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# Disproportionality of American Indian Children in Foster Care

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Disproportionality of American Indian Children in Foster Care

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Authors Note

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GRSW 682 taught by Sarah Ferguson, PHD, MSW, MA, LISW

## Abstract

The practice of removing American Indian Children from their families, relatives, and communities and placing them in foster care with or adoption by White families is an ongoing problem despite the enactment of the 1978 Indian Child Welfare Act (ICWA). The purpose of this systematic study is to analyze previous research, examine effective interventions and explore what child welfare system changes and practices must occur to reduce disproportionality of American Indian Children in foster care. Research shows possible causes and contributing factors across the United States, however, no well-founded research definitively validates the reasons. To further understand this chronic social issue, the study will look at what other countries like Canada or Australia, who also experience this social problem, and learn from their research what interventions have been implemented to decrease disproportionality and disparities of Indigenous children in out of home placement.

*Keywords: disproportionality, overrepresentation, American Indian children, Indian Child Welfare Act (ICWA), foster care, child welfare, child protection services*

### **ACKNOWLEDGEMENTS:**

Miigwech (Thank you in the Ojibwe language)

It is important for all who work in our child welfare systems to understand and value the history of our Indigenous people, to advocate for the preservation of the Native American culture and language and to work diligently to keep Indigenous children who are placed in out-of-home care with their families and communities. I want to thank my family, who supported me during this time that I needed to be away from home to complete my research. A huge thank you to my fellow MSW cohort, who provided encouragement and laughter. Finally, I want to thank my committee members and my professor who guided my research. Their support allowed me to succeed in writing this research paper.

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## Introduction

Despite the enactment of the 1978 Indian Child Welfare Act (ICWA), the practice of removing American Indian Children from their families, other relatives, and communities and placing them in foster care or adoption by white families is an ongoing problem (Crofoot & Harris, 2012; Drywater-Whitekiller, 2014). The original purpose of ICWA was to address the disparity and to guide decisions for the best interests of American Indian children and to place children with families or other relatives to preserve the American Indian culture and language (Crofoot & Harris, 2012; Bussey and Lucero, 2013). ICWA compliance has varied across the United States and has not met its full promise as a way to preserve Native American families (Leake, Potter, Lucero, Gardner and Deserly, nd). Since the enactment of ICWA, the issue of overrepresentation of Native American children in foster care has not changed or improved over since ICWA's creation (Crofoot, T. & Harris, M., 2012). Existing research provides little information about why children of color are overrepresented in the foster care system and primarily what is known focuses on the delivery of child welfare services and systemic-related outcomes rather than to understand what led to the issues (Hines, Lemon, Wyatt, & Merdinger, 2004). To improve compliance with the ICWA and other laws that support American Indian children in the child welfare system, judges, social workers, and county attorneys need to thoroughly understand and comply with these federal laws (Drywater-Whitekiller, 2014). Although research does not mention guardian ad-litem, individuals who have a significant say in what happens to Indian children in the foster care system must also understand the spirit of ICWA. Partnering and building awareness with tribal leadership can impact change and produce intervention methods that are advantageous to address disproportionality. The nature of tribal child welfare services in Indian Country is dependent on many factors, including federal policy,

tribal/state agreements, partnerships and relationships, tribal council priorities, tribal family codes and the availability of funding (Leake, Potter, Lucero, Gardner, and Deserly, nd).

In 1976, statistics showed that the removal of American Indian children occurred at approximately 20% more than other racial groups. Another assessment revealed about 33% of American Indian Children are in out-of-home foster care, adoptive homes, or other types of institutions like educational facilities (Drywater-Whitekiller, 2014). Sadly, this statistic has not changed, and a significant amount of research has shown an overrepresentation of children of color including Native American children in the child welfare system compared to the rest of the general population of children (Lawler, LaPlante, Giger, & Norris, 2012). Nationally, American Indian children makeup 2% of the foster care population, and are disproportionate in states where there is a higher populace of Native Americans. For example, Minnesota has 8.2% of children in foster care due to the larger population compared to other states (Child Welfare Information Gateway, 2011).

As history has shown, the educational practice of boarding schools has had a long lasting negative effect on several generations of American Indian children (Lawler, LaPlante, Giger, & Norris, 2012). It has affected the family life of parents, children, and elders, the culture, people's sense of identity, and has resulted in the loss of traditional parenting abilities (Lawler, LaPlante, Giger, & Norris, 2012). The Native American children endured physical, mental, and sexual abuse by the boarding school workers (Crofoot & Harris, 2012). They were punished for speaking their language, forced to cut their hair, and not allowed to wear their traditional clothing. Consequently, the removal of children from their families, tribal lands and placing them in boarding schools has produced life-long trauma once children return to their families and communities (Crofoot & Harris, 2012). Social problems such as alcoholism, drug abuse, mental

and physical health and poverty increased dramatically (Crofoot & Harris). Importantly, due to these traumatic experiences, understanding boarding school maltreatment of American Indian children has produced many these social ills and the loss of personal identity due to loss of culture and language.

In light of ICWA, child welfare agencies across the United States are re-examining child welfare systems (Bussey & Lucero, 2012). The purpose of this study is to analyze previous research on effective interventions in public child welfare to reduce the disproportionality of American Indian Children in foster care. A systematic review of the literature will be implemented to identify literature describing those interventions. Research that emphasizes the causes and provides favorable response across the United States and other countries like Canada, or Australia, who also experience disproportionality and disparities of Indigenous children in out of home placement (Crofoot & Harris) will be the focus of this research.

## **Literature Review**

### **History**

Widespread European colonization began in the late 1400s. As settlements began, the federal government focused on taking Indian lands for new European colonies. It is important to understand the history of the federal government and how these laws were created to force the Native Americans off their lands to polarize the natural resources for economic reasons (Bussey & Lucero, 2013). Natural resources like land, water, plant, and wildlife were Native Americans' life sources (Drywater-Whitekiller, 2014). Also, as early as the 1870s, a critical change for the tribes involved the removal of Indian children from their families as a result of government laws (Crofoot & Harris, 2012). By 1900, the number of boarding schools more than doubled from



150 to 307 (Crofoot & Harris, 2012). During this period, the number of Indian children being removed from their homes and placed in boarding schools increased from 3,598 to 21,568 (Crofoot & Harris, 2012). In 1879, Captain Richard Henry Pratt moved the Indian boarding school, called the Hampton Institute, from Virginia to Carlisle, Pennsylvania (Crofoot & Harris, 2012). Under Pratt's leadership, an Indian reform movement was established to take and move the Indian children to boarding schools to assimilate them to learn the western ways. Pratt's declaration during this reform period was to "Kill the Indian, save the man" (Crofoot & Harris, 2012, p. 1668). Because of these government policies, thousands of American Indian children were taken from their tribes, families, clans and homelands and sent to boarding schools beginning in the 1870s and into the twentieth century (Bussey & Lucero, 2013). These policies cut off cultural connections, as children had unwillingly and forcibly separated from their parents and family, which destroyed family teachings and caused the loss of invaluable child rearing and upbringing (Bussey & Lucero, 2013). The boarding schools were supposed to provide a classroom experience; however, education of Native American children was primarily unskilled or semiskilled labor. They worked to keep the school operating through harvesting crops, preparing their food and sewing their school uniforms (Crofoot & Harris, 2012). Boarding schools were also places of unhealthy living conditions that produced death and disease. Epidemics of disease included tuberculosis, pink eye, measles, mumps, pneumonia and influenza which increased throughout the schools causing death (Crofoot & Harris, 2012). Some children ran away to find their families, and many never made it home. Many died in the boarding schools, and family members never saw or heard from their children again (Crofoot & Harris, 2012). Removal of Native American children through forced assimilation by the federal government continued until the 1960s (Carter, 2011). In 1958, The Child Welfare League of

America and the U.S. Bureau of Indian Affairs launched a major campaign to promote the adoption of American Indian children by White families (Crofoot & Harris). The goal of the campaign was to make American Indian children more desirable to be adopted by middle-class white households. Under this campaign, it was in the best interest of children to take them away from their impoverished communities and move them to nonwestern states (Cross, 2008). In 2001, the director of the Child Welfare League of America (CWLA) apologized to the Native American communities for participating in these removals. These removals denied Native American children from their only connection to their culture and traditional parenting that many previous generations learned. CWLA stated it was wrong (Crofoot & Harris, 2012; Tlingit, Yaqui & Choca, 2010).

Many social problems such as alcoholism, drug abuse, mental and physical health problems resulted from the removal of American Indian children from their families and tribal lands. The trauma of the boarding school experience created many social ills, lost culture and language, and poverty. Due to what the Native Americans have endured since the arrival of the Europeans and the establishment of government policies, the Native Americans' worldview has changed. These forces significantly contribute to the inability of American Indian caregivers to provide safe and caring homes for their children. Thousands of children have been removed from their families and placed in foster homes or adopted to non-native homes at higher rates than any other race (Disproportionality in Child Welfare, "n.d.").

Given the statistics from the foster care literature, the practice of removing American Indian Children from their families, relatives, and communities is an ongoing problem. The purpose of this study is to understand the contributing factors and identify interventions to reduce disproportionality of American Indian Children in foster care. Whatever the understanding,

minimum work has been done in the child welfare system to clearly explain well-grounded theories about the problem of disproportionality of American Indian children in foster care (Cross, 2008).

### **Definitions of Disparities and Disproportionality**

Every family is unique, and needs are different depending on the nature of their social, political, and economic situation. Societal factors like institutional and systemic racism, poverty and economic class have caused families to experience disparate treatment in the United States. Disparity occurs when services to one sector of the community, compared to other areas are allocated insufficiently, poorly provided or are not helping a family meet their needs adequately (American Public Human Services Association, 2010). The disparity shows a systematic unequal treatment (Wells, Merrit & Briggs, 2009).

Disproportionality means being out of proportion. In the case of child welfare, it is overrepresentation or underrepresentation of a particular group by race, ethnic background, gender, age, etc. (American Public Human Services Association, 2010) in a child welfare system compared to the group proportion in the overall population of the public child welfare system. Disparities cause the disproportionality in child welfare, a public service entity and other types of societal groups. Disproportionality and Disparity in child protection services have been the initial discussion and examination in the child-welfare research literature (Wells, Merritt & Briggs, 2009).

In recent years, much-needed attention to disproportionality focused toward the foster care imbalance in the research literature, and new child welfare practices are focusing on the overrepresentation. Children from African-American, Native American and Hispanic

communities enter foster care at higher rates and stay in foster care longer than White children (Lawler, LaPlante, Giger, & Norris, 2012). Although this is a National problem that involves children and families from all types of populations, the separation of children from their families has increased disproportionality for disadvantaged ethnic groups (Ishisaka, 1978). In 1976, statistics showed that the removal of American Indian children occurred at approximately 20% more than other racial groups. However, another assessment revealed that about 33% of American Indian children were placed out-of-home in foster care, adoptive homes, and other types of institutions including educational facilities (Drywater-Whitekiller, 2014).

Contributing factors in removals involved state judges and state social workers who were culturally uninformed or biased toward Native people (Drywater-Whitekiller, 2014). There are other schools of thought regarding contributing factors about disproportionality including poverty, substance abuse, and family disruptions in minority communities over a period; the prevailing theory is that children from these types of societies come into the child welfare system (Cross, 2008). According to Cross, (2010) this idea is mainly a myth. According to Minnesota Department of Human Services data, the American Indian children total population is 1.9%; however, 19% of American Indian children are in out-of-home placement in Minnesota. American Indian children who are out of the home are either placed in foster care, adopted by White families, or placed in educational institutions (Minnesota Maltreatment Report, 2014).

As history has shown, the educational practice of boarding schools has had a long lasting negative effect on several generations of American Indian children. It has affected the family life, culture, and sense of identity of American Indian peoples, and resulted in the loss of parenting abilities (Lawler, LaPlante, Giger, & Norris, 2012).

## Conceptual Framework

The research analysis about disproportionality must include an understanding of how the individual and social environment are connected using the ecological theory of microsystem, mesosystem, ecosystem, and macrosystem. It is important to understand how a person's experiences, the development of social environments, and how each segment of history interrelate according to the social ecological theory. Each system identifies with how American Indian worldview has changed throughout history beginning with colonization, government laws and policies, boarding school and adoption era; as a result of these injustices, historical trauma has impacted the Native American people. Also, the loss of self-identity, language, culture, and traditional parenting has produced social problems, poverty and high rates of American Indian children in the foster care system.

American Indian people have lived across the Americas, and pre-colonization included hunting, fishing, and gathering for subsistence (History.com Staff, 2009). Before Columbus arrival in the Bahamas, scholars estimate that about 10 million lived in what is now the United States. Today, approximately 4.5 million live in the United States which is about 1.5 percent of the population (History.com Staff, 2009). Native American individuals today either live on or near a reservation or urban environments. Within the microsystem of an American Indian child, the family unit includes parents, grandparents, siblings, aunts and uncles and cousins. The community settings include their school, friends, teachers and their neighborhood that have an influence on their world-view.

At the micro level, each of the children is developing relationships and connecting with family, childcare, school, and community environments. This core environment is the main

event of the children's lifespan as they learn about their world. These interrelationships are impactful for a child's well-being. Children placed in foster care away from their parents and siblings can create life-long trauma and the loss of traditional parenting that the child could have learned from their parents. The mesosystem provides the connection between the two subsystems of microsystem and mesosystem of which the child, parents, and family live. The mesosystem of a Native American child is the child's family and their connectedness from parents to the teacher, individual to tribal leadership, to community resources and develop their social behaviors. The child will further expand their life experiences, the way they will view the world, and the people who have an interest in their well-being. These connections will increase self-identity by the child. The next ecological system that does not directly involve the child is the ecosystem. The ecosystem influences the child's development by interacting with the microsystem through a different level within the ecological system of human development. Ecosystem dynamics can change negative or positive stresses or empowerment of family interaction. Finally, the macrosystem of the ecological system is the culture, beliefs, and traditional practices that create a community. The macro system portrays a given group of people. Also, the macrosystem includes how the Federal and state government laws and policies have affected Indian child welfare during the history of colonization, and boarding and adoption era that has produced disproportionality of Native American children in foster care. The macro system of laws and policies have created disparities in the delivery of services that influence oppression and biased decisions for kids and families who need services.

The Native American people have experienced much trauma and faced many adversities for the last 500 years since the Europeans arrived. Indians have survived; however, not without the loss of our language, children were taken from their families, loss of culture, land, natural

resources for hunting and fishing, and the loss of many Native American lives. Those who survived continue to experience the after-effects of the trauma that their ancestors endured. There is a description of this experience of Native people called Historical Trauma. According to Dr. Maria Yellow Horse Braveheart, Ph.D., a psychological description is:

*“Collective emotional and psychological injury over a life span and across generations, resulting from cataclysmic history of genocide.”*

These historical events have created generational suffering that goes untreated due to trauma. These events bring us to the current day and how our people have disproportionate rates of drug and alcohol abuse, suicide, violence against women and children, children in out of home placement, many health risks, child abuse, poverty, unemployment, and homelessness. All of these social and health problems are passed down to each generation. Many Tribal Nations have developed programs to address the issues in most of those as mentioned above social and health problems. Also, many families practice the traditional Ojibway healing and ceremonial practices. Many of the elders believe that revitalization of our Native language will affect these social dilemmas in a positive way that will change Native American’s lives so they can live healthy, safe, and productive lives.

## **Methods**

The purpose of this study is to analyze previous research on effective interventions in public child welfare to reduce the disproportionality of American Indian Children in foster care. A systematic review will analyze previous research, examine effective interventions and explore what child welfare system changes and practices must occur to reduce disproportionality of American Indian Children in foster care. Electronic databases and articles selected for inclusion

in this systemic review that meets several factors. Also, Research reports will include research from other countries and across the United States.

## **Research Design**

### **Data Collection**

#### **Inclusion Criteria:**

Two methods will be used to research relevant studies: internet databases and reference lists from retrieved articles. The review process will examine studies in the last ten years. The focus of the research is what type of interventions used by the United States and other countries.

Factors that will determine what articles to include. The articles will be empirical and quantitative, and subjects will include statistical information of overrepresentation by state and by other countries. Percentages of improvement of the intervention, and any government laws or policies that impact the response, or what type of improved outcomes for the agency practice. Services for children, and families whether it was training, additional services, cultural understanding, and prevention strategies. Articles excluded are where disproportionality is minimal.

Studies that will be eligible for this systematic review are 1) Disproportionality in the United States, and other countries who have Native American children in foster care. 2) Historical impact experienced by tribal nations and the influence of government laws and policies, 3) Identify similarities between all three countries; and 4) What type of interventions are successful, ongoing or discontinued.



**Search Strategy.**

The primary method to obtain meaningful analyses will be an internet-based search. The electronic databases used are SocINDEX, JSTOR, Google Scholar, PsycINFO, Social Work Abstracts, Ethnic NewsWatch and Dissertations and Thesis and SRMO. EBSCOhost is the search engine utilized. The key search terms include disproportionality, disparities, Native American Children, Aboriginal children, foster care, adoption, child welfare, out of home placement, and Indian Child Welfare.

**Data Abstraction**

1. Data abstraction will include reviewing the initially retrieved articles beginning with the abstract, discussion and conclusion segments of the material that meet the criteria of the study. The criteria are intervention methods, improvements that reduced disproportionality and what implications have resulted by each study. Upon this initial review, the criteria examined for the research will derive from the following areas:
2. The percentages of children overrepresented in the public child welfare system primarily in states and countries that have the highest disproportionality of Native American children in foster care.
3. Population of Native American children in public child welfare system
4. Characteristics of the defined group
5. How long have they been in the foster care system
6. Types of intervention methods used.
7. Percentages of improvement

8. Type of improvements identified: training, cultural understanding, child welfare practice, child welfare system changes and caseload.

### **Strengths and Limitations**

In this systematic review, it is important to understand how history affects disproportionality of American Indian children in foster care and the long-term effects of historical trauma by many of Tribal members. Since the enactment of ICWA in 1978, disproportionality has not reduced for American Indian Children in foster care. The limitations of the research study do not have more concrete reasons or causes of disproportionality only speculation of the causes.

## **Findings**

### **Introduction**

The following section contains the findings of the systematic review to answer the question of what the United States and other countries like Canada or Australia, who like the United States experience disproportionality of out-of-home placement. And to learn from their research what are interventions, if any, are working to decrease disproportionality and disparities of American Indian children in out of home placement.

### **United States**

In Washington State, the National Indian Child Welfare Association (NICWA), with the support of the W.K. Kellogg Foundation, has engaged in reconciliation work with Washington state tribes and state child welfare agencies. Out of this reconciliation work, Washington State Racial Disproportionality Advisory Committee (WSRDAC) was created and is an example of an

effort to engage state child welfare leaders, line workers and community members including tribal leaders to take responsibility for child protection services. Their task is to take proactive steps to reduce disproportionality in child welfare (Crofoot and Harris, 2012).

According to Bussey and Lucero (2012), there are three distinct areas to achieve the reason why ICWA exists. First, higher standards for the removal of American Indian children. Second reason is to prevent removal by using active efforts by public child welfare systems. Finally, the third reason is initial consideration given to the immediate families when out of home placement is necessary. Child protection services (CPS) must reexamine decision-making points such as; the first process of a child maltreatment report is screened in; then a removal will be determined. To respond to the three provisions of ICWA requires a reexamination by CPS (Bussey and Lucero, 2012). A collaborative partnership between CPS and Native American communities that serve Native American families show potential on impacting disproportionality and disparities (Bussey and Lucero, 2012). An example of collaboration that made a difference in disproportionality took place in Denver, Colorado. The effort between a 7-county municipal public child welfare agency and a private non-profit called Denver Indian Family Resource Center (DIFRC). This collaborative partnership focused on improving ICWA compliance by Colorado Department of Human Services due to findings by a Federal Family Services Review (CFSR). Initially, a DIFRC and CPS stakeholders established a Colorado ICWA Task Force. The task force recommended ICWA procedures for application in county CPS departments and provided support to agencies to address practice-level issues. This working group responsible for the passage of the 2001 Colorado state ICWA law. Also, cultural-responsive strategies for child welfare practice focused on reducing disproportionality (Bussey, and Lucero, 2012). DIFRC model has provided advocacy to more than 1000 families to date. The model focuses on

change at the household level including CPS practice to improve outcomes for Native American children and families (Bussey and Lucero, 2012).

DIFRC and the counties completed an evaluation after a 12-year collaboration of delivery of service. This assessment included input from clinical personnel and program directors and primarily focused on the needs of the parents with substance use and child protection issues. Documentation of practice, system changes and intervention improvements that prevent re-referrals with families served, and relative placement when out of home placement was needed. This evaluation had no re-referrals among families served by the program during 2003-2005 per the evaluation, however, prior years the re-referral rate was 17.5%. At program end, the relative placement increased to 43% from 20% at inception.

Another important outcome was a significant improvement of family level scores in areas of caregiver capabilities and family safety (Bussey and Lucero, 2012). Direct practice concentrated on case management that was family-focused to address the many difficult challenges that vulnerable Native American families experience (Bussey and Lucero, 2012). System changes and improvement interventions work through collaboration between DIFRC and CPS. Innovative and more efficient responses to American Indian families can be applied to reunify children with their families if they were removed and to reduce the overall number of Native American families who are involved with CPS. This partnership also made available specialized programs that were culturally-appropriate educational and social support (Bussey and Lucero, 2012). For example, a community-based provider that offered “American Indian Nurturing Parenting and Positive Indian Parenting” programs (Bussey and Lucero, 2012). Social programs include therapists and substance abuse programs that are designed to fit Native clients (Bussey and Lucero, 2012).

In 2010, the Colorado Disparities Resource Center in partnership with CDHS and American Humane Association that during a five year period of 2005-2009, continued disparities exist between Native American and white children in cases opened for CHS and out of home placement. This study showed that the during a 2005 to 2009 disparity index was 1.55 times more likely that Native American children will be placed in out of home than white children. However, the average variation index for the five-year period decreased to 1.40 (Bussey and Lucero, 2012). The change can attribute to efforts on the collaboration of DIRFC and CDHS to enhance the level of compliance with ICWA. The partnership included a family liaison who worked with families. As a result of these efforts, family function improved, less out of home placements occurred, and enhanced satisfactory relationships between American Indian families and cps workers (Bussey and Lucero, 2012).

An example of disproportionality happened in Iowa, where children of color in the welfare system proved overrepresented two times in the population (Richardson, 2008). To address the overrepresentation of Native American and African American children, the Iowa Department of Human Services piloted two demonstration projects. The plans were called Minority Youth and Families Initiative (MYFI) and included Woodbury County and Polk County (Richardson, 2008). Results over two years of the project showed improvements in worker and client relationships, as well as improved outcomes for children and family functioning. In particular, Woodbury County focused on improving cultural competence in case management delivery with increased concentration of the Indian Child Welfare Act (ICWA) principles. Other improvements included a reduction in caseloads and recruitment of more Native American foster homes that focused on placement with relatives and other community

families. Also, worker training supported a culturally specific, strength-based approach that helps families build on their natural abilities and capabilities.

Another interesting approach was the Iowa DHS tribal liaisons assisted the workers to inspire Native American families to prevent future court involvement and child welfare with Iowa DHS. The risk factors on which the employees focused included family management, drug and alcohol abuse, poverty, education and inadequate social supports. An area of improvement of the project that included DHS and community service providers was an increased acknowledgment by the community that the relationship between DHS and the Native American community improved tremendously. The MYFI project intervention demonstrated improvement of relationships between program participants and workers (Richardson, 2008). Program participants stated how it positively impacted the focus on strengths in working with families. Skills and knowledge in strength-based practice are necessary for employees to maintain when working with families (Richardson, 2008).

Another example of intervention in 2008-2010 occurred in California called California Breakthrough Series Collaborative (BSC). This intervention was to address the disproportionality of African American and American Indian/Alaska Native (AI/AN) children in the child welfare system in partnership with Anne E. Casey Foundation. The outcome was the development of the Continuum of Readiness, and the focus was to include California counties to make strategic decisions to comply with ICWA and to address the issue of disproportionality (Lidot, Orrantia & Choca, 2010). Members of the project reached out to American Indian communities in a 24- month-long effort. They initiated Tribal STAR, and as a result included counties and assisted them with putting ICWA-related efforts into an assessment.

From this collaborative, the Continuum of Readiness was developed to assist counties in their efforts with tribes to prepare counties for ICWA-related training. Recurring questions about ICWA on the Continuum from counties that increased successful collaboration with tribes. The Continuum of Readiness based on a horizontal diagram begins on one end of the continuum that indicated ‘less ready’ to the center that designated ‘ready’ to the other end of the continuum that showed ‘most ready.’ Along with the Continuum of Readiness, it identified what counties needed to learn about tribes. Many of those topics to increase understanding begin with the awareness of Tribal resources, and understanding history culture and values. Other significant areas along the continuum of readiness were establishing relationships with Tribal service providers, and increasing knowledge about ICWA. What was essential to the success of the increasing collaboration was the counties ability to achieve authentic relationships with tribes and understanding the value of elders. The presence of elders as part of the training team created credibility. The success of the Continuum of Readiness was the ability to cultivate direct relationships with tribes. The greater of the relationship with stakeholders like law enforcement, probation and the courts, the stronger potential for collaboration to exist (Lidot, Orrantia & Choca, 2010).

## **Canada**

In Canada, the Aboriginal children have experienced disproportionality throughout their provinces and territories since colonization (Aboriginal Children in Care, Report to the Canada’s Premiers, July 2015). The Canada Premiers directed provinces to create solutions around this issue. According to a performance analysis by Alberta Human Services (2016), almost 7 out of 10 Aboriginal young people are in the care of the Alberta child welfare system (Voices for Change, Aboriginal Child Welfare in Alberta, A Special Report). Another report shows

overrepresentation indicates 48% of 30,000 children are in foster care across Canada (Aboriginal Children in Care, Report to the Canada's Premiers, July 2015). For significant changes to reduce disproportionality of Aboriginal children in foster care that begins with an engagement process that involved hundreds of Aboriginal young people, families, and others that survived the actual experience with the Alberta child welfare system (Voices for Change, Aboriginal Child Welfare in Alberta, A Special Report).

Upon the process of bringing the stakeholders together, a final report to the Canada government recommended specific areas that needed to be changed or improved to modify the proportion of Aboriginal children in care are listed below (Voices for Change, Aboriginal Child Welfare in Alberta, A Special Report):

1. **Legislation, Governance, and Jurisdiction:** The government of Alberta should renew a relationship with Aboriginal communities, which means to establish a comprehensive and equal partnership between Aboriginal communities and governments.
2. **Resources, Capacity, and Access:** The Ministry of Human Services should provide capacity building of resources for access by Aboriginal people. Resources and services can focus on prevention, through intervention and aftercare for Aboriginal children and families who become part of the child welfare system.
3. **Program and Service Delivery:** The Ministry of Human Services should develop a more efficient way to delivery services to Aboriginal children and families. That can focus on a more strength-based approach that provides safety for children and well-being that incorporates the Aboriginal perspective.
4. **Outcomes and Accountability:** The Ministry of Human Services and the stakeholders of the Aboriginal people should develop a long-term plan that examines the disproportionality of



Aboriginal children in foster care. And to provide a report on the progress that to be achieved (Voices for Change, Aboriginal child welfare in Alberta, A Special Report, July 2016).

Provinces and territories across Canada has similar recommended changes within their areas that were given to the Canada Premiers. It is also important to mention that in this special report of “Voices for Change”, they heard from many case workers, foster families, and services providers who want similar things for Aboriginal children and their families who have been vulnerable to the child welfare system (Voices for Change, Aboriginal child welfare in Alberta, A Special Report, July 2016).

### **Australia**

In Australia, Indigenous children are overrepresented in the child welfare system at 24% of out of home placement. Australia’s population is approximately 21 million people. About 3% are children, and of that percentage, 5% of the total children population are indigenous children who are in care (Tilbury, 2009). All Australian jurisdictions have implemented the Aboriginal Child Protection Principle (ACPP) to address the issue of disproportionality. The intent of the ACPP is to provide a vigorous guide to placement of Aboriginal children who go into care and are unable to stay with their parents (Valentine and Gray, 2006). It also is important to recognize the right for Aboriginal children and families to receive culturally appropriate care and practice. The ACPP is to keep Aboriginal families together and to provide preventive measures from removing Aboriginal children (Valentine and Gray, 2006).

There are no federal laws governing child welfare issues like the United States ICWA of 1978 (Tilbury, 2008). But since 1980, Australia established the Aboriginal child and family health agencies. They are managed and staffed by indigenous people and controlled by Indigenous community organizations. The territorial governments funded these administrations

(Tilbury, 2008). These Aboriginal child welfare agencies primarily provide preventive services. These organizations recruit, train and support relative care. The primary focus is to ensure that when indigenous children who are removed from their homes, they maintain their identity and connection to their families, cultures, and community (Tilbury, 2009). Agencies continue to have limited power in the decision-making continuum of the child protection response (Tilbury, 2009). Evidence-based effective strategies to improve outcomes for Australia indigenous children are limited. Also, thorough analysis of interventions has been few (Tilbury, 2009). In the report by Valentine and Gray (2006), they state there are no easy or short-term solutions to operating and demonstrating the ACPP. Additional funding for in care for all Aboriginal children is not enough (Valentine and Gray, 2006). At the time of this report, they do not have the capacity to respond. However, the goals are well-defined where Aboriginal out-of-home care agencies place all Aboriginal children; family placement standards and training programs must reflect culture, family, and community; the cultural identity of Aboriginal people must be acknowledged (Valentine and Gray, 2006).

### **Discussion**

Clinical Social Workers need to be attentive to the following four primary strategies that emerged from this systematic study: collaborative partnerships; family-focused case management practice; preservation of Native American culture, history, and language; and strengthening compliance with ICWA.

Strategy 1: Collaborative Partnerships between Tribal Agencies, Tribal Community Members, Child Welfare Agencies and Government Entities.

Collaborative partnerships between tribal people, human service organizations and state government show potential on impacting disproportionality. The primary focus of building

community and organization partnerships is to increase compliance with the ICWA. In Iowa, for example, relationships between DHS and the Native community improved tremendously.

Program participants stated that it certainly impacted the effort on strengths in working with families and the value of elders. Also, the greater the relationship with stakeholders like law enforcement, probation and the courts, the more significant for collaboration to continue.

#### Strategy 2: Family Focused Case Management Practice.

Child protection agencies are focusing on change at the family level that includes improving child welfare practice. Direct practice concentrates on family-focused to improve many difficult challenges that vulnerable families experience. Specialized programs developed like Native American Positive Indian Parenting, cultural training and education, and social programs that include therapists, and substance abuse that are designed to meet Native client's needs. Another important area identified in the Washington state study was re-examining the decision points beginning with the maltreatment report and the decision to remove to out of home placement.

#### Strategy 3: Preservation of Native American Culture, History and Language through Training and Case Management Practice.

Another area of focus is cultural-responsive strategies for child welfare practice, including increasing cultural competency in case management delivery. To do this, meant training for case workers including incorporating the ICWA principles. In the California Breakthrough Series Collaborative (BSC), the counties identified the need to learn about tribes. Topics include increase awareness of tribal resources and understanding history, culture, and values of Native American people. Also recognized in Australia, the right for Aboriginal

children to receive culturally appropriate care and practice. Training programs must reflect culture, and cultural identity of Aboriginal people, family, and community.

#### Strategy 4: Strengthening Compliance with Indian Child Welfare Laws through System Changes and Changes in Case Management Practice

To reduce disproportionality and disparities, compliance of ICWA was significant in all three states who initiated intervention programs that addressed the issue of disproportionality of Native American children in the foster care system. In Australia, they introduced the Child Youth and Families Act (CYFA) that strengthened the principle of the “best interest of the child.” In the U.S., significant system changes focused on ICWA laws that create higher standards for removal of American Indian Children, prevent removal by ensuring active efforts by public child welfare systems and that initial consideration is given to family members when out of home placement is necessary. System changes include prevention resources for parents to avoid out of home placement. Public child welfare agencies including tribal child welfare agencies are strengthening the recruitment process for family foster homes and attempting to keep children within their communities. Placement with their families and in their community allows preservation of their culture and safeguards their identity as Indigenous people. Child welfare workers need to understand what resources are available to strengthen family abilities to keep the child in the home. Also, Bussey and Lucero (2012) article stated to reduce disproportionality requires reexamination on the part of child protection services to analyze decision-making points beginning with the maltreatment report at intake and whether the child will be placed in foster care. Strengthen case management practice; a significant area is to increase case workers knowledge about American Indian culture, and history to encourage and develop strong relationships with American Indian children and families. Another strategy is to

build on American Indian families own natural abilities. Train child welfare workers on strength based practice when working with families who are part of the child welfare system.

### **Conclusion**

The data shows that there is insufficient research that supports what the causes of disproportionality are. Without more concrete research and periodic evaluations on strategies that may be promising, that reduces disproportionality of American Indian children in foster care will take more years to understand. Additional research on understanding the causes and the association with various systems in the child welfare operations beginning with each decision point of the child protection system, and increase understanding of social challenges, and laws and policies that govern the child welfare system. Reducing Disproportionality is a complicated process; therefore, ongoing endeavors are needed to develop strategies to engage tribal members, tribal leaders, public child welfare workers and government human services.

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