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FROM THE VIEWPOINT OF SOCIAL WORKERS: AN EXPLORATORY STUDY OF THE INDIAN CHILD WELFARE ACT

A Project

Presented to the

Faculty of

California State University,

San Bernardino

In Partial Fulfillment

of the Requirements for the Degree

Master of Social Work

· by

Kimberle Michal Hill Sherry Ann Cortez-Farris June 2009

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Sherry Ann Cortez-Farris

June 2009

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ABSTRACT

This research focused on some of the barriers that child welfare workers have in implementing the mandates of the Indian Child Welfare Act (ICWA). It is significant for child welfare as it surveyed various social workers beliefs as to training issues, support and self help groups, agency and community resources, and tribal and court barriers. The research was based on an exploratory and descriptive quantitative approach. Analysis consisted of self-administered surveys retrieved from child welfare workers. Implications for policy development, practice issues, and culture sensitive services and assessment approaches discussed.

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DEDICATION

We dedicate this to our family for remaining by our side throughout our college career.

Kim Michal Hill: In loving memory of my mother, Kitty Kimbell, a promise fulfilled.

Sherry A. Cortez-Farris: I would like to dedicate this to my wonderful husband James for his support. The fact that you stayed up all night with me so that I would not be lonely was very special. To my daughter Megan for your laughter and encouraging talks. To my son Angelo for being responsible around the house and understanding when we had to stay home. As well to my granddaughter Talyah who was born during my first year of graduate school. Finally, I dedicate this to my parent's Robert and Mary. You both have always been there for me no matter what — and to that I say: you are "truly a gift from God."

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CHAPTER ONE

INTRODUCTION

Problem Statement

The United States Indian Child Welfare Act of 1978

(ICWA) was enacted over rising concerns in the mid-1970s

that large numbers of Native American children were being

separated from their families and tribes (Goldstein &

Goldstein, 1996). These abusive child welfare practices

resulted in these children being placed outside of their

homes and communities and raised amidst a culture vastly

different from their own.

The Termination Era in Indian history occurred during 1953-1968. This Era was established by the federal government as the best way "to accomplish the cultural transformation of Indians into non-Indians" (San Diego, 2008, p. 23). With that, the percentage of Native American children separated from their homes resulted in 25-35% of their entire child population (Goldstein & Goldstein, 1996). This percentage rate was much higher than that of any other ethnic or racial group (House Report 1978). This essentially resulted in the loss of culture and identity; because they were removed from

their Tribal communities and were unable to keep up with their heritage because they were placed in non-Indian homes.

Therefore the intent of ICWA was to re-establish

Tribal authority over adoption and placement proceedings

for Native American Children. As well as to prevent the

uncalled-for destruction of Native-American families. The

Act, according to Orrantia,

establish[ed] minimum federal standards that county and/or state courts must follow when Indian children are removed from their homes and placed in foster care or adoptive homes.

(as cited in San Diego, 2008, p. 28)

The Act also listed some requirements for child welfare workers to abide by while working with Native American families.

Nevertheless, despite ICWA, Native American children are still being placed in non-Native American homes at a high rate. According to the California Department of Social Services outcome measure 4E(1) - Ethnicity of placements for children identified in 2007-2008, 37.8% of ICWA eligible children were placed in non-relative non-Indian homes or non-relative Ethnicity missing homes.

Whereas the number rose to 45.5% in their 2008 to 2009 data (California Department of Social Services). On the contrary, the 2007 to 2008 data reports, 4.9% of ICWA eligible children are placed with relatives and 16.5% are placed with ICWA eligible non-relative Indian substitute care providers, along with 16.5% of ICWA eligible children have been placed in group homes. Above all, these rates when compared to those reported a year earlier show that although reunification rates with relative guardian or relative nonguardian is 85.7%, reentry rates are 42.9% in less than 12 months.

These numbers, in part, confirm the challenges with ICWA. Additional challenges might be that since the Native American "population is small (1%) in comparison to other groups, [it]...can result in lack of interest from key decision makers who have domain over the outcomes" (T. Lidot, personal communication, February 4, 2009). These challenges constantly occur at the state, federal and county levels. State courts have failed to recognize the prevailing culture and social standards within the Native American population (Strong, 2005). At the county levels, the same cultural misunderstandings exist. In fact, the way a "caseworker and judge look at

family life may be so different that Native American people cannot ever satisfy them" (Strong, 2005).

Thus, Senate Bill 678 was also constructed to help the courts and counties comply with ICWA, because they did not always follow the mandates of ICWA. It is unclear why the challenges for implementing ICWA exist. However, for social work practice these issues must be addressed.

This study focused on Riverside County Department of Public Social Services Children Services Division practice approach to working with Native American families. This practice begins when the department receives a child abuse report. They begin investigating these reports, and in some cases the results are unfounded, founded, or substantiated. When the cases require that a Native American child be removed from their home or "once an Emergency Response Worker becomes aware of a child's Native American heritage, that worker notifies Indian Child and Family Services (ICFS)" according to Aggie Jenkins, Assistant Regional Manager of Riverside County Department of Public Social Services Children Services Division (personal communication, August 22, 2008).

ICFS is a Native American Tribal Consortium, Child Welfare Program in Temecula, California. The agency has been in operation since 1984, and has staff demographics indicated as Native American and various other ethnic groups. ICFS is partly funded through the Federal Government and grants they receive. They provide services, such as a culturally appropriate prevention and intervention parenting program (called the Spirit Project) to birth parents, kinship caregivers, and foster parents (ICFS, personal communication, March 26, 2009). In addition, they coordinate foster care placements for Native American children who have been removed from their family through their State Licensed Foster Family and Adoption Agency serving Native American populations in Riverside and San Diego Counties.

Granted a step for the Emergency Response Worker is to notify ICFS, A. Jenkins stated that workers "are also responsible for entering an ICWA identifier into the Child Welfare Services Child Management System (CWS/CMS) database. This identifies that child as an ICWA eligible child," however because "the ICWA field is not a mandatory field in CWS/CMS it can be overlooked by workers" (personal communication, August 22, 2008).

Therefore, despite the efforts of Riverside Counties work with ICFS, Native American children continue to be placed in non-Native American homes at a high rate.

Hence, it is important to study barriers to implementing ICWA from the child welfare workers' view.

Purpose of the Study

The purpose of this study was to explore child welfare workers' opinions as to what the barriers are in implementing ICWA. The study included the Native American population in Riverside County, California. Namely, among the reported 1.4% Native American's within its 17 Native American Tribes (United States Census Bureau, 2006).

The 17 Tribes comprised of: Agua Caliente Tribal
Council, Cabazon Band of Mission Indians, Cahuilla Band
of Mission Indians, Morongo Indian Reservation, Pechanga
Band of Mission Indians, Ramona Band of Cahuilla Indians,
Santa Rosa Band of Mission Indians, Soboba Band of
Mission Indians, Torres-Martinez and varying regions
within the different bands (Wikipedia, 2008). However,
considering this population, it is important to take into
account that not all Native American's live on
reservations.

Nevertheless, considering this population, Native American children in foster care in Riverside County when compared to that of White children in the same care, continue to be overrepresented. The racial disparity indices report: allegations 1.98 overrepresented, substantiated 2.56 overrepresented, entries 3.40 overrepresented, and in care 3.54 overrepresented (University of Berkeley, 2008). An examination as to why Native American children have become overrepresented is needed considering the requirement "...that Indian children must be kept in Indian homes when possible" (Report Profiles, 2008, p. 3). Of the Native Americans in Riverside County, the families who were referred to child welfare services are the clientele this report focused on.

We also described the dynamics that tend to produce the barriers when working with Native American families in the child welfare system in Riverside County, California, and nationally. It is hoped that the results of this research will influence practice and policy in child welfare agencies. Along with producing positive outcomes for both the Native American populations and the

California Department of Social Services Program Improvement Plan's.

This report was an exploratory quantitative study with information retrieved through self-administered surveys obtained from Riverside County child welfare workers. The focus of this study was to explore what some of the barriers were that contributed to the placement of ICWA eligible children in Indian homes. It is believed that by drawing from the direct experience of child welfare workers, an understanding of their needs when working with Native American children and families will be discovered.

Significance of the Project for Social Work
Children are our most important resource. The fact
that Native American communities have, and continue to
lose this precious resource remains a problem that needs
to be addressed. The results of this study will
contribute to social work practice by addressing the fact
that Native Americans represent a disproportional amount
of youth and families serviced by Child Welfare and ICWA
service programs, yet also represent a small percentage
of the population. At the same time, it will contribute

to policy by expanding awareness of the history, influence, and barriers of ICWA. With this in mind, this study will contribute to research because none exists regarding the social workers perspective on the barriers to implementing ICWA.

As a rule, however, social worker must have culturally appropriate practice methods. For that reason culturally appropriate practice methods will encourage best practice services in all phases of the generalist intervention model. For instance, if it is found that a modification in child welfare policy is needed; social workers may consider changing their procedures when dealing with Native American families.

In addition, the inclusion of culturally appropriate practice methods will aid in the development, implementation, and evaluation of goals that work to build self-sufficiency. This study will be useful in a number of ways to the child welfare department in Riverside County and other counties across California.

CHAPTER TWO

LITERATURE REVIEW

Introduction

This chapter focused on previous literature relating to Native Americans and the child welfare system. We began by describing the demographics in Riverside County, California. The Indian Child Welfare Act of 1978 was examined along with the difficulties in implementation of the Act. The prevalence of child abuse in Native American families was looked at as well as parental substance abuse and gambling issues.

Furthermore, a description of children in child protective services and Native Americans' opinions on these services were also discussed. Finally theories guiding conceptualization are in this section.

Indian Child Welfare Act

The majority of previous literature focused on Native American children in the child welfare arena. The primary focus was on the Indian Child Welfare Act of 1978. Some research focused on factors which lead to ICWA. Weaver and White (1999) reported the United States of America having a long history of removing Native

American children from their homes, often times unwarranted, with the goal of assimilation to the dominant society. Weaver and White (1999) also found that, the policy of separating Native children from their families began with the boarding schools era around the time of the American Civil war. ICWA was enacted to prevent cultural genocide. Limb and Brown (2008) summarized ICWA: ICWA protects the rights of tribes in retaining their children. The Tribes now have legal jurisdiction in child custody proceedings and the children should be placed in a home which reflects their values of Indian Culture.

ICWA is an important law which seeks to address a long history of Native American children being alienated from their parents and communities. While everyone agreed that the intention of the Act is good, "there is also consensus that it has not lived up to its potential because of problems in implementation" (Weaver & White, 1999, p. 48). The passage of ICWA has played an important role in shaping child welfare services for assessment, reunification, and placement services.

With that result, along with ICWA came protections for Indian children and their tribes, specifically in

regards to foster care placements. However, not much data exists in regards to how states, courts and social workers interpret, and implement ICWA (Limb & Brown, 2008). Strong (2005) suggested that even though the Act was a protective factor, the Social Service agencies and the courts may still interpret the best interest of the child in an ethnocentric way, meaning they do not approve of the Indian lifestyle and mistake that for abuse and/or neglect.

According to Mindell, Vidal de Haymes, and Francisco (2003), one deficit of ICWA was the identification of Native Americans. They may not live on reservations or other areas largely populated by Native Americans. They may appear to be Caucasian, Hispanic or even African American. They may have Anglo-Saxon or Hispanic last names. Therefore they may not be readily identifiable as Native Americans. It may only be through subsequent follow-up, after intervention, that child welfare workers discover that the child evaluated is a Native American.

Another problem implementing ICWA is that it only applies to federally recognized Tribes and protects the Tribes more than individuals. Therefore, Senate bill 678

was implemented which allows input from non-federally recognized Tribes (Parr et al., 2008).

Native Americans, Substance Abuse, and Gambling One of the barriers might be child welfare worker's biases against the Native American's way of life. The lifestyle that most of the current literature focused on was substance abuse and gambling issues in Native American communities. However, other literature reviewed focused on substance abuse and gambling issues in Native American communities, and how they are perceived by Euro-American society. Because of this, child welfare workers might find it more suitable for the child to be in what they feel is a more appropriate environment. Therefore, the idea is that these barriers may be contributing factors to the implementation of ICWA. As child welfare workers' ethnocentric behaviors might quide their assessment and placement procedures.

The literature reviewed in this section described common research topics that arose from various social issues in Native American society. For instance, Libby et al. (2008) found in their study on child abuse and later parenting a link between substance use disorder as a

mediator for the relationship between childhood abuse and parenting outcomes. They also found that social support played a large role in parenting outcomes. They also indicated that substance abuse was a huge issue with the Native American population (Libby, Orton, Beals, Buchwald & Manson, 2008). Therefore, if substance abuse is related to child abuse and social support can buffer the negative effects of both, it seems keeping the children with family support or fellow tribe members may be purposeful.

In Momper and Jackson's (2007) research it was found that gambling was also a huge problem in Tribal communities. Unfortunately, substance abuse, gambling, and Native Americans are often thought of in unity. In 2006, Libby et al. conducted a quasi-experimental design study on alcohol, drug, and mental health specialty treatment services and race/ethnicity.

It was found that 22% of the caregivers experienced alcohol, drug, and mental health problems. Yet only 15% of the American Indian caregivers with alcohol, drug, and mental health problems at baseline received a formal assessment by social workers. Unfortunately only 25% were referred for services, and only 12% received any type of specialty service for alcohol, drug, and mental health

problems. It was concluded in the discussion that perhaps the reason that Native American communities received less formal assessments and treatment services was because they have to deal with Tribal and county child welfare agencies that are entangled in a complex web of funding and authority with states, which was partially established by the mandates of ICWA (Libby & et al., 2006).

At the same time, however, it was found in another study that Native Americans were least likely to be assessed for or receive mental health services, yet they were the most likely to be formally assessed and the recipients of substance abuse services. These authors suggested a hypotheses that stereotypes of Native Americans and alcohol may be the reason for this (Libby & et al., 2006).

Native Americans in the Child Welfare System

The overrepresentation of Native American children
in the child welfare system is well documented. Report

Profiles (2008) state in Idaho Native American children
make up 1% of the population yet 6.6% of the children in
foster care. In Washington, Report Profiles (2008)

indicated a Native American child population of 2% and yet 8.4% of them resided in foster care. In Oregon, recent numbers from the state Department of Human Services show that 12.4 percent of the more than 16,000 Oregon children in foster care last year were Native American, while Native Americans account for 1.3 percent of the Oregon population 18 and younger (Number of Minority, 2007).

Not only are they over represented but also, "Native American families had the highest re-referral rates for sexual abuse, physical abuse, and neglect relative to other ethnic categories" (Stevens, Ruggiero, Kilpatrick, Resnick, & Saunders, 2005, p. 219). The Native American parents are often viewed as "uncooperative, unmotivated, resistant or hard-to-reach", while dealing with child protective services (Horejsi, Craig, & Pablo, 1992, p. 330). Horejsi, Craig, and Pablo (1992) explain they may seem difficult because cultural or situational factors along with their fear of the government and Tribal power may provoke an extreme fight-or-flight reaction from some Native American parents. As a result, these barriers, along with the social problems they are

faced with contribute to the increase in the numbers of Native American children in the child welfare system.

Native American Grandparents Raising their Grandchildren

Historically, Native American grandparents have played a major socialization role in the lives of their grandchildren by way of physical care and training in a wide variety of tribes (Fuller-Thomson & Minkler, 2005). In fact, it was found by Fuller-Thomson and Minkler (2005) that nowadays a great number of Native American grandparents were raising their grandchildren in response to high adult morbidity, mortality, substance abuse, employment off the reservation, teenage mother's continued education, and a dramatic increase in female incarceration. For instance, in the year 2000 it was estimated that 53,000 Native Americans and Native Alaskans were the primary caregivers for their grandchildren. These caregivers were mostly women, living in poverty, in poor health, and still chose to raise their grandchildren.

It was found in another qualitative study (2006) that Native American grandparents decided to be the primary caregivers due to lack of trust in government and

the need to keep tradition in the family (Mooradian, Cross, & Stutzky, 2006). These may also be possible barriers. According to Fuller-Thomson, these grandparents were expected to take part in the physical care and cultural training of their grandchildren in spite of their own issues (2005). While these sociocultural factors may be true, according to Matheson, they also end up raising their grandchildren due to the placement preference of child welfare agencies which tend to place children with extended family members first when placement choices are made (Fuller-Thomson & Minkler, 2005). This practice, along with the perspective of how they view their traditional roles leads to a growing number of Native American grandparent caregivers raising their grandchildren.

Some outcomes of grandparents raising their grandchildren are positive (Fuller-Thomson, 2005).

Solomon and Marx concluded that the overall health and behavior functioning of children raised by grandparents were similar to children who were raised with both biological parents regardless of lower monetary resources available to grandparent households. On the contrary, negative outcomes such as lower levels of life

satisfaction, higher levels of poverty, more depressive symptoms, and limitations in their daily activities were also present (Fuller-Thomson, 2005). Mooradian et al. (2006) also reported that the grandparents may not seek services in fear that they may be assimilated. Therefore, they are reluctant to assess supportive services to raise their grandchildren. In other words, trust needs to be developed before grandparents are able to let down their guard. If they do trust, it may diminish the possible barriers that impede lack of services to their grandchildren.

Theories that Have Guided Past Research

Native American's have fought over the years to keep
their identity, one theory offered to explain their
resilience is the multi-generational trauma and grief
theory.

This theory also provides perspective on understanding why Native Americans chose persistent poverty, with all of its attendant consequences, over cooperation when giving in to demands for assimilation might have led to

attaining a middle-class prosperity much sooner. (Gross, 2003, p. 32)

Not only does this theory explain how they have been so resilient, it also explains their aggressive behavior due to feels of alienation from society.

In addition, Multi-generational trauma is a mind and behavior syndrome characterized by post traumatic feelings, existential frustration, discouragement, defeat, and lowered self-esteem. Ultimately, multi-generational trauma results in somaticized or aggressive behavior directed against self or kin in acts highly deviant from traditional norms (Gross, 2003). In other words, trauma impacts generations throughout history.

Interestingly enough, some modern day social workers rely on the Native American Circle of Courage which is widely used in youth-caring agencies all over the United States and internationally (Gilgun, 2004). The Circle of Courage represents spiritual responsibilities and is not a physical space. The four themes of the Circle represent Native American childrearing practices which are: belonging, mastery, independence, and generosity (Gilgun,

2004). However, the modern day social workers add to the Circle of Courage rather than using it solely.

Gilgun (2004) conducted a quantitative as well as qualitative study with 114 youths, 20% of which were Native American, using the Circle of Courage as a basis. She added an assessment to the Circle of Courage which she called the "4D". The 4D is an assessment tool to help gather information on youth in placement, which ultimately showed good results. Two years earlier in 2002 Gilgun reported that children in placement would benefit from the Circle of Courage along with some Western theories of human development (Gilgun, 2002).

A study of factors associated with successful functioning in American Indian Youths found implications for intervention. Strengthening families and forming safer neighborhoods might improve successful functioning of these adolescents. Developing and putting into practice culturally appropriate peer-oriented intervention is also an essential goal and might also improve functioning. However, the role of partaking in American Indian traditional activities as a potential intervention method remains unclear (Silmere & Stiffman, 2007).

Horejsi, Craig, and Pablo (1992) reported social workers should attempt to empower the parents, so they don't feel so powerless while sitting in the department of protective services. It is also recommended that culture be considered in all aspects of practice, including programs and understanding their beliefs. Above all, good old fashion respect was also found to be purposeful.

Theories Guiding Conceptualization

When working with Tribes and their children who are involved in the child welfare system it is important to view them from a Cultural and Ethnic Sensitivity Theory (as cited in Payne, 2005), rather than to merely explain their resilience as outlined in the Multi-generational Trauma and Grief Theory used to guide past research. Hence, the theory that was used to guide this research proposal is Cultural and Ethnic Sensitivity Theory.

This theory was created by Wynette Devore and Elfriedie G. Schlesinger in 1981 and begins with an understanding of the historical position of ethnic minority groups (Payne, 2005). The approach also links knowledge of demographics, along with a cultural

understanding of the minority group's life experience. So that, professionals can become aware and be sensitive to the particular views of people they deal with.

The focus of this theory is on culture rather than power, inequality, and racism so that the way that people think and the prejudices they have can be realized. An assertion of this theory is that sensitivity is an essential part of practice considering that it relates to social and cultural differences (Payne, 2005).

For this reason, when applied to the focus of this research, social and cultural awareness must be explored by child welfare workers, along with the workers own biases. Developing from this is the idea of workers possessing cultural competence, noted by Lum and O'Hagan, to carry out their work with respect for preserving diversity and awareness of the main cultures they would have contact with (as cited in Payne, 2005). The aim of child welfare workers using this theory should focus on achieving a goal of racial equality and justice by comprising the needs of the minority in policy developments and legislative provisions, systems and practice (Payne, 2005).

Ecological theory (as cited in Payne, 2005) is another way the researchers can conceptualize the context in which child welfare policies interact with Native American culture. The ecological theory was introduced by Carel B. Germain in 1973 as a viewpoint in practice for social casework. The focal point of this theory is that people and their environment exist through reciprocal exchanges with each other in an attempt to establish a goodness of fit. In other words, like the entire world, people involved in micro, messo, and/or macro systems have a perpetual interdependence on each other.

If applied to the variables of this research the interaction between the person (child welfare workers) and environment (Native American communities) will determine the outcomes of transactions between persons and their environment. Simply put, culture surrounds and directs personal perceptions, and places parameters for private actions (Mooradian, Cross, & Stutzky, 2006). Thus, if transactions are positive among Native American communities and child welfare workers, then workers are more likely to have been appropriately influenced by the Native American culture. The relationship between workers and Native Americans will be positive. However, if

transactions are negative, then over time, the relationships will be destroyed.

Because of the negative legal and administrative history that tribes have had with child welfare, their goodness of fit as part of every aspect of practice needs to be considered. For instance, they may have feelings of stress and powerlessness when dealing with the child welfare system. These feelings may be due to their prior history of taking their children and placing them in institutions and not respecting their social differences.

In sum, both theories stress functioning in partnership among and on behalf of all people. They also allow child welfare workers to comprehend culture and its role on individual behavior and society. With this, it is hope that they will also become aware of the strengths that exist in all cultures. As a result, the barriers may be lifted to facilitate an increased fit between child welfare workers and Native American communities.

Summary

In conclusion, a majority of the literature revolved around ICWA. Some of the literature explained the need for ICWA, other studies explained the meaning of it, and

other studies implied imperfections in it leading to improper implementation. Riverside County tribes were also described. Other literature in the arena of Native Americans and the child welfare system focused on the deficits in the Native American tribes, such as alcoholism, gambling, high reunification rates, and high reentry rates. Literature was provided explaining that grandparents often raise their grandchildren in fear that they may lose their cultural values.

The literature also covered methodology and/or theories related to why Native Americans are the way they are, as well as how to help Native American's using certain theories or methods. The literature did have a huge gap in regards to exactly how many Native American children are being placed with Native American families, this question has gone unanswered.

CHAPTER THREE

METHODS

Introduction

This section consists of a detailed plan of procedures and methods which were utilized for this study. This chapter includes the study design, sampling, data collection and instruments, procedures, protection of human subjects, and data analysis.

Study Design

The purpose of this study is to explore social workers (child welfare workers') perception of barriers in implementation of the mandates of the Indian Child Welfare Act. This study utilized a survey design with self-administered questionnaires. The questionnaires were distributed to Riverside County case workers in all regions with a child welfare unit. Questionnaires were distributed in the social workers mail boxes. Boxes were placed in the mail rooms to collect the completed questionnaires. A pretesting of the questionnaire was done to check for ease and accuracy, and to ensure it was answering the questions it intended to answer, with two child welfare workers.

The rational for using questionnaires was that it would be a convenient way to reach out to a large sample in a small amount of time. The questionnaires also elicited more accurate responses due to anonymity. The uses of questionnaires were also an inexpensive way in which to collect data. Even though the survey questionnaire method had much strength, there were also some limitations. One limitation was that there was no way to probe or provide clarification. Another limitation was that we had to rely on self-reports which may have lead to some answers being left blank or participants recall of information being inaccurate.

Sampling

Riverside County Department of Public Social

Services Children Services Division is divided into six
regions: Southwest, Valley, Metro, West Corridor,

Mid-County, and Desert. Some regions house more than one
child welfare office. The participants were selected from
the Temecula, Riverside, Perris, Hemet, Banning, Indio,
and Moreno Valley offices, which represented one office
from each region.

Questionnaires were distributed to line workers and supervisors in Children's Services in the selected offices. There are over 400 social workers, 49% are master's level or higher (27% MSW and 22% other master's degree). This workforce is ethnically diverse and representative of the client population. The line workers consisted of workers in the Emergency response unit, Court dependency unit, Family maintenance unit, Family reunification unit, and Permanency placement unit, not social workers in the adoption's unit. Questionnaires were not distributed to clerical staff and management. The line staff workers handle placements, removals, and/or maintenance of children on a daily basis.

Convenience sampling was used due to the availability of the caseworker's mailboxes. Demographics of the caseworkers were included on the questionnaires and therefore considered during the analysis of data. The sample size for this study was 100 child welfare workers and supervisors.

Data Collection and Instruments

The data for this study was collected using
self-administered questionnaires. The questionnaires

consisted of two main sections. Section one contained background on the caseworkers (age, gender, ethnicity, educational level, educational concentration, years of employment and position). The second section pertained to barriers which included lack of training, knowledge about ICWA, knowledge about the Amendment to ICWA (that is SB 678), difficulties working with tribal communities, knowledge about services and/or resources for ICWA families, and prejudice towards ICWA families.

Participants circled their answers on a scale from "strongly agree" to "strongly disagree" and filled in a few blanks on a Likert scale. The scale was created specifically for this study, as there exist no known scales for this particular subject matter. Due to the scale not being previously used, its reliability and validity are unknown. The questionnaire was pre-tested on two case workers from Children's Services. The purpose of the pre-test was to assess what questions would be understandable and relevant for the caseworkers.

The limitation of using a newly created questionnaire was that it had not been used before. Thus it is not clear whether the instrument captured all the dimensions of barriers regarding ICWA implementation. Non

probability sampling method was be used therefore it lacks generalizability.

Procedures

In order to conduct research in Riverside County
Child Welfare, certain procedures had to be adhered to.
To begin with, a MSW research project request form had to
be filled out in accordance to Riverside County
procedures. Then a tracking sheet had to be completed on
the county computer and an electronic copy was sent to
the research coordinator. After the electronic copy was
sent to the research coordinator, a hard copy was
submitted with the following attached: Problem statement,
purpose of the study/significance, methods, data
collection instruments, procedures, protection of human
subjects, letter of informed consent for participation,
and a debriefing statement.

The research coordinator then submitted a copy to a manager. The manager then approved it. After this manager, it was eventually submitted to the deputy director. The deputy director approved the project with a letter of approval.

After obtaining County approval and approval of the Institutional Review Board at California State
University, San Bernardino, questionnaires as well as a debriefing statement and informed consent were copied and distributed in the caseworker mailboxes. The debriefing statement described the purpose of the study and gave an address as to where and when they may receive the results. The informed consent provided information necessary to enable the participant to evaluate whether he/she would like to participate, along with potential risks and benefits for participating.

The self administered questionnaires took
approximately 5-10 minutes for caseworkers to complete.
Sealed Boxes containing a slot for them to submit
completed questionnaires was placed in the mailrooms. The
questionnaires were left at the office for two weeks
before they are retrieved.

Protection of Human Subjects

All participants were be given an informed consent form which stated that their participation in the study is voluntary, they may decide not to complete the study without any penalty, and they may leave questions blank.

At the end of the informed consent form there was a place for them to put a check mark for consent, which provided anonymity. Names, address, phone numbers, or any identifying personal information was not collected on the questionnaires.

A debriefing statement was provided to them, with the name of our supervisor, which indicated they may call our supervisor at any time if they have any questions with the study. In any event, all data was protected in a locked file cabinet in one of the researcher's offices.

Data Analysis

The study employed quantitative data analysis procedures. The first section of the questionnaire employed descriptive statistics (e.g., frequencies) to describe demographics of the participants. Furthermore, descriptive statistics was also used to examine the barrier questions in the second section. Barrier questions in the second section were listed on a Likert scale on a continuum from "strongly agree" to "strongly disagree." Frequency distributions were conducted on both the first and second part of the questionnaire.

Summary

This study collected quantitative data elicited from self-administered questionnaires. The participants who completed the questionnaires were employees of the Riverside County California Department of Social Services, Children's Services Division. They were the line workers and supervisor, not the managers or clerical staff. The questionnaires had two sections, one section focused on the demographics of the workers and the other on the barriers the workers had in implementing the mandates of ICWA.

CHAPTER FOUR

RESULTS

Introduction

This chapter presents the findings of social workers (child welfare workers') perceptions of barriers in implementing the mandates of the Indian Child Welfare Act. The chapter begins with an illustration of the demographic information, which includes gender, ethnicity, educational attainment, employment status (such as, years of service and position). It also illustrates information as to the child welfare workers' program assignment, as well as their assigned region within the Riverside County Department of Children's Services.

Presentation of the Findings

Out of 465 survey questionnaires placed in the Riverside County Regional offices a total of 100 surveys were returned. Each survey was completed by a child welfare worker who chose to participate in this study. Table 1 shows the descriptive data for the gender, and ethnicity of the respondents. This study sample shows that the majority of the child welfare workers (76%) were

female and 24% were male. Of this representation, 41% were Caucasian, 22% were African American, 18% were Hispanic, 7% were Asian/Pacific Islander, 2% were Native American, and 10% were identified as other.

Table 1. Child Welfare Worker Gender, and Ethnicity

Variables	Frequency (n)	Percentage (%)
Gender (n = 100)		
Female	76	76.0
Male	24	24.0
Ethnicity (n = 100)		
Caucasian	41	41.0
African American	22	22.0
Hispanic	18	18.0
Asian/Pacific Islander	7	7.0
Native American	2	2.0
Other	10	10.0

The education level of the child welfare workers ranged from the Bachelor of Arts/Science level to the Doctor of Philosophy (Ph.D.) level. Table 2 shows that the education level of the majority (50%) was at the Master level, with 3% at the Ph.D. level. 34% of the child welfare workers were educated in the field of

social work, 27% were educated in the field of psychology.

Table 2. Child Welfare Worker Level of Education, and Major

Variables	Frequency (n)	Percentage (%)		
Level of Education (n = 100)				
Master	50	50.0		
Bachelor of Arts/Science	46	46.0		
Ph.D.	3	3.0		
Missing .	1	1.0		
Major (n = 100)				
Social Work	34	34.0		
Psychology	27	27.0		
Other	15	15.0		
Sociology	13	13.0		
Double Major	7	7.0		
Human Services	3	3.0		
Missing	1	1.0		

When questioned about their "years of service,"

Table 3 shows that a sizeable number of the child welfare workers who responded (53%) had under 3 years of service.

The assigned position/title of most who responded (90%)

had the status of line worker, with 9% ranked as supervisor.

Table 3. Child Welfare Worker Years of Service, and Position

Variables	Frequency (n)	Percentage (%)
Years of Service (n = 100)		·
Under 3 years	53	53.0
More than 3 years and less than 6 years	17	17.0
More than 6 years and less than 9 years	9	9.0
More than 9 years and less than 12 years	12	12.0
12 or more years	9	9.0
Position (n = 100)		
Line Worker	90	90.0
Supervisor	9	9.0
Missing	1	1.0

The program assignment of child welfare workers ranged from Emergency Response (22%) to Permanency Planning (1%). Table 4 shows that the majority (40%) of child welfare workers were assigned to work in the Family Maintenance/Family Reunification unit. The table also shows that from the 6 regions surveyed 23% were from the

Desert Region, and 19% were from the West Corridor Region.

Table 4. Child Welfare Worker Program Assignment, and Assigned Region

	<u>, </u>			
Variables	Frequency (n)	Percentage (%)		
Program Assignment (n = 100)				
Family Maintenance/Family Reunification	40	40.0		
Other	23	23.0		
Emergency Response	22	22.0		
Court Dependency Unit	10	10.0		
Missing	4	4.0		
Permanency Planning	1	1.0		
Region $(n = 100)$				
Desert	23	23.0		
West Corridor	19	19.0		
Valley	14	14.0		
Mid-County	14	14.0		
Metro	11	11.0		
Southwest	10	10.0		
Other	6	6.0		
Missing	3	3.0		

The child welfare workers were also asked possible ICWA barrier questions. The answers to the barrier questions were based on their perspective, their

experience, and their caseloads. For each question, they circled whether they "Strongly Disagree;" "Disagree;" "Don't know or N/A;" "Agree;" or "Strongly Agree."

Some of the 14 questions were: need training on how child welfare works with Native American families; need training on the fields to complete in the CWS/CMS for ICWA eligible children; need a re-fresher course on the Mandates of ICWA, because I am not familiar enough with the law; I am familiar with law SB678 (the Amendment to ICWA); I am familiar with support and self help groups as part of intervention plans for ICWA children and families; I am very familiar with agency and community resources for intervention plans for ICWA children and their families; I believe Native American standards for family life and safety is not as high as other non-Indian communities; the turnaround time for confirmation of Native American heritage from the Bureau of Indian Affairs is lengthy and holds up the ICWA process; It is difficult to work with tribes; working with tribal social workers is difficult; and the court system makes it difficult to place Native American children in Native American homes.

As revealed in Table 5, the majority (59%) of child welfare workers responded that they "agreed or strongly agreed" that they need training on how child welfare works with Native American families. The child welfare workers were also asked whether they needed training on the fields to complete in the CWS/CMS for ICWA eligible children to which the majority (52%) responded that they "agreed or strongly agreed."

More than half of the child welfare workers (58%) responded "agreed or strongly agreed," to the need for a re-fresher course on the Mandates of ICWA, because they were not familiar enough with the law. Table 5 also shows that the mainstream (66%) "disagreed or strongly disagreed" to being familiar with law SB 678 (the Amendment to ICWA), while 17% "agreed or strongly agreed" to be familiar with the law.

The child welfare workers were asked if they were familiar with support and self help groups as part of intervention plans for ICWA children and families. Table 5 shows that the greater part (53%) of those who responded "disagreed or strongly disagreed" with being familiar these supports. As shown in Table 5, the majority (61%) also "disagreed or strongly disagreed" to

being very familiar with agency and community resources for intervention plans for ICWA children and their families, 23% "agreed or strongly agreed".

The child welfare workers were asked if they believed whether Native American standards for family life and safety are not as high as other non-Indian communities. Table 5 shows that 40% responded "don't know or N/A," and 40% responded "disagree or strongly disagree." The table also shows that 55% of child welfare workers "agreed or strongly agreed" that the turnaround time from the Bureau of Indian Affairs is lengthy and holds up the ICWA process, and 14% "disagreed."

In another question, the child welfare workers were asked if "it is difficult to work with tribes", if "working with tribal social workers is difficult," and if "the court system makes it difficult to place Native American children in Native American homes." Table 5 shows that the most widely held response (57%) indicated "don't know or N/A," to the question "it is difficult to work with tribes," 29% "disagreed or strongly disagreed."

Table 5. Indian Child Welfare Act Barrier Questions

(n=100)

$\sqrt{u=r}$	301						
B1.	I need training on how child welfare works with Native	SD 6%	D 26%	DK	or N/A 8%	A 52%	SA 7%
	American Families.				,		
в2.	I need training on the fields to	SD	D	DK	or N/A	A	SA
	complete in the CWS/CMS for ICWA eligible children.	98	25%		12%	42%	10%
вз.	I need a re-fresher course on the	SD	D	DK	or N/A	A	SA
	Mandates of ICWA, because I am not familiar enough with the law.	7%	23%		12%	50%	88
В4.	I am familiar with support and	SD	D	DK	or N/A	A	SA
	self help groups as part of intervention plans for ICWA children and families.	11%	42%		14%	25%	6%
в5.	I am very familiar with agency	SD	D	DK	or N/A	A	SA
	and community resources for intervention plans for ICWA children and their families.	11%	50%		15%	17%	6%
В6.	It is difficult to work with	SD	D	DK	or N/A	A	SA
	tribes.	6%	23%		57%	10%	2%
B7.	Working with tribal social	SD		DK	or N/A		SA
	workers is difficult.	7%	.25%		56%	10%	2%
в8.	I am familiar with law SB 678	SD	D	DK	or N/A	A	sA
	(the Amendment to ICWA)	20%	4.68		17%	16%	1%
В9.	Native American parents are often	SD	D	DK	or N/A	A	sA
	uncooperative, unmotivated, resistant, or hard to reach.	12%	34%		48%	6%	0%
B10.	Native American parents are	SD	D	DK	or N/A	A	SA
	reluctant to announce Indian heritage.	17%	42%		36%	5%	0%
B11.	The turnaround time for	SD	D	DK	or N/A	A	SA
	confirmation of Native American heritage from the Bureau of Indian Affairs is lengthy and holds up the ICWA process.	0%	14%		31%	41%	14%
B12.	There is a lack of Native	SD	D	DK	or N/A	A	sA
	American homes to place Native American children in.	6%	0%		48%	29%	17%
в13.	I believe Native American	SD	D	DK	or N/A	A	sA
1	standards for family life and	7%	33%		40%	17%	3%
	safety is not as high as other non-Indian communities.						
B14.	The court system makes it	SD	D	DK	or N/A	A	SA
	difficult to place Native American children in Native American homes.	11%	40%		48%	18	08

Further analysis revealed similar findings to the question whether "working with tribal social workers is difficult" were 56% indicated "don't know or N/A," and 32% "disagreed or strongly disagreed." In addition, the majority of child welfare workers (51%) responded "disagree or strongly disagree" to the question "the court system makes it difficult to place Native American children in Native American homes," (48%) responded "don't know or N/A."

Summary

This research was designed as an exploratory study to look into the barriers of implementing the ICWA from the viewpoint of social workers (child welfare workers) who are employed by Riverside County Department of Public Social Services Children Services Division. Chapter Four incorporated the demographic information about the child welfare workers, along with information as to the child welfare workers program assignment, and their assigned region within the Department. The chapter concluded with information as to barriers that child welfare workers identified as having an impact in implementing the

CHAPTER FIVE

DISCUSSION

Introduction

The current study responds to the view points of Riverside County Children Services Social Workers as to the possible barriers of implementing ICWA when placement and removal is initiated. Even though ICWA has been in effect for many years there are still too many Native American children being placed in non-Native American homes while dependents of the court. Results of this study are helpful in addressing what the possible barriers may be.

Discussion

The current study responds to the view points of Riverside County Children Services Social Workers as to the possible barriers of implementing ICWA when placement and removal is initiated. Even though ICWA has been in effect for many years there are still too many Native American children being placed in non-Native American homes while dependents of the court. Results of this study are helpful in addressing what the possible barriers may be.

Surveys generally cannot provide strong evidence of cause and effect therefore that is a limitation of this study. Furthermore, the social worker's used their experience, knowledge, opinions, and biases when completing the surveys. Another limitation is all possible barriers may have not been represented in the survey.

Training

According to the Tribal Star web site (2009) they are committed to training Child Welfare workers on mandates of ICWA. They believe better outcomes will exist if the child welfare workers are properly trained.

Therefore, we decided to ask the child welfare workers if they felt they need more training.

Analysis revealed more training is needed. Our analysis found 59% of the social workers reported they need training on how child welfare works with Native American families, 52% reported needing training on the fields to complete in the CWS/CMS for ICWA eligible children, 58% reported they need a re-fresher course on the mandates of ICWA and 66% reported not being familiar with law SB 678. Areas of training should be focused on the mandates of ICWA and law SB 678 as well as

intricacies' of actually working with the families.

Furthermore, if the social workers are not completing all required fields in the CWS/CMS system then data will not be accurate, therefore the social workers need to understand where all the appropriate fields are in the system which need to be completed. After reviewing these results it is clear that the child welfare workers believe they need more training.

Resources and Cultural Awareness

Tribal Star (2009) also believes that cultural awareness is key. They acknowledge that the Native American children have different cultural beliefs and child welfare workers need to respect and understand that. They also believe that they may require different resources; therefore they offer several resources for the child welfare workers to utilize. Because of those beliefs we wanted to find out how culturally aware the child welfare workers are and discover if they know of proper resources in which to send the ICWA eligible children and families.

The results were 53% reported not being familiar with support and self help groups as part of intervention plans for ICWA children and families and 61% reported

they were unfamiliar with agency and community resources for ICWA children and their families. This brings up the question: If social workers are unfamiliar with where to refer the Native American families for help then where are they being sent? If Native American's are sent to mainstream support groups and agencies with different cultural beliefs it may be more difficult for them to succeed. When asked if Native American standards for family life and safety is not as high as other non-Indian communities 40% responded with "don't know", which may indicate they were asked to make a judgment that made them feel uncomfortable. These series of questions and the correlated responses suggest cultural awareness classes may be needed.

M. DeArmond (2007) reports notification didn't happen in a timely fashion. We were curious about the turnaround time for confirmation of Native America Heritage. We wanted to know if time issues may be a barrier.

The social workers reported that there may be issues within the ICWA process that need to be addressed. 55% responded turnaround time for confirmation of Native American heritage from the Bureau of Indian Affairs is

lengthy and holds up the ICWA process. Perhaps Riverside County could work with the Bureau of Indian Affairs to ensure timelier turnaround.

Working Together

C. Moreno (2007) reported that half of the ICWA eligible children in foster care are being placed in non-Native American homes. C. Moreno believes this may be due to lack of communication between the child welfare workers, the courts and the tribes. Interestingly only 12% agreed or strongly agreed that it is difficult to work with tribes and tribal social workers. Only 1% agreed the court system makes it difficult to place Native American children in Native American homes. These results indicate the social workers believe that the barriers do not exist because of the tribes, the tribal workers, or the court system.

Recommendations for Social Work Practice, Policy and Research

Implications for Riverside County Children Services are that more training on ICWA and cultural awareness is needed. In order for the social workers to work effectively with the Native American population they need to be educated about the laws, procedures, mandates, and

the Native American culture. If they are not educated in these areas it is likely the Native American population will not receive quality service. Further research could be conducted to explore what some of the other possible barriers may be in implementing ICWA.

Conclusions

It is clear that too many Native American children are being placed in non-Native American homes. It is also clear some of the reasons for this are the Riverside County's social worker's lack of knowledge surrounding the mandates of ICWA and Native American cultural awareness. On the other hand it appears that communication between the child welfare agencies, courts and tribes has improved and doesn't appear to be a barrier.

APPENDIX A QUESTIONNAIRE

SURVEY QUESTIONNAIRE

An exploratory study of case workers opinions as to what the barriers are in implementing the Indian Child Welfare Act.

Participants will be questioned on their knowledge, their training, and their ability to implement ICWA. It is believed that by drawing from the direct experience of child welfare workers an understanding of their needs when working with Native American children and families will be discovered. Your participation is very important in finding the barriers. Once the barriers are found they can be addressed. This survey should take 10 to 20 minutes to complete.

PART 1: BACKGROUND

In this section, we would like to ask a few questions about your background. Please check your answers.

A1.	What is your gender? 1. Male 2. Female
A2.	What is your ethnicity? 1. White 2. African-American 3. Hispanic 4. Asian/Pacific Islander 5. Native-American 6. Other (Please Specify)
A3.	What is your highest level of education? 1. BA/BS 2. Master 3. PhD
A4.	What was your major? 1. Social Work 2. Sociology 3. Psychology 4. Business Administration 5. Human Services 6. Other (be specific)
A5.	How long have you worked for the County in Child Protective Services?
A6.	What is your position/title?
A7 .,	What program do you currently work in?
	What region do you currently work in?

PART II. ICWA Barrier questions

Please circle your answer to the following questions from your perspective, your experience, and your caseloads, not the counties in whole.

1 = Strongly Disagree (SD)

2 = Disagree (D)

3 = Don't know or N/A (DK or N/A)

4 = Agree(A)

5 = Strongly Agree (SA)

		Strongly Disagree	Disagree	Don't know or N/A.	\gree	Strongly Agree
B1.	I need training on how child welfare works		D		A	ŠA
	with Native American Families.	1	2	3	4	5
B2.	I need training on the fields to complete in	SD	D	DK or N/A	Α	SA
	the CWS/CMS for ICWA eligible children.	1	2	3	4	5
B3.	I need a re-fresher course on the	SD	D	DK or N/A	Α	SA
	Mandates of ICWA, because I am not	1	2	3	4	5
B4.	familiar enough with the law.	SD	D	DK or N/A	Α	SA
D4.	I am familiar with support and self help groups as part of intervention plans for	1	2	3	4	5
	ICWA children and families.		2	J	7	
B5.	I am very familiar with agency and	SD	D	DK or N/A	Α	SA
	community resources for intervention	1	2	3	4	5
	plans for ICWA children and their families.					
B6.	It is difficult to work with tribes.	SD	D	DK or N/A	Α	SA
		1	2	3	4	5
B7.	Working with tribal social workers is	SD	D	DK or N/A	Α	SA
	difficult.	1	2	3	4_	5
B8.	I am familiar with law SB 678 (the	SD	D	DK or N/A	Α	SA
	Amendment to ICWA).	1	2	3	4	5
B9.	Native American parents are often	\$D	D	DK or N/A	Α	SA
	uncooperative, unmotivated, resistant, or hard to reach.	1	2	3	4	5
B10.	Native American parents are reluctant to	SD	D	DK or N/A	Α	SA
	announce Indian heritage.	1	2	3	4	5
B11.	The turnaround time for confirmation of	SD	D	DK or N/A	Α	SA
	Native American heritage from the Bureau	1	2	3	4	5
	of Indian Affairs is lengthy and holds up					
	the ICWA process.					
B12.	There is a lack of Native American homes	SD	Đ	DK or N/A	Α	SA
	to place Native American children in.	1	2	3	4	5
B13.	I believe Native American standards for	SD	Ď	DK or N/A	Α	SA
	family life and safety is not as high as	1	2	3	4	5
	other non-Indian communities.					

Please continue to next page

	Strongly		Don't know		Strongly
	Disagree	Disagree	or N/A	Agree	Agree
B14. The court system makes it difficult to	SD	D	DK or N/A	\\A	SA
place Native American children in Native	1'	2	3	4	5
American homes.					

Thank you for your participation.

Please return your completed survey questionnaire to boxes placed in the mailrooms.

APPENDIX B

INFORMED CONSENT

Informed Consent

The study in which you are being asked to participate is designed to explore child welfare workers' perceptions of barriers in implementation of the mandates of the Indian Child Welfare Act (ICWA). Kimberle Hill and Sherry Cortez-Farris, MSW students are conducting this study under the supervision of Ms. Laurel E. Brown, MSW, faculty of Social Work at California State University, San Bernardino. This study has been approved by the Department of Social Work Subcommittee of the Institutional Review Board, California State University, San Bernardino.

In this study, you will be asked about your demographic information, along with questions about possible barriers in implementation of the mandates of the ICWA. The questionnaire should take approximately 5 to 10 minutes to complete. All of your responses will be held in the strictest of confidence by the researchers. Your name will not be reported with your responses. Please do not put your name anywhere on the questionnaire. The results of this study will be available after September 2009 at the Pfau Library at California State University, San Bernardino and Riverside County Department of Children's Services.

Your participation in this study is completely voluntary. There are no foreseeable risks to participating in the study. You are free not to answer any questions and withdraw at any time during this study without coercion or penalty. There are no direct benefits to participating in the study. However, potential benefits to participating in this study are that it will help social workers and administrators to better understand ICWA barriers.

If you have any questions or concerns about this study, please feel free to contact, Ms. Laurel E. Brown, MSW, at (909) 537-3838.

of, and that I understand, the nature	I acknowledge that I have been informed and purpose of this study, and I freely rledge that I am at least 18 years of age.
Place a check mark here	Today's Date:

APPENDIX C DEBRIEFING STATEMENT

Debriefing Statement

Thank you for participating in this study conducted by Kimberle Hill and Sherry Cortez-Farris, MSW students at California State University, San Bernardino. The purpose of this study is to explore the child welfare workers perceptions of barriers in implementation of the mandates of the Indian Child Welfare Act. It is hoped that the results of this study will help social workers to better understand ICWA barriers that perpetrate the placement procedures of ICWA eligible children in Indian homes.

The results of this study will be available in the California State University, San Bernardino Pfau library or Riverside County Department of Children's Services after September of 2009. If you have any questions or concerns regarding this research project, you may contact our faculty supervisor, Laurel E. Brown, MSW at the CSUSB Department of Social Work at (909) 537-3838.

Thank you again for your participation in this research project.

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ASSIGNED RESPONSIBILITIES PAGE

This was a two-person project where authors collaborated throughout. However, for each phase of the project, certain authors took primary responsibility. These responsibilities were assigned in the manner listed below.

1. Data Collection:

Assigned Leader: Kimberle Hill

Assisted By: Sherry Cortez-Farris

2. Data Entry and Analysis:

Team Effort: Kimberle Hill & Sherry Cortez-Farris

- 3. Writing Report and Presentation of Findings:
 - a. Introduction and Literature

Team Effort: Kimberle Hill &

Sherry Cortez-Farris

b. Methods

Team Effort: Kimberle Hill &

Sherry Cortez-Farris

c. Results

Assigned Leader: Sherry Cortez-Farris

Assisted By: Kimberle Hill

d. Discussion

Assigned Leader: Sherry Cortez-Farris

Assisted By: Kimberle Hill