

# INDIAN CHILD WELFARE



safe children | strong families | supportive communities



## Our work in Indian child welfare

The United States is home to more than 550 federally recognized American Indian and Alaska Native tribes. Each is distinct, with its own culture, traditions, language and community.

For centuries, ever since European explorers made contact with indigenous people in the Americas, Native American families have been broken apart. Children were sent to boarding schools where they were not allowed to speak their native languages or follow their cultural practices, and they rarely saw their families. During the 1950s and 1960s, the Indian Adoption Project removed hundreds of children from their cultural communities and placed them in non-Native foster or adoptive families. The resulting historical trauma has left a lasting legacy that tribal nations are working to overcome. Tribes have a government-to-government relationship with the United States based upon treaties, and they possess tribal sovereignty based upon their inherent right to self-determination.

The Indian Child Welfare Act (ICWA), passed in 1978, is a comprehensive federal law designed to protect American Indian/Alaska Native children, families and tribes from unnecessary child removal and displacement, and to promote the stability and security of tribes and families. The ICWA has been labeled the “gold standard” in child welfare practice by a coalition of 18 national child advocacy organizations.<sup>1</sup>

The ICWA requires additional responsibilities for the public child welfare system and special judicial oversight when American Indian/Alaska Native children are involved in state child welfare systems. For example, the ICWA requires active efforts to keep children with their parents. When American Indian/Alaska Native children need to be placed in out-of-home care, they must be placed with extended family or, if this is not possible, in homes that will keep them connected with their culture and community.

Casey Family Programs emphasizes ICWA compliance because we believe it advances the best interests of American Indian/Alaska Native children and families and represents best practices in the field, and because these children are still removed from their homes and placed with strangers at a disproportional rate.<sup>1</sup> To learn more about the ICWA, visit the National Indian Child Welfare Association website at [www.nicwa.org](http://www.nicwa.org).

## A longstanding commitment to tribal communities

Casey Family Programs has a long history of working with tribes to improve the well-being of their children and families. Our Indian child welfare work began in the mid-1980s and grew to include teams that worked in Bismarck and Fort Berthold, North Dakota, and Martin, Pine Ridge, Rapid City and Rosebud, South Dakota. In 1999, we opened our Denver office, where the program is based today.

## Our work

Our Indian Child Welfare Program works on national and tribal initiatives that aim to strengthen tribal nations' capacity to keep children healthy, safe and connected with their families, communities and cultures. We partner with American Indian and Alaska Native tribes across the country to support their development and administration of effective and culturally responsive child welfare services. Staff work directly with tribes, providing consultation and technical assistance on implementing child welfare programs.

The team implements a variety of national strategies and projects, including those designed to:

- Increase tribes' access to federal funding streams
- Educate tribal and state partners about the ICWA and associated guidelines and regulations
- Help tribes increase the number of ICWA-preferred placement resource families
- Demonstrate and spread best practices in tribal child welfare practice and administration
- Engage tribal youth as well as tribal leaders as active participants in improving the well-being of Indian children and families

Casey Family Programs has agreements with 16 tribes that honor tribal sovereignty, support nation-building efforts and help build partnerships with the broader child welfare profession.

## Tribal/state work in Alaska

In Alaska, historic tribal-state compacts were signed in the fall of 2017. Casey Family Programs provided critical support to the tribes and state throughout the yearlong negotiation process, which included in-depth analysis of data regarding Alaska Native children in the state child welfare system, expenditures, geographic rates of care, protective service reports, numbers of licensed homes, administrative support issues and cultural continuity in care.

Over the past several years, Casey has supported tribal/state relationships in Alaska that laid the foundation for many projects for both tribes and the state. We have also supported tribal peer-to-peer activities focused on sharing of tribal best practices and expanding the network of resources. And we have supported regional meetings in Alaska, bringing together many sectors that affect child welfare to discuss tribal issues, racial equity, the ICWA, recruitment of ICWA-preferred placements, and skill-building workshops.

On a public policy level, Casey has supported and further engaged Alaska state legislators on behalf of Alaska Native children in care. These gatherings and activities have resulted in noticeably stronger tribal/state relationships and improved outcomes for children.



## Key facts: Challenges facing Native American youth

Native youth face complex challenges that stem from institutional racism; the intergenerational effects of trauma; a perpetual shortage of federal funds for basic programs such as housing, education and health; and other reasons. But Native youth are also the heart of hope in Indian Country, leading initiatives that include language revitalization, food sovereignty and improvements to the well-being of their tribes, communities and cultures.

Data highlight some of the challenges surrounding Native youth today:

- 8,865 American Indian/Alaska Native children were reported as victims of abuse or neglect in 2017, according to [Child Maltreatment 2017](#). That's a rate of 14.6 per 1,000 American Indian/Alaska Native children, compared with a national rate of 8.1 per 1,000 children.<sup>2</sup>
- American Indian/Alaska Native children are three times more likely to be removed from their home by state child welfare systems than are non-Native children.<sup>1</sup>
- Suicide is the second leading cause of death — 2.5 times the national rate — for American Indian/Alaska Native youth 15 to 24 years old. Some 11 percent to 20 percent of American Indian/Alaska Native youth report attempting suicide each year.
- The national graduation rate for American Indian/Alaska Native high school students hovers around 50 percent, compared with more than 75 percent for white students. Only 13 percent of American Indian/Alaska Native students have obtained undergraduate degrees, compared with 24 percent of the general population.<sup>3</sup>



### Mandan Hidatsa Arikara Nation

Casey Family Programs has worked with the Mandan Hidatsa Arikara (MHA) Nation since 1985, originally through providing direct services and now through a partnership with tribal leadership to work on resource consultation, data analysis, capacity building, intergovernmental relationships, ICWA compliance, permanency efforts and community engagement. Tribal governmental support of child welfare work is high, meaning that children and families benefit from low social worker caseloads and focused family preservation efforts.

The tribe is also leading the way in Indian Country in addressing substance abuse and human trafficking. With 90 percent of children entering the MHA tribal child welfare system due to parental substance abuse, tribal leadership is taking concrete steps toward creating treatment options and keeping families together, including investing in a new treatment facility and hosting an annual Good Medicine Summit focused on strengthening families, public safety and drug enforcement.

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At the same time, multiple initiatives are amplifying the hope that has emerged in Native communities. For example:

- Since 2013, the Champions for Change program, hosted by the Center for Native American Youth, has been supporting youth leaders in highlighting positive stories from Indian Country and developing young Native leaders through experience-based learning. Each year, the program selects five inspirational Native youth to serve as Champions who initiate programs, events and other efforts that are improving the lives of their fellow youth in Indian Country.<sup>4</sup>
- The ICWA Law Center in Minneapolis has been implementing, with Casey's collaboration and support, a family advocacy model that works to increase family stability and well-being by helping American Indian/Alaska Native families find adequate housing, meet basic needs such as food, and access financial benefits, thus enabling the families to avoid child removal and stay together. The center's advocates work with parents to help them meet the requirements of their case plans using culturally relevant services, avoid out-of-home placements, improve parenting skills, decrease chemical dependency, and address mental health needs through connections with community service providers. The center serves about 60 families each year.



## References

- 1 National Indian Child Welfare Association (2015, September). *Setting the record straight: The Indian Child Welfare Act fact sheet*. Portland, OR: Author. Retrieved from <https://www.nicwa.org/wp-content/uploads/2017/04/Setting-the-Record-Straight-ICWA-Fact-Sheet.pdf>.
- 2 U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2019). *Child Maltreatment 2017*. Available from <https://www.acf.hhs.gov/cb/research-data-technology/statistics-research/child-maltreatment>.
- 3 Center for Native American Youth at the Aspen Institute (2014, April). *Fast Facts: Native American Youth and Indian Country*. Washington, DC: Author. Retrieved from [https://assets.aspeninstitute.org/content/uploads/files/content/upload/Native%20Youth%20Fast%20Facts%20Update\\_04-2014.pdf](https://assets.aspeninstitute.org/content/uploads/files/content/upload/Native%20Youth%20Fast%20Facts%20Update_04-2014.pdf).
- 4 Center for Native American Youth. Champions for Change page. Available at [www.cnay.org/Champions\\_for\\_Change.html](http://www.cnay.org/Champions_for_Change.html).

“Inspiration is more than ambition, enthusiasm or optimism. It is vision and intuition put to practical use in creative thinking.

—JIM CASEY

