

SAFECHILDRENSTRONGFAMILIESSUPPORTIVECOMMUNITIESSAFECHILDRENSTRONG
FAMILIESSUPPORTIVECOMMUNITIESSAFECHILDRENSTRONGFAMILIESSUPPORTIVE
COMMUNITIESSAFECHILDRENSTRONGFAMILIESSUPPORTIVECOMMUNITIESSAFECHILDREN
STRONGFAMILIESSUPPORTIVECOMMUNITIESSAFECHILDRENSTRONGFAMILIESSUPPORTIVE
COMMUNITIESSAFECHILDRENSTRONGFAMILIESSUPPORTIVECOMMUNITIESSAFECHILDREN
STRONGFAMILIESSUPPORTIVECOMMUNITIESSAFECHILDRENSTRONGFAMILIESSUPPORTIVE
SAFECHILDRENSTRONGFAMILIESSUPPORTIVECOMMUNITIESSAFECHILDRENSTRONGFAMILIESS
SUPPORTIVECOMMUNITIESSAFECHILDRENSTRONGFAMILIESSUPPORTIVECOMMUNITIES



Strategies for
Successfully
Recruiting
and Retaining
Preferred-
Placement
Foster Homes
for American
Indian Children

Maintaining culture and
compliance with the
Indian Child Welfare Act

MARCH 2017

FOSTER PARENT RECRUITMENT



UNIVERSITY of
DENVER

BUTLER INSTITUTE FOR FAMILIES
Graduate School of Social Work



casey family programs

The authors would like to thank our colleagues for their expert review of this report:
Denise Goodman, Kathy Deserly, and Robin Leake.

ACKNOWLEDGEMENTS



This brief highlights strategies used by tribal and state teams working to increase the number of foster parents for American Indian children — strategies to increase foster placements that reflect children's culture and comply with the Indian Child Welfare Act (ICWA). Because many child welfare jurisdictions across the United States face shortages of foster parents, strategies that increase foster care placements in family settings within children's own communities when foster care is needed may be of broad interest.

Note on terminology: America's indigenous population refer to themselves in many different ways. In this document, the authors use the term American Indian to refer to American Indian and Alaska Native individuals and families. The Indian Child Welfare Act uses the term Indian to refer to American Indian and Alaska Native individuals and families.

Report prepared by: Lydia Killos, Nancy Lucero, Megan Kauffmann, Misty J. Brammer, Sheri Freemont, and Erin Maher.

FOSTER PARENT RECRUITMENT

Introduction

The Indian Child Welfare Act (ICWA) is a comprehensive federal law passed in 1978 that is designed to protect American Indian children, families, and tribes from unnecessary child removal and displacement. ICWA requires additional responsibilities for the public child welfare system and special judicial oversight when American Indian children are involved in state child welfare systems. For example, ICWA requires that, when American Indian children need to be placed in out-of-home care, they are placed with extended family and, whenever possible, in homes that reflect American Indian culture.

ICWA has been labeled the “gold standard” in child welfare practice by a coalition of 18 national child advocacy organizations.¹ Under ICWA, the intent of Congress is to protect the best interests of American Indian children and to promote the stability and security of tribes and families. Since it was enacted, however, state and federal courts have interpreted ICWA differently, and compliance with ICWA has been inconsistent.² As a result, the Bureau of Indian Affairs recently released new binding regulations to assist with ICWA compliance, which became effective in December 2016.³

According to ICWA, American Indian children must be placed in the least restrictive foster care setting that most approximates a family and is most appropriate to the needs of the child. Child placement must be in reasonable proximity to the child’s permanent home, the tribe must receive notice, and the tribe may assert its own customary definition of family or extended family.

ICWA federal law defines “extended family” as a person defined by law or tribal custom as family. The definition is not limited to tribal citizens or Indian individuals. The tribe may adopt its own preferences, which supersede the preferences in the statute, and the preferences of the tribe must be used by state courts. Where appropriate, the preference of the Indian child or parent must also be considered.

The tribe may adopt its own preferences, which supersede the preferences in the statute, and the preferences of the tribe must be used by state courts.

When foster care is needed, American Indian children should be placed in sequence of the following ICWA preferences:

1. A member of the child’s extended family.
2. A foster home licensed, approved, or specified by the Indian child’s tribe.
3. An Indian foster home licensed or approved by an authorized non-Indian agency.
4. An institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the child’s needs.

FOSTER PARENT RECRUITMENT

In order for a placement to be considered an American Indian foster home, at least one of the foster parents must be a member of a federally recognized tribe. Only upon a finding of good cause may a state court order a placement that does not follow these preferences.⁴ ICWA provides similar preferences for adoptive homes.

The importance of recruiting and retaining ICWA-preferred placements

When state courts order the placement of American Indian children in non-preferred placement homes, a frequently cited reason for not following ICWA placement preferences is the lack of available preferred placement homes, which has implications for adoption as well.¹ American Indian children's loss of familial, tribal, and cultural connections is likely to increase when they are placed with families who do not share their culture and heritage. The promise of ICWA and its associated impact on American Indian children's well-being cannot be realized if there are not enough ICWA-preferred placement homes.

HISTORY OF AMERICAN INDIAN CHILD REMOVALS AND TRAUMA

Beginning in the late 1800s and continuing into the mid-20th century, many American Indian children were forcibly removed from their parents and communities and enrolled in militaristic, government-run boarding schools, where they were often subject to deprivation and abuse.⁵ These boarding schools were intended to assimilate American Indian children into the mainstream society by severing their connections to their tribal communities. In addition, many American Indian children were placed in non-Indian foster or adoptive homes.⁶

This removal from family, community, and culture is one cause of historical trauma. Compliance with ICWA can be part of a trauma-informed approach to child protective services that includes an awareness of (a) historical group traumatic events, such as forced relocation of family or tribe and American Indian boarding school attendance; (b) intergenerational transmission of trauma; and (c) individual contemporary trauma exposures.^{7,8}

Today, a growing number of child welfare leaders and policymakers understand the importance of preserving and protecting the rights and culture of American Indians, but efforts are still necessary to increase this understanding. The historical and contemporary lack of state recognition for tribal sovereignty in addressing the needs of tribal children and families sets a tone ripe for conflict and tribal distrust.

Compliance with ICWA can be part of a **trauma-informed approach to child protective services**

Project to promote recruitment and retention of ICWA-preferred foster care parents

Both state and tribal child welfare systems struggle to find and retain an adequate number of available foster parents for the increasing number of children and adolescents who need safe, stable, and loving homes.^{9,10} This challenge is particularly acute for American Indian children who are placed in foster care and whose familial and cultural ties are a central part of their overall well-being.¹¹

To address this need, Casey Family Programs embarked on a project to bring together tribal and state child welfare teams to collaboratively develop strategies to increase the recruitment and retention of ICWA-preferred foster placements for American Indian children. In two cohorts (one in 2014, and one in 2015), 11 teams of tribal and state child welfare leadership and staff received two multi-day trainings on the following topics:

- General, targeted, and child-specific recruitment strategies
- Data-management practices
- Recommendations for processes to increase support for foster families
- Guidance on creating team-oriented recruitment and retention action plans

Peer-learning, coaching, support, and technical assistance were provided to teams between and after the trainings.

Analysis of project materials and team member interviews conducted by the University of Denver's Butler Institute for Families resulted in the identification of strategies and barriers experienced by the teams. The following overview of these strategies and barriers is designed to encourage other tribal and local child welfare jurisdictions to engage in foster parent recruitment strategies that fit their local context and anticipate and overcome possible barriers to recruitment and retention.

Strategies to recruit and retain ICWA-preferred placement foster homes

Strategies to recruit and retain ICWA-preferred placements fall into five categories.



STRATEGY:

Conducting publicity, marketing, and outreach efforts

Publicity, marketing, and outreach efforts were the most commonly used strategies for recruiting ICWA-preferred placement families. Teams employed tactics such as creating Facebook pages, distributing recruitment flyers, and advertising on television, radio, and billboards and in newspapers and other print media. Teams presented at tribal community events such as powwows and cultural gatherings, health fairs, and program, departmental, and board meetings.

FOSTER PARENT RECRUITMENT

One tribal team member described her team's approach to marketing and public outreach, stating:

Any time they have me doing a presentation, I recruit. Whether that be on the radio, or if our tribe is having a convention, I'm mentioning recruitment and retention, I'm mentioning that we need foster homes.

Existing recruitment materials were revised to be more culturally appropriate for American Indian audiences, including producing the materials in the tribal language. Teams updated program and tribal websites to include foster parent recruitment content. Potential applicants and community members were invited to appreciation events for foster families to generate interest in foster parenting.

2

STRATEGY:

Changing practice to focus on ICWA

Teams positioned ICWA at the forefront of their work, including when they developed ICWA policies and procedures, identified the number of current ICWA-preferred placements in their jurisdictions and the number of placements needed, and created monthly target numbers for recruitment and intentional recruitment of American Indian homes. It should be noted that recruited foster care homes that are available for placements made through the tribal court system are not subject to ICWA.

One team member stated:

Involvement with Casey Family [Programs] and the new ICWA [regulations] helped establish a policy and procedure that we've put into place to make sure that children are put in ICWA-preferred homes, which also created a lot more awareness of the need.

Teams also made a point of informing foster care applicants about the need for ICWA-preferred placement homes and the importance of ICWA legislation for American Indian children.

3

STRATEGY:

Focusing on targeted recruitment

In addition to general marketing techniques, teams also used targeted techniques to reach families who align with ICWA-preferred placements or who could meet the unique needs of children with emotional or behavioral challenges. Current foster families were used as recruiters to identify and refer new foster families. Teams helped transition kinship caregivers to provide care for non-relative children.

Strategies for Successfully Recruiting and Retaining ICWA-Preferred Placement Foster Homes for American Indian Children

Team members commented:

I feel like we've had the most success through word of mouth, especially if there are people that they know that do foster care.

In our office, we have 14 Native American foster homes, and we really have picked their brain. "Where can we find other Native families that are willing to work with us? Where can we recruit these families?"

Trainings and informational sessions were held with current foster families, who shared the benefits and challenges of being foster parents with potential applicants who represent ICWA-preferred placements. Recruitment of therapeutic foster homes, another identified need, began with team members speaking directly with applicants about therapeutic foster parenting early in the process.

For example, one team member noted:

We gave the message, "We have these children who have these special needs, and we need a therapeutic foster home, and you have skills that are the type of skills we need." Then we asked directly, "Would you be willing to talk with us about becoming a licensed therapeutic foster home?"

4

STRATEGY:

Collaborating as tribal–state teams on recruitment efforts

Tribal–state collaborative teams jointly developed recruitment policies and procedures, identified recruitment barriers, and developed agreements and plans to share data. Tribal–state teams partnered in recruitment events and held shared licensure sessions where applicants could complete both state and tribal foster care applications (dual licensure).

One tribal–state team described how they helped make the dual licensure process easier:

What we did was bring families in from rural areas, and we went through the dual licensure process with them in a two-day period. So, things were printed twice, they filled out applications twice, they met licensing workers from both the Tribe and the State. It really helped them get through the process because they [sic] were so supportive, there was lunch provided, there were door prizes. It was made so it wasn't so difficult to be filling all that paperwork out.

This collaboration led to increased awareness of the need for ICWA-preferred placements among non-tribal staff. Although applicants had to complete licensure paperwork twice, the process was streamlined. Best practice, however, might suggest the development of a single application that meets both state and tribal needs.

FOSTER PARENT RECRUITMENT

5

STRATEGY:

Supporting foster care applicants and current foster care providers

Teams developed self-study materials and online licensure trainings to prepare applicants for the licensure process and to ease the corresponding burden. Teams were encouraged to review state and tribal licensing policies to identify and reduce any unnecessary barriers to family applicants.

Child welfare staff members worked closely with families to complete applications. As one state team member noted:

When we know we have a Native American family who's interested in becoming licensed, we really go the extra mile for them and make sure that there are no barriers to them becoming licensed — helping them with paperwork, doing home visits, [supporting them] if they need a little more handholding.

Tribal team members advocated for tribal families throughout the licensure process and reached out directly to state workers to address any problems that tribal families encountered.

Financial and material resources were provided to help applicants successfully complete the licensure process. Specific agency workers were assigned to provide intensive and ongoing financial and resource support. Material resources included safety equipment and supplies needed to meet home compliance standards, beds and furniture, school supplies, and blankets. Financial assistance took the form of cash to cover licensure-related costs, emergency situations, and child care, as well as assistance to help caregivers access government programs, such as Temporary Assistance for Needy Families (TANF) and Women, Infants, and Children (WIC), and benefits available from tribal programs, such as housing assistance.

Foster families received training on topics such as ICWA, the importance of maintaining children's cultural connections, child behavioral issues, working with birth parents, developing healthy relationships, and traditional teachings. Caseworkers scheduled weekly or monthly home visits and regular phone calls with foster families, assisted with scheduling appointments for children, provided information about court hearings and other elements of the child's Child Protective Services (CPS) case, and asked families about the supports they need. Caseworkers worked hard to ensure that foster parents did not get overwhelmed as they provide for children's needs, especially in situations where needed services cannot be easily accessed in the foster parents' communities.

Teams also held foster parent appreciation events, including community picnics and celebratory meetings, and gave gestures of appreciation such as material resources or gifts (e.g., hooded sweatshirts or water bottles with the agency logo). To help prevent foster parents from feeling overwhelmed in their parenting role, caseworkers helped create maps of family members and service providers who can provide respite care or other resources for foster parents.

Challenges to team recruitment and retention efforts

Teams encountered systemic barriers and family concerns that made implementing their recruitment and retention strategies more challenging.

Systemic barriers included:

- The licensing process, which can be tedious and time consuming.
- Background checks, which can create apprehension for potential foster parents.
- Workforce and tribal staff turnover, which can stall a team's work.
- Difficulty in sharing data and information between tribes and states due to confidentiality issues or lack of protocols and systems to facilitate sharing.
- The distrust of state agencies that exists in many tribal communities.
- State agencies' lack of understanding or respect for tribal practices and culture.

Family concerns included:

- Worries over the financial impact of fostering.
- Fear of developing an attachment to a child and then having the child return home.
- Feeling a lack of confidence about being able to care for a child, especially a child with a high level of need or special needs.
- A lack of willingness to care for a non-relative child.

Recommendations

Four recommendations arose from tribal–state teams' efforts to increase the number of ICWA-preferred placements.

1

RECOMMENDATION:

Work together as equals to build trust

The process of forming a team, developing relationships, and collaboratively implementing recruitment strategies allows tribal and state agencies to come together as equals around a shared goal of placing American Indian children and youth in homes that reflect their cultures. As a result of this intentional effort that focuses on partnership, tribal–state teams begin a trust-building process that will extend to their recruitment and retention work with families and communities.

2

RECOMMENDATION:

Build communities of support and appreciation for foster parents

FOSTER PARENT RECRUITMENT

It is important to demonstrate how much foster families, especially ICWA-preferred placement families, are valued by child welfare agencies and the community at large.

Examples of strategies to provide guidance, emotional strength, training, and resources for foster parents include:

- Appointing a specific agency worker to provide intensive and ongoing financial and resource support.
- Coordinating foster parent support groups.
- Creating a map of family members and service providers who can provide respite care or other resources for foster parents.
- Holding foster parent appreciation events or providing gestures of appreciation, including community picnics and celebratory meetings, material resources, or gifts.

3

RECOMMENDATION:

Anticipate and manage frequently encountered barriers

Frequently encountered barriers take the form of systemic barriers and family concerns. Tribal and state teams can work together to make the licensure process easier for foster parents by creating data-sharing agreements that maintain child and family confidentiality to facilitate planning and decision-making. Partnerships between multiple agency employees can help address workforce attrition.

Creating clear lines of succession can help reduce the impact on recruitment and retention efforts should a team member leave the agency. Family concerns should be addressed directly, including issues related to providing financial resources and supports. Donated goods, materials, and resources can make a significant difference. Foster parent support groups, training, and individualized support can address foster parent fears and concerns about their ability to provide care.

4

RECOMMENDATION:

Plan for additional support and resources needed to continue recruitment and retention efforts

Jurisdictions interested in creating a tribal–state team may need to develop new structures and processes to support ongoing collaboration around recruitment and retention efforts. These steps may include:

- Creating a recruitment and retention plan (or modifying an existing plan) to articulate a shared agency commitment to increasing the number of ICWA-preferred placements.

Strategies for Successfully Recruiting and Retaining ICWA-Preferred Placement Foster Homes for American Indian Children

- Institutionalizing regular communication between agencies, such as monthly phone calls or meetings.
- Identifying ongoing learning opportunities that promote teamwork, dialogue, and trust-building.
- Developing shared data processes that respect family and child confidentiality and agencies' protocols, as well as pooling resources for collecting, managing, and reporting on data.

Strategies should be tied to outcomes. Recruitment and retention strategies require an investment of time and financial resources, and agencies may need additional funding to support these activities.

FOSTER PARENT RECRUITMENT

Conclusion

Across the nation, child welfare agencies are struggling to meet the demand for foster parents, due in part to recently increasing numbers of children entering out-of-home care.¹⁰ This need is particularly acute for American Indian children. ICWA dictates, and good practice necessitates, that when foster care is needed, American Indian children should be placed in foster homes that reflect their culture and community.

Strategies and recommendations developed by collaborative tribal and state teams across the United States can help increase the number of ICWA-preferred foster care providers. Ongoing, purposeful collaboration between tribal and state or county teams is essential to building momentum, energy, and accountability to enhance this effort and improve the well-being of American Indian children and families.

Ongoing, purposeful collaboration between tribal and state or county teams is essential to building momentum, energy, and accountability to enhance this effort and improve the well-being of American Indian children and families.

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 http://www.nicwa.org/government/documents/Setting-Record-Straight-About-ICWA_Sep2015.pdf
2. Williams et al. (2015). *Measuring compliance with the Indian Child Welfare Act: A research and practice brief*. Seattle, WA: Casey Family Programs. Retrieved from <http://www.casey.org/measuring-compliance-indian-child-welfare-act/>
3. Indian Child Welfare Act Proceedings, 25 C.F.R. § 23 (2016).
4. Native American Rights Fund (2007). *A practical guide to the Indian Child Welfare Act*. Boulder, CO: National Indian Law Library.
5. Jacobs, M.D. (2013). Remembering the forgotten child: The American Indian child welfare crisis of the 1960s and 1970s. *The American Indian Quarterly*, 37, 136-159.
6. Jaffke, C. (2006). The 'Existing Indian Family' exception to the Indian Child Welfare Act: The states' attempt to slaughter tribal interests in Indian children. *Louisiana Law Review*, 66.
7. Lucero, N.M., & Bussey, M.C. (2015). Practice informed approaches to addressing substance abuse and trauma exposure in child welfare involved urban Native families. *Child Welfare*, 94, 97-117.
8. Braveheart, M.Y.H. (2001). Culturally and historically congruent clinical social work interventions with Native clients. In R. Fong, & S. Furuto (Eds.), *Culturally competent practice: Skills, interventions, and evaluations* (pp. 285-298). Boston: Allyn & Bacon.
9. Annie E. Casey Foundation (2016). *A movement to transform foster parenting*. Baltimore, MD. Retrieved from <http://www.aecf.org/resources/a-movement-to-transform-foster-parenting>
10. US Department of Health and Human Services (2016). The AFCARS report: Preliminary FY 2015 estimates as of June 2016. No. 23. Washington, DC: Author. Retrieved from <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport23.pdf>
11. Summers, A. (2016). Disproportionality rates for children of color in foster care (FY 2014). Reno, NV: National Council of Juvenile and Family Court Judges.



