



**NATIONAL RESOURCE CENTER
FOR FOSTER CARE
& PERMANENCY PLANNING**

at the Hunter College
School of Social Work

INFORMATION PACKET: *American Indian Children in Foster Care*

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Note: The term "American Indian" is used in this information packet interchangeably with "American Indian/Alaskan Native" solely for purposes of brevity.

INFORMATION PACKET

American Indian Children in Foster Care

Summary

Since the first contact with Europeans, American Indians have faced cultural annihilation. Beginning in 1876 the federal government attempted to “civilize” Indian children by mandating their attendance in boarding schools. Generations of Indian children grew up separated from their families, tribes, and cultural traditions. Today, one half of all Indian people were either raised in Indian boarding schools or parented by adults raised in boarding schools (*National Indian Child Welfare Association*).

Historically, child welfare agencies have removed Indian children from their families at drastic rates. A study conducted in the late 1960’s demonstrated that 25-35% of all Indian children were placed in foster homes, adoptive homes, or institutions which far exceeded any other cultural group (*Brown, et al, 2001*). Ignorance of Indian culture and child-rearing practices, and discrimination due to poverty resulted in placing Indian children in non-Indian homes. In 1969, sixteen states reported that 85% of the Indian children in foster care were not living with Indian families. “These trans-racial placements greatly troubled tribes because they not only jeopardized the continued viability of the tribes themselves but also led to the alienation of Indian children from their unique culture and values” (*Brown, et al, p. 10*).

In 1978 Congress recognized the detrimental effect that such discrimination and misunderstanding was having on tribes and their children. Congress passed the Indian Child Welfare Act of 1978 “in order to serve the ‘best interests of Native American children and to promote the stability and security of tribes’ by providing a means of keeping Indian Children in ‘homes which will reflect the unique values of Indian culture’” (*Brown, et al, p.11*). Although the goals and implementation of ICWA are explicit, there are no penalties when states do not follow the legislation. While the sheer numbers of removals and placement in non-Indian homes has been reduced, discrimination and ignorance continue to exist with regard to the removal of Indian children. The relationship between tribal, state and the federal governments continues to be complicated and delicate since the first treaties were signed in the colonial period.

Recent legislation of the American Family Safety Act contradicts the goals of Indian tribes and the guidelines of ICWA by forcing parental rights to be terminated. Tribes have responded by formalizing their own traditions in customary adoptions in order to prevent the termination of the birth parents rights (*Deserly, K., 2003. “Permanency Planning and Customary Adoption”Presentation*).

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American Indian Children in Foster Care

Fact Sheet

General facts:

- In the year 2000 there were 557 federally recognized American Indian tribes comprising an Indian population of approximately 2.4 million individuals. (*NICWA fact sheet “Case for Support”*). Only enrolled members of federally recognized tribes can receive federal benefits. Each tribe has different requirements to become an enrolled member. A person of more than one Indian heritage can only be enrolled in one tribe.
- There are approximately 245 tribes that are not federally recognized; 34 of those are recognized by state governments. (*Native American Indian Resources at <http://www.kstrom.net/isk/maps/tribesnonrec.html>*) Members of tribes that are unrecognized are unable to obtain benefits or supports allotted to other American Indians. The federal government’s refusal to acknowledge the tribes’ existence is based on the complicated history of oppression and subjugation.
- American Indian tribes are sovereign nations with their own governments and legal systems.
- A quarter of the Indian population lives on reservations and half lives in urban communities (*Halverson, et al 2002*).
- The cities with the largest Indian populations are: Los Angeles, Tulsa, New York, Oklahoma City, and San Francisco (*Halverson, et al 2002*).
- The rank of cities with the largest population of Indian *children* are: New York, Los Angeles, Phoenix, Anchorage, and Oklahoma City (*2000 Census*).
- The average life expectancy for an American Indian is 65 years – well below the U.S. average. (*NICWA fact sheet “Case for Support”*)
- Forty percent (almost one million) of American Indians are under 18 years of age. (*NICWA fact sheet “Case for Support”*)
- Twenty percent (200,000) of American Indian children are at risk of child abuse and neglect. (*NICWA fact sheet “Case for Support”*)
- 40,000 of American Indian children suffer from abuse and neglect every year. (*NICWA fact sheet “Case for Support”*)

Foster care facts:

- American Indians place a great value on family and community relations.
- Before ICWA passed, 25% of Indian children had been removed from their homes. 85% of them were living in non-Indian homes (*Brown, et al, 2001*).
- Cross-racial adoptions have a high likelihood of creating a severe identity crisis in Indian children as they become adolescents (*Matheson, 1996*).
- Indian youth have the highest rate of suicide of any population in the nation – 100,000 are believed to suffer from serious emotional disturbances. (*NICWA fact sheet “Case for Support”*)
- The suicide rate can be directly linked to children having been raised outside of their own cultural system (*Matheson, 1996*).
- In the year 2000, 2% of foster children (10, 994) were reported as American Indian or Alaska Natives (AFCARS report 2002). An additional 1% were reported as “mixed race” and another 4% “unable to determine” their ethnicity. It is likely that Indian children also comprised significant portions of the other two categories.
- The states with the largest percentages of American Indian children in foster care in 1999 were: South Dakota (63.6 %), North Dakota (31.1%), Montana (30.1%) and (Minnesota (11.1%) (AFCARS report 2002).
- In the year 2000, 1% of the foster children who were adopted were American Indian.
- States have jurisdiction over Indian children living off reservation unless the tribe requests to have the case moved to the tribal court.
- Since the passage of ICWA, American Indian children are still removed from their families at three times the rate of the general population (*Halverson, et al 2002*).
- “‘Custom [Customary] Adoption’ means a traditional tribal practice recognized by the community which gives a child a permanent parent-child relationship with someone other than the child’s birth parent... The advantages are that customary adoption fits culturally with the extended family concept, and it formalizes and protects on-going care of the child by an extended family member or other recognized potential parents. It eliminates the philosophic barrier to adoption as they happen in the mainstream society, namely the abhorrence of termination of parental rights” (*Cross and Mc Nevins, p.21*).

American Indian Children in Foster Care

Best Practice Tips

- Learn about the history of United States' policies against American Indian families and communities to gain understanding of the trauma and resulting distrust of the U.S. government and child welfare system.
- Learn about the cultural values, traditions, and strengths of the American Indian cultures, especially in terms of family and community.
- Develop cultural competency by debunking myths about American Indians and examining your own bias and that of your agency.
- Approach child welfare from an Indian perspective rather than a western view. Recognize that family and culture is more vital to the child's well-being than a non-Indian family of better financial means.
- Do not equate poverty with neglect and abuse. More than a quarter of American Indians are forced to live in poverty, especially those on reservations, however their parenting skills should be evaluated within the cultural and historical context of their situation.
- Determine the ethnic background of every child and whether they are enrolled members of a tribe. Do not base ethnicity on physical appearance or surnames; American Indians encompass every possible physical characteristic and have equally diverse surnames, including Latino and Anglo.
- Develop and utilize culturally appropriate family preservation programs to assist Indian families before removing a child.
- Contact the child's tribe regardless of its proximity to the child. Tribal courts have the right to transfer cases to their jurisdiction even if a child is not living on the reservation.
- Follow the guidelines for placement set by ICWA when a child remains in your jurisdiction: 1) place the child with another family member (including extended family) 2) place the child with a family within the same tribe 3) place the child with an Indian family from another tribe 4) place the child with a non-Indian family that is culturally competent.

The following suggestions come from: "Culture Loss: American Indian Family Disruption, Urbanization and the Indian Child Welfare Act" by Halverson, K., Puig, M., and Byers, S.

- Placement of an Indian child from one family into another should be considered within the context of cultural continuance and relatedness. Westernized concepts, such as the nuclear family and birth family, are not as important to American Indian foster parents.
- More education and support are needed for American Indian foster parents. A foster parents' training curriculum should openly address intergroup cultural conflicts, as well as bicultural socialization concerns that child welfare staff may have.
- The perception of discrimination experienced by American Indian foster and adoptive parents must be addressed. Possible methods may include forums, where American Indians service providers have the opportunity to share their views and concerns with social workers, juvenile and family court judges, attorneys, guardians ad litem, and non-Indian foster and adoptive parents. More open and honest communication between all parties is greatly needed.
- Although initial foster parent training could be done in groups, individualized support is necessary to address American Indian families' many complex issues and needs.
- The use of support groups, modeled after Indian cultural traditions such as the "talking circles," should increase the likelihood of greater foster and adoptive parent participation.
- American Indian foster and adoptive parents can be mentors and trainers of potential and newer Indian foster and adoptive parents. They can also be used as mentors for American Indian families who have been reunified with their children or for children placed in kinship care.
- Elders and respected American Indian community members can be used more to help non-Indian foster and adoptive parents learn and understand the culture and the community. Elders can also help these foster and adoptive parents to work more effectively with American Indian families to achieve family reunification.
- More tangible assistance should be provided to American Indian foster and adoptive parents, including transportation and childcare during training sessions. Help is also needed with the costs associated with the completion of the foster and adoptive parent application material, such as costs of medical physicals, fingerprinting, etc.
- Social workers should telephone the foster parents at least once each week and should use home or school visits to call on American Indian foster children. This support would also help to retain foster parents and provide the emotional support American Indian children need.

American Indian Children in Foster Care

Policies and Legislation

Indian Child Welfare Act of 1978 (Pub. L. No. 95-608)

For full text of ICWA go to <http://www.nicwa.org/policy/law/index.asp>

ICWA was passed after Congress held hearings and found that states, exercising their recognized jurisdiction over Indian child custody proceedings through administrative and judicial bodies, have often failed to recognize the essential tribal relations of Indian people and the cultural and social standards prevailing in Indian communities and families.

“ICWA acknowledges the direct interest of the United States in protecting Indian children who are members of or eligible for membership in an Indian tribe. This Act is an avenue for providing and preserving the relationship of Indian children with their families and tribes. It addresses requirements for tribal notification in child welfare legal actions whenever Indian children are involved as well as requirements for state courts to involve tribal representatives as well as tribal courts in decision-making on permanency for Indian children.” (*National Child Welfare Resource Center for Family Centered Practice*) [_____](#)

“Public Law 95-608 reads: ‘The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.’ The ICWA states that whenever an American Indian child is removed from his or her family, active efforts must be made for the child to be placed with extended family, a tribal member, or in an Indian foster home, in that order” (*American Indian Resource Center*).

“In 1984, 80% of American Indian infant adoptions into non-Indian homes were made without notification to the child's tribe or the Secretary of the Interior. Six years since its development, the ICWA still was not understood, was not being implemented correctly or was simply ignored. The problem exists today; and with the time-frame of child adoption procedures being accelerated under President Clinton's new adoption policies, the risk of Indian children being permanently removed from their families, their tribes, and their culture continues to increase” (*American Indian Resource Center*).

For an overview of important amendments to ICWA (H.R. 4733) in 2002, go to
<http://www.nicwa.org/policy/legislation/HR2644/H.pdf>

Indian Child Protection and Family Violence Protection Act (P.L. 101-630)

The Indian Child Protection and Family Violence Protection Act was enacted in 1990 after Congress reviewed the problems of abuse and violence on Indian reservations. Recognizing that “there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children,” the Congress issued the following statement, “The United States has a direct interest, as trustee, in protecting Indian children who are members of, or are eligible for membership in, an Indian tribe; and declares that two major goals of the United States are to - (A) identify the scope of incidents of abuse of children and family violence in Indian country and to reduce such incidents; and (B) provide funds for mental health treatment for Indian victims of child abuse and family violence on Indian reservations” (P.L.101-630).

From: http://www.nicwa.org/policy/law/protection/PI01-630_text.pdf

1994 Multi-ethnic Placement Act and Amendments (P.L. 103-82 and P.L. 104-188)

The overriding goals of MEPA (amended in 1996 to add interethnic adoptions provisions) were to reduce the length of time children spend in out-of-home care, and to prevent discrimination in placement decisions.

“While the Removal of Barriers to Interethnic Adoption amendments [of 1996] provide new guidelines for foster care and adoptive placements, these new guidelines do not apply to placements made for eligible Indian children under the Indian Child Welfare Act (ICWA). Congress recognized the unique relationship that Indian children have with their tribal governments and how this forms the basis for an Indian child being given protections under the ICWA. This political status is distinct and separate from a racial classification which forms the basis for other federal or state policies such as the Removal of Barriers to Interethnic Adoption.”

From: <http://www.nicwa.org/policy/law/multiethnic/MEPA.pdf>

Adoption and Safe Families Act of 1997 (P.L. 105-89)

“[The] Adoption and Safe Families Act [ASFA] reinforces many of the prior federal commitments to the protection of children and the preservation of families. Its main focus, however, is child permanency including timeframes and incentives. It also requires identification and implementation of performance standards with regard to foster care and permanency arrangements.” (National Child Welfare Resource Center for Family Centered Practice)

“ASFA should not be viewed as affecting the application of the Indian Child Welfare Act in the case of Indian children involved in state child custody proceedings.” (Simmons and Trope, p.13)

“A few provisions of ASFA are in direct conflict with the cultural values of most tribes. For example, one provision requires that a petition to terminate parental rights be filed based on a strict timeline. Many tribes do not believe in the termination of parental rights, and most place more value on relationships than on timelines. However, it is extremely important to note that ASFA provisions allow for exceptions. Each mandate of the law is followed by exceptions. For effective application of ASFA in the context of American Indian culture, the exceptions are as important as the rules” (Cross, 2002, p.18).

For a thorough assessment of how ASFA affects tribes, please refer to the booklet titled “(P.L. 105-89) Adoption and Safe Families Act of 1997: Issues for Tribes and States Serving Indian Children” by Simmons and Trope at <http://www.nicwa.org/policy/law/adoptionsafe/asfa-issues.pdf>

Social Security Act -Title IV-B

“*Subpart I* - provides federal funds for service programs for children and their families aimed at strengthening families and preventing the unnecessary separation of children from their families. These funds assist in assuring children receive adequate care by the state while away from their homes; provide services to return children when removed; and place children for adoption or another permanent placement when restoration to the family is not possible or appropriate. *Subpart II* - Safe and Stable Families services are targeted to families who are already in crisis and children who are at risk of being placed in foster care and include intensive intervention to help families get past crisis.” (*National Child Welfare Resource Center for Family Centered Practice*)

“Tribes are eligible for direct funding under Title IV-B, subpart 1 through section 428 of the Social Security Act. Section 428 provides that an ‘Indian tribal organization’ may receive Title IV-B funds directly from the federal government if it ‘has a plan for child welfare services approved under this subpart’” (*Simmons and Trope, p.13*).

Social Security Act - Title IV-E

“Foster Care and Adoption Assistance provides federal funds to states for the care of eligible dependents, abused and neglected children who must be placed in foster care, and for adoption assistance payments for certain children with special needs.” (*National Child Welfare Resource Center for Family Centered Practice*)

“It appears that Congress did not consider tribal programs when it enacted ASFA. Specifically, it did not consider tribal sovereignty, nor the fact that many tribes operate only Title IV-B programs (subparts 1 and 2) and not Title IV-E. It also did not consider that those tribes that operate Title IV-E Foster Care and Adoption Assistance programs currently do so through tribal-state agreements that vary in their form and substance from state to state. Thus, while ASFA provisions may make sense in the context of state programs, their application to tribes is more complex.” (*Simmons and Trope, p.13*).

Foster Care Independence Act of 1999 – Chaffee Legislation (P.L. 106-169)

The Chaffee Legislation addresses the self-sufficiency needs of youth up to the age of 21 who are in custody of the public social service agency. The Act provides for a number of resources to be used at the discretion of states to support youth in achieving independent living skills. (*National Child Welfare Resource Center for Family Centered Practice*)

The bill includes a new requirement regarding state services to Indian youth.

To see details go to: http://www.nicwa.org/policy/law/foster/PL106-169_summary.pdf

American Indian Children in Foster Care

Model Programs

Comprehensive agencies offering services for American Indian children and families:

American Indian Resource Center

AICRC is a nonprofit social service and education agency serving urban Indian children and their families. Governed by a voluntary Board of Directors with Native American members who are sensitive to the issues facing Indian families, AICRC has thrived for almost 30 years in Oakland with services in ten counties of the greater Bay Area. The American Indian family has always been a resourceful, influential, and productive cornerstone of our society. By providing social services, community support and education, AICRC helps Indian families stay together and promotes the success of our Native youth.

American Indian Resource Center
522 Grand Avenue
Oakland, CA 94610
Phone (510) 208-1870 Fax (510) 208-1886 email: iec@aicrc.org
<http://www.aicrc.org/fostercare.html>

Denver Indian Family Resource Center

The Denver Indian Family Resource Center was created to assist American Indian children and families in the metropolitan Denver area with child welfare issues. Our goal is to assist families to avoid involvement with the child welfare system. Where families have already encountered child abuse or neglect charges, we advocate for active efforts toward family reunification following the standards of the Indian Child Welfare Act. We provide culturally appropriate services and intensive case management using a strengths-based and empowerment-oriented approach.

Denver Indian Family Resource Center
393 S Harlan Street, Suite 100
Lakewood, CO, 80226
Phone: (303) 871-8035 Fax: 720 884 0850
<http://www.difrc.org>

Recruitment of American Indian foster families:

from: National Center for Resource Family Support of the Casey Family Programs - http://www.casey.org/cnc/recruitment/indian_family_recruitment.htm

Idaho Division of Community Services

Strong outreach and recruitment through a well-coordinated toll-free number and continuous mass media efforts that include posters, print ads, magnets, and door hangers. Program materials are created specifically for Native Americans.

Contact: Steve Green, Foster Care Program Specialist
Idaho Department of Health and Welfare
450 State St., 5th Floor
Boise, ID 83720
208-334-5700
http://www2.state.id.us/dhw/facs/index_facs.htm

Hennepin County Children and Family Services

Located in Minnesota, they focus their recruitment efforts on television ads, but also have print materials available.

Kelly Sarenpa
Hennepin County Children and Family Services
Health Services Building - 9 MC960
525 Portland Avenue South
Minneapolis, Minnesota 55415-2007
Phone: 612-348-8060
Email: kelly.sarenpa@co.hennepin.mn.us
<http://www.co.hennepin.mn.us/cfasd/>

Family Preservation:

Family preservation is the best way to ensure that Indian children remain connected to their family and culture. There is a comprehensive list of family preservation programs discussed in the article titled "Seeking the balance between child protection and family preservation in Indian child welfare" by Marc Mannes in *Child Welfare*, Mar/Apr 1993 72 (2) 141-153.

Customary Adoption Information and Programs:

“[C]ustomary adoption fits culturally with the extended family concept, and it formalizes and protects on-going care of the child by an extended family member or other recognized potential parents. It eliminates the philosophic barrier to adoption as they happen in the mainstream society, namely the abhorrence of termination of parental rights” (*Cross and Mc Nevins, p.21*).

“[The *Technical Assistance and Training Manual on ‘Developing Culturally-Based Tribal Adoption Laws and Customary Adoption Codes’*] incorporates, for the first time, a judicial process for the recognition and certification of customary law regarding the adoption of children and sets out a culturally based conceptual framework for conducting formal adoptions without termination of parental rights” (*Cross and Mc Nevins, p.4*).

Manual is part of the NICWA foster care information packet available at <http://www.nicwa.org>

Native American Kinship Care Program (NAKCP)

NAKCP is a collaboration between Casey Family Programs Yakima Division and community service organizations.

“The Native American Kinship Care Program provides a valuable support network of community services for families taking care of young relatives who can no longer live with their parents. This program seeks to ensure safe, secure, permanent homes for these children, thereby reducing the chances of a child being placed in formal foster care.” – Ray Winterowd, Division Director, Yakima Division of Casey Family Programs.

For more information about the The Native American Kinship Care Program go to <http://www.casey.org/yakima/nakp> or call (509) 865-1876

Research, Resources and and Education:

National Indian Children's Alliance (NICA)

NICA is a major collaboration between Casey Family Programs and the National Indian Child Welfare Association (NICWA) which provides relevant research relating to Indian child welfare issues. The research reports serve to support and better inform both Indian child welfare policymakers and service providers. The National Indian Children's Alliance is furthering Casey's efforts nationally to promote culturally sensitive services for Indian children in the areas of prevention, permanency planning and transition services.

For more information on the National Indian Children's Alliance, please call the [Great Plains Regional Office](#) of Casey Family Programs at (303) 871-8201.

<http://www.casey.org/projects.htm#nica>

American Indian Children in Foster Care

Web Resources

Some of the following links were provided by the National Indian Child Welfare Association

CHILD WELFARE

Administration for Children and Families (ACF)

ACF is a federal agency funding state, local, and tribal organizations to provide family assistance (welfare), child support, child care, Head Start, child welfare, and other programs relating to children and families.

www.acf.dhhs.gov

The National Indian Child Welfare Association (NICWA)

NICWA is the most comprehensive source of information on American Indian child welfare and works on behalf of Indian children and families. NICWA provides public policy, research, and advocacy; information and training on Indian child welfare; and community development services to a broad national audience including tribal governments and programs, state child welfare agencies, and other organizations, agencies, and professionals interested in the field of Indian child welfare.

<http://www.nicwa.org>

Casey Family Programs

Casey Family Programs provides an array of services for children and youth, with foster care as its core. Casey services include adoption, guardianship, kinship care (being cared for by extended family), and family reunification (reuniting children with birth families). Casey is also committed to helping youth in foster care make a successful transition to adulthood.

Casey Family Programs has provided reservation-based Indian child welfare services since 1983. Until recently, those services were primarily long term foster care and kinship care. Adoption and guardianship care services are being added, as well as transition services for youth leaving foster care. <http://www.casey.org>

Center for Effective Collaboration

Check out our extensive collection of Web [links](#) related to emotional and behavioral problems in such areas as education, families, mental health, juvenile justice, child welfare, early intervention, school safety, and legislation.

<http://cecp.air.org/>

The Children's Bureau

The Children's Bureau (CB) is the oldest federal agency for children and is located within the United States Department of Health and Human Services' Administration for Children and Families, Administration on Children, Youth and Families. It is responsible for assisting States in the delivery of child welfare services - services designed to protect children and strengthen families. The agency provides grants to States, Tribes and communities to operate a range of child welfare services including child protective services (child abuse and neglect) family

preservation and support, foster care, adoption and independent living. In addition, the agency makes major investments in staff training, technology and innovative programs.

<http://www.acf.dhhs.gov/programs/cb/>

Children's Defense Fund

Our mission and vision in the months ahead is to do what it takes to meet the needs of children and their parents by building on the strengths and sense of fairness of the American people; learning from the best public and private ideas and successes; and moving forward to a renewed commitment to all our children.

<http://www.childrendefense.org/campaign/>

Child Welfare League of America

Helps state, local and tribal welfare agencies and family and juvenile courts use automated information systems to improve outcomes in the child welfare system. Provides technical assistance in the collection of data for the National Child Abuse and Neglect Data System (NCANDS) and the Adoption and Foster Care Analysis and Reporting System (AFCARS). Also helps programs use data to improve services to children, youth and families; evaluate results; and make informed decisions about policies, programs and practices.

<http://www.cwla.org/>

Child Welfare Training Resources Online Network

The Network is designed to enable state trainers, practitioners, social work educators, and other stakeholders to locate the most current training and materials designed to train the child welfare workforce.

<http://www.childwelfaretraining.org/>

Family Support America

Family Support America, formerly Family Resource Coalition of America, promotes family support as the nationally recognized movement to strengthen and support families and places the principles of family support practice at the heart of every setting in which children and families are present.

<http://www.familysupportamerica.org/content/aboutus.htm>

National Alliance of Children's Trust Funds

Our purpose is to initiate and engage cooperatively in national efforts which assist state children's trust and prevention funds to strengthen families and protect children from harm.

<http://www.msu.edu/user/millsda/>

National Child Welfare Resource Center for Family Centered Practice

The National Child Welfare Resource Center for Family-Centered Practice is a service of the Children's Bureau. The Resource Center seeks to enhance the capacity of State and Tribal child welfare agencies to plan, implement, and evaluate family-centered services for children and families. Located in Washington, DC, the Resource Center is a project of [Learning Systems Group](#) and the [National Indian Child Welfare Association](#).

National Clearinghouse on Child Abuse, Child Neglect, and Child Welfare

The Clearinghouse is a national resource for professionals seeking information on the prevention, identification, and treatment of child abuse and neglect and related child welfare issues.

<http://www.calib.com/nccanch/>

The National Indian Child Welfare Association (NICWA)

NICWA is the most comprehensive source of information on American Indian child welfare and works on behalf of Indian children and families. NICWA provides public policy, research, and advocacy; information and training on Indian child welfare; and community development services to a broad national audience including tribal governments and programs, state child welfare agencies, and other organizations, agencies, and professionals interested in the field of Indian child welfare.

<http://www.nicwa.org>

North American Council on Adoptable Children

Founded in 1974 by adoptive parents, the North American Council on Adoptable Children is committed to meeting the needs of waiting children and the families who adopt them. Through education, parent support, research, and advocacy in the U.S. and Canada, NACAC helps to reform systems, alter viewpoints, and change lives.

<http://www.nacac.org/>

Return of Navajo Boy

Official Sundance Film Festival 2000 selection, The Return of Navajo Boy, chronicles an extraordinary chain of events, beginning with the appearance of a 1950s film reel, which lead to the return of a long lost brother to his Navajo family.

<http://www.navajoboy.com/>

WOMEN AND FAMILIES

Native American Women's Health Education Resource Center

Native Shop is a project of the Native American Women's Health Education Resource Center. We are marketing products as an economic development project to raise funds for the resource center's programs.

<http://www.nativeshop.org/>

Minnesota Indian Women's Resource Center

To assist American Indian women so they can enjoy a better quality of life for themselves and their families.

<http://miwrc.org/>

EDUCATION

American Indian College Fund

There are 31 tribal colleges - all founded by Indians to fight high rates of poverty, educational failure and cultural loss. These colleges created the non-profit American Indian College Fund to raise desperately needed scholarship, endowment, and operating monies.

<http://www.collegefund.org/>

NativeChild

Develops curriculum material for preschools with a focus on Native American tribes. Includes resources for the classroom PreK-3.

<http://www.nativechild.com/>

National Indian School Board Association (NISBA)

NISBA's vision is to achieve Indian control in all matters relating to Indian education through well-trained school board members and parent committees working in cooperation with their respective tribal governments.

<http://www.skf.edu/NISBA/nisba.html>

HEALTH AND CULTURE

Administration for Native Americans

The Administration for Native Americans (ANA) promotes the goal of social and economic self-sufficiency of American Indians, Alaska Natives, Native Hawaiians, and other Native American Pacific Islanders, including Native Samoans.

<http://www.acf.dhhs.gov/programs/ana/>

American Indian Heritage Foundation

Established to provide relief services to Indian people nationwide and to build bridges of understanding and friendship between Indian and non-Indian people.

<http://www.indians.org/>

Federation of Families for Children's Mental Health

A National parent-run non-profit organization focused on the needs of children and youth with emotional, behavioral or mental disorders and their families.

<http://www.ffcmh.org/>

Healthfinder

Your guide to reliable health information.

<http://www.healthfinder.gov/>

Healthy Nations Initiative

The Healthy Nations Initiative is funded by [The Robert Wood Johnson Foundation](#) to help Native Americans reduce the harm caused by substance abuse in their communities.

<http://www.uchsc.edu/ai/hni/>

Indian Health Services

Indian Health Services (IHS) is an agency within the U S Dept. of Health and Human Services and is responsible for providing federal health services to American Indians and Alaska Natives.

<http://www.ihs.gov/>

NativeWeb

Resources for Indigenous cultures around the world.

<http://www.nativeweb.org/>

Turtle Island Native Network

This is a First Nations, Native American, Aboriginal news and Information Network.

<http://www.whiteturtleisland.org>

United National Indian Tribal Youth (UNITY)

UNITY is a national network organization promoting personal development, citizenship, and leadership among Native American youth.

<http://www.unityinc.org/>

White Bison

The vision of White Bison is to bring 100 Indian communities into sobriety and wellness by the year 2010.

<http://www.whitebison.org/>

LEGAL**National Indian Justice Center**

The pioneer in providing services and training for tribal personnel

<http://www.nijc.indian.com/>

North American Indian Legal Services, Inc. (NAILS)

“NAILS is supported by a grant from the Colorado Bar Foundation and offers such services as Juvenile Justice and Permanency Planning for Indian Children.”

<http://www.nailsinc.org/>

Tribal Law & Policy Institute

The Tribal Law and Policy Institute is a Native American owned and operated non-profit corporation organized to design and deliver education, research, training, and technical assistance programs which promote the enhancement of justice in Indian country and the health, well-being, and culture of Native peoples.

<http://www.tribal-institute.org/lists/tlpi.htm>

National Tribal Justice Resource Center

Here you will find numerous resources including searchable databases of tribal court options, codes, and situations; listing of available publications; a calendar of seminars and conferences; funding opportunities; information opportunities; information about our programs and services; and much, much more.

<http://www.tribalresourcecenter.org/>

Native American Rights Fund (NARF)

NARF is a non-profit organization that provides legal representation and technical assistance to Indian tribes, organizations and individuals nationwide.

<http://www.narf.org/>

Indian Law Resource Center

Legal advocacy for the protection of indigenous peoples' human rights, cultures, and traditional lands so that Indian tribes and nations may flourish for generations to come.

<http://www.indianlaw.org/>

Indian Dispute Resolution Services (IDRS)

The primary purpose of IDRS is to strengthen tribes' and tribal organizations' capacity to govern themselves; resolve internal and external conflict; establish favorable working relationships with outsiders; and control, manage and enhance their own economic destinies.

<http://www.indiandispute.com/>

National Indian Justice Center

The pioneer in providing services and training for tribal personnel

<http://www.nijc.indian.com/>

GOVERNMENT

The National Congress of American Indians

NCAI was founded in 1944 and is the oldest and largest tribal government organization in the United States. NCAI serves as a forum for consensus-based policy development among its membership of over 250 tribal governments from every region of the country. NCAI's mission is to inform the public and the federal government on tribal self-government, treaty rights, and a broad range of federal policy issues affecting tribal governments.

<http://www.ncai.org>

Thomas

Searchable database of full text Federal legislation (*maintained by the Library of Congress*).

<http://thomas.loc.gov>

American Indian Children in Foster Care

References and Suggested Readings

- Adams, D. W. (1995). *Education for extinction: American Indians and the boarding school experience*. Kansas City: University of Kansas.
- American Indian Law Center. (1986). *Indian family law and child welfare, a text*. Washington, D.C.: National American Indian Court Judges Association.
- American Indian Research and Policy Institute. (1999). *American Indian Leadership: Traditional to Contemporary*. St. Paul: Author.
- American Indian Research and Policy Institute. (1998). *Reflections on Traditional American Indian Ways*. St. Paul: Author.
- American Indian Research and Policy Institute. (1995). *The legal and historical importance of tribal sovereignty. A summary report of the spring forum of May 25–26, 1995*. St. Paul: Author.
- American Indian Task Force Commission. (1977). *American Indian policy review commission task force* (Vols. 1–9). Washington, D.C.: U.S. Government Printing Office.
- Attneave, C. (1982). American Indians and Alaska Native families: Emigrants in their own homeland. In M. McGoldrick, J. Pearce, and J. Giordano (eds.). *Ethnicity and family therapy*. (pp. 55–83). New York: The Guilford Press.
- Bieder, R. E. (1986). *Science encounters the Indian, 1820–1880. The early years of American ethnology*. Norman: University of Oklahoma Press.
- Blanchard, E. L., & Barsh, R.L. (1980). What is best for tribal children: A response to Fischler. *Social Work*, 25, 350-357.
- Burger, R. A. (1995). Effects of the boarding school experience on American Indian families: Practice guidelines. St. Paul, MN: Augsburg College.
- Burns, B.J., and Goldman, F.R. (Eds.). (1999). Promising practices in wraparound programs for children with serious emotional disturbances and their families. In *Systems of care: Promising practices with children's mental health. 1998 series Vol. IV*. Washington, D.C.: Center for Effective Collaboration and Practice, Institute for Research.
- Bureau of Indian Affairs (1979, November 26). Guidelines for state courts: Indian child custody proceedings. *Federal Register*, 44, 67586.
- Brown, E. F., Limb, G.E., Munoz, R., Clifford, C.A. (2001) *Title IV-B Child and Family Service Plans: An evaluation of specific measures taken by states to comply with the Indian Child Welfare Act*. NICWA and Casey Family Programs.
- Byler, W. (1977). *The destruction of American Indian families*. New York: Association on American Indian Affairs.
- California Indian Legal Services. (1998). *California judges bench guide: the Indian Child Welfare Act* (pp.42-43). Eureka, CA: Author.
- Cohen, F. (1971). *Handbook of federal Indian law, with reference, tables, and index*. Albuquerque, NM: University of New Mexico Press. (Reprinted from *Handbook of federal Indian law with reference, tables, and index*, by F. Cohen, 1942, Washington, D.C.: U.S. Government Printing Office).
- Coontz, S. (1988). *The social origins of private life: A history of American Indian families, 1600-1900*. New York: Verso.
- Costin, L., Bell, C., and Downs, S. (1991). *Child welfare: Policies and practice*. New York: Longman.

- Cross, T. L. "Drawing on Cultural Tradition in Indian Child Welfare Practice." *Social Casework* 67, 5 (May 1986): 283-289.
- Cross, T. (1996). *Cross-cultural skills in Indian child welfare: A guide for the non-Indian*. Portland, OR: National Indian Child Welfare Association.
- Cross, T., Earle, K., and Simmons, D. (2000). Child abuse and neglect in Indian country: Policy issues. *Families in Society*, 81, 49–58.
- Cross, T. L. (2002). *Developing Culturally-Based Tribal Adoption Laws and Customary Adoption Codes: A Technical Assistance and Training Manual Review Draft*. Portland: National Indian Child Welfare Association.
- Cross, T., Earle, K., Echo-Hawk, H., and Mannes, K. (n.d.). *Promising practices: Cultural strengths and challenges in implementing a system of care model in American Indian communities*. Portland: National Indian Child Welfare Association.
- Dawes, H. (1899). Have we failed with the Indian. *Atlantic Monthly New York*, 84, 280.
- Deloria, V. (1985). *American Indian policy in the twentieth century*. Norman: University of Oklahoma Press.
- Department of the Interior, Bureau of Indian Affairs. (1979). *Federal register, Part III. Guidelines for state courts; Indian child custody proceedings. Monday November 26, 1979, 44 (228)*, 313–326. Washington, D.C.: United States Government Printing Office.
- Department of the Interior, Bureau of Indian Affairs. (1994). *Federal Register, Part IV. Indian Child Welfare Act; Final Rule. Thursday January 13, 1994, 59 (9)*, 2248–2264. Washington, D.C.: U.S. Government Printing Office.
- Dorsay, C. J. (1984). *The Indian Child Welfare Act and laws affecting Indian children*. Boulder, CO: Native American Rights Fund.
- DuBray, W. H. (1985). American Indian values: Critical factor in casework. *Social Casework*, 66(1),30–37.
- Duquette, D. N., Hardin, M., and Dean, C. (1999). *Adoption 2002: The president 's initiative on adoption and foster care. Guidelines for public policy and state legislation governing permanence for children*. Washington, D.C.: Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth, and Families, Children's Bureau.
- Duran, E. and Duran, B. (1995). *Native American post colonial psychology*. Albany: State University of New York Press.
- Early, B. P., and Hawkins, M. J. (1994). Opportunity and risks in emerging family policy: An analysis of family preservation legislation. *Children and Youth Services Review*, 16 (5/6), 309–318.
- Eastman, C. (1911). *The soul of the Indian: An interpretation*. Lincoln, NE: University of Lincoln Press.
- Edna McConnell Clark Foundation. (1985). *Keeping families together: The case for family preservation*. Edna McConnell Clark Foundation.
- Fischler, R.S. (1980). Protecting American Indian children. *Social Work*, 25, 341–349.
- Garrett, J. T. and Garrett, M. W. (1994). The path of good medicine: Understanding and counseling Native American Indians. *Journal of Multicultural Counseling and Development*, 22 (3), 134–143.
- George, L. J. (1997). Why the need for the Indian Child Welfare Act? *Journal of Multicultural Social Work*, 5 (3/4), 165-175.
- George, L. (1997). The challenge of permanency planning in a multicultural society. *Journal of Multicultural Social Work* 5 (3–4), 165–175.

- Goldsmith, D. (1990). Individual vs. collective rights: The Indian Child Welfare Act. *Harvard Women's Law Journal*, 13, 1–12.
- Goodluck, C., Brown, M.E. (nd). *Decision Making Regarding American Indian Children in Foster Care*. University of Denver: Graduate School of Social Work (available from NICWA Foster Care Information Packet).
- Good Tracks, J. G. (1973, November). Native American non-interference. *Social Work*, 18, 30–34.
- Guerrero, M. P. (1979). Indian Child Welfare Act of 1978: A response to the treat to Indian culture caused by foster and adoptive placements of Indian children. *American Indian Law Review*, 7, 51-77.
- Halverson, K., Puig, M.E., Byers, S. (2002). Culture Loss: American Indian family disruption, urbanization and the ICWA. *Child Welfare* 81, (2) 319-337.
- Hareven, T. (1986). American families in transition: Historical perspectives on change. In Faith Robertson Elliot, *The family: Change or continuity?* NJ: Humanities Press International, Inc.
- Hess, P. M., McGowan, B. C., and Botsko, M. (2000, May - June). A perspective services program supporting families over time. *Child Welfare*, 3, 227–265. Highlands, NJ: Humanities Press International, Inc.
- Horejsi, C., Heavy Runner, Craig, B., and Pablo, J. (1992, July–August). Reactions by Native American parents to child protection agencies: Cultural and community factors. *Child Welfare*, 4, 329–342.
- Indian Child Welfare Act of 1978. P. L. 95–608. 25 U.S.C. 1901.
- Ishisaka, H. (1978, September–October). American Indians and foster care: Cultural factors and separation. *Child Welfare*, 5, 299–310.
- Iverson, P. (1998). *We are still here. American Indians in the Twentieth Century*. Wheeling, IL: Harlan Davidson, Inc.
- Jones, B.J. (1995). *The Indian Child Welfare Act handbook: A legal guide to the Custody and Adoption of Native American Children*. Chicago, IL: American Bar Association.
- Jones, B.J. (1997). The Indian Child Welfare Act: In search of a federal forum to vindicate the rights of Indian tribes and children against the vagaries of state courts. *North Dakota Law Review*, 73 (3).
- Jones, B.J. (1998). Welcoming tribal courts into the judicial fraternity: Examining issues in tribal-state, tribal-federal relations. *William Mitchell Law Review*, 24 (457).
- Jones, B.J. (1999). In their native lands: The legal status of American Indian children in North Dakota. *North Dakota Law Review*, 75 (2).
- Jones, B.J., Gillete, J.A., Painte, D. Paulson, S. (2000). Indian Child Welfare Act: A Pilot Study of Compliance in North Dakota: Casey Family Programs.
- Kelly, S. and Blythe, B.J. (2000, January–February). Family preservation: A potential not yet realized. *Child Welfare*, 29 (1), 29–42.
- Krauss, M. (1996). Status of Native American language endangerment. In Gina Cantoni (ed.), *Stabilizing indigenous language*, (pp. 16–21). Flagstaff: Northern Arizona University.
- Laslett, P. (1965). *The world we have lost*. London: Methuen.
- Lewis, R. G. and Gingrich, M. K. (1980, October). Leadership characteristics: Views of Indian and non-Indian students. *Social Casework*, 61 (8), 494–497.
- Lifton, R.J. (1988). Understanding the traumatized self: Imagery, symbolization, and transformation. In J.P. Wilson, Z. Harel, and B. Kahana (Eds.), *Human adaptation to extreme stress: From the Holocaust to Vietnam* (pp. 7–31). New York: Plenum Press.

- Lindsey, D. (1994). Family preservation and child protection: Striking a balance. *Children and Youth Services Review*, 16 (5/6), 279–294.
- Locklear, H. H. (1972). American Indian myths. *Social Work* 17, 72–80.
- Mannes, M. (1990). Linking family preservation and Indian child welfare: A historical perspective and the contemporary context. In Marc Mannes (ed.), *Family preservation and Indian child welfare* (pp. 1–27). Albuquerque: American Indian Law Center, Inc.
- Mannes, M. (1993, March - April). Seeking the balance between child protection and family preservation in Indian child welfare. *Child Welfare*, 1 (2), 141–152.
- Mannes, M. (1995). Factors and events leading to the passage of the Indian Child Welfare Act. *Child Welfare*, 74 (1), 264–282.
- Matheson, L. (1996). The politics of the Indian Child Welfare Act. *Social Work*, 41, 2, 232-236.
- McMahon, A., and Gullerud, E. N. (1995, March). Native American children: Fulfilling the promise of the Indian Child Welfare Act. *Journal of Sociology and Social Welfare*, 1, 87–98.
- Meyer, M. (1994). *The White Earth tragedy: Ethnicity and dispossession at a Minnesota Anishinabe reservation*. Lincoln: University of Nebraska Press.
- Minnesota Department of Human Services. (May 25, 2000). *Children in out-of-home care: A 1998 Minnesota report by race and heritage. Bulletin #98-68-8. Section 3*. MN: Author.
- Northwest Resource Associates. (1986). *Active and reasonable efforts to preserve families. A Guide to for delivering services in compliance with the Indian Child Welfare Act of 1978 (P.L. 95-608) and the Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272)*. Seattle: Author.
- O'Brien, S. (1989). *American Indian tribal governments*. Norman: University of Oklahoma Press.
- Office of the Legislative Auditor, State of Minnesota. (1999, January). *Juvenile out-of-home placement, report #99-02. A program evaluation report*. St. Paul: author.
- Osher, D. (2000). We live here in our homelands: Wraparound on a Native American reservation. *Systems of care: Promising practices in children's mental health, 2000 Series*. Washington, DC: Center for Effective Collaboration and Practice, American Institutes for Research.
- Paulson, S. (1999). *Would we still be Indian without our parents?* [Training Brochure]. Bismark, ND: Native American Child and Family Services Training Institute.
- Pearce, R. H. (1988). *Savage and civilization: A study of the Indian and the American mind*. Berkeley: University of California Press.
- Plantz, M., Hubbell, R., Barrett, B.J., and Dobrec, A. (1989). Indian child welfare: A status report. *Children Today*, 18 (1), 24-29.
- Poupart, J., Martinez, C., Red Horse, J., Scharnberg, D. (2000). *To build a bridge. An introduction to working with American Indian communities*. St. Paul: American Indian Policy Center.
- Prucha, F. P. (Ed.). (1990). *Documents of United States Indian policy*. Second Edition, Expanded. Lincoln: University of Nebraska Press.
- Red Horse, J., Feit, M., Lewis, R., Decker, J.T. (1978). Family behaviors of urban American Indians. *Social Casework* 2.
- Red Horse, J. (1980). American Indian elders: Unifiers of Indian families. *Social Casework*, 61, 490-493.
- Red Horse, J. G. (1982). Clinical strategies for American Indian families in crisis. *The Urban and Social Change Review*, 15, 17–19.

Red Horse, J. (1989). Indian child welfare: Perspectives on a knowledge base for competence-based education. In E. Gonzalez-Santin and A. Lewis (eds.), *Collaboration: The key* (pp. 51–62). Tempe: Arizona State University. School of Social Work.

Red Horse, J. (1997). Traditional American Indian family systems. *Families, Systems, and Health*, 3, 242–250.

Ross, A.C. (1994). *Mitakuye Oyasin: We are all related*. Denver: Bear Press.

Rossi, P. H. (1992). Assessing family preservation programs. *Children and Youth Services Review*, 14, 77–97.

Shapiro, D. (1973). Agency investment in foster care: A followup. *Social Work*, 6.

Sheafor, B.W., Horejsi, C.R., & Horejsi, G. A. (1997). *Techniques and guidelines for social work practice* (4th ed.). Boston: Allyn and Bacon.

Simmons, D. and Trope, J. (1999). (P.L. 105-89) *Adoption and Safe Families Act of 1997: Issues for Tribes and States Serving Indian Children*. Portland: National Indian Child Welfare Association.

Skinner, L. (1991). *Teaching through traditions: Incorporating Native language and cultures into curricula* (commissioned paper). Washington, DC: Indian Nations At-Risk Task Force, Office of Educational Research and Improvement, U.S. Department of Education.

Skolnick, A., and Skolnick, J. (1986). *Family in transition: Rethinking marriage, sexuality, child rearing, and family organization*. Fifth Edition. Berkeley, University of California.

Sudia, C. (1986). Analysis compares numbers of Indian foster children. *Linkages for Indian child welfare programs*, (p. 1, p. 4).

Thomas, R. K. (1982). Mental health: American Indian tribal societies. In W. L. Mitchell and J. G. Red Horse (eds.), *American Indian families: Developmental strategies and community health* (pp. 8–105). Tempe: School of Social Work, Arizona State University.

Thorton, R. (2001). *Studying Native America: Problems and prospects*. Madison: University of Wisconsin Press.

Trimble, J. R. (1976). Value difference among American Indians: Concerns for the concerned counselor. In P. Pederson, et al., (eds.), *Counseling across cultures*. Honolulu: University of Hawaii Press.

United Tribes Technical College. (2000). *Sacred Child Project*. [Brochure]. Bismarck, ND: Danks and Two Shields.

Unger, S. *The Destruction of American Indian Families*. New York: American Association of Indian Affairs, 1977.

U.S. Bureau of the Census (2000). *Statistical abstract of the U.S.* Washington, D.C.: U.S. Government Printing Office.

U.S. Department of Health, Education, and Welfare. (1976). *Indian child welfare: A state-of-the-field study. Summary of findings and discussion of policy implications*. Washington D.C.: United States Government Printing Office.

U.S. Dept. of Health and Human Services, Office of Inspector General. (1994, August). *Opportunities for ACF to improve child welfare services and protections for Native American children*. Washington, D.C.: U.S. Government Printing Office.

Van der Kolk, B.A. (1987). *Psychological trauma*. Washington DC: American Psychiatric Press.

Yellow Horse Brave Heart, M. (1999). Oyate Ptayela: Rebuilding the Lakota Nation through addressing historical trauma among Lakota parents. In Hilary Weaver, DSW (ed.), *Voices of First Nations People* (pp. 109–126). The Haworth Press, Inc.