

NRCQ FACT SHEET

Approaches to Collaboration... State-Tribal Partnerships

Tribes have a unique status as sovereign nations, and, as such, Tribal governments need to be granted full status and authority in relationship with the state government. Tribes, then, are not just one of a list of critical stakeholders for child welfare agencies, but independent entities with whom the agency needs to create partnerships.

State/Tribal agreements: Some states have formal, written, Tribal/State agreements that recognize and define the role of the Tribal entities in managing child welfare services, and allow federal funds, including IV-E, to be passed through to the Tribes. States that do not have these agreements with their Tribes might consider whether it is possible or appropriate to develop these agreements.

Other partnership strategies: Whether or not States have written agreements with Tribes, there are many steps agencies can take to build partnerships with Tribes. Under the Indian Child Welfare Act (ICWA), child welfare agencies must ensure notification and communication when Tribal children are taken into custody. ICWA also affirms Tribal jurisdiction over child protective cases involving Indian children, and requires that Indian children be placed with relatives or Native American families. Below are some actions agencies can take to comply with federal law and to promote quality services for all children:

- Identify all the Tribes in the State and educate caseworkers, supervisors and managers on the State and local level about the Tribes within the boundaries of the State.
- Maintain a centralized, current list of names, addresses, phone numbers of the Tribes, Tribal leaders, and Tribal child welfare directors and staff.
- In States without federally recognized Tribes, identify and work with Tribal agencies or organizations, particularly in urban areas. Similarly, maintain a current list of Native American organizations in the State.
- Involve Tribal representatives in training child welfare staff to stress the importance of asking each new client about Tribal membership regardless of the child's physical characteristics and whether or not the State has any Tribes.
- Listen to Tribes and work to understand the complexity of funding streams and governmental entities that impact on Tribes (federal, state, county, Tribal).
- Work with and invite each individual Tribe rather than only the Tribal associations. Tribes do not speak for one another.
- Enhance policies and processes to ensure better communication among local child welfare staff and Tribes and to consistently collaborate with Tribes at the local level (by, for example, establishing a regular meeting schedule between child welfare staff and Tribal representatives).
- Strengthen consultation policies for the child welfare agency to require regular consultation with Tribes (on policy and practice issues).
- Have regular meetings between State child welfare directors and Tribal child welfare directors.
- Hold forums to share data on particular issues and brainstorm barriers and solutions (i.e., recruitment of Tribal foster and adoptive homes).
- Involve Native American organizations in recruitment efforts for Native American families living off the reservation.
- Involve Tribes in Child and Family Services Review (CFSR) process:
 - invite each individual Tribe to be represented on broad-based planning groups, implementation teams and work groups or committees;
 - meet with Tribes to review statewide assessment and final report data and develop strategies to address issues relevant to Tribes;
 - include these strategies in a strategic plan that is incorporated into the PIP.
- Involve Tribal staff and representatives as members of review teams holding district/local CFSR-style reviews.
- Coordinate with Tribes on training issues; help identify training opportunities for Native American foster parents and staff.
- Train non-Native American staff in culturally competent practices.
- Help fund and support Tribal-led conferences.
- Employ Tribal liaison staff in state agency.
- Employ court improvement specialists focused on ASFA/ICWA compliance.
- Collaborate with and support Tribal applications for grants.

Examples of State-Tribal Partnerships

In Arizona, AdoptUSKids worked with the state child welfare agency and Tribes to organize a forum on recruiting Native American foster and adoptive homes for children. Nineteen of the state's 21 Tribes participated in the forum where Tribal representatives and agency staff shared ideas about barriers to recruitment and strategies and ideas for making improvements.

Contact: Angela Cause, (602) 542-5499, acause@azdes.gov.

In Wisconsin, strategies used to build partnerships with Tribes include:

- working with Tribes to develop a new consultation policy requiring the child welfare agency to consult with Tribes and communicate with them regularly;
- working with the Tribes to implement the priorities they have identified in their Wisconsin Tribal Child Welfare plan;
- inviting each of the state's 11 Tribes to be part of the development and implementation of the state's Program Enhancement Plan;

- working with the Tribes and the University of Wisconsin-Green Bay to create a new Intertribal Child Welfare Training Partnership. This partnership provides training to Tribal child welfare staff and assures that county and state child welfare staff are aware of and adequately implement the Indian Child Welfare Act; and
- employing an Indian Child Welfare Consultant to work with Tribes, counties and state staff on all issues relating to child welfare services for Indian children and their families.

Contact: Mark Mitchell, (608) 261-8316, mitchms@dhfs.state.wi.us

North Dakota has Tribal agreements, which allow it to pass federal funds through to the entities that manage Tribal child welfare cases. In addition, the state has taken the following steps to build collaboration:

- IV-E training funds pass through to The Native American Training Institute, which trains Native American foster parents and staff; as well as training non-Native American staff in culturally competent practices.

- The director of the child welfare agency meets regularly with the Training Institute and with the Tribal child welfare directors.
- The child welfare agency director serves on the advisory board for the annual Indian Child Welfare conference, and the child welfare agency provides funds for the conference.
- The agency also:
 - supports Tribal grant applications (i.e., national system of care grants);
 - employs a Tribal Liaison in the state agency for coordination and collaboration with Tribes;
 - includes Tribal representatives in regional CFSR-style reviews;
 - provides service grants to Tribal entities for family preservation services; and
 - hired a court improvement specialist to help the agency comply with the requirements of ASFA and the ICWA.

Contact: Theresa Snyder, (701) 328-1816, sosnyt@state.nd.us



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Edmund S. Muskie School of Public Service, University of Southern Maine

PO Box 15010, One Post Office Square, Portland, ME 04112

Tel: 207-780-5810 • Toll Free: 1-800-HELP KID (435-7543) • e-mail: helpkids@usm.maine.edu

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