

CALIFORNIA STATE UNIVERSITY SAN MARCOS

PROJECT SIGNATURE PAGE

PROJECT SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE

MASTER OF SOCIAL WORK

PROJECT TITLE: Off-Reservation/ Urban American Indian Perspectives and Attitudes Towards
Child Welfare Services

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DATE OF SUCCESSFUL DEFENSE: 5/9/2016

THE PROJECT HAS BEEN ACCEPTED BY THE PROJECT COMMITTEE IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF MASTER OF
SOCIAL WORK.

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Off-Reservation / Urban American Indian
Perspectives and Attitudes Towards Child Welfare Services

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Abstract

Off-Reservation / Urban American Indian people are haunted by multi-generational historical trauma that carries over into generations of today. Through governmental termination and forced assimilation practices, families were torn apart, and parenting practices obstructed. These policies created a system that, to this day, disproportionately removes American Indian children from their homes and places them into foster care, often with non-American Indian people; a damaging process that devastates tribes and disconnects future generations. With a broken relationship between the government and American Indian people, it is important to understand the perceptions of the American Indian population in order to improve outcomes. The off-reservation/urban American Indian population has a particularly unique perspective in that they may live differently and may not have access to the same culturally appropriate resources and familial and tribal connections as those who live on the reservations. This study explores off-reservation/urban American Indian perspectives and attitudes towards Child Welfare Services with a particular focus on social workers, American Indian foster homes, and the Indian Child Welfare Act. Through an analysis of 10 qualitative interviews, a variety of themes emerged and brought insight into the need for family services as well as potential barriers between off-reservation/urban American Indian people and Child Welfare Services. Participants saw social workers as intending to be helpful, but working within a broken system. This broken system contributes to the lack of cultural intelligence of social workers and the lack of knowledge, implementation, and enforcement of the Indian Child Welfare Act (ICWA), as well as contributes to the barriers to American Indians becoming foster parents.

Keywords: American Indian, Native American, Indian Child Welfare Act, Child Welfare, Urban American Indian, Off-Reservation American Indian

Acknowledgments

As with any great accomplishment, it is never realized through the efforts of one person alone, but of the entire community past and present; beginning with the strengths and resiliency passed on to us from our ancestor. It is with great appreciation that I would like to thank Dr. Lee and Dr. Proudfit for their guidance and support throughout this process. Thank you for always finding time for me, and for your continuous encouragement. Thank you to the CSUSM California Indian Culture and Sovereignty Center, the San Diego American Indian Health Center, and the Soaring Eagles Dancers for supporting my research. Thank you to all of the study participants who, without you, this could not have happened. I am truly honored that you took the time to sit down with me and trusted me with your thoughts and stories.

Throughout my educational journey, I have had countless support of family, friends and community. I would like to dedicate this to three of my strongest supports who have walked on from this world: my aunt Andrea Collet, my father Wayne Maillet, and Granny “Ditty” McNeil.

With love and gratitude.

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Off-Reservation / Urban American Indian
Perspectives and Attitudes Towards Child Welfare Services

Chapter 1

There is a long, haunting history of the United States Government and religious groups' practices of removing American Indian children from their homes, breaking up American Indian families and implementing forced assimilation practices. "By the 1970s, approximately 25-35% of all Native children were being placed in institutions, foster homes or adoptive home-three times the rate of non-Indian children" (Austin, 2009). In the mid-1970s, the adoption rate of American Indian children was 20 times greater than the national rate, and a large number of these children were adopted into non-American Indian homes. The efforts to break up American Indian families was so strong that one quarter to one third of American Indian children were removed from their American Indian homes (Strong, 2005). These children were placed in institutions, foster homes and adoptive homes (House Report No. 1386, 1978).

In addition to the government efforts, religious groups also contributed to forced assimilation efforts. According to Mannes (1995), the Church of Jesus Christ of Latter-Day Saints (LDS) had a placement program that placed American Indian children with Anglo-Mormon families and the LDS showed strong opposition to the Indian Child Welfare Act (ICWA). "Until 1978, the forced removal and attempted assimilation of American Indian children were among the most devastating U.S. federal policies forced on Indian families" (Halverson, Puig, & Byers, 2002). There has been consistent scholarly documentation of the "disparities for American Indian and Alaska Native children in child caring systems before and after the passage of the Indian Child Welfare Act" (Crofoot & Harris, 2012, p. 1668). Although some efforts have been made through policies such as the Indian Child Welfare Act (ICWA) to

address these issues, the disproportionality still remains. ICWA compliance is lacking, and American Indian children continue to be put into non-American Indian homes.

The forced, traumatic assimilation and termination policies resulted a population of American Indians who are often known as the off-reservation or urban American Indians (OR/UAI). The term “off reservation” is being used to describe individuals who do not reside on a reservation; not to be confused with the misappropriated, negative connotation of “going off the reservation.” It is also important to understand the term “urban American Indian” and the nuances associated with it. The term is related to an enculturation process among this population and, although there are American Indians living in the city, they “may have resisted the cultural values associated with urban areas and retained more traditional beliefs and values” (Westat, 2014). This population consists of people who have left the reservations due to various reasons, such as a lack of resources or jobs, as well as those whose were historically separated from their tribes. It also includes those who have not been able to be enrolled in a federally recognized tribe due to historical relocation, termination and other factors. This population has similar struggles and involvement in child welfare due to the same traumatic histories as American Indians who live on reservations; however, their struggles are also quite complicated and different. Although the OR/UAI population shares the same painful history as those who live on the reservations, due to complicating factors such as historical termination of their tribes, or the lack of membership in a federally recognized tribe, many of them do not have the protection of the ICWA or the access to culturally appropriate resources. With these unique circumstances come unique perspectives and needs. This study will explore these perspectives and needs in hopes to contribute to the research and understanding of this unique population on subject matter that stems from multiple generations of historical trauma. Due to the varying terminology used by authors throughout the

years, quotations will include interchangeable terms such as “American Indian”, AI/AN (American Indian/Alaska Native) and “Native American”. The Indian Child Welfare Act uses the term “Indian.” Regarding Child Welfare Services (CWS), a term used in San Diego County, the terms Child Protective Services or CPS will also be used interchangeably. There is a hope to create awareness of any gaps or strengths that can be built on in order to better meet the needs of the OR/UAI population in regards to ICWA, social work, and foster care.

Chapter 2

Literature Review

American Indian Child Welfare History

It continues to be well documented that American Indian child welfare history consists of repeated institutional racism and bias and “that United States policies were designed to remove American Indian and Alaska Native children from tribes to undermine indigenous nations and to benefit non-native peoples” (Crofoot & Harris, 2012, p.1667). “The troubled history of American Indian families in the child welfare system is intimately linked to the painful history of Federal Indian Policy and accompanying actions that destroyed community and family ties” (Lucero & Bussey, 2012 p. 90). The imposition of Euro-American standards of parenting, impeded on the traditional parenting practices in tribal communities; making tribal parents feel isolation, shame and confusion (Woolman & Deer, 2014). The traditional American Indian practice of raising children in a kinship network was seen as inadequate and immoral to those in power (Woolman & Deer, 2014). Churches and denominations took it upon themselves to Christianize “the ‘heathen’, and rescuing the ‘godliness’ by educating Indian in the ways of Anglo-American religion, culture, technology, and lifeways” (Kalt, 2008). As an assimilation tactic in the early 1800s, the United States began to target American Indian children and forcefully removed them from their homes (Bussey & Lucero, 2013), thus beginning the boarding school era.

Boarding Schools. The boarding school era, which began in the late 1870s (Mannes, 1995), consisted of the forced removal of American Indian children from their homes, with the intention to instill dominant cultural values in them. “The boarding school system could only exist because reformers clung to the illusion that they were rescuing Indian children from

unworthy families and giving them a chance for future success” (Crofoot & Harris, 2012, p.1669). Once removed from their communities, many American Indian children suffered emotional, psychological, physical and sexual abuse at the hands of those who ran the boarding schools. There were attempts to strip them of their American Indian identities and their culture. If American Indian children attempted to speak their native language, or practice their cultural traditions, they were severely punished for it (Attean, et al., 2012, p.18). In addition to the abuse, children in the boarding schools faced poor conditions and a lack of sanitation, which contributed to the spread of disease (Crofoot & Harris, 2012, p.1669) and many of the children died (Ellinghaus, 2008). “The destructive and shaming messages inherent in the boarding school system, whether BIA or mission schools, were that American Indian families are not capable of raising their own children and that American Indians are culturally and racially inferior” (Brave Heart, 1998).

Indian Adoption Project. The devastation of the boarding school era was shortly followed by another tragic project of the United States (U.S.) government known as the Indian Adoption Project. In a joint effort with the Child Welfare League of America (CWLA) and the Bureau of Indian Affairs (BIA), the Indian Adoption Project, officially authorized private adoptions of American Indian children by white families (Bussey & Lucero, 2013). The project focused on the removal of American Indian children, creating a desire for white, middle class families to adopt them. From 1958-1968, at least 395 American Indian children were placed in non-Indian homes (Crofoot & Harris, 2012). It was a common belief from the dominant society that American Indian children would be better off with these families (Woolman & Deer, 2014) and social workers became “the new saviors of Native children and interfered with families for the ‘crimes’ of poverty and isolation” (Woolman & Deer, 2014, p. 955). At a National Indian

Child Welfare conference in April 2001, the CWLA President and CEO Shay Bilchik offered “sincere and deep regret for CWLA’s role in the Indian Adoption Project”. (Kreisher, 2002). An apology that, while meaningful, does not reverse the devastation the project caused to tribal people.

During the 1970s, due to the rising concern of the continued loss of their children, leaders in the American Indian communities took it upon themselves to document the problems in child welfare and began to advocate for change (Crofoot & Harris, 2012). “The wholesale removal of Native children—almost always on account of ‘neglect’—from their communities reached such a high level in the late twentieth century that it took an act of Congress to intervene” (Woolman & Deer, 2014, p. 956).

The Indian Child Welfare Act (ICWA)

History of the Indian Child Welfare Act. The term “Indian Child Welfare” as established by the Indian Child Welfare Act “is the practice of working with American Indian and Alaska Native children and families” (Crofoot & Harris, 2012, p.1667). The Indian Child Welfare Act (ICWA) was passed in 1978 to help reduce the high incidences of American Indian children being disproportionately removed from their homes. Sovereign American Indian nations advocated for the rights of their citizens and they demanded “that their citizens-children, parents, grandparents, relatives and guardians receive due process guaranteed under treaties and federal responsibilities to tribes that extend from the beginning of the Republic” (Crofoot & Harris, 2012, p. 1670). In response to these advocacy efforts, the ICWA was passed. According to BIA guidelines, “Congress determined that cultural ignorance and biases within the child welfare system were significant causes of this problem” (p. 10147). Based on the nation-to-

nation relationship between tribal nations and the U.S. government, the ICWA is comparable to international child welfare laws and issues (Crofoot & Harris, 2012, p 1670).

The ICWA has a focus on preventing loss of community connections and culture in American Indian children involved in child welfare (Public Law 95-608, 1978 p.

91). “Statistical and anecdotal information show that Indian children who grow up in non-Indian settings become spiritual and cultural orphans” (Native American Rights Fund, 2015). One of the principal goals of the ICWA is to prevent the breakup of the American Indian family (Lucero & Bussey, 2012, p. 89), and it allows American Indian children to return to their home nations. (Crofoot & Harris, 2012, p. 1670).

The ICWA gave a voice to the tribes and allows them to be part of the decision making process, equal and sometimes greater than the parents’ voice (Quash-Mah, Stockard, Johnson-Shelton, & Crowley, 2010, p. 897). This allows for the tribes and American Indian families to decide what is best for their children and to maintain their cultural needs (Halverson et al., 2002). Once ICWA was enacted, many tribes applied for jurisdiction on matters that involved American Indian children and their protection and well-being (Scannapieco & Iannone, p. 158). Many tribal nations and urban American Indian organizations view their involvement in child welfare as an integral part of their sovereign power, and the revival of their culture and identity (Crofoot & Harris, 2012, p.1667). As sovereign nations, federally recognized tribes have a unique political status that allows them to protect their children. “For the first time in legislative history, ICWA, by limiting states’ powers over Indian children, established a legal framework to support Indian families, specifically by maintaining Indian children with Indian caregivers in order to honor tribal sovereignty and preserve cultural and familial ties” (Limb, Chance, & Brown, 2004, p. 1280).

Indian Child Welfare Act requirements. According to Crofoot and Harris (2012), the ICWA allows tribal communities and tribal courts make decisions that serve in the best interest of their children. The ICWA sets rigorous standards in regards to parental rights, adoption, and foster care of American Indian children (Cross, Day, & Byers, 2010, p. 375). The Act specifically states that, when working with American Indian children, it is a legal requirement for state child welfare workers to connect with tribal nations (Crofoot & Harris, 2012, p. 1670). Tribes often transfer jurisdiction of ICWA cases to tribal courts “to avoid state courts from adopting children away from family, tribe, and community”(Leake, Potter, Lucero, Gardner, & Deserly, 2012, p. 58). States must make active efforts to provide rehabilitative programs and remedial services (Limb et al., 2004, p. 1281). It has been said that there are no clear definition or guidelines for states to understand what is meant by ‘active efforts,’ thus “states are expected to determine the legal standard of proof that is necessary to demonstrate appropriate effort” (Limb et al., 2004, p. 1281). However, the BIA has had guidelines since 1979, which have most recently been updated in February of 2015 (U.S. Department of the Interior, 2015). As stated in the updated guidelines:

The 1979 guidelines included “commentary” for each section, which was intended to explain the requirements of each section. The updated guidelines are clearer, making the commentary unnecessary. Recognizing the important role that child welfare agencies play in ICWA compliance, these updated guidelines broaden the audience of the guidelines to include both State courts and any agency or other party seeking placement of an Indian child. The guidelines identify procedures to address circumstances in which a parent desires anonymity in a voluntary proceeding. Those procedures clarify that a parent’s desire for anonymity does not override the responsibility to comply with ICWA.

The guidelines also establish that agencies and courts should document their efforts to comply with ICWA. The following paragraphs include section-by-section highlights of the substantive updates that these guidelines make to the 1979 version (U.S. Department of the Interior, 2015).

Throughout these update guidelines, there is clarification and an explanation as to what has been updated.

To help prevent the breakup of the American Indian family, regarding rehabilitative and remedial services and the removal of Indian children, the ICWA requires a higher burden of proof (Bussey & Lucero, 2013, p. 395). It is also required that a child cannot be put into placement and the parents' rights cannot be terminated without the supportive testimony of a qualified American Indian expert witness (Limb et al., p. 1281). The ICWA is not specific as to the definition of an Indian expert witness, but the BIA includes a rank order in the guidelines (Limb et al., 2004, p. 1281). In addition, these guidelines provide a framework of best practices for courts and agencies when involved in Indian child welfare cases.

A standard that was set by the ICWA “codified placement preferences that reflect tribal social structures, giving tribes the legal status of a parent in child welfare proceedings in keeping with tribal beliefs that children are born to the community” (Morrison, Fox, Cross, & Paul, 2010, p. 104). When an Indian child is removed from their parents due to neglect or abuse, ICWA specifies that adoptive placement needs to be with 1) extended family first. If no extended family is found or able to take the child, then the next preferred placement is with 2) other members of the child's tribe, then the last to be considered is with 3) other Indians who are not members of the child's tribe (Quash-Mah et al., 2010). According to Crofoot and Harris (2012) “contrary to current practice, a non-Indian home is not a placement preference under the ICWA”

(p. 1670). According to the updated BIA guidelines (2015), there is also a set of standards in regards to placing an American Indian child in foster care. Similar to the guidelines for adoption, the first placement should be with the child's extended family. The next placement preference, according to the updated guidelines, should be "a foster home, licensed, approved or specified by the Indian child's tribe, whether on or off the reservation" (p. 10157). The next preference is with a licensed or approved Indian foster home, and lastly is an institution for children approved by the child's tribe.

ICWA Challenges: 1978-Present. Although progress has been made, the full implementation of ICWA, as well as agency compliance, has yet to fully develop. (Attean et al., 2012, p. 20). Many times, child welfare staff are not trained or educated on the ICWA and do not completely understand it; creating problems in collaborating with tribes and urban Indian programs, which has created a history of non-compliance with the act (Lidot, Orrantia, & Choca, 2012, p. 77). According to Leake et al. (2012) the compliance with ICWA can vary by state and does not fulfill its intentions of preserving the Indian family. "A continuing lack of compliance, from the Indian Child Welfare perspective, suggests that a systemic racial bias continues to exist in federal and state child welfare systems" (Crofoot & Harris, 2012, p. 1671). Some states have attempted to address this non-compliance by codifying provisions of the ICWA into state statute (National Conference of State Legislatures, 2013). One example given by Morrison et al. (2010) is that American Indian cultural factors are not taken into account when defining permanency and family. According to Maher et al., (2015), "despite ICWA guidelines, only 17 percent of American Indian children not living with a biological parent reside with an American Indian Caregiver."

There is also a lack of funding for ICWA and many tribes are unable to provide the necessary child welfare programs needed. Even though this lack of funding has created a barrier to the full implementation of ICWA, there has been a “conceptual shift in child welfare policy from deficit models to focusing more on strength-based models” (Limb et al., 2004, p. 1281). In addition to a lack of funding, there is also a

lack of specific enforcement provisions and penalties within the statute (unlike the serious penalties for noncompliance contained in the Adoption and Safe Families Act or the multi-Ethnic Placement Act) has not compelled most states to rigorously comply with ICWA or to establish culturally responsive programs (Mindell, Vidal de Haymes, & Francisco, 2003, p. 203).

There are specific enforcement provisions for not following the Multi-Ethnic Placement Act and incentives for following the Adoption and Safe Families Act. However, there are no incentives for following the ICWA or enforcement provisions (table 1). This opens the door to non-compliance of the ICWA. Although tribal child welfare services provided by tribal agencies work to protect their children, these agencies vary based on several factors such as tribal/state agreements, tribal code, funding availability, and federal policy (Scannapieco & Iannone, p. 158), and not all tribes can afford to have them.

An additional barrier to the ICWA having the impact on American Indian families the way it was intended is that there is a lack of understanding of the Act. In a study by Leake et al. (2012) it was found that one of the barriers to collaboration between tribes and child welfare services was that tribal members felt that state and county workers do not interpret ICWA correctly or fully understand it. Limb et al. (2004) found that there tends to be limited understanding of ICWA requirements amongst state workers. In addition, social workers “lack

understanding of important cultural norms and tribal practices” (Leak et al., 2012, p. 58). It is suggested that social workers should aim to understand more than just what is necessary to comply with ICWA. They need to also learn about the tribal communities, the roles of the children in these communities, and cultural perspectives on parenting (Bussey & Lucero, 2013, p. 399).

Inaccurate, single sided media coverage adds to the misinformation learned by the public. In recent cases involving the ICWA, adoptive parents and the media manipulated information to create stories that fed off the sympathy of the public, while withholding facts that would help people understand both sides of the cases. A prime example is in *Adoptive Couple v. Baby Girl*, otherwise known as the Baby Veronica Case. The adoptive parents used a strong media campaign to play on the sympathy of the public, while crafting negative views towards the biological parent and the ICWA (Goldstein, 2014). The National Indian Child Welfare Association (NICWA) issued a fact sheet that shows at least 10 false statements made in the media regarding this case that create a misrepresentative view to the public (n.d.). The fact sheet shows the false statements, the actual facts, and the sources for both. In another case involving a young Choctaw girl, the foster parents attempted to circumvent the ICWA and adopt the child even though she had family who wanted her. The foster parents reached out for public support with the assistance of one sided media stories. Due to this campaign, Brewer (2016) states “there were dozens of media outlets and protesters” watching as she was taken from the foster parents home and returned to her family. In both of these cases, the media repeatedly focused on the amount of American Indian blood the child had, otherwise known as blood quantum. The idea of blood quantum originated in the late 1800s as a way for the federal government to classify

“Indianness” (Schmidt, 2011) and is not synonymous to the political status of being a member of a tribe. As sovereign nations, tribes set their own criteria for enrollment.

Since there is a need for learning and understanding of the ICWA and how to implement it, social workers should begin to learn about the Act while in school, through their field placements, and in program curriculum (Cross, Day, Gogliotti, & Pung, 2010). In addition, it is vital to recruit and support American Indian social workers. “Social work programs that successfully recruit, retain and graduate AI/AN social work students are likely to increase the competency of the child welfare workforce” (Cross et al., 2013, p. 49). Current workers should also have access to trainings on the ICWA. There is a lack of ICWA training for state and county workers and there are few standardized training requirements (Lidot et al., 2012, p. 77).

The ICWA continues to be challenged.

Every few years, legislation to amend the ICWA is introduced in Congress. While some of these amendments seek to clarify ambiguities in the law, others, such as the codification of the ‘Existing Indian Family doctrine’ –would eliminate important safeguards designed to prevent the repetition of human rights abuses against indigenous children and their families (Graham, 2008, p. 3).

According to Brewer (2015), fees and costs of private adoptions can bring adoption agencies anywhere from \$40,000-\$100,000. A lucrative business that adoption agencies are fighting to hold onto by legally challenging the ICWA, and trying to make the adoption of American Indian children more open to them. However, ICWA advocates, tribal leaders, and their legal teams “view with skepticism adoption practices in the United States, and the economic factors and profits at play” (Brewer, 2015) and continue to fight these attacks.

The Impact of Historical Trauma

The many attempts at forced assimilation conflicted with American Indian children and families' cultural beliefs, values and traditions (Crofoot & Harris, 2012). Due to this historical trauma, American Indian people have suffered from psychological, economic, social, emotional, and physical distress. The forced removal of the children also had a lasting affect on American Indian parenting practices. "The boarding school era disrupted the normal transmission of parenting values and skills by denying Native children the opportunity to experience these practices for themselves" (Woolman & Deer, 2014, p. 954). It broke up traditional kinship networks, damaged traditional support systems and changed the way they parented, often reinforcing beliefs that American Indian people were not good parents (Woolman & Deer, 2014, p. 954). Dysfunction that is seen in some American Indian families today can be contributed to these historical traumas, family break-ups, and the questioning of their own traditional values and culture, which is reinforced by the conflicting messages from the mainstream community (Morrison et al., 2010, p.118). "The colonial influence on Native communities has deeply damaged traditional kinships" making it difficult to protect children from harm (Woolman & Deer, 2014, p. 958).

Addressing disproportionality. Other minority groups may also be overrepresented in the child welfare system; however, it is the specific legal status and unique history of the tribes that differentiates their disproportionality in the child welfare system than those from other minority groups (Bussey & Lucero, 2013). Considering the small percentage of American Indians in the general population, there are more American Indian children in the public child welfare system than would be expected (Lidot et al., 2012). Although the removal of American Indian children to be put into boarding schools "officially ended in the 1940s, the removal of

Indian children from their homes and families continues to occur in the child welfare system” (Lidot et al., 2012, p. 68).

In addition to the historical break up of American Indian families, research shows that there are many other contributing factors to this disproportionality that continue in the child welfare system such as the lack of understanding of American Indian culture and spirituality as well as a lack of educational content in social worker’s training (Hodge & Limb, 2010). “Taking children from American Indian or Alaska Native families remains deeply ingrained in social values and policies in the United States” (Crofoot & Harris, 2012, p. 1669). This continues to be difficult to change.

Another contributing factor to disproportionality is the lack of social worker education. Educational components for social workers, such as cultural intelligence and competency in diversity and assessment, need to be of priority (Hodge & Limb, 2010). In addition to this lack of cultural competency and education, there is a need for tribally employed Masters level social workers who are able to provide supervision of future workers (Cross et al., 2010). “One of the biggest challenges to addressing disproportionality and achieving Indian Child Welfare Act (ICWA) compliance is collaboration” (Lidot et al., 2012, p. 68). It is important for social workers to work collaboratively with the American Indian community and to build ongoing relationships to show their commitment, particularly those front-line staff that work directly with the American Indian families (Lidot et al., 2012). Casework needs to be family focused and parents need to feel empowered and motivated (Alpert, 2005).

“Despite great efforts to improve child welfare services for American Indian/Alaskan Native families, many tribal children remain at risk for poor case outcomes compared with their non tribal counterparts” (Leake et al, 2012, p. 48). The Denver Indian Family Resource Center

(DIFRC) worked on addressing this disproportionality and poor case outcomes. The DIFRC collaborates with public child welfare systems and provides “intensive case management and culturally responsive services in family reunification and preservation cases, ICWA advocacy on behalf of families and tribes, and access to an extensive referral network of services providers skilled at working with American Indians” (Lucero & Bussey, 2012, p. 93). This culturally responsive family preservation model has shown positive outcomes for the OR/UAI population it was developed to serve. Feedback from those served through the model was positive in regards to family engagement with services such as substance abuse treatment and mental health services. Those who gave feedback attributed their success to good case management services, and being served in their community by well-trained American Indian social workers.

According to Cross, et al. (2013), there are not enough American Indian social workers who are professionally trained to provide child welfare services to American Indian communities. “In tribal communities, service providers who understand the culture are in short supply” (Morrison, Fox, Cross, & Paul, 2010, p. 118).

Scannapieco and Iannone (2012), discuss how the implementation of a culturally appropriate practice model helped three tribal child welfare systems to streamline their processes and flow of service, clarify their roles to the community, and create documentation practice and policy. Through an improved screening process and role clarification there was “a significant reduction in non-CPS related reports” which previously impacted the agency. Due to long histories of poor, or little to no engagement with the tribes, many social workers who carry caseloads that include tribal children have challenges interacting and communicating with tribes and urban Indian programs (Lidot et al., 2012). “A major change effort requires strong and trusting relationships—within the organization and with external partners. In order to rebuild the

trust after a challenging history, it is necessary to demonstrate a different behavior over time (Scannapieco & Iannone, 2012, p. 170).

American Indian Foster Homes

Although the use of boarding schools declined by the 1970s, the placing of American Indian children with non-Indian families continues and in many cases, the tribes and families of the children are often unaware (Strong, 2005). With the implementation of ICWA came the need for American Indian foster homes. American Indian children are often placed with non-Indian families because there is a lack of available American Indian foster homes. According to Halverson et al. this is due to the agencies having failed to recruit and retain the needed American Indian foster families and adoptive homes (2002). As there continues to be disproportionate removal of American Indian children from their homes, it is important for child welfare workers to not only continue to question this, but to also question why there continues to be a shortage of American Indian homes and families available for placement (Halverson et al., 2002).

The structure of tribal supports includes the immediate and extended family, the spiritual connections, clan and nation (Morrison et al., 2010). Often times, grandparents have taken on the role of raising their grandchildren with the support of their community when needed. The impact of “historical traumas such as the harsh and punitive treatment American Indian children experienced in the U.S. Bureau of Indian Affairs government boarding schools designed to ‘civilize’ the ‘uncivilized’ has affected numerous American Indian grandparents and continues to impact their decisions, including the decision to parent grandchildren” (Cross et al., 2010, p. 373). This creates a challenge when social workers are looking for placement for American Indian children, as this hesitation can be seen in many family members. Even when an Indian

family is willing to take in children, Leake et al. (2012) found that the strict requirements and rigorous background checks can create a challenge to becoming licensed by the state.

Many tribes are able to administer their own child welfare programs and each has a varying capacity depending on available resources (Scannapieco & Iannone, 2012). The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351) is a resource for tribes to receive direct Title IV-E funding for guardian placement, adoption assistance, foster care, and independent living services, some tribes are reluctant to enter into the necessary arrangement because they do not want to be bound by these policy requirements that may conflict with tribal traditions and values (Leake et al., 2012). One of the driving forces of the ICWA was the contradiction of the state-run foster care with traditional customs, traditions and values and the maintenance of the continuous care relationship of children by family and community members (Quash-Mah et al., 2010).

Child welfare practices embedded in traditional tribal social structure can be trusted and effective. The recognition and acceptance of these practices will expand permanency resources for American Indian/Alaskan Native children and will improve relationships between tribal, state, and federal child welfare systems (Morrison et al., 2010, p. 103). Taking into account tribal traditions and customs when working with this population will strengthen relationships and improve which will produce better outcomes for families.

Off Reservation / Urban American Indians

There are many gaps in the research in regards to American Indian families and Child Welfare Services. In particular, there is a unique population of American Indians who, due to several historical and personal factors, do not live on the reservation and may be referred to as off reservation or urban Indians. In addition to historical forced assimilation practices of the

U.S. government, many American Indian people ended up in the cities due to a lack of educational, employment, and economic opportunities (Cross et al., 2010). “Many of the tribal children and families in urban areas are from other areas of the country and may have little contact with their tribe or village” (Lidot et al., 2012, p. 83). Some of this population maintain ties with their tribes and may even be enrolled, while others are completely missing this part of their identity. “Despite demonstrated needs, urban Indians are underserved by federal Indian assistance programs, largely because federal Indian policy focuses on tribal governments and their enrolled citizens rather than on Native American individuals more broadly” (Kalt, 2008).

The California ICWA code was strengthened with the passage of California Senate Bill 678 which allowed “children who are not eligible for enrollment and who are from a non-federally recognized tribe to receive ICWA services at the discretion of the judge presiding over the case” (Lidot et al., 2012, p. 78). These cases are known as following the spirit of ICWA, and this allowed for the availability of more services for these children and increased their resources.

Previous studies focused on the unique needs of this population (Lucero & Bussey, 2012), but few specific to child welfare services and there are limited successes of counties collaborating with urban Indian programs and addressing the child welfare needs of the this population. (Lidot et al., 2012, p. 83). Many American Indians live away from their tribes, families and reservations and do not have the same resources and services as those who live on the reservations, making traditional parenting challenging. In addition, there is variability in culturally responsive services that are available and accessible (Halverson et al., 2002, p. 320).

The challenges faced by American Indian families living in cities may include environmental problems such as housing insecurity, unemployment and criminal justice system involvement, in addition to clinical issues such as untreated mental illness, substance use, and

severe trauma histories” (Lucero & Bussey, 2012, p. 90). There is a lack of government funding and resources for this unique population, which has also “limited the development of community resources in the area, such as indigenous healers, licensed Native American therapists, and other community-based Native organizations” (Mindel et al., 2003, p. 208). Many may not have convenient access to cultural activities and events to engage their children. Some organizations and programs will try to help OR/UAI children maintain ties with their American Indian culture by taking them to occasional cultural events; however, this is not necessarily a valid approach due to the missing day-to-day cultural practices, which are needed to reinforce a child’s sense of belonging (Morrison, Fox, Cross, & Paul, 2010). In addition, the health clinics on reservations generally work with only a few tribes whereas clinics that serve the OR/UAI population work with people from many different tribes and it may be difficult for them to meet all of the specific cultural needs of this diverse population.

Traditionally, many American Indian people raised their children using kinship networks, however, often times, when they live in the city, this network is reduced or non-existent, changing the way the child is raised. Although kinship placement for children in child welfare happens within tribal families on reservations, in a study by Carter (2011) on urban American Indian youth in child welfare, it was found that kinship placement and foster care were used less often for this population than non-American Indian children. Carter also found that OR/UAI children in child welfare were more often male, older, from poorer homes and placed in group homes more frequently.

In order to successfully preserve OR/UAI families, a social worker needs to be committed to practicing and implementing the protocols set in place by the ICWA (Lucero & Bussey, 2012, p. 108) as well as the spirit of ICWA. Social workers need to understand the

community and recognize its strengths, resources and supports, as well as understand the implementation of American Indian family values and functioning (Bussey & Lucero, 2013).

Perspectives and Attitudes Towards Child Welfare Services

There is a lack of research on the unique perspectives of the OR/UAI population in regards to child welfare services, foster care and the ICWA. Social workers have a difficult time helping those in need if there is confusion about their role, or if the public is hostile or uninformed about social work (LeCroy & Stinson, 2004). Learning the perspectives of clients, such as parents, on service delivery is extremely important in the acceptance of services provided and the support of social workers policy positions (LeCroy & Stinson, 2004, p. 165). Not only does it provide better acceptance of services for parents, but it also acknowledges their contribution to their progress and is in line with the family-focused approach to foster care (Alpert, 2005, p. 363).

Although there is a growing body of literature on the public perspectives towards child welfare services, there is limited literature on the American Indian perspective. The results from a study about the general public's perception of social work, conducted by LeCroy and Stinson (2004), concluded that respondents showed "a generally favorable attitude toward social work and to some degree, a general understanding of what social workers do" and "the data seems to suggest that social workers are by and large viewed in a favorable light" (p. 172). It also concluded that most of the respondents viewed social workers as helpful, understood their functions, and felt they make a difference (LeCroy & Stinson, 2004).

In contrast, a more specific, qualitative study of Native American grandparents, Cross et al. (2010) found the grandparents felt like they have been judged or talked down to by social workers. They felt that "social workers need to be knowledgeable of the true history of the

American Indian people and thought it important to gain experience working with the population as part of their training” (Cross et al., 2010, p. 379). It was also found that “awareness of the ICWA is beneficial and is likely to strengthen the grandparents’ position in the adoption of their grandchildren”(p. 379). These differences in perception of social work may be an indicator of a barrier to American Indian parents reaching out for help when needed and of social workers to provide needed services. In order to provide a more current, accurate picture of the social work profession and what social workers do, American Indian families need adequate information (LeCroy & Stinson, 2004).

Many American Indians have witnessed children being removed from homes and have had very negative experiences with Child Welfare Services (Halverson et al., 2002). “Though caseworker may have considerable insight into the experiences of their clients, the most accurate feedback in this area must be obtained directly from the parents (Alpert, 2005, p. 365).

Current Study

This exploratory study aims to explore San Diego OR/UAI perspectives and attitudes towards Child Welfare Services in respect to three specific topics: 1) the roles of social workers in Child Welfare Services, 2) barriers to members of the community becoming Indian Foster Parents, and 3) awareness and knowledge of the ICWA. Are social workers seen as helpful or harmful and what are the participant’s expectations of child welfare services? Are off reservation/urban American Indians willing to become Indian foster parents and what is their perception on why there is a shortage of American Indian Foster Homes? Do participants know whom they can turn to for help, and do they know who their ICWA representative is? Do they see the ICWA as helpful or harmful and why? The purpose of this study is to seek out areas of

strength and need in the OR/UAI community with hopes that it will lead to future resources and programming.

Chapter 3 Methods

Study Design

This study explored the perspectives, experiences and barriers this population faces in relation to child welfare services. Interviews were conducted and analyzed to reveal current perspectives, any need for resources and programming within the community, as well as what is already working.

This qualitative, explorative study involved individual semi-structured interviews with the target population. Qualitative research “seeks to elucidate the nature of social practices, relationships, and beliefs along with the meaning of human experiences from the participants’ point of view” (Lietz & Zayas, 2010, p. 190). A qualitative research design was chosen in order to understand OR/UAI perceptions of social workers, foster homes, and the ICWA, and to explore the deeper meanings of the participants’ experiences (Rubin & Babbie, p. 437). Through a collaborate effort with the PI, committee member, and chair, an interview guide was created and tested with a pilot interview.

Participants

Criteria for inclusion in this study included an age of at least 18 years old, self-identified American Indian, and living in San Diego County, but not living on a reservation. This population was chosen due to their unique experiences with off reservation resources, parenting practices, and kinship connections, which may be different in comparison to those who live on the reservations. Participants were recruited through the use of social media by posting flyers in social media groups that are specifically used by American Indian people in San Diego County. Recruitment was also done through flyer distribution at local events put on by agencies that primarily serve OR/UAI people in San Diego County. Thirteen people contacted the PI to

express interest in being interviewed. One person lived out of San Diego County and therefore did not meet the criteria of living in San Diego County and two people were unable to be interviewed due to busy schedules, leaving the sample of 10 participants. Prior to the start of this study, approval was obtained from the California State University San Marcos Institutional Review Board (IRB) for the Protection of Human Subjects.

Data Collection

The interview guide began with closed ended demographic questions followed by open-ended questions (Appendix A). The loose structure allowed participants the freedom to share their perceptions and experiences, and the emergent design flexibility allowed the researcher to adapt “inquiry as understanding deepens and/or situations change” (Patton, 2002, p. 40).

Interviews lasted 25-50 minutes long and took place in a private setting chosen by the participant to ensure comfort, with the majority of the interviews being done in the participant’s homes (Patton, 2002). With the consent of the participants, each interview was digitally recorded and later professionally transcribed. The transcription company signed a confidentiality agreement prior to transcribing. To ensure confidentiality, any identifying information was removed from the transcripts prior to analysis.

The beginning of each interview was used to gather demographic information such as age, sex, and education level. Other questions asked about tribal demographics to find out which region the participants tribe was from and if the tribe was federally recognized. The questions for the interview (Appendix A) were used to focus on understanding participants’ perceptions of social workers, foster care and the ICWA.

Data Analysis

An inductive analysis of the qualitative data was performed on the transcribed texts of the individual interviews. Data were managed using Atlas.ti qualitative software. Transcripts were read several times in order for the researcher to become familiar with the data. Through this analysis, transcripts were coded and common themes emerged. Although traditional qualitative approaches were considered, an increase in studies using a generalized approach has shown that, when conducted systematically, they can produce valuable findings (Patton, 2002).

To ensure trustworthiness of the data, several strategies were used. PI used frequent debriefing and collaborative sessions with supervisors (Shenton, 2004) and the results of the study were provided to participants to ensure accuracy in data collection and interpretation, otherwise known as member checking (Shenton, 2004). Four of the 10 participants responded and confirmed that the data was accurately represented.

Chapter 4

Results

In total, 10 self-identified American Indian adults who lived in San Diego County, but not on a reservation were interviewed. The ages ranged from late 20s to early 70s and education levels ranged from some high school to masters degrees. Exact age can be an identifier in this community and has been left out to protect participants' confidentiality. Participants included three males and seven females and tribal identification included tribes from four different regions of the United States as set forth by the BIA regions (U.S. Department of the Interior Indian Affairs Regional Offices, n.d.). Nine of the participants' tribes were federally recognized and one was from a tribe that was not federally recognized.

The results focused on each of the three aims of the study: 1) perspectives regarding social workers, 2) barriers to American Indian foster homes, and 3) knowledge regarding the ICWA. With a focus on these aims, multiple themes emerged.

Perspectives Regarding Social Workers

The role, the worker, and the system. Overall, participants saw the role of the social worker as intended to be helpful to children and families. As one participant described, the role is to “basically take on a whole child's life and try to figure out what can they do to help this child.” Participants expect “that they [social workers] would be following ICWA” and for “them to want to be helpful, to want to see everybody doing well.” Job duties expected of social workers included being a “connection between the resources and letting the families know what their options are.” Some of the resources expected included “services to help the family, whether it's health services, transportation services for certain families, [and] education opportunities for families and their children.” The social worker role was also seen as protective: As one participant stated, they should “try to protect the welfare and the innocence of children to make

sure nothing is harming them in their homes.” As part of these protection efforts, the social worker role was seen as one that should work “with the family so that they can stay together, and the child is not to be taken away.”

Although social workers are in a role that has a perceived intention to be helpful, participants often expressed doubt as to whether or not these expectations were being met. One participant stated, “You expect them to fix things, but it doesn't always happen that way.” Another participant said that a social worker should be “an advocate for the people they're working for, not necessarily being like I said before somebody who's scary somebody who's there to go in there and cause hell with a family.” When asked about a social workers job, one participant stated doubtfully, “I guess ideally connecting to resources, getting that child in the best place where they can be. I say ideally mainly because I don't necessarily know how well that's being done.”

When speaking about social workers, some participants shared positive perceptions and experiences: “I've seen people turn their lives around because their kids were taken away from them because they were messing up.” It is recognized that working in CWS is a difficult job and that many social workers do care about their clients:

I really do feel like social workers care. I'm sure there's some out there that don't, or they're burnt out or whatever, but I really do feel like they care. Especially if they're working in CPS, because that is a hard job. I couldn't do it. I mean I could not do it. I have a lot of respect and admiration for people who decide to become a social worker. Although participants had some negative perceptions, they did not over generalize their perceptions and recognized that some social workers truly mean well.

While participants often felt that social workers have good intentions, it was believed that various agency dynamics attribute to the lack of success in meeting participants' needs and expectations, which contributes to the mistrust and difficulty in working well with the OR/UAI community. One participant felt that "the people working in Child Welfare Services have a lot of cases, a lot of things going on, and don't really get to spend a lot of time with the people they work with." Another participant had similar feelings:

I think Child Welfare Services are severely understaffed and underfunded. I feel that it's not necessarily the fault of the social worker. I think that the social worker obviously is a product of their environment as well so if you're underfunded and you're understaffed, and you have all these caseloads, then you can't give quality service to each and every single one of the people that you need to and that you want to.

Participants understand the role of the social worker to be helpful, the actual services are not meeting this expectation, and it may be due to a flawed system.

Mistrust towards the social worker. Although it is perceived that social workers in CWS are in roles that are intended to be helpful, participants noted that there is a general lack of trust in them, and that they are seen negatively due to perception and experiences in the community: "They [American Indians] just really see them [social workers] in a negative light versus helping them." One participant spoke about a friend's experience: "I think I feel like [the experience] was negative because my friend automatically felt threatened. She already felt like her parental authority was being questioned, before they even knew the story." Another participant spoke about the intrusive feeling when social workers get involved:

I think that with the Natives, a lot of times ... It's perceived that if CPS is involved, they get really anti-help because they're like, 'This is my family. We can take care of it. We got it under control.'

Others commented on the feeling of immediately being judged: "They go into the household with preconceived notions of how their life should be, than what they see, before getting a full story." There is the judgment that "I'm automatically a bad parent." Just the thought of being contacted by CWS can make them worried: "When it comes to something like that, you automatically feel threatened. You don't feel like you see this person coming to help me. You feel like you see these people coming to break apart my family."

There is a feeling of vulnerability as one participant stated: "It's always scary for me, just because I have shared custody. Sometimes when they say CPS is involved or whatever, it just makes me worry that my visitations might be compromised." This mistrust stems back to historical trauma; as another participant shared:

We've had everything taken from us so when the county comes, or the Child Welfare Services come to take your child or you think that that's going to happen, then it's all that historical trauma in addition to the present situation.

This extreme historical trauma caused by governmental agencies created a barrier as social workers are seen as an extension of the government: "We don't see them as saviors, we don't see them as positive resources, we see them as negative reinforcement, as an extension of the Government that never really wanted us here." One participant spoke of mistrust of the government stemming from childhood: "I just grew up being fearful of any type of government. Police. Anything like that could threaten. I see them more as being threatening people rather than like to help." Another participant connected the distrust with historical factors: "I think

obviously due to our political history with the Government, Native people automatically don't feel safe. We automatically don't feel that they have our best interest in mind.” Another participant expressed that American Indian people don't want to be accountable to the government: “A lot of people don't want to be accountable to any kind of governmental program or entity. I think that's probably a big with the Natives.”

The mistrust from the OR/UAI community also makes the social workers' jobs challenging. One participant shared an experience a friend had and how this friend trusted the social worker; however, the participant did not feel that social workers can be trusted: “She put a lot of trust into the social worker. She felt that she could tell her anything, and you can't.” Although some OR/UAI people may cooperate with social workers, due to this mistrust, many do not. As one participant stated, “There's a resistance there where you can't work together because you're afraid to give up too much information thinking that they're going to use it against you, and the social workers aren't getting as much information as they need to be able to help the families.”

Culturally informed practice. There are several cultural factors that participants felt affected interactions between the OR/UAI community and social workers. They felt that social workers were not in agreement with the idea of a household consisting of multiple extended family members, which is often seen in American Indian homes. In addition, the children may not always be living with their parents. There is a community approach used in raising children, and this sometimes means that the children are living in a family member's home either temporarily or permanently and the term “family” does not always mean “related by blood.” This is an American Indian cultural norm that participants felt to be looked down upon by social workers. As stated by one participant, when speaking of a family member's experience:

We rely heavily on our extended family, so because her teenage daughter was always with her aunt, or always with her cousins, or always with her grandparents it made her look like she was never home and she was never being taken care of when that really wasn't the case.

Using these cultural norms as a reason to negatively judge a family can be damaging and contribute to disproportionalities while reinforcing barriers between the OR/UAI community and social workers.

It was also mentioned that social workers do not accept food that is offered to them when they come in to the home, which can be offensive. This immediately creates a lack of trust in the relationship and shows disrespect: "If someone offers you food, you accept it or you ...from a native perspective where my grandma taught me if somebody offers you food, you eat that. No matter if you've eaten, eat a little bit of it." By accepting food, social workers would be showing respect and building a more positive relationship: "... if they did take some I'm like, 'Oh they feel comfortable here. They trust my cooking' ... to me that's a nice feeling knowing that somebody is accepting something from me."

Participants spoke positively about a specialized unit in San Diego County that is trained to work specifically with ICWA eligible cases. An American Indian supervisor leads this unit and the social workers receive specialized training. The unit collaborates with Tribes and tribal organizations throughout the county and even the nation at times. Some of the participants either had experience working with social workers from this unit or had heard of others' experiences. One participant stated: "They tend to be more involved with the child. They tend to communicate more and find different resources, and, "Hey, how is so-and-so doing? We have this going on. You think she might want to attend?" Another participant had experience with the unit: "Because

of the prior experience, I knew right away to call Indian child welfare services. To call the ICWA worker and get them involved before the regular CPS workers got involved, that way it would be more culturally appropriate for us. I feel like if there was a specialist involved that they would have been more familiar with the situation and kind of took that into consideration.” The presence of the unit is creating better services for OR/UAI people: “(they’re) getting better compared to the none that I received, they have a presence now.”

When asked about services provided directly through the tribes, participants felt that American Indian social workers, working for the tribes would have the greatest positive impact when working with American Indian families.

I feel like it if was organized and it was funded, and it was through the tribal Government, I think that there would be a lot more ... Trust. In that person, in knowing that they're one of us and that they want to keep my family together, and that they're going to do what they can to help us. I think overall I think it's positive because you see those officials as an extension of your tribe, and an extension of your tribe is essentially an extension of your family.

It was expressed that the perception of the social worker is different if they are American Indian and working for the tribe: “I know it's different when it's tribal services that are interacting with the families because I think the families assume maybe there's a different intention. It's not like us versus them so much which is why I think it's really important.” Since many OR/UAI people are still connected with their tribes, even though they live off the reservations, a tribal social worker through the tribe would still be of benefit. For those who are not connected to their tribes due to the various reasons previously mentioned, an American Indian social worker may still be preferable. It was stated that the OR/UAI community needs somebody who “understands what

we go through on a, not necessarily day-to-day basis, but knows more about how we function. Somebody who's working for us and understands things a little bit better.” The relationship with a tribal social worker would not immediately begin with barriers in the same way that working with a county social worker would.

Room for improvement. There were several suggestions as to how the relationship between Child Welfare Services and the OR/UAI community can be improved. Participants felt it was important to consider the people being hired to work with the OR/UAI community: “...making sure that they're hiring people that show compassion.” In addition, social workers should have an understanding of who their clients are and their unique perspectives. When working with clients, it is expected that they are “Being compassionate. Being patient. Just being really, just to be empathetic and to try to see themselves in that, whoever their clients or cases are, see what their perspective is on things.” In addition, they should “find out the full facts more so than hearsay before going in and endangering a home and freaking out the home.” Participants stressed better communication and involvement: “They need to talk to their clients and their kids more. Be involved in the client's case or each case, be more involved personally, like know who's who.”

Participants felt that social workers should be obligated to connect OR/UAI people to culturally appropriate resources. One participant discussed the programs available in the OR/UAI community in San Diego: “Here in our region, we have a lot of resources for keeping the native culture. We have culture classes. We have dance classes. We have a lot of activities going on that keep the kids involved in Native activities.” American Indian foster children and families with open cases are not seen utilizing these resources; often due to a potential disconnect. Participants stated that members of the community do try to help promote programs

and welcome American Indian foster children, but there needs to be more done: “We make sure we do invite the foster kids, the foster parents, to be part of our community. I know it gets lost so fast quick but there's not enough of us to keep all the PR work going.” Although there is some effort from the community to connect with American Indian foster children and families with open cases, the social workers need to help. It is especially important to support and connect those families who are not American Indian, but are taking care of American Indian children. As one participant shared: “I've also met people who have Indian children, and they're non-Indian foster parents. I feel like a lot of them do want to connect the children to the community but they don't know how. They don't get support.” Living in the city makes it especially difficult: “I think if you're in the city how are you going to hear about where community things are happening and how are you going to understand that? It's just really important for those kids to understand where they come from.”

Foster Homes

Understanding the impact yet willing to help. As previously mentioned, there continues to be a shortage of American Indian foster homes, making it difficult to follow proper ICWA placement requirements. All 10 of the participants in this study said that they would be willing to be a foster parent to an American Indian child they knew and eight of them said they would be willing to foster an American Indian child they did not know. When asked about being a licensed foster home, 6 out of 10 participants stated that they would be willing now, and two of the remaining four participants said they would be willing in the future once their children get older. In addition, eight of the participants were willing to adopt an American Indian child and the remaining two said they would be willing to adopt an American Indian child in the future

Although participants were more than willing to help out a foster child if needed, they did have some concerns. It was repeatedly said that they would be concerned about the impact the child would have on their family and whether or not they could provide for the child: “I'd be very willing as long as I knew that I could provide them the services and the love and care that they need, you know? I would just be mindful of that.” Participants spoke of the financial barrier: “Financially there would be barriers because you're bringing another person into your home and they're a child so they're dependent on you.” Some felt that it would be difficult to dedicate the time needed:

Just having time to be able to spend with that child. Especially if you're bringing in somebody new to your family and to your home, you want to be able to make that time. Make them a priority.

By making a foster child a priority, participants felt they would need extra time from the beginning to bond with the child: “You're bringing an unknown child in, you want to certain time to bond and so forth.”

One participant said it was important to consider the “...other kids; that would be something to take into consideration.” There was concern as to how it would affect their children: “I want to say only because I've had very little time for anything else besides my child and myself. I don't think it would be fair to her right now with her other parent being in the military and always gone, it's just me and her.” However, of those who felt that it wasn't the right time because of their own children, they were more willing to consider fostering in the future: “Maybe when all my kids were grown up and out of the house.”

Several participants stated that they would feel more comfortable if they knew the background of a child they might bring into their home:

I'd be more than willing, given some history of the child. I don't think I could take on a child without knowing how the child is. I think with the more facts and information you're given prior to the child being put in your home, I think that definitely plays a big role in deciding.

One participant felt that the background of many foster children could make it challenging to build a relationship: "Most of adopted kids are damaged kids, trust is a hard thing to gain." Despite this, the participant was "more than willing" to foster and adopt an American Indian child.

Rule, regulations, and a difficult process. Although the majority of participants said that they would be willing to foster an American Indian child, they expressed concern about the process and perceived it as difficult, invasive, and not in the best interest of American Indian people. As one participant shared:

I think that there's a lot of red tape. I feel like also it's severely underfunded. I feel like also the states and local Government are making a lot of money off the foster system. I think they see every single child as a dollar so even though they're ultimate goal is to provide services to get these children homes, for every children that they keep in the program there's more money for them.

When asked what they felt the barriers were to getting more American Indian foster homes, one participant said that it was "probably because people aren't willing to do what it takes to become one." Another participant said one of the problems was "just having the time to be able to attend classes or whatever it takes to be a foster parent is probably an issue." There was also the fear of denial and of the process itself: "I would be nervous to go through with that thinking that I would automatically be shut down regardless of what I can provide that child."

The process was thought to be “A little too strict. They need to be more broadened, and the caseworker needs to be more willing to expand the time, give you a more feasible time allowance to get things done and to offer you resources to help you get those things done.” Participants felt that “It’s a long procedure” and “It needs to be easier. I think for our families with the foster care system.” One participant felt that it would be beneficial to separate the requirements for foster care and adoption:

My thing is if you don't want to adopt, why do you have to go through the adoption process? They put the two classes together for the foster care services, and I don't understand why. There should be something that says, ‘If you only want to do foster care you only need to go this far in the classes. If you want to adopt, you take six more classes.’

According to the San Diego County website (n.d.), both foster parents and those who want to adopt are required to complete 27 hours of training.

Cultural barriers to foster care. Participants expressed concern that there are cultural barriers in the process of becoming a foster home and that there is a need for culturally appropriate assessments:

I know that there's a lot of children that need homes. I also know that there's a lot of people that want children, and that the foster system has created this bureaucracy of what they feel is their standard requirement and qualifications to provide a safe and healthy home for children. Because of cultural differences that may not always be the case. You get a lot of people that find out that they're not qualified to have a child and you have all these children that need a home.

Several participants felt there is a “different cultural perspectives of what's a good home. There are these different perceptions of what I guess is livable or what's okay.” Social workers have different “standards of what they think a home should be or what they feel a family should look like.” For example, “The way I keep my house is not the typical ‘white’ way of keeping a house.” One participant spoke of several factors:

I just think that their standards and their benchmark that they have set is maybe misconstrued and it does not take cultural factors into consideration. They just see different. The family unit is different. The way you're caring and teaching your children is different. Just the environment itself. You don't have to have nice new things in order to take care of a child, you know? Where people might think, "Oh you've got sheets over the windows," well we're resourceful. I'm not going to pay twenty dollars for curtains when I have a five dollar bed sheet that works just fine. That's not going to change the way I love this baby.

Another participant expressed the difference between living on the reservation and living in the city:

Living off the reservation, I think it plays a big part because I have to get used to how urban things are as opposed to traditional things where we could just let the kids play outside. I'm not allowed to do that here.

Due to these cultural differences, participants felt that an American Indian social worker, working for a tribe would provide a more culturally appropriate assessment and that it would help to increase the number of American Indian foster homes:

We should have one that is Native because not everybody lives the same. Native people, from what I've seen, live like me or live like Susie Homemaker, but we all different on

our ways of living. We are all accustomed to living certain ways and doing certain things.

Why should we be the same as the white Americans? I don't understand that.

Even though the OR/UAI community has some differences than reservation communities, there are also many cultural similarities and needs: "Indian homes are not going to be certified foster homes the way that we would probably see in the general population." A tribal social worker who works for a tribe was seen as more appropriate because:

I feel like they would understand where we're coming from because we naturally are just, we're a community and we want to keep our community together. If those opportunities were made available through the tribe, and you had a tribal member that came out, I wouldn't feel judged. I wouldn't feel threatened. Vulnerable. As vulnerable.

One participant felt that the greatest benefit would be if there was continuity of casework, and if there were American Indian social workers in each of the various roles in CWS that interact with American Indian families:

There should be at least one Native intake worker, one home evaluation worker, one worker that oversees, I want to see our placement worker and then several Native social workers to follow one child throughout their whole process and not be pushed off to another worker and another worker and another worker.

Participants fear that by not hiring American Indian social workers to work with OR/UAI people and by not using culturally appropriate evaluations, the system is further traumatizing the children.

I think it's important that our kids not be more traumatized through this system. If they're being taken from their homes there's already issues going on. There's already trauma

happening with them. I think, I would hope that the system would want to just make it as easy on the kids as possible.

Participants often felt that the difficult process and cultural barriers made them feel that by becoming a licensed foster home, they would be opening themselves and their homes to becoming vulnerable to the CWS, which feels violating:

We automatically think of those agencies as an extension of the government, and so opening ourselves up and being vulnerable to them coming in and examining our lives feels like a risk. It feels like a risk that people just aren't really sure if it's worth the risk. I mean opening up your home to anybody you have a level of vulnerability.

Even being judged by the way they keep their house and being told how it should be were of concern: "I did here that they check your house out, you know? It just depends on how you keep your house, I guess. People don't want people coming in and making them clean their house."

Need for foster care advocacy and education. Some of the participants had minimal knowledge of foster care while others had none at all. One participated stated: "I think the only thing I do know is that they do get some financial assistance, and that might be a misconception." On a similar note, another participant said: "I know that there's certain criteria that you have to meet. I don't necessarily know what that is." Only one participant had a strong understanding of foster care, which was due to prior involvement in caring for foster children.

Although there was minimal knowledge of the process to becoming a foster home, many participants shared perspectives on the foster care system overall and changes to advocate for.

As one participant shared:

I think that the foster care system, that they should have an overhaul nationwide. It's not only California, there's so many states where kids are killed and just horrible things

happen. I think we really need to re-evaluate the purpose of it and we need to put more resources into it. We need to put more resources into our children. I think that that is the bad thing about this country is that we're oftentimes so short sighted where we say, 'Well who's going to pay for it?'

Another participant expressed similar feelings of doubt in the foster care system and foster homes:

There's a lot of kids in the foster care system. Kids who can no longer be at home for any reason at all are put into foster care and hopefully they go to a good home. Not all homes are good.

It was also expressed that foster care can be both difficult on the caregiver as well as the foster child:

Foster care is good and bad. The bad is you really can't get attached to the children. Due to the fact they may be leaving. That's more harder, I think, on children than anybody else. If they're going from foster home to foster home. Not a good environment.

Depending on what home they get released to.

When participants were asked about the barriers that American Indians face in becoming licensed foster homes, many felt that "there is not enough education about it" and that people "don't know that there's a need" and that they often "don't understand the process."

I believe that in order to understand the situation you need to be able to be told about it and there's probably not enough American Indians in the city that really know about this type of thing. I think by bringing that to light and introducing that as something that is needed, then maybe you get more people wanting to do it.

Social workers tend to get busy and are "...so focused on providing the services that they're not doing as much in outreach and educating the community. Even the non-Native community of what's out there and what resources are available." This lack of outreach has been noticed: "I don't think, in matter of fact I've never heard of any tribal resources really advertising it or saying 'have you ever considered opening your home to being a foster family?'" There isn't an "awareness to get it out there. The awareness to get it out to the public saying there's a need for Native American children to be fostered." Even with agencies that serve the OR/UAI community, recruitment is not being seen: "Not that I know of, has anybody had the funding to really dedicate to recruiting foster parents. I don't see anybody at pow wows giving out information on how to become a foster parent." One participant suggested that one factor may be that it is not the cultural norm in the OR/UAI community: "We don't have that like community connection either it's not so common. It's not like the culture of our community of like being a certified foster parent." Additionally, some people may not feel that they are adequate to become foster parents:

I think, Native American families probably feel that they don't have [much] to give. I don't mean love or support or anything like that, I think they probably think they'd lack the education and support for a child. They probably feel they're not adequate enough to support, you know. You don't have to be educated, you don't have to be rich to have a fostered or adopted child from the Indian community, you just really have to give them a lot of love.

Without complete understanding of the requirements, potential caregivers may simply be assuming that they cannot be foster or adoptive parents

In addition to education and outreach, participants expressed the need for a social work advocate to be available to help them understand and get through the process: “Having a social worker help you go through the application. The application gets confusing sometimes, and when they do a criminal check they don't tell you exactly what they want.” By having an advocate helping OR/UAI people become foster parents, it could help change that and make it a normal part of the community, leading to an increase of foster homes.

The Indian Child Welfare Act

Mixed knowledge and understanding of the ICWA. The majority of participants either had no understanding of ICWA or what they thought they understood was incorrect. Those who did have an understanding of ICWA learned about it either from their jobs and volunteer work in their communities or from their schools where they specifically studied in American Indian Studies. One participant explained that the protection of ICWA is “not necessarily like a racial stance, but more of a political stance as far as the Indians have such a history of genocide and a lot of kids in foster care, so it's just trying to kind of correct that balance.” Another participant knew some of the history of ICWA; that it was established in 1978 and “put in place to affirm tribal jurisdiction over child welfare cases.” While a third participant explained it in reference to placement:

ICWA is a set of rules that provides for Indian children. It states that first the Indian child should be reunited with either one of their parents, and then if they cannot go back to their parents that they should be offered to the tribe first to see if anybody within the tribe will take them, and then after that they should go to an Indian home outside of the tribe.

While these participants had some understanding of the ICWA, other participants had mixed understanding. One stated that ICWA helps with individualized education plans and schools,

which is incorrect. Another said that they would reach out to ICWA for help, which is not possible due to ICWA being an Act and not a person or a place.

ICWA helps preserve family and culture. Four of the participants did not have any knowledge of ICWA and therefore did not have a perspective as to whether it was harmful or helpful. Four of the participants had minimal knowledge of ICWA and only two participants had a greater understanding, which is attributed to their educational background and their attendance at specific trainings pertaining to ICWA. Of the six who had some understanding of ICWA, they reported either positive experiences or positive views of the Act: “for me it was a positive experience. My daughter ended up coming back home and the case was closed. Nothing further happened.” Participants stressed the importance of ICWA helping to preserve American Indian culture and understanding who they are and where they come from:

I don't think they realize what a Native or Native American child would be with another Native American. Going elsewhere would make them lose their culture. Going in a different home and environment ... Not knowing who they are. I think it stems from lack of knowledge from the social welfare.

The ICWA helps children remain close with their tribal communities and those who grow up without their tribal ties often feel lost:

I've met a lot of people who were taken prior to ICWA, and they were taken and they were put into homes. Then they knew that they were different, they knew they were Native, but they have no idea where they come from.

Resources are unknown or unavailable. There is a lack of knowledge of ICWA resources available in the community, including how to find ICWA representatives. Seven out of 10 participants did not know whom their ICWA representative was or where to find out the

information. Two of the participants knew who their ICWA representative was and one participant stated that the tribe probably doesn't have one since they aren't federally recognized. When asked about ICWA resources, many participants weren't completely confident as to where they would reach out for resources. Three of the 10 participants said they would do an Internet search to find out about ICWA if they ever needed to. While some felt confident that they could figure out where to find help: "I feel pretty confident to reach out either to the worker or to other members of my community who are knowledgeable in the subject", others listed potential resources, with uncertainty. It is important to note that many of the resources mentioned do not offer the expected services: "I would assume that any of the local tribes that are federally recognized may have resources. I don't know how developed their resources are." Several times participants said that they would look to their local clinic for help: "I guess if it came up within anybody, connect with resources (at a clinic), because I know that they all have ICWA workers or somebody who knows something more than I do." However, the closest clinic that serves the OR/UAI people in the community does not offer any of the resources or services participants thought they would need.

With many OR/UAI people, there could be an additional challenge to family wellness due to being away from extended family:

A lot of us aren't here with family members. We're here by ourselves. On the reservation you always have somebody watch your kid if you need to go do something. I think it would be good if we could think about that as a community and try to find solutions to have those resources. To think about how we can make our families healthier from like that holistic perspective.

Although there is not current access to many family and ICWA resources in the OR/UAI community, there was a general consensus that there is a need for them: “I would love to have an organization that's just for the community wellness, and that was the focus.” The need for a multitude of resources was mentioned:

We don't have parenting classes right now, we don't have classes for teenagers. It's really hard for teenagers...we don't have an education program. Just even like landlord tenant information. We just have a lot of gaps because we've only had the health center, and if it doesn't fall under like medical, dental, behavioral health or the youth center, which is a mental health program, then it doesn't really get addressed. I just wish that our community thought more about support of families. I think we think about culture, and we think about health, but I don't know if we generally think about supporting families. It's a missing piece.

ICWA advocacy and education. As shown through the minimal to no understanding that several participants had of the ICWA, and participant responses, there is a strong need for education: “For a lot of us we don't find out about ICWA until there's some sort of interaction with the system and we should know before that.” OR/UAI parents do not always know what to say if their family gets involved with CWS: “A lot of time parents aren't aware of ICWA so they don't know to say, ‘My child is an enrolled member of a Federally recognized tribe.’” Participants expressed the importance of ICWA advocacy and education both in the OR/UAI community as well as in non tribal communities:

People need to understand how Natives are different. They need to understand our laws and ICWA is included in that. They need to understand the history. It's not just somebody

walking into a home dealing with that situation. They're dealing with 400 years of genocide and colonization as well, and they need to understand that.

In addition, it was expressed that those who work in other agencies need to be educated as well:

“I think the police should be aware of ICWA. Whoever those first responders would be potentially on calls.” This includes the judicial system:

I think it's good that we have it but at the same time there's no education about it. Just like everything else, that Federal Indian policy, or Indian law, we're kind of the only ones who know about it. I think that there needs to be way more education on it, especially within our, the Judicial system. They're deciding these cases and very few judges really understand Indian law.

One participant felt very strongly about ICWA advocacy, resources, and help for parents in the OR/UAI community: “I don't know about anybody that advocates that's on the side of the parents. Honestly if I was working with a family and this happened, I would have no idea who to go to to support the family side.” As part of this advocacy, participants felt that there should be a resource with a focus on helping American Indian parents understand the process and their rights under ICWA. As one participant expressed:

They need advocates. I think any, when you interact with any system whether that's Child Welfare, Education, these are foreign systems to us and we have to have people to support through that process; this one especially. It's so important that our families not be experiencing some of the things that they experienced.

Without this advocacy, families can suffer because many parents do not understand the ICWA, the child welfare process, and the serious implications if they do not complete services:

I truly think there's not enough information out there for parents. Really, nothing's changed so much in all these years. Parents who don't understand the child been taken away from them. They understand that but the rules and regulations, what they have to do to get their child back, but it takes so long and all the little loopholes they have the parents have to jump through in order to get their child back. I don't think there's enough work is being done.... It's so easy for a parent, the real parent, to lose their child in the system. There's no way to educate, really educate the parents why and how they're losing their child.

Participants felt that it is “important that they [the parents] have somebody assigned to them that can help to decipher and can help to keep them on track and encourage them.” One participant spoke of seeing a person from CWS reach out to the American Indian community, which created a feeling of comfort when the participant’s family, became involved with CWS:

I've heard her speak. I know what her stance is and she's a pretty normal person. She's not, she doesn't have an agenda. Knowing who she is and knowing that she's the person that oversees the unit, it's a little bit more comfortable to deal with it.

This outreach created an open door for the participant to reach out to and cooperate with the special unit in CWS that works with ICWA eligible cases.

Chapter 5

Discussion

Many American Indian parents of today often do not trust of governmental institutions and they suffer from historical trauma and the “dark legacy of child removal” which have an impact on if and where they will reach out for help if they are ever in crisis (Woolman & Deer, 2014). These parents may perceive removal of their children as an extension of those historical traumas, thus reinforcing the need for support of the ICWA in child welfare agencies (Lidot et al., 2012). The unique OR/UAI population shares these traumas and struggles, but they do not have culturally appropriate resources to help them.

Through this study, important information emerged regarding OR/UAI perspectives and attitudes towards social workers, barriers to foster care, and the ICWA. Overall, participants understood the role of the social worker and saw it as one that is intended to be helpful; however, due to traumatic histories, personal experiences, and community perceptions, there is mistrust and doubt as to whether or not social workers actually help. They are often seen as an extension of the government; the same government that historically created many strategies and policies to exterminate their people. This creates an automatic barrier when there is interaction between the community and social workers. This lack of trust also makes it difficult for a social worker to do their job because they do not receive the information they need from the families to complete their investigations and case planning.

Participants expressed that even though there is mistrust, they recognized that some social workers mean well; however, the inner workings of the agency keeps them from providing high quality services due to several factors, including being overworked, understaffed, and underfunded. The quality of service descends and continues the cycle of mistrust.

With the consistent reporting of shortages of American Indian foster homes, it was of interest that the majority of participants said they were willing to foster a child. Many did not know how to become a foster parent, and although they did not fully understand the process, they perceived it as difficult. Although they were willing to care for an American Indian child in need of a home, they did take into consideration several factors, such as the affect on their own children, time for the foster child, finances, and the background of the child. Even with these things being taken into consideration, they were willing to help.

Some common needs appeared for all three main topics discussed: social workers, foster homes, and ICWA. Participants felt that there are not enough family resources in the OR/UAI community. There is a focus on health, dental and mental health, but not on meeting family needs. In addition to advocacy and education in regards to child welfare, some of the expressed needs included parenting classes, teen support, and child development. There is a lack of support and resources for families, especially those who get involved with child welfare. Several participants felt that the community needs an advocate to help families understand ICWA and work through the child welfare process. In addition, an advocate could help people understand and work through the foster home licensing process. This support is needed to help families stay together and to help provide homes for American Indian children in need.

Participants expressed the need for culturally appropriate practices in all areas of child welfare. For example, it is understood that there is a policy that keeps social workers from accepting food from clients, which can be very offensive to some American Indian people and can create an immediate feeling of mistrust. In addition, the different views of how a home should be kept and what a household and family should look like. Participants felt like non American Indian social workers did not understand these differences and that it has had a

negative affect on services, as well as foster home licensing. Additionally, participants expressed the need for social workers to be aware of and to use culturally appropriate services for the OR/UAI community. This includes informing families who are fostering or adopting American Indian children, of events and resources in the community; helping to keep them connected to their culture. These services, including foster home licensing, can best be provided by an American Indian social worker; preferably one who works for the tribes. By working for the tribe and not the government agency, this immediately creates a more trusting relationship and will likely lead to more successful services, including an increase in American Indian foster homes.

Implications for Policy

As survivors of hundreds of years of multi-generational historical trauma, OR/UAI people continue to thrive and to hold onto their cultural traditions while walking between two worlds. Even through lifetimes of public policy that was created and used as a means of tribal termination, tribes continue to rebuild their nations and reconnect with those who were torn away from their tribes through these policies. Historically and presently, American Indian children are disproportionately placed into the foster care system and this disproportionality “happens at every step along the way, from the initial call to Child Protective Services (CPS) to placement and court proceedings” (Austin, 2009). The ICWA has played a vital role in allowing tribes to function as sovereign nations, to protect their children, and in keeping American Indian families together.

Although ICWA was set in place as a protection for American Indian children and families, both past and current literature documents a disproportionate number of American Indian children who continue to be removed from their homes and placed in the foster care

system. As many of the participants stated, there needs to be more education and advocacy around ICWA, both to the tribal communities as well as the non-tribal communities. When a social worker comes to their homes, American Indian people can feel immediately threatened, creating a barrier to successful services. As many participants stated, OR/UAI people do not know where to turn to for help, and there are minimal to non-existent culturally appropriate resources available that focus on social services and family preservation in the off-reservation/urban American Indian communities. By focusing on family preservation, other areas of need could potentially decrease, such as addiction services, counseling, and incarceration.

Policies need to be considered that implement education for OR/UAI people to learn about the ICWA and their rights. They need to understand the ICWA, American Indian cultural values, and the traumatic histories that have an ongoing affect. Tribes understandably fight for their children, in the same way as a parent would. The children are their future and as people with unique political statuses as members of sovereign nations, they have the right and responsibility to protect them.

As previously stated, there are multiple reasons that American Indian people live away from the reservations, including personal choices and termination directed public policies. Their tribes may be far away, or even non-existent. Unfortunately, ICWA does not protect those American Indian children whose tribes disappeared with the Indian termination policies or those whose families have been dis-enrolled from their tribes. In addition, each sovereign nation sets the standard for tribal enrollment, and policies such as enrollment based on blood quantum. These policies leave many American Indian children unprotected by the ICWA. However the idea of following the spirit of ICWA can be of benefit to help these children. Unfortunately, following the spirit of ICWA is a choice, rather than a requirement, and there is already a multitude of non-

compliance with the Act itself. Future policy needs to take into consideration these dynamics and find ways to protect these children.

Once American Indian children are placed in foster homes, agencies allegedly have trouble finding them placement due to the shortage of American Indian foster homes available. With the majority of participants stating that they are willing to be foster parents, it begs the question as to why there is a shortage? Participants have not seen recruitment being done in their communities: Are American Indian people being recruited to be foster parents? If there is active recruitment, have these efforts been documented and reviewed for effectiveness? How do social workers know which homes are Indian homes and how are these homes being tracked?

When OR/UAI people have an interest in becoming foster parents, participants shared that the process was unknown or perceived as too difficult. If strict rules are keeping OR/UAI people from becoming foster parents, and American Indian children from living in culturally appropriate homes, are these rules doing more harm than good? Are culturally inappropriate foster care and adoption policies a legal continuation of the adoption and assimilation eras, which contributes to the continued placement of American Indian children with non-American Indian people? Are these modern day termination practices? Although these words may sound harsh, is anything being done to change this?

Implications for Social Work Practice

Social workers may find themselves working with American Indian families at any time during their careers. They need to understand the traumatic histories and always use a trauma informed approach while maintaining a commitment to family engagement (Lucero & Bussey, 2012). As client advocates, social workers need to continue to work towards meeting the unique needs of the OR/UAI population and take steps to improving the foster care process.

It would be of great benefit to the OR/UAI community to implement a culturally appropriate practice model similar to that discussed by Scannapieco and Iannone (2012), with child welfare agencies that work with American Indian families. In addition, a resource center similar to the previously discussed Denver Indian Family Resource Center would also be of great value, and the community has shown the need. As stated by Cross, et al., (2013), there needs to be active efforts to recruit and support American Indian social workers. Staffing CWS and other agencies that work with OR/UAI families, with American Indian social workers is seen as a great benefit. In addition, there needs to be greater efforts to recruit them into the social work field.

Implications for Social Work Education

As stated in the literature review and restated through participant interviews, there is a need for more culturally appropriate education and training for social workers. As stated by Cross et al., (2010), this education needs start while potential social workers are earning their degrees, and continue to on the job training once they are in the workforce. ICWA training needs to be a priority for all those in the social work field. Many social workers lack knowledge and education on American Indian culture as well as the ICWA. It is recommended that the Council for Social Worker Education (CSWE) implement a policy that requires accredited social work programs to include an educational component focused on both the ICWA and American Indian culture. Coursework in these topics should be a requirement for accreditation and courses need to be taught by those with enhanced knowledge and experience with both the American Indian population and ICWA. It is further recommended that programs receiving Title IV-E funding require these educational components as well. Since Title IV-E funding is used to train social workers working in child welfare services, it would be of optimum benefit to require these educational components to help reduce disproportionality and create better

relationships between American Indian people and Child Welfare Services. Education of non-American Indian people who work in the communities, such as social workers and first responders, as well as those who attempt to adopt American Indian children is of utmost importance as well.

Implications for Future Research

This exploratory study sets the foundation for future research with the OR/UAI community. Several of the findings have important implications for further research. The study raised questions about policies and practices in CWS that may affect the ability to meet the needs of OR/UAI foster children while following the ICWA. How is CWS outreaching to American Indian people to fill the need for American Indian foster homes? How is CWS tracking which foster homes are American Indian and how are they being matched up with American Indian children? In addition, it is important to discover whether or not the strict rules and regulations of foster care are more harmful or helpful. Further research should examine other OR/UAI communities and look at available family services as well as the need.

Strengths and Limitations of the Study

Similar to other exploratory research, there are several limitations to this study. A small sample size was used within a limited geographical area, which limits the generalizability. However, the findings may be transferrable to another setting, such as the OR/UAI population in another city. Using a qualitative method allowed for flexibility and an opportunity to gather detailed information from the participants to be examined for in-depth understanding (Rubin & Babbie, 2013). As a result, it is hoped that this study will be a step towards future research and program implementation.

Conclusion

Participants gave insight into several topics of interest, such as the historical mistrust, barriers to working with CWS, and their perspectives of social workers. They expressed the willingness to help with foster care, yet the frustration and fear of the system. Their understanding of ICWA was minimal and they expressed a need for advocacy, as well as education for both American Indian people and non-American Indians. In addition, A need for culturally appropriate community resources is needed in the OR/UAI community. Although funding is considered a barrier to these resources, it is likely that by funding them, there will be a decrease in other areas of need and families will continue to strengthen. To develop appropriate services, recruitment of American Indian social workers needs to be of priority as well as the hiring and retention of them. This study not only showed the disconnect between the OR/UAI community and CWS, but also generated recommendations and opportunities for improvement.

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Table 1*Compliance Enforcement and Incentives*

ICWA (Enforcement of ICWA requirements, n.d.)	<p>To a very large extent, oversight has been left to the judicial system. For example, the judicial system has been used to enforce compliance through case law, court rules, and bench manuals (see the Practical Guide's Federal and State Resources section).</p> <p>With respect to private agencies, parties involved in an ICWA proceeding may seek intercession by the public agency responsible for licensing the foster care facility or approving the adoptive home. Parties may also ask a court to enter compliance orders against private agencies.</p>
Enforcement of the Multi-Ethnic Placement Act (Multi-Ethnic Placement Act, n.d.).	<p>If during any quarter of a fiscal year, a state's program (Title IV-E), is found to have violated the above mentioned guidelines and not implemented a corrective action plan within 6 months, the Secretary of the Department of Health and Human Services shall the Title IV-E payments to that state for each quarter of that fiscal year by 2% for the 1st violation; 3% for the 2nd violation; and 5% for 3rd violation. In addition, any other entity in the state that receives Title IV-E funds which violates the above guidelines must return of the funds the state provided the entity under Title IV-E. These funds will be returned to the Secretary of the Department of Health and Human Services.</p> <p>Any individual who is aggrieved by a violation of the above guidelines (e.g. foster care, adoptive or birth parents) by a state or other entity may bring an action seeking relief (lawsuit) from the state or other entity in any United States (federal) district court</p> <p>Any person or government that is involved in adoption or foster care and violates the above guidelines will be considered having violated Title VI of the Civil Rights Act of 1964</p>
Incentive for implementing the Adoption and Safe Families Act (Child welfare: Structure and funding, 2013)	<p>States earn \$4,000 for each adoption of a foster child that is above the number of foster child adoptions finalized by the state in FY2007 and \$8,000 for each adoption of an older child (9 years or older) above the number of older child adoptions it finalized in FY2007.</p> <p>If a state has earned an award in either of those categories—or if it improves its adoption rate—it earns \$4,000 for each adoption of a special needs child (under age 9) that is above the number of such adoptions it finalized in FY2007</p> <p>For improving its rate of adoption (above the rate it achieved in FY2002 or a later year with a higher rate), a state is eligible for additional incentive funds of \$1,000 multiplied by the increased number of adoptions that are calculated to have resulted from the improved adoption rate.</p>

Appendix A: Interview Protocol

Exploring perspectives of the roles of social workers.

What do you think a social worker at Child Welfare Services does?

What would you think if a social worker came to your home unexpectedly?

What services do you think social workers provide?

What are your expectations of Child Welfare Services?

Could you please tell me about your experiences with Child Welfare Services?

Could you please tell me about family and friends experiences with Child Welfare Services?

How have these experiences affected your perception of Child Welfare Services?

What do you know about the foster care system?

Exploring foster care and barriers members of the urban American Indian community may face in becoming foster parents for American Indian children.

How willing would you be to let an American Indian child that you know live with you?

How willing would you be to let an American Indian child you don't know, who needs a temporary home live with you?

How willing would you be to adopt an American Indian child who is in need of a permanent home?

Could you please tell me what you know about how becoming a licensed foster care home.

Have you ever considered being a licensed foster parent?

If no - Why haven't you considered it?

If yes - What barriers keep you from being a foster parent?

If already a foster parent – tell me about that experience.

Why do you think there is a lack of American Indian foster homes?

Do you own or rent your home?

Exploring your perspective on the Indian Child Welfare Act, otherwise known as ICWA.

Could you please tell me what you know about ICWA.

How do you know this?

Do you know who your tribal ICWA representative is?

What do you think their role is?

When do you think ICWA applies?

If you had an open ICWA case, what do you think is your role under ICWA?

Where would you reach for help if you became involved in an ICWA case?

What impact has ICWA had on you, your friends and/or family?