

California State Department of Social Services (CDSS)
ICWA WORKGROUP
March 10, 2015 • 1:00pm to 3:30pm
Hosted by Tribal STAR
at the Casey Family Programs San Diego Field Office
3878 Old Town Avenue, Suite 100, San Diego, CA 92110-3023

Meeting Notes

SUMMARY OF ACTION ITEMS

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| <ol style="list-style-type: none">1. CDSS to decide if a smaller ICWA Summit is possible in lieu of a June 2015 ICWA Conference. <i>[Done. ICWA Summit is scheduled for June 11 at the Graton Rancheria.]</i>2. It was agreed that a tribal training subcommittee be established to discuss training needs and processes. <i>[Done.]</i> |
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Welcome/Introductions

Review Agenda and Minutes: Liz DeRouen and Nancy Currie chaired this meeting. Participants and callers introduced themselves to the group.

On phone: Antoinette Fabela, Sasha Stern, Aggie Jenkins, Sandra Ayala, Robert Rodriguez, Vida Castaneda, Lisa Smith (Los Angeles), Maureen Geary, Kim Cluff.

Tribal News/Additions to Agenda: Add Adoption issues regarding Tribal Customary Adoption (TCA) and Tribally Approved Homes (TAHs). Discuss and get resolution as to whether or not future workgroup meetings can be increased to 1½ days.

Follow-up on January Action Items: Action items from the January meeting were reviewed and a status update was provided during the meeting updates regarding those still in progress.

Vevila received a few comments regarding the FAQs to help form the tribal background check policy related to the passage of SB 1460.

Pre-Planning for 2015 ICWA Conference and Solicitation for Tribal Host

Establish Planning Committee – Northern Region: Scott Stevens and Diana Orcino provided this update. The next Annual Statewide ICWA Conference has been set to be held in the northern region in 2015. Liz DeRouen has been talking with two tribes with regard to hosting this year's ICWA conference (Colusa and Graton Rancheria). She is still waiting to hear their decision and is hoping to hear something this afternoon. Diana explained that it takes 90 days to complete our department's internal review/approval process and also receive Department of General Services' approval. The \$50,000 CDSS has earmarked for the conference for use in the 2014-15 state fiscal year (FY) cannot be rolled over if not used by June 30, 2015. At this point, there is not enough time to complete the required 90-day approval process in time for a conference in June 2015. The options available to us at this point in time are as follows: 1) skip the conference in June 2015 (and ultimately for FY 2014-15) and have the conference in the fall of 2015 (note: \$\$ would not be available for June 2016 since it is in the same fiscal year); 2) hold a one-day ICWA Summit in June 2015 using the \$25,000 that the California Partnership for Permanency (CAPP) has available (one advantage is that the CAPP \$\$ only takes a month to make available). Then, use

the entire \$75,000 (CDSS & CAPP) for a conference in June 2016 or before (FY 2015-16). We can possibly do a fall 2015 summit as well. Jennifer would be the point of contact for the \$25,000 CAPP funding. She would connect the hosting tribe to the Child and Family Policy Institute of California (CFPIC). CAPP is a federal grant, so it adheres to the federal fiscal year (FFY), whereas CDSS' funds adhere to the state fiscal year. Jennifer will try to push the money into the 4th quarter of the FFY to include the fall 2015 (it is currently only available for the 3rd quarter (because it includes June). It was suggested that October is a good month to plan for. Pala Tribe has been informed that they should be looking at October, as they have offered to host the conference in 2016.

ACTION 1: CDSS to decide if a smaller ICWA Summit is possible in lieu of a June 2015 ICWA Conference. *[Done. ICWA Summit is scheduled for June 11 at the Graton Rancheria.]*

CDSS Updates

CDSS Tribal Consultation Policy Development: Scott Stevens provided this update. CDSS conducted a conference call with Urban Indian Organizations for the purpose of ensuring the needs of the urban Indian population are considered in future and pending policy development. It was suggested that CDSS hold listening sessions to get more feedback. There will be a listening session today at Casey Family Programs in San Diego from 4-6pm. The next Tribal Consultation Policy Committee (TCPC) meeting will be March 24, 2015 at CDSS in Sacramento to review the 2nd draft of the policy. Jennifer Buchholz mentioned that there may be more funds available if another TCPC meeting is needed after March 24. There was discussion about whether or not it would be good to have a mediator at the listening session(s). Nancy Currie expressed that there isn't really a need for a mediator as long as there is a co-facilitator for the session. Scott stated that we would not have time to contract with a mediator before March 24, but it is possible for future meetings. This will be discussed with the TCPC later.

Frank Canizales put a request in to NICWA for CDSS to present on the TCP process at their April conference. Frank Canizales, Scott Stevens, Tom Lidot, Margaret Orrantia, Luther Salgado, and Cynthia Gomez will be on the panel. Nancy Currie and Liz DeRouen have also assisted with the planning of this presentation.

SB 1460 – Tribal Background Checks Update: Vevila Hussey provided this update. Both the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) are ready to process ORI number/background check requests in relation to the passage of SB 1460. This means that tribal child welfare agencies designated by federally recognized tribes to approve tribal foster homes can apply for an ORI number starting immediately. Questions on the process go to the DOJ. Some are having difficulty getting the ORI number or using their existing ORI number under their current category. Vevila said they should apply under the category of "Schools and Other Organizations". Liz DeRouen suggested to Vevila that a designated mailbox be used to receive questions and comments on this topic. Tom Lidot mentioned there will be a forum on April 30 at the Indian Health Council's multipurpose room. Vevila and Margaret Orrantia will be presenting. Liz mentioned that the Interstate Compact for Placement of Children (ICPC) process continues to be a problem area.

Adoption Issues and Regionalization of Licensing (added by Tribal Caucus): Due to the lack of time, this item was not covered at this meeting.

Training for Tribes on State Child Welfare Services: Jennifer Buchholz and Scott Stevens provided this update. CDSS was able to identify funding for training. Courses already exist within the RTAs could be adapted to meet tribal needs; or we could develop our own curricula to fit our own needs. Contracting process is through CDSS (90-day contracting process). It was suggested that a subcommittee be established to discuss the planning for this. Can the funding be used to support the facilitation of a process that may help identify particular areas? The funding for providing this training needs to be used by June 2016. Scott provided the 2015 Training Catalogue (from the Northern RTA at UC Davis) to show examples of what training is available to county social workers. It had been previously expressed that there seems to be an imbalance of power in court with regard to tribal social workers and what ICWA training they receive as compared to training that county social workers receive. Liz used an example for what is NOT included in the training catalogue: Doing active efforts prior to removal so that a child is not detained before disposition. Prevention efforts, to avoid removals, often get missed. Connie Reitman expressed that even when tribal input is requested and provided to CDSS, it seems that it is not always recorded or that their feedback is not usually applied. The product does not reflect tribal input most of the time anyway, so what's the point? Tom says that authentic engagement is missing. What would happen if Scott, Jennifer, or other certain players were no longer part of the chain? Would things still continue? Can the commitment come from the top until this process reaches fruition?

ACTION 2: It was agreed that a tribal training subcommittee be established to discuss training needs and processes.

Tribally Approved Homes (TAH) and Out-of-State Tribes

Scott Stevens provided this report. California has the largest urban Native population in the country. This is a national issue because it is not unique to California. CDSS has reached out to NICWA to see if this has been addressed in other states. For example: Bay Area worker trying to place in a home consistent with the placement preferences, to tribal standards. However, in an urban area, there is no "tribe" to do the assessment for a TAH. Nancy explained that she cannot approve a home for another tribe at the request of a county. The tribe needs to be contacted first, and then she would need to get tribal council approval to do the assessment. It is a difficult process. The United American Indian Involvement (UAI) in Los Angeles is looking at developing an FFA that would help with that. The concept of government-to-government is difficult for counties. It is not appropriate for a county to ask one tribe to do something for another tribe. Tribes can do it for another tribe when contacted directly, but a county cannot make the request. Need to start with the child's out-of-state tribe to see what they want, and the UAI can tell when they have a number of TAHs, and go from there. Tom suggested that CDSS send a letter to out-of-state tribes that expresses the commitment to participation with those tribes when urban children are involved, and lays a pathway for success by providing the California tribe contact near where the child resides in California. Liz suggested that someone at CDSS be designated as a contact to provide technical assistance regarding these issues. Vevila is working on developing the subcommittee (this is also part of SB 1460).

ACIN on ILP Eligibility and Services for Tribal Youth

Theresa Thurmond and Susan Zimny provided this report. Copies of the transition services were handed out at the January workgroup meeting, and a description of the Independent Living Program (ILP) was available during this meeting's webinar. Assistance from the workgroup was

requested to get feedback as to what more is needed by tribes. Lillian Ngyuen (San Diego County) supervises an After 18 unit and mentioned that they are having trouble accessing services for youth that have moved out of state.

Integration of ICWA in CORE 3.0

Melissa Connelly (CalSWEC) provided this report. Feedback suggested that county workers were not remembering the training and were not using it correctly out in the field. Follow practice areas: prevention, engagement, assessment, planning and service delivery, monitoring and adapting, and transition. Within each block, we want to have more interactive training and include field training for people to practice what they've learned. The 200-level training is where folks would return to training after building knowledge concepts first with the use 100-level training on the job. Learning objectives were vetted through a statewide process that received specific outreach from tribal workers. There was also a content vetting process (webinar and survey), which was very helpful because they were able to see what ICWA content may have been missed when developing other areas, such as the learning objectives. The vision is a foundation block to introduce people to the ICWA: e-learning module, classroom module, and field activity. Nancy shared a few general comments from the tribes on the new curriculum. Tom will email his notes on the curriculum to the co-chairs and workgroup. Tom asked the following: Who is on the committee?, Who determines length of training?, and Can we get commitment that the trainers we train are supportive of ICWA compliance? He also requested that folks biased against Native Americans be taken off the committee. The Statewide Training and Education Committee (STEC) is an advisory body that provides feedback only; not a decision-making body. CalSWEC is now working on the implementation of the Common CORE curriculum. Tom stated that tribes need to be part of the process if we want to know how it all works, even though it is a time commitment. Tom will try to recruit tribal representatives to help with this process.

Judicial Council of California Update and Revised BIA Guidelines

Ann Gilmour provided this report. She highlighted that the Judicial Council will be having a Beyond the Bench this year, December 2-4, 2015. A call for presentations will be going out in the near future.

With regard to the revised BIA Guidelines, she proposed that a small implementation subcommittee be developed to work with her each time the guidelines are revised.

County Updates

There were no county updates provided.

Next ICWA Workgroup Meeting Discussion

Topics for Next Agenda: The next workgroup meeting is scheduled for May 12, 2015 and will be held at CDSS Headquarters in Sacramento, California. Suggested items for the next workgroup meeting are: no specific items were identified for the May 12 meeting.

Other Issues

None.

Adjournment

The meeting adjourned at 3:54 p.m.