

NICWA NEWS

Quarterly Newsletter • Winter 2024

The **LATEST
INSIDE**

ICWA Advocacy: Tribal
Leaders Setting Priorities





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The National Indian Child Welfare Association (NICWA) is a nonprofit, membership-based organization dedicated to the well-being of American Indian and Alaska Native children and families. Headquartered in Portland, Oregon, NICWA serves tribes, individuals, and private organizations throughout the United States and Canada by serving as the most comprehensive source of information on American Indian child welfare and acting as the only national Native organization focused on building tribal capacity to prevent child abuse and neglect.

Our Mission

The National Indian Child Welfare Association is dedicated to the well-being of American Indian and Alaska Native children and families.

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NICWA News is the quarterly newsletter for members and donors of the National Indian Child Welfare Association.

Membership is available in multiple levels starting at \$35.

For reprint requests, additional copies, or other information, contact us at info@nicwa.org



(Cover photo courtesy of the Portland Trail Blazers)

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Message from the Executive Director

Dear NICWA Members, Sponsors, Donors, and Friends,

This winter issue of *NICWA News* embraces the theme "ICWA Advocacy: Tribal Leaders Setting Priorities." At NICWA, we honor the vital role of elected and appointed leaders in setting direction for our advocacy. Tribal leaders bring perspectives that complement those of tribal child welfare directors, service providers, families and youth with lived experience, and other community leaders, spiritual leaders, and youth leaders. Additionally, tribal leaders have a unique role and responsibility regarding the well-being of their member children. They set the tone, hold the vision, pass the laws, and empower the systems that protect American Indian and Alaska Native children in their community.

As I've shared with you before, in the wake of the Supreme Court decision in *Brackeen*, so much advocacy to improve outcomes for Native children and their families is possible. We could put our energy into making many different policy and practice changes at the tribal, state, and federal levels. We also know that tribal and state child welfare are significantly underfunded. There is also much we could do to support and strengthen our workforce. We need to make some decisions about the top priorities we, as an advocacy community, want to move forward. We also need a longer-term strategic plan to guide our work for the next decade and beyond.

In this issue, you'll read about the tribal leader listening sessions we held in fall 2023 and the additional sessions we're hosting this year, including a session at our conference in Seattle in April. The session themes thus far are summarized in the center spread of this issue. We hope you'll join us at our final conference listening session to contribute your voice and perspectives to this work. At our closing conference plenary panel, you'll hear more about how we're moving forward with our advocacy and communications work. The priorities that we unify around will be reflected in a NICWA board of directors resolution, which we'll bring to the National Congress of American Indians Mid-Year Conference for national tribal leader endorsement in early June.

Together we can accomplish things that none of us can do alone. I look forward to sharing more about our growth, vision, key priorities, and the significant opportunities for us to work together to strengthen tribal nations, Native families, and children in the coming months.

With gratitude for your advocacy for Native children,

Sarah L. Kastelic

Sarah L. Kastelic, PhD (*Alutiiq*)



Title IV-B Reauthorization Provides Opportunities for Tribal Child Welfare Programs

Most federal child welfare programs require reauthorization by Congress every few years. The two Title IV-B programs that fund tribal child welfare services are the Stephanie Tubbs Jones Child Welfare Services Program and the Mary Lee Allen Promoting Safe and Stable Families Program. Both of these federal programs are up for reauthorization.

Reauthorization is an opportunity to increase the program's authorized funding levels and make other policy changes that can improve the program. Two bills introduced in Congress, the Tribal Family Fairness Act (H.R. 2762) and the Strengthening Tribal Families Act (H.R. 3461), can increase funding for tribes, streamline and improve program operations, and require the Department of Health and Human Services (HHS) to take a more active role in supporting the Indian Child Welfare Act's implementation. Each of these bills will be considered for inclusion in a larger Title IV-B reauthorization bill that Congress is expected to address this year. Tribal advocacy is needed to help increase congressional support for the bills and encourage their inclusion in a larger Title IV-B reauthorization bill this year.

[Tribal Family Fairness Act \(H.R. 2762\)](#)

This bill amends Title IV-B of the Social Security Act to increase the overall funding authorization to allow additional funding to increase the tribal set-aside and the number of tribes eligible to apply for the Title IV-B, Subpart Two program. Currently, the tribal set-aside for mandatory and discretionary programs is set at 3%. With the 3% set-aside, only 200 of the 574 federally recognized tribes are eligible to receive Title IV-B, Subpart Two funding. In order to be eligible to receive the funding, a tribe must be eligible under the statutory funding formula for at least \$10,000. The legislation proposes to increase the overall funding and increase the tribal set-aside to 4.5%, which would allow every tribe to receive a grant under the program. In addition, funding would be increased for the Tribal Court Improvement Program, which funds tribal courts to improve their juvenile court operations. The legislation would increase that funding from \$1 million per year to \$5 million per year if enacted into law.

The legislation addresses the reality that the current Title IV-B administrative reporting requirements for tribes, especially tribes receiving grants under \$50,000, are unreasonable. The current administrative requirements for tribes with smaller grant amounts are the same as those for states and tribes with larger grants. The bill proposes to streamline reporting requirements for tribes receiving grants under \$50,000 and allow tribes to use their federally

negotiated indirect rates with Title IV-B as with other HHS and Department of Interior programs. In support of permanent placements with Native children, the legislation also clarifies that tribes can use Title IV-B funding for tribal customary adoptions.

[Strengthening Tribal Families Act \(H.R. 3461\)](#)

This Title IV-B legislation addresses the need for HHS to improve its technical assistance to states and tribes to implement the Indian Child Welfare Act (ICWA) through data collection and the development of a technical assistance plan to help states and tribes collaborate on ICWA implementation. Currently, HHS works directly with states on child welfare matters but does not collect data on ICWA implementation and provides limited technical assistance to states and tribes on these issues. Better data is needed to help HHS improve its technical assistance and support tribes and states more effectively.

NICWA Recommendations for Tribal Nations

1. Contact your House of Representatives members and ask them to sign on as co-sponsors to these two bills and advocate for their inclusion in any Title IV-B reauthorization bill that will be developed by the House Ways and Means Committee this year.
2. Contact your Senators and ask them to advocate for inclusion of these two bills in any Title IV-B reauthorization bill that will be taken up by the Senate Finance Committee.

You can find contact information for your congressional representatives at www.congress.gov/members/find-your-member.

This will likely be the last opportunity to improve these programs for the next five years or more.

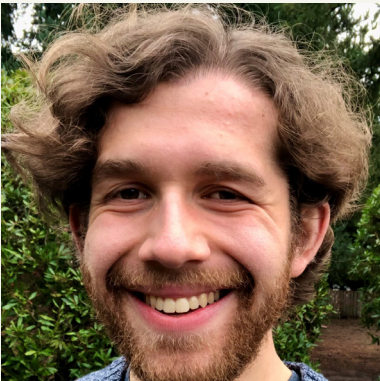
Please reach out to your congressional representatives soon.

Welcome New NICWA Staff!



Juan Carlos Archila
Operations Coordinator

Originally from Chicago, Illinois, Juan Carlos was drawn to Portland to pursue a bachelor's degree in Spanish and German at Lewis & Clark College. While there, he primarily studied language and culture and explored topics relating to global affairs and colonialism. Juan Carlos has also had the opportunity to live overseas in recent years, further fueling his curiosity and desire to understand the world and its many cultures. His previous work experience includes roles in office management, data entry, and project coordination. Juan Carlos is looking forward to further his understanding of Indigenous history and culture within the U.S. context, and he is excited to use his skills and interests to contribute to NICWA's mission and work.



Jake Birkel
Events and Training Project Coordinator

Jake started his nonprofit journey in high school as a member of Jewish youth philanthropy organizations. He graduated in 2022 with a BA in Sociology from Willamette University (WU). While at WU, he studied Oregon's complicated history with Indian boarding schools and the lasting effects left on tribes and institutions. Jake comes to NICWA with over a year of experience with child welfare training and advocacy, a passion for social justice, and a mission to help those with the ability to shape and improve local communities. He is an avid runner, baker, and writer and will never pass up an opportunity to talk about movies and TV.



Special Lovincey (*Confederated Tribes of Warm Springs*)
Development Communications Manager

Special joined NICWA in November 2023. Over the last decade, Special has excelled in communications, youth advocacy, political organizing, and program development for progressive nonprofits. She remains driven to support people-first policies and causes that keep racial, gender, and economic justice at the forefront. Special studied communications at Linfield University in Oregon and recently completed extensive nonprofit training at the Movement Communications Academy. Special is a member of the Confederated Tribes of Warm Springs and has Afro-descendant connections to Louisiana, a place she considers her second home.

Announcing a Promotion

Tara Reynon (*Puyallup*)
Senior Program Director

Tara Reynon was recently promoted to senior program director from her previous role as child welfare director.

In her new role, Tara will help chart the vision for NICWA's future programmatic and policy work, ensuring that NICWA's services are shaped by and responsive to the communities we serve. In this role, she supports the growing capacity and diverse work within NICWA's programmatic staff and consultants. Coming to NICWA almost two years ago with direct tribal child welfare leadership experience and expertise, Tara has served tribal communities for over 24

years. With her career dedicated to service to Native children and families, Tara's new role will lead to delivering high-quality and timely services while anticipating emerging trends and opportunities in the tribal child welfare field.

"I'm overjoyed to work shoulder to shoulder with Tara in evolving and integrating our programs to more effectively support tribes and produce better outcomes for Native kids and their families. She's a gifted leader and a real asset to our management team."

—NICWA Executive Director Sarah Kastelic

ICWA Advocacy: Tribal Leaders Setting Priorities

In September 2023, NICWA started a series of tribal leader listening sessions at national and regional meetings and conferences and will conclude with final sessions at the end of April 2024. Partnering with regional intertribal and statewide tribal organizations, we have engaged tribal leaders and tribal child welfare directors throughout Indian Country in identifying regional priorities for strengthening ICWA at the tribal, state, and federal levels. Looking across the sessions for common themes will enable us to identify national priorities, both now and for the long term.

"It was important to come together in California with tribal leaders, elected officials and thought leaders in child welfare to celebrate the Brackeen decision and to discuss how we can continue to harness the momentum of last year's landmark U.S. Supreme Court victory to advance ICWA across the nation as well as right here in California, where these matters are often elevated. Listening Sessions such as the recent California gathering offer an incredibly powerful opportunity for sharing advancements and perspectives on legislative and policy issues, and for reminding ourselves to remain focused and vigilant in the crucial work of protecting Indian children and families."

—Morongo Band of Mission Indians Tribal Chairman and NICWA Board Member Charles Martin



(Pictured left to right: NICWA Government Affairs Director David Simmons and NICWA President Gil Vigil)

Listening sessions were conducted at the Affiliated Tribes of Northwest Indians Annual Convention, United South and Eastern Tribes Annual Meeting, National Congress of American Indians Annual Convention, Bureau of Indian Affairs Tribal Providers Conference in Alaska, California Tribal Families Coalition virtual session with tribal child welfare directors, and California Tribal Families Coalition meeting with tribal leaders. This spring, additional sessions with tribal leaders and child welfare directors are being planned.

Below is an overall summary of the key themes from the listening sessions.

1 Improving Tribal Capacity and Supporting Tribal Practices

Tribes play an essential role in assisting states in ICWA implementation, yet tribal funding for child welfare is insufficient. Some of the critical tribal funding needs include equity in funding as compared to states, resourcing trauma-informed prevention services, providing for basic needs of families and caregivers, culturally specific training, community education on wellness, and sustained support for the tribal workforce.

Despite the deficiency in funding, Native families are best served by tribal nations. Tribal communities want cases transferred out of state court and to see examples of tribes leading the way in child welfare. Additionally, tribal leaders are interested in peer-to-peer collaboration and shared learning regarding tribal child welfare best practices and successful program policies.

2 Tribal-State Relationships and Child Welfare

A key priority for Native communities regarding tribal child welfare includes training for state agency and court personnel in ICWA implementation as well as how to work with tribes and tribal families.

Tribal leaders identified a need for improving tribal-state communication and better communication between child welfare workers and Native families. Tribes want to be consulted before decisions are made about families' cases and included in state child welfare planning. As part of improving the state's engagement with families, more training and resources for state workers and higher education programs that include coursework on ICWA, Native histories, and tribal sovereignty were also identified as a key approach to improving tribal-state relationships.

3

Federal Partners and Child Welfare

Tribal leaders want federal agencies to take on more responsibility for ICWA compliance and hold states accountable. Federal oversight could include data collection and financial penalties for state non-compliance. Additionally, tribes are concerned with limited federal funding and overly burdensome administrative reporting and application requirements. In addition to more direct funding to tribes, there is a need for increased funding for trauma-informed support and flexibility to use funding for culturally based services, prevention services, and tribal-preferred out-of-home placements for children.

4

Narrative Change

ICWA is the gold standard in child welfare practice and policy. An attack on ICWA is about more than a child welfare law, because ICWA's foundation is tribal sovereignty. There is a continued need for education on tribal histories and the present-day impact on Native communities. Tribal leaders identified the need to lift up successful examples of Native children and birth parents who have interacted with the child welfare system and training for tribes and tribal social workers on how to engage the media.

What's next?

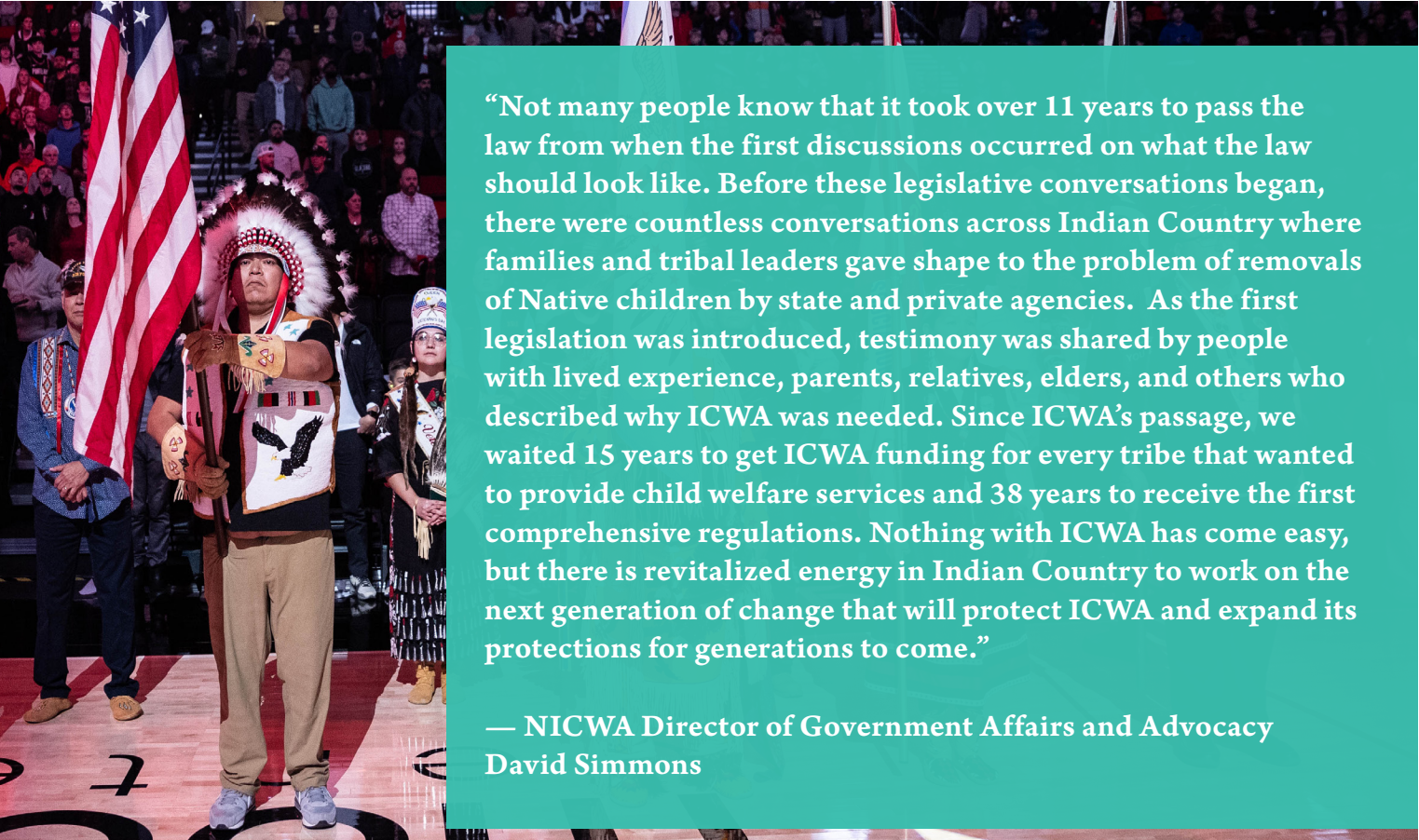
As part of NICWA's work to improve tribal capacity and inform ICWA policy priorities, we are creating a long-term strategic plan with Indian Country.

Since the Supreme Court upheld the constitutionality of ICWA in *Haaland v. Brackeen* last year, we have an unprecedented opportunity in NICWA's 40 years of advocacy. We have a chance to push further even more assertively to improve ICWA compliance and tribal nations' capacity to provide the high-quality child welfare services we know they can and want to provide.

Tribal leaders set the direction and tone for NICWA's advocacy work. Positioning tribal leaders to identify long-term priorities for improving ICWA's implementation affirms our commitment to leading with our value of tribal self-determination. The insight, experience, and expertise of tribal child welfare directors and frontline workers contextualizes and refines these priorities.

We are working towards a future where protections for Native children are expanded and strengthened and where tribal nations have equitable, flexible funding and the ability to Indigenize their programs.

This work was funded in part with support from Casey Family Programs.



“Not many people know that it took over 11 years to pass the law from when the first discussions occurred on what the law should look like. Before these legislative conversations began, there were countless conversations across Indian Country where families and tribal leaders gave shape to the problem of removals of Native children by state and private agencies. As the first legislation was introduced, testimony was shared by people with lived experience, parents, relatives, elders, and others who described why ICWA was needed. Since ICWA's passage, we waited 15 years to get ICWA funding for every tribe that wanted to provide child welfare services and 38 years to receive the first comprehensive regulations. Nothing with ICWA has come easy, but there is revitalized energy in Indian Country to work on the next generation of change that will protect ICWA and expand its protections for generations to come.”

— NICWA Director of Government Affairs and Advocacy
David Simmons

Systems Change Technical Assistance to Support Kinship Caregivers, Early Childhood Courts, and Tribal Child Welfare Workers

NICWA's community development work has been focused on creating partnerships with funders who support our work in developing and sharing needed resources across Indian Country.



One such partnership is with the Grandfamilies & Kinship Support Network (Network). In January, we rolled out a unique opportunity for one tribe or tribal organization to work with NICWA free of charge through the Bridging Systems for Kinship Families program. Beginning this May and over the course of two years, NICWA will support the selected community in improving collaboration across government systems and nonprofit service providers, addressing service barriers, and leveraging resources to maximize support for relative-caregiving families. To learn more about the Network and its work supporting relative caregivers, visit www.gksnetwork.org. To read more about the Bridging Systems for Kinship Families program, visit www.nicwa.org/latest-news/.

NICWA is also supporting a few new state partners with technical assistance on engaging tribes with Early Childhood Courts (ECC). An ECC is a therapeutic court framework that utilizes team approaches in addressing child welfare cases involving families with children under the age of three. NICWA is providing technical assistance to selected states and specific counties to increase effective tribal outreach with ECCs. In Washington State, NICWA is working with the Center for Children and Youth Justice and the Administrative Office of the Courts to provide technical assistance on methods of outreach, engagement, and collaboration with tribal communities. The goal is to support effective tribal engagement so that tribal communities can establish an ECC court in their community or partner with an established ECC in counties that serve tribal children.

To better understand other tribal technical assistance needs, NICWA will host several listening opportunities. In February, NICWA held the first of many bi-monthly peer-to-peer discussion groups for our members. Our program team will analyze information gathered at each session and developing resources, like webinars and updated training opportunities, to address common themes.

Finally, in April, at NICWA's annual conference, we're holding a workshop session inviting our community of NICWA members to share information with NICWA leadership as an open conversation. NICWA members will have the opportunity to share their experiences and the needs of the tribal child welfare workforce. We will use the information shared to inform our ongoing advocacy and curriculum development.

Our team is excited to collaborate with tribal communities and partners and to build resources that can help tribal programs strengthen their internal capacities and meet their individual needs.



(Pictured: NICWA staff and Suquamish Integrated Victim Services Program staff)

Supporting Relatives as a Resource for Native Children and Families

Encountering the child welfare system can be scary and uncertain for everyone in the family. During times of need, relatives often step in to care for their families, both as support to the child's parents and as a placement resource for the child when safety is a concern. While relatives provide care with open arms, they face hurdles, including differential treatment, trying to navigate complicated systems while at the same time caring and advocating for children who are experiencing trauma and loss.

Relatives must have access to information, guidance, and resources that support their unique experiences and roles in family safety and healing.

NICWA recently published two new resources for tribal child welfare programs as part of the Grandfamilies & Kinship Support Network (Network). NICWA is pleased to share a tip sheet that tribal service providers can share with relatives seeking to become a caregiver and/or advocate for a minor relative child in out-of-home placement. [How Relative Caregivers Can Advocate for Relative Native Children in State Child Welfare Agency Custody](#) walks relative caregivers through the key decision points of the child welfare system, offering tips that relatives can use to advocate for their relative children.

Recognizing the need for tribal child welfare policies that honor and support the integrity of extended family systems, NICWA also published [Policy Issues Overview: Kinship Services in Child Welfare](#) and [Guidance for Policy Language: Kinship Services in Tribal Child Welfare](#), a two-part policy toolkit to support the development of tribally-specific child welfare policy that engages extended families in services and supports relatives who step into caregiving roles. [Part one](#) examines several issues that tribal child welfare programs might want to consider in drafting policies and procedures to support relative caregivers. [Part two](#) provides policy guidance and sample trauma-informed language to support the development of tribally driven child welfare policy that addresses the issues outlined in part one.

NICWA looks forward to another year of partnership with the Network to elevate relative caregiver voices, build upon relatives' strengths as an integral part of the natural support system, and promote steadfast support for relatives so that Native children can grow up safe, healthy, and connected to their family, community, and culture.



ICWA Compliance: A Summary and Review

[ICWA Compliance Summary and Review of Existing Literature](#), a NICWA policy brief, documents what research and tools exist and identifies the gaps in the existing research regarding compliance with the Indian Child Welfare Act (ICWA). Based on a comprehensive literature review, this brief provides:

- A systematic review of existing studies on ICWA compliance, including the implementation and effectiveness of ICWA.
- Proxy data for ICWA compliance.
- A summary of checklists, methods, and frameworks for measuring ICWA compliance.

This report concludes that studies on ICWA compliance are limited, and data are not current. Recommendations for future ICWA compliance studies include expanded local studies directly examining ICWA compliance as well as considering the potential risks and benefits of expanded regional or national data collection of tribal child welfare system data for additional meaningful information on ICWA compliance. Another recommendation is to directly partner with tribal nations in a community-based participatory research methodology to investigate ICWA compliance. The brief emphasizes the federal oversight gaps regarding ICWA compliance and the need to provide a reliable framework and support for regular data collection and review of state agencies' and courts' ICWA compliance.

Trainings and Resources



Bring a NICWA Training to Your Community

NICWA offers an array of on-site trainings to tribal, state, and community-based child welfare organizations nationwide. Whether your organization wants to learn the basics of the Indian Child Welfare Act or how to support Native parents utilizing our popular “Positive Indian Parenting” curriculum, NICWA will work with you to bring an experienced and passionate trainer to your team. Our curricula empowers staff to support families effectively and build community capacity. By bringing training directly to the community, NICWA ensures broader participation and consistency in subject matter knowledge.

NICWA is currently scheduling community-based trainings for the spring season and beyond, so reach out today to start planning your training. Some of our most popular topics include:

Positive Indian Parenting

This three-day training is designed to prepare tribal and non-

tribal social services staff and community members to train Native parents using a culturally specific approach. Through this train-the-trainer model, participants receive instruction in how to conduct parent training and instruction in parenting approaches and practices. The training materials draw on the strengths of historic Native child-rearing practices and blend traditional parenting values with contemporary skills.

Working with Substance-Abusing Families

This multi-day training provides an overview of working with substance-abusing families from the perspectives of direct service and systems collaboration. Participants will learn how to address this issue and how systems collaboration can make successful outcomes possible.

Reach out to NICWA’s Training Manager Allie Brady via email at Allie@nicwa.org to learn more about Positive Indian Parenting, Working with Substance-Abusing Families, and a variety of other topics.

Protecting Our Children Conference Goes Hybrid

For over 40 years, NICWA’s annual Protecting Our Children Conference has been a gathering for social workers and practitioners across Indian Country to come together and explore topics addressing tribal child welfare and Native child and family well-being. We expect over 1,600 people to gather this year in Seattle, Washington, from April 7–10.

While we love seeing everyone in person, we are going hybrid for the first time in the conference’s 42-year history. In addition to all the tremendous in-person programmatic options, you can participate live from your home, workplace, or wherever you are. The conference’s general sessions will be broadcast

live for virtual attendees to watch daily. Attendees can watch live or watch the recordings for up to 60 days after the conference ends. So, even if you can’t travel to Seattle, you can still be with us virtually. We are excited to offer access to the keynote panels covering the decolonization of tribal child welfare, conversations with Native youth with lived experiences, traditional healing methods for youth, and learning what’s next in NICWA’s advocacy work after the recent ICWA Supreme Court case.

Virtual registration is just \$75 and gives you access to three great general sessions. Learn more and register today at www.nicwa.org/conference.

Announcing NICWA's 2024 Grand Prize Sweepstakes



NICWA is proud to announce this year's grand prize sweepstakes. Aligning with the 42nd annual Protecting Our Children hybrid conference, we welcome any and all eligible participants to enter, so please share the link with your friends and family. Our sweepstakes raises mission-critical funds that support our work to mobilize Indian Country, strengthen ICWA implementation, and protect tribal sovereignty.

Enter to win by scanning the QR code below or visit:
bit.ly/NICWASweepstakes.



SCAN ME

Scan the QR code with your cell phone to enter to win and learn more about our 2024 grand prize sweepstakes.

Enter to win The Hawaiian Getaway for Two Sweepstakes!

Dreaming of your next vacation? Here is your chance to win our 2024 grand prize trip for two to Hawaii! Enjoy a room with an ocean view at the Hilton Hawaiian Village Waikiki Beach Resort during your four-day, three-night stay in Waikiki. Two round-trip tickets on Alaska Airlines will get you there to experience everything Hawaii has to offer. Take advantage of

the grand prize expense-paid attractions as you visit the island of Oahu. Don't wait. Secure your sweepstakes tickets today!

Try Your Luck for a Chance to Win a Microsoft Surface Pro 7+

All participants will also be entered to win our runner-up prize of a Microsoft Surface Pro 7+ donated by Eaglesun Systems Products. The Surface Pro 7+ transforms from tablet to laptop, making it a great piece of tech to take with you wherever you go. This high-performance digital canvas features a beautiful 12.3-inch touch display, up to 15 hours of battery life, and comes with a Surface Pen, keyboard, and a laptop protective sleeve.

Enter to Win the Grand Prize Sweepstakes Online

The 2024 NICWA Grand Prize Sweepstakes will close on April 23, 2024, 11:59 p.m. Pacific Time. Entries are \$10 each. To view the full rules and enter to win, visit:
bit.ly/NICWASweepstakes.

A special thank you to our grand prize sweepstakes donors: Alaska Airlines, Hilton Hawaiian Village Waikiki Beach Resort, and Eaglesun Systems Products.





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National Indian Child Welfare Association 2024–2025 NICWA Training Institutes

June 2024

Portland, OR

- Qualified Expert Witness
- Positive Indian Parenting
- Child Protection Teams in Indian Country

February 2025

Location TBD

- Understanding ICWA
- Cross-Cultural Skills in Indian Child Welfare
- Positive Indian Parenting

September 2024

Anchorage, AK

- Working With Substance-Abusing Families
- Positive Indian Parenting
- Tribal Customary Adoption

April 2025

Orlando, FL

- Positive Indian Parenting
- Understanding ICWA

Virtual Trainings

July, September, and October 2024

