

# Improving Access to Independent Living Services for Tribes and American Indian Youth

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# Introduction

The U.S. Department of Health and Human Services (DHHS) estimates that approximately one-third of the nearly 500,000 children in out-of-home care are teenagers (1999). As many as 20,000 youth between the ages of 18 and 21 will emancipate or age out of the foster care system each year (DHHS, 1999; General Accounting Office, 1999). Because adolescents leaving foster care have significant difficulty showing a successful transition to adulthood (Pub. L. No. 106-169, GAO, 1999), all states provide services designed to help youth who are about to exit the foster care system make the transition to living independently (GAO, 1999).

The National Indian Child Welfare Association (NICWA) with the support of Casey Family Programs (CFP) has prepared this document to provide Indian tribes with information regarding the Foster Care Independence Act of 1999 (Pub. L. No. 106-169) and the John H. Chafee Foster Care Independence Program. We have provided a brief overview of the evolution of independent living programs, examples of services eligible for federal funding, and a discussion of how Public Law 106-169 requirements include consideration of the needs of Indian tribes and their youth served by tribal and state child welfare agencies.

Most importantly, we will examine how tribes can access independent living services for Indian youth and be involved in the development of culturally appropriate services to assist Indian youth in the transition from tribal and state foster care systems to adulthood.

The National Foster Care Awareness Project (NFCAP) published Frequently Asked Questions About the Foster Care Independence Act of 1999 and the John H. Chafee Foster Care Independence Program, which provides “helpful guidance” for those who are working in states to implement independent living services and other supports for youth transitioning from foster care. It is the first of several publications by NFCAP about the new Act, the John H. Chafee Foster Care Independence Program, and the ways to maximize support for youth transitioning from foster care to adulthood (NFCAP, FAQ I, 2000). NFCAP’s second document, Frequently Asked Questions About the Foster Care Independence Act of 1999 and the John H. Chafee Foster Care Independence Program II, was published in December 2000 to further address questions that have arisen in states implementing the Act. We encourage you to read and share these publications with others in your tribe and state. To obtain copies of the NFCAP documents, please see [www.casey.org](http://www.casey.org).

# Improving Access to Independent Living Services for Tribes and American Indian Youth

The Foster Care Independence Act of 1999 amends Title IV-E of the Social Security Act to provide states with more funding and greater flexibility in the development and implementation of programs designed to help youth transition from the foster care system to self-sufficiency. Congress intended to give states greater flexibility in deciding whom to serve under the program and generally allows public officials, providers, and advocates to decide how youth will benefit most from independent living services (NFCAP, FAQ I, 2000).

Title I, section 477 of Public Law 106–169, establishes the John H. Chafee Foster Care Independence Program (Chafee Independence Program), named in honor of the late Senator John H. Chafee. This program is designed to help children likely to remain in foster care until age 18 prepare to become independent once they transition out of foster care (Pub. L. No.106–169, sec. 477). Services to help make the transition to self-sufficiency may include assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventative health activities (e.g. smoking avoidance, nutrition education, and pregnancy prevention) (Pub. L. No.106–169, sec. 477).

The Chafee Independence Program is also intended to provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between the ages of 18 and 21 to complement their own efforts to achieve self-sufficiency and to assure that participants of the program recognize and accept personal responsibility for preparing for and making the transition to adulthood (Pub. L. No.106–169, sec. 477). The program includes youth who transition “directly into independent living arrangements, as well as those who age out and lose touch with the agency, but return for assistance before reaching the age of 21” (NFCAP, FAQ I, 2000).

While states have greater flexibility in deciding how to use the Chafee Independence Program funds, there are two limitations (NFCAP, FAQ I, 2000). A state may not use funds to supplant (i.e. take the place of) any other funds that are available for the same general purposes in the state, and a state may not use more than 30 % of its allotment for payment of room or board for children who have left foster care because they have attained 18 years of age and have not attained 21 years of age (Pub. L. No.106–169, sec. 477). No amount received by the state can be used for payment of room or board for any child under the age of 18 (Pub. L. No. 160–169, sec. 477).

## Comparison of the Former Independent Living Program and the John H. Chafee Foster Care Independence Program

First authorized in 1986 by the addition of section 477 to Title IV-E of the Social Security Act (Pub. L. No. 99–272), the former Federal Independent Living Program (ILP) was created to enable child welfare agencies to respond to the needs of youth emancipating from foster care and assist them as they prepared for independent living (U.S. DHHS, 1999). The former Title IV-E ILP governed implementation of most federally funded independent living services from 1987 until December 14, 1999, when the Foster Care Independence Act of 1999 was enacted into law (NFCAP, FAQ I, 2000).

Key provisions of the John H. Chafee Foster Care Independence Program, as they compare to the former ILP, are noted in the table that follows.

### Program Requirements and State Flexibility in Program Delivery

The Chafee Independence Program gives broad flexibility to states to define who is eligible for services by defining eligible children as those likely to remain in foster care until age 18 and children aging out of foster care. Unlike the former

ILP, which restricted eligibility to those children ages 16 and older, states can now define their own age guidelines for services (NFCAP, FAQ I, 2000). States can also decide who will be served by independent living programs without regard to Title IV-E funded foster care eligibility (NFCAP, FAQ I, 2000).

Minimum components of the multi-year state plan for the John H. Chafee Foster Care Independence Program include specification of which state agency will administer, supervise, or oversee the programs carried out under the plan and how the state will:

- design and deliver independent living services;
- ensure that the program serves all political subdivisions of the state;
- ensure that youth of various ages and at various stages of achieving independence are served by the programs;
- involve the public and private sectors in service delivery;
- use objective criteria for determining eligibility and ensure fair and equitable treatment under the program; and
- cooperate in national evaluations of the effectiveness of the services delivered.

A state must also provide certification by the chief executive officer that the state will:

- consult widely with public and private organizations to develop the plan;
- give all interested members of the public no less than 30 days to comment on the plan;

| PROVISION  | FORMER INDEPENDENT LIVING INITIATIVE   | CHAFEE INDEPENDENCE PROGRAM   |
|--|--|---|
| Eligibility for independent living services  | Eligible youth were ages 16–18 and in Title IV-E funded foster care. States had the option of serving youth up to the age of 21 and youth who are or were in state-funded foster care in addition to those in Title IV-E funded foster care. | Removes the minimum age of eligibility of 16 and now includes youth up to the age of 21 who are likely to remain in foster care until age 18. Eligibility for services is not dependent on eligibility for Title IV-E funded foster care. |
| Youth participation  | No provision.  | Youth must directly participate in planning their program activities.   |
| Use of funds for youth ages 18–21  | No provision.  | A portion of the funds must serve eligible youth, ages 18–21, who left foster care because they reached age 18.   |
| Use of funds for room and board expenses   | The former ILP prohibited the use of funds for room and board expenses.  | States can decide how to define room and board and are able to use up to 30 % of program funds for room and board for youth who have left foster care because they reached age 18 but not 21.   |
| Medicaid   | No provision.  | States have the option to extend Medicaid coverage to youth ages 18–21 who were in foster care on their 18th birthdays and encourages states to extend such coverage.   |
| Limit on youth assets  | \$1000 asset limit in order to remain eligible for foster care funded by Title IV-E.   | Youth are allowed up to \$10,000 in assets to remain eligible for Title IV-E funded foster care.  |
| Use of funds for training  | Did not require states to use Title IV-E funds for staff and/or adoptive and foster parent training.   | Title IV-E funds must be used to provide training for foster parents, adoptive parents, workers in group homes, and case managers to understand and address the issues faced by youth transitioning to adulthood.                         |
| Requirements for contact and collaboration in the planning and implementation of the program | Did not contain a provision to ensure wide contact and/or collaboration in the development and/or implementation of independent living programs.   | Each state must certify in its multi-year plan that public and private organizations, other federal and state programs for youth, and each Indian tribe in the state have been consulted regarding the implementation of the program.     |

| PROVISION   | FORMER INDEPENDENT LIVING INITIATIVE   | CHAFEE INDEPENDENCE PROGRAM   |
|---|--|---|
| Provision for Indian children                                 | No provision.  | States must demonstrate that independent living services are made available to Indian children on the same basis as all other children in the state.  |
| Program funding   | The former ILP was funded at \$70 million.   | Funding has increased to \$140 million, and no state shall receive less than \$500,000 or its 1998 allotment, whichever is greater. The funding remains a capped entitlement.   |
| Match requirement   | No match was required up to \$45 million. A 50 % state match was required for amounts exceeding \$45 million.  | Each state must provide a 20 % match, cash or in-kind, for the total amount of funding received.  |
| Allocation formula  | The allocation formula was based on the number of children in Title IV-E funded foster care in 1984.   | The allocation formula is based on the proportion of children in both Title IV-E and state-funded foster care for the most recent fiscal year.  |
| Evaluation and outcome measures                               | The former ILP did not address outcome measures. States were required to report annually to the U.S. Department of Health and Human Services, but no funding was specified for program evaluation. | The U.S. Department of Health and Human Services, in consultation with federal, state, and local officials, youth service providers, advocates and researchers, is required to develop outcome measures to assess state performance of independent living services and their effectiveness. |
| Funding for evaluation, outcome measures, and data collection | No provision for funding of evaluation. States were required to report annually to the DHHS.   | One and one-half (1.5) percent of authorized program funds is to be used for evaluation, technical assistance, performance measurement, and data collection.  |
| Penalty for noncompliance                                     | No provision.  | Penalties shall be imposed regarding non-compliance with data reporting requirements or the misuse of funds.  |

- make every effort to coordinate Chafee Independence Program funded activities with other federal and state programs for youth (e.g., Transitional Living Programs, abstinence education programs, local housing programs, and school-to-work programs);
- consult with each Indian tribe in the state about the activities to be carried out under the plan, coordinate the programs with tribes, and make the programs' benefits and services available to Indian children in the state on the same basis as other children;
- ensure that youth participate directly in planning their own independent living activities and accept personal responsibility for living up to their parts of the program; and
- establish standards and procedures to prevent fraud and abuse in the programs carried out under the plan and enforce them.

See Public Law 106–169, Title I, Sec. 477(b)

## Services Provided in Collaboration with State Initiatives and Other Public and Private Agencies Serving Youth

By fiscal year 1996, the majority of states reported contracting out “some” ILP services; approximately 40% contracted out “most or all” ILP services to public and private agencies (U.S. DHHS, 1999). The Chafee Independence Program requires that states must, in their multi-year plans, describe how they will “involve both the public and private sectors” in independent living programs (NFCAP, FAQ I, 2000).

Under the former ILP, states could contract ILP services to private nonprofit organizations; the Chafee Independence Program allows states to contract services to both for-profit and nonprofit organizations (NFCAP, FAQ I, 2000). Examples of organizations contracted to provide independent living services are educational institutions, employment training agencies, health care providers, faith-based organizations, juvenile justice agencies, housing services, private businesses, public social services, mental health providers, and substance abuse prevention agencies (U.S. DHHS, 1999; GAO, 1999).

In order to maximize funding for young people, funds from the Chafee Independence Program cannot be used to substitute or take the place of any other funds already being used for the same

general purposes in the state (NFCAP, FAQ I, 2000). In a state's multi-year plan, the chief executive officer must certify that the state will make every effort to coordinate state programs receiving funds with other federal and state programs for youth (especially transitional living youth projects funded under part B of Title III of the Juvenile Justice and Delinquency Prevention Act of 1974), abstinence education programs, local housing programs, programs for disabled youth (especially sheltered workshops), and school-to-work programs offered by high schools or local workforce agencies (Pub. L. No.106-169, sec. 477).

Services offered in independent living programs have included educational assistance, vocational training, daily living skills, money management, career planning, individual and group counseling, and interpersonal and social skill development. Independent living services have also included training on how to locate housing and maintain a household. Many independent living services can be coordinated with other federal, state and tribal organizations, and programs that provide similar services for youth.

## Transitional Living Programs

States are required to certify that they have made every effort to coordinate independent living services with Transitional Living Programs for Homeless Youth (TLP), authorized by 1998 Amendments to Title III of the Juvenile Justice and Delinquency Prevention Act of 1974 (ACF, DHHS, 2000).

The purpose of the TLP is to help homeless youth, ages 16 through 21, make a successful transition to self-sufficient living and avoid long-term dependency on social services. The Family and Youth Services Bureau (FYSB) funds local agencies that provide young people with comprehensive services in a supervised living arrangement for up to 18 months ([www.acf.dhhs.gov/programs/fysb/programs/pgm\\_tlp.htm](http://www.acf.dhhs.gov/programs/fysb/programs/pgm_tlp.htm)).

Most local agencies operating a TLP offer multiple services to youth (ACF, DHHS, 2000). Funding for a TLP is awarded by the FYSB through competitive 3-year grants (ACF, DHHS, 2000). Over 75 TLP projects were funded in fiscal year 1998 (ACF, DHHS, 2000). For more information or technical assistance regarding TLPs, refer to the list of resources at the end of this document.

## Provisions for Indian Tribes and Benefits to Indian Children

The Chafee Independence Program requires in Section 477(b) "a certification by the chief executive officer of the state that each Indian tribe in the state has been consulted about the programs to be carried out under the plan; that there have been efforts to coordinate the programs with such tribes; and that benefits and services under the programs will be made available to Indian children in the state on the same basis as to other children in the state."

In fiscal year 1996, under the former ILP, only one-third of the states reported including any

form of cultural awareness activity in their independent living programs (U.S. DHHS, 1999). Under the Chafee Independence Program, Indian tribes have an opportunity to consult with state governments regarding the independent living programs and services the state will provide. The potential benefits to Indian children served by state and tribal foster care systems are independent living services that are culturally sensitive, culturally appropriate, and suited to the special needs of Indian children. However, these benefits will only be realized through meaningful discussion and collaboration involving tribal and urban Indian programs.

Collaboration with states may also result in more community-based services for Indian youth living both on and off Indian lands. Potential barriers to effective service delivery can be identified, and responses developed that include tribal governments or urban Indian organizations as full partners in the design and development of services. Many of these potential barriers, such as program accountability, jurisdiction, or cost allocation have been successfully addressed in other tribal/state collaborations. The collaboration process itself can also help states and tribes uncover untapped resources to assist recruitment efforts targeting Indian youth. Understanding the needs for accessibility and culturally appropriate services and assessment tools can benefit Indian children, and children in rural communities, as well as children from other cultural and ethnic backgrounds.

# How Culturally Appropriate Independent Living Services Can Meet the Needs of Indian Youth

For Indian children, “minority status, fewer economic and educational advantages, and cultural differences add to the difficulties and transition to adulthood” (Berlin, 1986). Additionally, Indian children need to learn living skills that are culturally sensitive and applicable in their tribal communities as well as in mainstream America.

The U.S. Department of Health and Human Services has recommended that states address the needs of special populations that include “conduct assessments within states to identify the specific needs of various sub-populations of youth; increase outreach to mentors from the same racial/ethnic backgrounds as youth in care; provide training to ILP staff in cultural competency and integrate more formal cultural awareness activities in to ILP services; and continue to build substance abuse prevention/intervention activities as part of ILP services” (1999). Sub-populations of youth include minorities, teen parents, youth with substance abuse issues, and youth with disabilities (DHHS, 1999). Indian youth will often be included in many of these special population categories. For example: Research has shown that, compared to the general population, Indian youth have higher rates of depression (U.S. Congress, Office of Technology Assessment, 1996); higher rates of suicide (May, 1987); higher rates of anxiety disorders (U.S. Congress); and higher rates of alcohol and substance abuse (Beauvais, Oetting, Wolf, & Edwards, 1989; May 1989).

45 % of Indian mothers have their first child when they are under the age of 20, compared to 24% of mothers of all races (Indian Health Service, 1997).

Indian youth drop out of school at higher rates than the general population (U.S. Congress, OTA, 1996). The urban drop out rate for Indian youth is 45 to 85%, with most youth leaving school between grades eight and nine (NADC). The drop out rate for reservation and boarding schools is close to 50% (NADC).

Indian youth engage in moderate to heavy alcohol or drug use at a rate of 52% for urban Indian youth and 80% for reservation youth, as compared to 23% of their urban, non-Indian counterparts (U.S. Senate Select Committee on Indian Affairs, 1985).

12.5 out of every 1,000 Indian children are placed in substitute care, compared to 6.9 out of every 1,000 children from all races (Child Welfare League of America, 1996).

The U.S. Department of Health and Human Services has reported that data from states suggest that as many as one-third of all the youth eligible for independent living services from 1987–1996 did not receive services (DSHS, 1999). Although Indian youth, as evidenced above, face high risks of falling into multiple special needs categories that can be served by independent living programs, Indian children comprised less than one

percent of youth served by independent living programs in fiscal year 1996 (U.S. DHHS, 1999).

Because of inconsistencies in data reporting and non-standardized reporting formats under the former ILP (DHHS, 1999), it is not possible to determine the number of Indian youth eligible but not receiving services. However, it will be important for tribes to collaborate with states to develop ways to identify the numbers of eligible Indian youth and measure service delivery to Indian youth under the Chafee Independence Program. Tribes may also want to consider the development of internal data collection methods and methods for accessing state databases to measure the ongoing needs for serving their Indian youth in state and/or tribal independent living programs.

Clearly, independent living services can benefit Indian youth as they transition from adolescence to adulthood. Tribes and other organizations serving Indian youth will need to identify what services will best serve Indian youth, how they would like to see the services delivered and collaborate with states to insure positive outcomes for Indian youth.

## Needs Assessment Strategies

Programs will need to consider the cultural needs of Indian youth and offer life skills curriculum that incorporates the transition to adulthood in a context supporting Indian cultural norms and values, “Even when Indian families move to the

city, the cultural norms of extended family living greatly influence help-seeking behavior, and people turn to their relatives first for help” (Cross & Ollgaard, 1999). Because independent living services are designed to help youth make a successful transition from foster care to adulthood, the services need to be delivered in ways that incorporate cultural values and needs in order to be successful.

One important component of this needs assessment may be the definition of independent living for Indian communities. State and county programs may be using definitions and services that do not mesh well with the values of specific Indian communities, whether in regards to the determination of what is considered a successful transition for Indian youth or how the services are actually provided. The term “Independent Living” may not accurately or adequately describe the essence of what Indian communities hope to achieve with their youth. These questions, and their answers, form the foundation from which a more effective and accessible network of services can be developed for Indian youth.

Effective planning requires that all those individuals and agencies that have a role in the lives of youth play an active role in helping provide information and plan for services. Information becomes a critical component in understanding more about the needs of Indian youth, especially given the limited amount of information currently available and the unique characteristics of the Indian youth population. Service providers will

need to be especially focused on collecting information from important sources in the Indian community, such as elders, parents/parent groups and youth. Information collected from a variety of sources, existing or new, will increase the ability to plan for culturally appropriate and accessible services for Indian youth.

The provisions of the Chafee Independence Program give all tribes an opportunity to participate in collaboration with states in the development of programs and services that are meaningful to Indian youth, their families, and tribal communities. In addition, urban Indian communities and organizations should also be able to participate with states in the planning for and delivery of services to Indian youth in urban settings. Tribal and urban communities can evaluate the needs of their youth by first reviewing any data they have available and then supplementing this existing data with new information gleaned from key informant interviews, surveys or focus groups with other service providers, groups, and individuals. The questions asked will often determine where to get this information, but some suggested sources could include:

- schools (teachers, counselors, and special education staff)
- parents and parent groups
- church or spiritual leaders
- mentoring programs for youth (i.e. Big Brothers and Big Sisters)

- housing programs
- elders
- tribal councils
- foster care service providers
- youth (in and out of foster care)
- juvenile delinquency programs
- juvenile courts
- tribal or Indian Health Services Health Clinics (including physical and mental health)
- recreation and sports programs for youth (i.e. Boys and Girls Clubs)
- community social and cultural events sponsors or coordinators
- homeless and runaway youth service providers
- employment and training programs for youth and adults
- bureau of Indian Affairs Social Services programs
- child welfare and foster care programs
- state or county independent living or transitional services programs

Some suggestions of needs assessment questions for tribes and urban Indian communities are:

1. What independent living programs and services are currently available?
2. Are the programs and services culturally and ethnically diverse?
3. How many Indian children are currently being served?

4. How many Indian youth have received the existing independent living services? Did the youth find the services beneficial?
5. How many Indian youth currently need independent living services?
6. What programs and services are available for rural Indian youth? Are they accessible?
7. What programs and services are available for urban Indian youth? Are they accessible?
8. What is the projected need for independent living services in the coming years?
9. What additional or new services are needed for youth in tribal foster care?
10. What additional or new services are needed for Indian youth in state foster care?
11. What methods are currently in place to recruit and retain Indian youth for participation in independent living programs?
12. What methods are currently in place to recruit and retain Indian staff for independent living programs?
13. What types of services will address the specific needs of Indian youth transitioning to adulthood from foster care? (For example, education, training, employment programs)
14. What services can be provided by the Indian community? Does the tribe want to collaborate to develop a community-based program?
15. How many Indian youth are living in urban areas? What services do they need?
16. What opportunities are there for tribes and Indian communities to be involved in planning for the Chafee Independence Program?

It is critical for Indian communities to assess whether independent living services can be successfully provided for Indian youth within established programs and/or whether new programs or services will need to be developed. Indian communities will need to evaluate their desire and capacity to contract to provide services in the community or partner with existing providers (state, county, or private) to improve services to Indian youth.

The needs assessment process will provide answers that will benefit Indian communities and Indian youth by providing a greater understanding of the need and availability of services. It can also provide a foundation when collaborating with states to develop successful, accessible, and culturally competent independent living programs. The collaboration process may include the development of community-based independent living programs and/or the enhancement of existing state or county administered programs.

Tribes and organizations serving Indian youth can consult with Indian youth in foster care, families, and communities to determine goals for programs to accomplish, examine the relationship of the program and life skills curriculum to the larger community (DHHS, 1994), and develop meaningful outcome measures.

Independent living services should be combined with as many other youth-serving programs as possible in order to maximize funding and effec-

tiveness. Tribes can identify tribal programs, services, and other organizations serving Indian youth to participate in collaboration with states. Indian communities have consistently measured success in such collaboration with other programs to build new services when “caring, informed, and active individuals help find and build on solutions and resources already available in their communities” (Cross & Ollgaard, 1999). The skills that Indian communities have developed in networking for resources and community partnerships will benefit all youth when brought forward during the collaboration process.

## Recruitment and Retention

Under the former ILP and also the Chafee Independence Program, enrollment in independent living services is voluntary; therefore, developing recruitment and retention strategies for Indian youth deserves special attention. In fiscal year 1996, 81% of states reported including some form of outreach and recruitment in their independent living programs (DHHS, 1999).

Examples of recruitment methods include mass mailings, flyers, newsletters, videotapes, home visits, presentations, and dialogue with other public agencies and community partners (DHHS, 1999).

Indian communities will need to consider what types of recruitment methods will be effective for Indian youth. It will be important to examine the

effectiveness of recruitment efforts for youth in tribal foster care, state foster care, urban settings, rural communities, and trust lands. Outreach and recruitment efforts will be most effective for Indian children if they are compatible with cultural values and recognize the child’s relationship to the tribe and extended family. Resources for recruiting Indian youth will also need to include community programs and resource people in order for efforts to be successful.

## The Use of Assessment Tools

Tribes should consider the level of cultural sensitivity in any tool that is used to measure the life skills level of Indian children. As states begin to incorporate more intangible life skills in independent living programs (DHHS, 1999), it will be particularly important for tribes to consider what life skills assessment tool is being used to measure the strengths and needs of Indian children transitioning from foster care to self-sufficiency. Skill strength and development in areas such as communication, conflict resolution, and decision-making should be measured in an appropriate cultural context, in addition to the development of tangible skills.

In order to develop independent living plans for youth, at least 40% of states reported using a version of the Daniel Memorial Assessment for Life Skills tool by fiscal year 1996 (DHHS, 1999). For more information regarding the Daniel independ-

ent living skills assessments, see the additional resources at the end of this document.

The Ansell-Casey Life Skills Assessment (ACLSA) “was designed to provide practice-relevant information, produce data rigorous enough and useful for outcomes research, and be as free as possible from gender, ethnic, and cultural biases” (www.casey.org). The ACLSA measures life skill areas such as relationships, communication, emotional well being, self-awareness, decision-making, career planning, employment, work skills, study skills, values, rights and responsibilities, money management, and transportation. For more information regarding the ACLSA, see the additional resources at the end of this document.

Tribes and other organizations serving Indian youth may also consider developing life skills assessment tools that meet specific needs of Indian youth. Depending on the projected number of children who will be served in a particular area or by a specific program, it may be useful to examine the existing life skills assessment tools available and explore ways of enhancing those tools to be culturally sensitive to the needs of Indian youth. There may also be benefits to considering the development of a life skills assessment tool specifically for Indian youth.

## Issues to Consider During the Collaboration Process

Reports from the U.S. Department of Health and Human Services (1999) and the General Accounting Office (1999), reviewing data reported by the states over the decade of services delivered under the former ILP from 1987–1996, identified multiple barriers to delivering independent living services and outlined recommendations for improvement (DHHS, 1999). Many of these recommendations were addressed with the passage of the Foster Care Independence Act of 1999 and the Chafee Independence Program.

States have a decade of experience delivering Title IV-E independent living services. In developing established independent living programs, states have identified problem areas that are not directly answered by the new legislation such as staff turnover, transportation problems, lack of service coordination, shortages of mentors/volunteers, limited involvement of foster parents, lack of employment opportunities, scarcity of housing and supervised living arrangements, and the lack of affordable education services (DHHS, 1999).

Tribal governments need to be aware of these potential system barriers when considering what independent living programs and services will successfully attract and serve Indian youth. While states are mandated to contact and collaborate with tribes, other agencies and organizations

serving Indian youth in urban areas, tribal partners, and youth alumni should also be invited to collaborate.

During the collaboration process, it is recommended that tribes and states:

- Build on established relationships between tribal and state officials.
- Identify the appropriate contacts. State program contacts will need tribal representatives to keep them informed during the collaborative process. Be clear about the authority you have in decision-making, and identify the tribal leaders that will need to be involved in the collaboration process.
- Commit to the consultation process. Tribal social service managers/directors will need to coordinate needs assessments and engage with state contacts in the meetings for program development and the delivery of services. Tribal leaders will need to engage with state officials in the collaboration on a government-to-government level.
- Communicate and respond to requests for information. Seek information from state Independent Living coordinators.
- Arrange for face-to-face meetings, when possible. Also utilize telephone contact and correspondence between the appropriate people.
- Be proactive and actively participate. Bring suggestions and solutions when you can. Ask questions.

“In all cases concerning the management of programs in and provision of services to tribal communities, both tribal and state capacities for program administration, tribal rights to self-govern, and available state assistance should be considered” (National Conference of State Legislatures, ([www.ncsl.org](http://www.ncsl.org))). Tribal social service representatives will need to work toward developing accessible and culturally appropriate services for Indian youth and also facilitate the government-to-government collaboration process that will be necessary to implement the programs and/or services developed.

As states and tribes have started to collaborate, issues of concern and questions have surfaced regarding the consultation process and how to meet the new requirements of the Chafee Independence Program. Examples follow.

- What constitutes consultation with tribes by states?
- What are effective strategies for states to encourage and obtain participation from tribes and Indian youth in the planning process?
- What data is available to identify the needs of Indian youth?
- Are Indian youth in tribal custody and/or in tribal foster care eligible for state independent living services?
- Will set-aside funding to tribes meet the needs of Indian youth? Will this method of collaboration affect tribes requesting state-delivered

services to Indian youth? Will this method of collaboration affect services to urban Indian youth?

- How do tribal/state Title IV-E agreements (the presence or absence of) affect the collaboration process and insuring equitable access to services for Indian youth?
- What is being done to address the needs of Indian youth living in urban areas? How is this different or the same for Indian youth living on tribal lands?
- How can states identify and collaborate with tribes and Indian organizations in states without federally-recognized tribes to meet the requirements of providing accessible services to Indian youth?
- If tribes want to provide community-based services to Indian youth, what options are available?
- What does equitable access to services mean for states serving tribal youth? How will equitable access be evaluated?
- Are models for culturally relevant services, outreach strategies, or assessment tools for Indian youth available? How will they be developed?
- How do we go beyond the law's requirements to develop more seamless, accessible services for Indian youth?
- Where can states and tribes find technical assistance in the planning process and developing services?

Two state requirements that have become of significant interest to tribal representatives are that states are required to give all interested members of the public no less than 30 days to comment on their plan and that plans already submitted may be amended. States that are considering set-aside funding to tribes with tribal/state Title IV-E agreements must also demonstrate their compliance with the provision to "use objective criteria for determining eligibility and ensure fair and equitable treatment under the program," while providing equitable access to all Indian youth in the state (Pub. L. No. 106-169, sec. 477).

The resolution of many of these challenges will eventually come from the work that states and tribes put forth to increase services to Indian youth. Additional help should also come from the federal, central, and regional offices of the Administration for Children and Families. Previous collaboration efforts between tribes and states on other child welfare services should also provide some guidance on the advantages and challenges of this particular process. For assistance in identifying state independent living contacts and regional ACF independent living contacts, please see the resources for technical assistance at the end of this document.

# Conclusion

Initial contact with tribes regarding the Foster Care Independence Act of 1999 and the John H. Chafee Foster Care Independence Program indicates that tribes are largely unfamiliar with independent living services funded under Title IV-E of the Social Security Act. The new state requirements regarding services to Indian youth and contact and consultation with tribes (Pub. L. No. 106-169, sec. 477) represent an opportunity for tribes and other organizations serving Indian youth to contribute to the development and, in some cases, the delivery of culturally appropriate, successful independent living programs and services.

By examining the evolution of independent living services and the provisions of the Chafee Independence Program, tribes and other organizations serving Indian youth can more effectively collaborate with states to develop accessible independent living programs. As states, tribes, and urban Indian communities begin collaborating regarding the Chafee Independence Program, new relationships are being established. Tribal and urban Indian community representatives will need to be assertive when working with the states to protect the interests of Indian youth, as outlined in the provisions of the program. Ultimately, it is the tribes who must determine if the provisions are being met.

We are supporting research in tribal data collection, information technology, and access to independent living services. We are continuing to identify effective models of collaboration

strategies and culturally appropriate programs and/or services as tribes work toward accessing independent living services for Indian youth.

The National Resource Center for Youth Services (NRCYS) is available to states and tribes for technical assistance and is working with tribes in Oklahoma and New Mexico to develop an independent living curriculum that is culturally appropriate for Indian youth. The regional office for the Administration for Children and Families is the resource to contact if you would like to request technical assistance from NRCYS.

It is our hope that this document provides you with useful information about the history of independent living services and the provisions for Indian youth as you begin the process of collaboration with states in the development of independent living programs.

For more information and/or technical assistance, you may refer to the resources listed at the end of this document. This document is available online at [www.nicwa.org](http://www.nicwa.org) and [www.casey.org](http://www.casey.org). For additional copies, please contact the National Indian Child Welfare Association.

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## Resources for Technical Assistance

### **John H. Chafee Foster Care Independence Program:**

**National Resource Center for Youth Development/  
National Resource Center for Youth Services**  
4502 E. 41st Street  
Building A West  
Tulsa, OK 74135  
918-660-3700  
www.nrcys.ou.edu

### **The National Indian Child Welfare Association**

5100 SW Macadam, Suite 300  
Portland, OR 97201  
503-222-4044  
www.nicwa.org

### **National Independent Living Association**

4203 Southpoint Boulevard  
Jacksonville, FL 32216  
904-296-1038  
www.nilausa.org

### **Child Welfare League of America**

440 First Street, NW, 3rd Floor  
Washington, DC 20001  
202-638-2952  
www.cwla.org

## Additional Resources

### **Casey Family Programs, Headquarters**

1300 Dexter Avenue North  
Seattle, WA 98109  
202-282-7300  
www.casey.org

### **daniel**

4203 Southpoint Blvd.  
Jacksonville, FL 32216  
904-296-1055  
www.danielmemorial.org

### **National Clearinghouse on Families and Youth\***

PO Box 13505  
Silver Spring, MD 20911  
301-608-8098  
www.ncfy.com

### **National Youth Development Information Center**

1319 F Street NW, Suite 601  
Washington, DC 20004  
202-347-2080  
www.nydic.org

### **Family and Youth Services Bureau\***

PO Box 1182  
Washington, D.C. 20013  
www.acf.dhhs.gov

### **Benton Foundation**

Connect for Kids  
950 18th Street, N.W.  
Washington, D.C. 20006  
202-636-5770  
www.connectforkids.org

\* Transitional Living Programs (TLP)

