuk ▪ Kongiganak ▪ Kwigillingok ▪ Eek ▪ Quinhagak  
▪ Goodnews Bay ▪ Platinum ▪ Akiachak ▪ Bethel ▪ Oscarville ▪ Akiak ▪ Kwethluk ▪ Tuluksak  
▪ Lower Kalskag ▪ Upper Kalskag ▪ Aniak ▪ Chuathbaluk ▪ Crooked Creek ▪ Napaimute ▪ Georgetown  
▪ Red Devil ▪ Sleetmute ▪ Stony River ▪ Lime Village

**Bristol Bay Native Association (BBNA)** (Dillingham) 907-842-5257 <https://bbna.com/>  
*Covers the Bristol Bay region*

Tribes: ▪Aleknagik ▪Chignik Bay ▪Chignik Lagoon ▪Chignik Lake ▪Clarks Point ▪Curyung ▪Egegik ▪Ekuk  
▪Ekwok ▪Igiugig ▪Illiamna ▪Ivanof Bay ▪Kanatak ▪King Salmon ▪Kokhanok ▪Koliganek ▪Levelock  
▪Manokotak ▪Naknek ▪New Stuyahok ▪Newhalen ▪Nondalton ▪Pedro Bay ▪Parryville ▪Pilot Point  
▪Port Heiden ▪Portage Creek ▪South Naknek ▪Togiak ▪Twin Hills ▪Ugashik

**Chugachmiut (aka Chugach Native Association)** (Anchorage)907-562-4155•Toll free:800-478-4155  
<https://www.chugachmiut.org/> *Covers the Chugach region*

Tribes: ▪Chenega ▪Eyak ▪Nanwalek ▪Port Graham ▪Qutekcak (Seward) ▪Tatitlek ▪Valdez

**Cook Inlet Tribal Council (CITC)** (Anchorage) 907-793-3600•Toll free:877-985-5900  
<https://citci.org/> *Primary service area is the Cook Inlet region of southcentral Alaska.*

Tribes: ▪Chickaloon ▪Eklutna (Chugiak) ▪Kenaitze (Kenai) ▪Knik ▪Ninilchik ▪Salamatof ▪Seldovia  
▪Tyonek Also, non-federally recognized group sites: ▪Alexander Creek ▪Caswell ▪Gold Creek  
▪Montana Creek ▪Point Possession

**Copper River Native Association (CRNA)** (Copper Center)907-822-5241 <https://crnative.org/>  
*Covers the Ahtna region*

Tribes: ▪Cantwell ▪Gakona ▪Gulkana ▪Kluti-Kaah ▪Mentasta ▪Tazlina

**Kawerak, Inc.** (Nome) 907-443-5231•Toll free:844-943-5231 <https://kawerak.org/>  
*Covers the Bering Strait region.*

Norton Sound Health Corporation (NSHC) (Nome) 907-443-3311•Toll free: 888-559-3311•Operates  
Norton Sound Regional Hospital in Nome, which services Nome and surrounding villages. NSHC  
operates independently from Kawerak, Inc.

Tribes: ▪Brevig Mission ▪Council ▪Diomedea ▪Elim ▪Gambell ▪Golovin ▪King Island ▪Koyuk  
▪Mary's Igloo ▪Nome ▪Savoonga ▪Shaktoolik ▪Shishmaref ▪Solomon ▪St. Michael ▪Stebbins  
▪Teller ▪Unalakleet ▪Wales ▪White Mountain

**Kodiak Area Native Association (KANA)** (Kodiak) 907-486-9800 <http://kodiakhealthcare.org/>  
*Covers the Koniag region*

Tribes: ▪Akhiok ▪City of Kodiak ▪Karluk ▪Larsen Bay ▪Old Harbor ▪Ouzinkie ▪Port Lions



**Maniilaq Association** (Kotzebue) 907-442-3321 • Toll free: 800-431-3321 <https://www.maniilaq.org/>

*Covers northwest region*

Maniilaq Health Center (Kotzebue) 907-442-3321 • Toll free: 800-431-3321 is the health care provider managed by Maniilaq Association.

Tribes: • Ambler • Buckland • Deering • Kiana • Kivalina • Kobuk • Kotzebue • Noatak • Noorvik • Selawik • Shungnak

**Tanana Chiefs Conference (TCC)** (Fairbanks) 907-452-8251 <https://www.tananachiefs.org/>

*Covers Fairbanks and the interior Alaska region. Includes six sub-regions and 42 tribes.*

Chief Andrew Isaac Health Center (CAIHC) (Fairbanks) is the health care provider managed by TCC 907-451-6682

Subregions: • Lower Yukon • Upper Tanana • Upper Kuskokwim • Yukon Flats • Yukon Tanana • Yukon Koyukuk

Tribes: • Alatna • Allakaket • Anaktuvuk Pass • Anvik • Arctic Village • Beaver • Birch Creek • Canyon Village • Chalkyitsik • Circle • Dot Lake • Eagle • Evansville • Fort Yukon • Galena • Grayling • Healy Lake • Holy Cross • Hughes • Huslia • Kaltag • Koyukuk Lake • Minchumina • Manley Hot Springs • McGrath • Medfra • Minto • Nenana • Nikolai • Northway • Nulato • Rampart • Ruby • Shageluk • Stevens Village • Takotna • Tanacross • Tanana • Telida • Tetlin • Tok • Venetie

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

One responsibility of the Tribal Council is to look after tribal child welfare matters. If you have a Native child in your home, you can find out from the social worker which tribe the child belongs to, the name of the ICWA (or TFYS) worker, and which Native *Regional organization* provides services to the child's tribe. Most Tribal Councils have a local ICWA worker (sometimes referred to as TFYS workers) but some do not. Often times, the Regional organizations have Tribal Child Welfare/Child Protection units staffed with case managers who may also be ICWA workers. The case manager may act as the Tribal Representative on behalf of the Tribes in the region and may represent a tribe during court hearings by presenting the tribe's position regarding the child's placement. They can provide information and be a link for the foster child, the foster family, the tribe, and the child's parents. The Tribal Representative will want information regarding you as a foster parent. If tribal councils do not have all of the case information regarding the child's situation or do not know the families involved, they do not have all of the pieces necessary to make informed decisions. It is very important for you to provide as much information to them because they will communicate the information back to the tribal council. During hearings they may also ask you or any other witness questions, present their own witnesses, and cross-examine any witnesses.



## 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 on 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. If you don't know the name of the tribal ICWA or TFYS worker, or the name of the tribe, ask the OCS social worker or the ICWA specialist in your region.
- 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 interests and well being of the child.
- 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. Because ICWA workers may have other duties or jobs in a village, 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.
- 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

# TEST

