

February 5, 2013

Tribal State Collaboration Group

Co-chairs: Francine Eddy-Jones and Christy Lawton

Welcome & Check-In

Welcome from Francine, OCS, Region X, OPA Rick Allen, Marion Hallum.

Introductions

Guiding principles: read by Christy

State Caucus Report Out- Christy Lawton

1. Welcoming new ICWA staff
2. Out of preference placement reviews- what is required, what is in policy, what is in T/S agreement. OCS will go into conversations regarding out of preference placements with an open mind, and will enter the discussion collaboratively to talk about how to get children into preference placements.
3. Went over the draft policies that are out as the result of the Tanana decision. OCS issued Program Instructions, until policies were changed to reflect the decisions of the Tanana decision. OCS feels the draft policy reflects the decisions of Tanana. Draft went out to Tribal caucus, public website, and attorneys who worked on Tanana, and is on the OCS website. The deadline to give feedback is March 8, 2013. The policies speak to confidentiality, assessments, and investigations. Policy has not gone out to OCS staff because it is not finalized and staff will need direction on how to document.
4. ICWA Specialists authority. There is a workgroup discussing the ICWA Specialist Protocol regarding the authority of the ICWA Specialists. The state caucus discussed the topic, and would like feedback to be given to Natalie. The protocol addresses the ICWA Specialists responsibility and authority when there is conflict in cases, including if they are in conflict with their supervisor. The ICWA Specialist is given the authority to make recommendations based on ICWA, regardless of ranking the ICWA Specialist is the hierarchy.
5. Suggestions related to wrapping up WPIC in May 2013. How the T/S group may want to continue to structure the meetings.

Tribal Caucus Report Out- Francine Eddy-Jones

1. Introductions because there is a lot of new tribal members.
2. Updates on old business, Tribally Licensed Foster Homes, contracting case management, discovery issue- still getting invoices to pay for discovery,
3. New business- dates for the May meeting. Tribal caucus would like a day to address IV-B with region X. Proposing Monday morning travel, and Monday afternoon and Tuesday morning to focus on IV-B, then caucuses starting Tuesday
4. WPIC project goes from now until September 30. Brainstormed thoughts on documentation, in-home (Rose Wentz), supervised visitation.

5. Being open minded when going into the break outs.
6. Dedicated an hour to discuss the proposed policy. Had guests, Marty McWilliams, GAL, Holly Handler, ALS, and tribal court judge from Juneau. There was discussion on confidentiality and sharing of information when tribes going out on IA's. The draft is restrictive in what role tribes can take when participating in initial assessments. The policy does not seem to support the spirit of partnership. Don shared the idea of going back to draft on the T/S agreement. He said it might be cleaner to work on the proposed policy.

#### Discussion

Christy- the result of the Tanana decision impacted closer scrutiny to the practices of OCS. Alaska citizens have a right to privacy regardless if they are tribal members or not. The state has an obligation to not infringe on a person's right to privacy. The way the policy is written, OCS will not be able to share all of the details of the initial assessments. It will take effort to train workers how to be skillful and flexible in utilizing the policy in their practice. Christy and Carla Raymond welcome comments. The draft policy is on the OCS website and there is a link to provide feedback.

Carol Wren, CITC- Mentioned there is a "fine line" and how to use the policy in practical use. An example was given in tribes being a part of the initial assessment and the parents having the opportunity to refuse tribal participation. Christy explained how workers can be trained to set the tone of including the tribal representatives.

Francine- Tribal caucus plans to read the policy thoroughly and will have further discussion on the policy.

Carla- the Department of Law copies discovery and charges a fee. All parties are billed for discovery, and get a bill for the copying. The department does not have the authority to stop billing for one party and not the others and therefore cannot stop billing the tribes. Most tribes do not pay the bills and can chose to do so. The Department of Law has not sent tribes or any other agency to collection agencies. Depart of Law does not track who is not paying for bills for tracking purposes. There will be no change in the discovery process. Carla said if there are any changes, she will make it known. Christy asked for a dollar amount of the bill.

Carla- there has been a pilot in Fairbanks of electronic discovery. The cost is \$10/disk, regardless of the number of pages on the disks. Christy said she sees a future of tribes having access to ORCA.

TSCG will be the week of May 6<sup>th</sup> in Anchorage. Monday afternoon will be IV-B for tribes with region X, Tuesday morning IV-B, caucus and report out Tuesday afternoon.

The shift with WPIC is to have regional meetings. Currently WPIC is working with Kawerak and Manilaq.

February 6, 2013

Co-chairs: Christy Lawton and Cheryl Offt

### Welcome & Check-in

Opening prayer

### Cultural Sharing

Mary Johnson, Tanana Chiefs Conference

### ICWA Specialists Authority

There is a workgroup to look at the role of the ICWA Specialists. The purpose was to create protocols and chain of command for the ICWA Specialists. Christy Lawton explained the role of ICWA Specialists have the expertise and authority regardless of the hierarchy.

### Discussion-ICWA Specialists Authority

There was a comment the ICWA Specialists may want to consult with the Tribe and come up with a plan. What type of authority does the ICWA Specialists have over the recommendation of the GAL. Marion Hallum said we can contact the GAL supervisors if the tribes feel there is a conflict with a case. The majority of the state is covered with contractors, and GAL's are on staff where there is a higher population concentration area.

Marion said there is a requirement that GAL's have training. The training covers ICWA, and one of the sample cases is on that pertains to ICWA. Christy said the director Rick Allen who is the director of OPA, and Christy, Natalie, and Marion are all willing to help group members contact him if needed.

ICWA Specialists have to do reviews. During the reviews they will be able to give recommendations based on ICWA.

The wording "perceived" and "may have" take away from the protocol. The intent of the wording is the ICWA Specialist should consult with other staff when making the recommendation.

There is a request to give feedback to those listed on the workgroup regarding the draft protocol by the end of February.

### Tribal Maintenance Report Out

Kristie Swanson gave a report out on what Tribal Maintenance. Tanana Chiefs Conference was selected as a pilot for IV-E Maintenance. There has been progress made in drafting the agreement, and the group has had two face-to-face meetings. IV-E Maintenance has evolved since first approved and the population that could be included has expanded.

Christy tossed out the idea of inviting tribal leadership to come together and learn more about IV-E Maintenance.

#### Tribal Licensed Foster Homes Report Out

The Tribally Licensed Foster Home standards are finalized and were created to be used with IV-E Maintenance. The forms are also available to other tribes to use for tribally licensed foster home standards.

There is an issue regarding releasing information from OCS to tribes regarding the CPS history. It is being worked on by partners at the Department of Law. When this is resolved, the forms will be available to tribes.

Another issue for the IV-E Maintenance project is for the tribes to be exempt from having to meet the state licensing standards.

#### Contracting Case Management Report Out

At this point, contracting case management will require legislative changes. There are other ways tribes can enter agreements with OCS to best provide services to needed to the families.

OCS doesn't have the resources to pursue this at this point. OCS would like to put forth the efforts to make grants available to the families. It will also give opportunity to give IV-E Maintenance off the ground and available to other tribes.

There is discussion with APIA about allowing one of their workers to work out of an OCS field office, and APIA is looking at having an OCS worker based out of the Anchorage office. The worker sitting at APIA would have a case worker will serve primarily of tribal members of this region. The families would be primarily living in Anchorage, and services for those living out in the rural areas will look differently.

The hope is to set it aside for the next year. When we undertake this project it will be just as much work and complexity in planning at the IV-E Maintenance. There will be many of the same issues of getting the support from administration. If open up contract case management, it would be privatization of case management and will make it open to any entity in the state to apply. OCS does not have the time our resources to dedicate to the topic right now.

#### Discussion on Contracting Case Management

The RFP for the RSS grant will be available by the end of the month. Right now the grantees are in a continuation grant for this year. The RSS grant that will come out soon and will not be a continuation grant and will be competitive.

The state and tribes did contracted case management for TANF programs. Many of the tribes did contracted case management for many years with the state, before taking over the TANF program. Historically the TANF program started as a pilot and was a lot of work to get there.

There are legislative changes needed to transfer the authority for contracted case management. A lot of state attorneys spent a lot of time looking at how to get there in contracting case management, and it could be done, but it would take a lot of work and time.

#### Locating Appropriate Tribe/Tribal Agency

Tlingit and Haida had a regional meeting and one of the topics that came up was the challenge of determining whether the child is eligible for membership. The tribe gets “volumes” of notices and a lot of research is done to identify the tribe and how to find the correct tribe.

It takes time to turnaround the notice and to direct it to the correct tribe.

The family may have connections to several tribes throughout the state. OCS said they give the relative search out, not necessarily at the beginning of the case. Tammy Eller will write a piece for the OCS newsletter for March regarding identify tribes the family may be connected to.

There was discussion on the intricacies of enrollment and how it can take time to enroll a child, even though child is eligible for enrollment. There was discussion regarding the tribes being involved in court procedures. For the most part, tribes are able to participate before a child is enrolled in the tribe.

In the Anchorage region, tribes are invited to the TDM and reviews IF the tribe is entered into the system.

#### Child Telephonic Hearing Guidelines

In the packet there is an email/attachment from Diane Payne. There is a request to review the guidelines and to provide feedback. Once the guidelines are approved, a bench card will be provided to the judge.

#### Foster Care Myths

Please review the foster care myths worksheet in the folder and provide feedback. OCS would like to have feedback from the tribal partners before finalizing. Feedback can be provided to Christy, Natalie, or Tracy.

Kristie Swanson shared there is a IV- E subgroup working to create a pamphlet for Alaska Native foster homes.

#### Out of Preference Placements

A Power Point was provided by OCS on Out of Preference Placement. The issue was identified by tribal and state co-chairs as an issue that needed more attention. There will be time to given to regions to

strategize in how to increase the compliance in having a child in the highest preference possible. Monthly reviews are not possible due to the bulk of the work required.

- ICWA does not specified how placement preferences will be reviewed
- Tribal-State Agreement specified the state would internally review out of preference placements
- OCS policy specifies out of preference reviews out of preference every 30 days, tribal rep will be invited

OCS policy regarding out of preference placement was reviewed. Staffings do not have to occur if children are in preference placement and approved a tribe if it is lower than first preference.

OCS needs from the tribes on how to get something in writing that acknowledges the tribe approves the placement. The concern in the past is the tribe gets “locked in” on a placement.

The end goal is to increase preference placements. At this time, getting to the end goal can look different then the policy looks. OCS recognizes this is where the process is stuck, and would like discussion/work to be done to update the process and policy to get to the goal that the policy was trying to achieve.

In ORCA children who are in out of preference placements include all children who are in any placement preference outside of first preference.

It is difficult when a child is in n out of preference placement for a period of time, and there is a question of how the child’s well-being may be affected by moving to a higher level of preference. It would be helpful to discuss how to create better guidelines in how to trigger discussion to prevent painful moves for children. There needs to be consistency of what happens at certain points during the case around all regions in OCS.

#### Discussion Regarding Out of Preference Placements in Anchorage

Anchorage OCS has three tribal partners in the building. The three workers are willing to take on the reviews for the tribes in their region. Jessica’s unit is dedicated to out of preference placements.

Anchorage has a volunteer skilled genealogist who helps to identify tribes. The office is tracking the data of how it helps move children in preference placements.

It was suggested by one of the tribal partners to look at quarterly meetings.

A concern was brought up during the first 6 months, that reviews have more importance in occurring and may need to be more then quarterly.

Enhancing some of the processes that are already in place can be an effective time to conduct the out of preference reviews.

Christy suggested that regional manager's share with the group of what is being done with out of preference reviews.

#### Northern Region

Trying to figure out how it works with the tribes, cannot do it without the tribes.

60 kids in out of preference placements and the rest are in some preference placements.

OCS has redone the intake unit and identify one person to work on identify families right up front.

Efforts have been made to begin meeting with Tanana Chiefs Conference and to have staff meetings.

#### Western

Have not been doing out of preference placement reviews. Another concern is children who are in treatment facilities.

Challenges have been the number of children who need to be placed. There is another challenge of identify families who can care for children.

#### Southcentral

Out of preference review process is just the review process of finding preferential placement. There is a lot of work that needs to be done early on in the case, making sure the reviews will get done, etc. The review is a minor step in finding preferential placement.

In the regions where case staffing occur, but tribal partners are not invited. A lot of discussions occur at TDMS, but not all office have the TDM process.

The question is: how can we consistently keep the meetings happening, and documenting what is done. The focus is to look at the completely out of preference meetings and how to go from there.

#### Southeast

In the past there was monthly meetings with Tlingit and Haida, this was the best use of time and more effective then formal meetings.

Discussion needs to happen to figure out how to get back to monthly check-ins on the cases.

#### Assignment

Each region will get together and identify a note taker and a group facilitator.

### Regional Report Outs

There was a question that we all met in individual regions, and would the OOP process look different for each group. Christy said the ideas will be thrown out there, and we will be piloting and will report out in the May meeting.

### Southeast

Sitka Tribe and Tlingit and Haida were a part of the group. Sitka Tribe currently having monthly meeting with OCS, and will include placement preference in these meeting. Jerry will attend the meetings as the regional ICWA Specialist. Sharon will be in Sitka in 2 weeks and will look to see if the meetings are scheduled.

In Juneau, data clean up is happening now in ORCA. A report will be run by the end of the month and OCS will share the placement preference list with Tlingit and Haida. Tlingit and Haida will meet on the individual cases, and will be doing it case by case. The plan is to start with the children who have been in custody for a shorter period of time, and really young kids and have these meetings first. It is undecided if families will be involved in the meetings. The plan is to have the initial meetings and evaluate how long the process takes, and if it is effective. Baseline data will be taken the month of March and will be compared at a later date to see if it works. OCS plans on having the data by March 1<sup>st</sup> and meetings will be scheduled by March 15<sup>th</sup>. There is a need to identify what data needs to be collected; Sharon will provide this to Christy by the end of the month. Jerry will facilitate the meetings. There will be follow-up phone calls.

There was a suggestion to use the structured meeting agenda that was brought up during the Permanency Roundtable in Juneau.

Ketchikan and KIC are meeting, but do not know the details. OCS will check in on that and see what needs to be done.

### Anchorage

Goal: focus on children who are in out of preference placements

1. Existing policy- do not do another meeting, but develop language on forms and institute this but develop language on forms and institute this priority within these existing meetings.
2. Use data and communicate to data about preference placements. Identify what data and how to pull it correctly.
3. Focus on # 5 placements

Anchorage has a data clean up by May 1<sup>st</sup>. There is a meeting planned, contact Tammy Eller if you would like to join.

### Nothern

ICWA Specialist will develop questions to bring the case into compliance at the TDMS and reviews. Use placement decision staffing to

ICWA Specialist will provide a list of children who are out of preference placements and will divide it up with the tribes/organizations involved. The ICWA Specialist will

Tribal worker will work with OCS to fill in the family tree. Tribal worker will discuss placement recommendations at tribal council meetings, tribal courts

TCC has a meeting schedule on 2/22/13, Kawerek will be in March. A follow up meeting is scheduled for April 2<sup>nd</sup>.

Need to a data clean up date by the end of April. No data needs at this time, if any is identified send it to Christy and she will send it in.

Send Christy and update on the progress of the meeting by April 2<sup>nd</sup>.

### Western

Next meeting is 2/22/13; OCS meets every 4<sup>th</sup> Friday with the tribal partners.

OCS will provide tribal partners the list of names of the cases that are in out of preference placements.

On 2/22 the tribal partners will present 2 cases and OCS will be prepared to discuss the total of 4 cases. OCS will work with licensing, the ICWA Specialist

Required data is the data elements required to produce the reports in ORCA. There are 19 cases that have no preference listed, and the group would like to know how to clean up this data. This will drive when the data clean up is feasibly possible.

Group discussed the detail of what the ORCA notes should entail when having this meeting. At the end of the meeting notes will be done.

OCS will report back to Christy after the group has met, and discuss the pros/cons of the meeting and what may be need to be revamped in future meetings. Christy suggested using the structured meeting tool from the Permanency Roundtable. At the end of the meeting, have a list of who is doing what. The group will generate in the note the tasks and assignments.

Update to Christy by March 15<sup>th</sup> to tell how the meetings went and if other needs were identified. It will also help identify what data is needed and the request for the data person.

There needs to be letter agreements from the tribes if the Tribe chooses to deviate from a presence placement.

OCS could draft up a 1 page something discussion the collaboration with OCS, and the tribe is comfortable with this placement. Efforts will continue to achieve a higher placement.... OCS really needs to documentation, but understands the tribe does not want to sign off.

Cheryl Offt said her group talked about this and would come up with a blank form, where the tribe would fill in the blanks.

### Southcentral

How to do a philosophical shift on how to keep kids from going into out of preference placements. There was discussion on the placement search form

Bridgette has worked on the data clean up, and has been working on identifying placement preference 5.

Every case that comes in, there is a screening process, IA. When the IA is completed, reference if the placement search form is done. Once the assessment is completed, the supervisor would stamp the case had this

When the case transfers, the discussion on what has been done to address the higher placement preference, relative searches

TDMs, change the referral forms. Placement search would be a part of the referral. Especially if it is post-removal TDM. Was the relative search done before the is TDM, discussed with strengths, action plan ideas

TDM facilitator would have the responsibility to make sure it part of the TDM notes

Every review, there will be a series of consistent questions to have the same type of discussion. FACE, 6 mo review, Every time there is a meeting where the child is discussed

Form has a way of organizing the conversation with relatives. It will be a way to catch relatives that OCS can revisit.

There is a field in ORCA that a comment can be made next to each relative, but it cannot be printed.

There is a new policy that pertains to relatives, a diligent search, and the expectations. Child support enforcement divisions are experts in locating parents and relatives. They opened up the search ability to OCS. OCS can send a request, on how to help me find the relatives.

Wish lists- help workers understand why preference placement is so important and why it's too important to all children. If the ICWA Specialist can do the ICWA parts of the job more than the review part of the job. Recommendation to have the QA do the reviews

Family finders, Kevin Campbell's. The searches are extremely expensive.

At all the reviews, the cases will be flagged and sent to supervisor and workers at 3 months At 6 months if it's still a problem it is sent to regional manager.

Deadline- Tim will take it on a responsibility and will address it next Friday because there is a regional manager meeting. Bridgette will send out an invite to schedule a meeting within the next 30 days. Will meet by 3/7 and Tim will send Christy a meeting by 3/15.

### Discussion

Where is it documented when an out of preference placement meeting occurs. If it happens during other meeting, cut and paste the notes into an out of preference placement meeting.

Further discussion and planning is needed on how to documents the out of preference placement meetings.

### Guest Speaker

Trevor Storre from the Alaska Children's Trust shared recent happenings with the Trust

- Alaska Children's Trust was privatized a couple years ago
- Privatized to help ensure that the funds were focused on children's needs and not re-routed due to restraints w/in state and federal gov't, privatization strengthened the Trust's ability to focus \$\$ on children's needs
- Trevor Storre was hired 9 months ago
  - What's that greatest impact the Trust can have
  - How can the Trust invest within the state to have the greatest return
  - What is the Trust's role? They are not direct services, not in the trenches or front lines, but must provide a "glue" so services stick and work, and provide a "voice" for stakeholders
- Advocacy-as a game changer to build roots and look inside role of a funder, as real partner, collaborate
- Convening-
- What programs/initiatives/services are successful, and how can they support that so it can be better for everyone?
- How can they reinvest or try something different than what they are doing or have done?
- How can they build internally and externally to promote better changes?

Ex: Use the ACEs study to start the change think about upstream prevention and building opportunities for resilience building for young children.

How to you bring together, Trauma informed care and the ACEs study and early prevention efforts?

- AK Children's trust works closely with the Mental Health Trust, the State of Alaska, and Rasmusson Foundation.
- AK Children's Trust is becoming a –Prevent Child Abuse in America Alaska chapter
- Currently help fund the Parent line through RCPC-evaluating its use
- Also the 211 number, is not just operators, but they are trained in mental health first aid
- All TSCG participants received a booklet with more information about the Alaska Children's Trust