

2012 Government-to-Government Report

Oregon Department of Human Services

November 2012

INTRODUCTION

The Oregon Department of Human Services (DHS) and the Oregon Health Authority (OHA) through legislative action has become two separate state agencies. In the past, both OHA and DHS shared this report; starting this year, separate reports from each agency will be forthcoming. DHS is pleased to share this 2012 Government-to-Government Report with the Legislative Commission on Indian Services, as required by Senate Bill 770. This report demonstrates DHS' commitment to working with the tribes of Oregon to address the full-range of human services needs faced by tribal members.

Oregon's Native American population is estimated at between 45,000 and 50,000. All Native Americans residing in Oregon, regardless of tribal enrollment also are Oregon citizens and are entitled to receive the services provided by DHS to Oregonians.

Key topics covered in this report include:

- Child welfare;
- Elder care;
- Additional human services issues as determined by the tribes.

TABLE OF CONTENTS

Senate Bill 770	3
Burns Paiute Tribe	3
Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians	4
Confederated Tribes of Grand Ronde.....	5
Confederated Tribes of Siletz	6
Confederated Tribes of Umatilla Indian Reservation.....	8
Coquille Indian Tribe.....	9
Cow Creek Band of Umpqua Indians.....	10
Klamath Tribes.....	11
Confederated Tribes of Warm Springs.....	12
DHS Programs Affecting All Tribes in Oregon	14
Summary	38
Glossary of Terms.....	40

SENATE BILL 770

HEALTH SERVICES CLUSTER MEETINGS

Senate Bill 770, passed in 2001 and entered into statute as ORS 182.162, requires state agencies to promote communications between the agencies and the tribes of Oregon. The Legislative Commission on Indian Services established a Health Services Cluster to meet quarterly with the tribes of Oregon to address intergovernmental and tribal issues. DHS is the lead agency for these meetings, which also include Oregon Housing and Community Services, the Commission on Children and Families, the Department of Business and Consumer Services and other agencies. DHS organizes and provides logistical support for the meetings. OHA provided the format for the 770 meetings agenda and locations, Programs at DHS are part of the 770 meetings discussion items. Given the importance of Indian Child Welfare (ICWA), a separate meeting with the Tribes of Oregon to discuss the needs of ICWA has been on going for over 30 years; this meeting is organized by DHS.

TRIBAL ACTIVITIES

BURNS PAIUTE TRIBE

The Burns Paiute Tribe invited the State Unit on Aging staff and the Harney County Area Agency on Aging to attend their Health Fair in June. The AAA will be expanding their services to include the tribal elders for the OAA Nutrition and Family Caregiver Support Programs. A Medicare Part D presentation was given to the elders through the Senior Health Insurance Benefits Assistance Program and the Harney County Senior Services Center. Members from the Tribe attended the 7th Native Caring Conference and scholarships were given.

The Burns Paiute Tribe is a member of a list serve for caregiver and nutrition education with the State Unit on Aging.

The Burns Paiute Tribe, the smallest in Oregon with fewer than 200 members living on the reservation located just outside of Burns, has a unique relationship with DHS Child Welfare Programs. The Tribal Court hears the Indian Child Welfare cases and DHS provides services to the tribe in the form of case workers, foster home payments and case management services. This relationship works well, protecting children while respecting the tribe's sovereignty.

The Burns Paiute received \$6,688 in Oregon's System of Care funds to provide individual services to and promote safety of children in the foster care system and their families. Thirty-eight clients were served with these funds.

The Burns Paiute received a Social Services Block Grant (SSBG) of \$2,669 to provide support services for the tribe's child welfare program for members.

CONFEDERATED TRIBES OF COOS, LOWER UMPQUA AND SIUSLAW INDIANS

DHS/APD State Unit on Aging staff offers technical support and sharing of resources for both the Older American's Act Caregiver and Nutrition programs. Staff also encourages collaboration between the local Area Agency on Aging and the Tribe.

State Unit on Aging Staff, Area Agencies on Aging and the Coos, Lower Umpqua & Siuslaw Tribes developed the Tribal Caregiver Guidelines for Title VI and held training on it. This increases Title III and Title VI coordination.

APD staff participates in the Native Caring Planning Committee with the Tribe. Staff also worked with the Elder Coordinator to write the Multicultural Health grant for listening sessions at the 7th Annual Native

Caring Conference. The \$5,000 grant was received and a final report developed.

The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians operate a Tribal Court. Children in need of child protective services receive those services through the DHS Child Welfare Programs. Through its local office in Coos Bay and through the ICWA manager, DHS partners with the tribe on Indian Child Welfare Act cases.

The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians received a waiver and two grants to promote the safety and well being of tribal children and families:

- A Social Services Block Grant (SSBG) of \$6,819;
- A System of Care (SOC) grant of \$15,405, which served 142 clients.

CONFEDERATED TRIBES OF GRAND RONDE

The local Area Agency on Aging Northwest Senior & Disability Services (NWSDS) is pursuing the Peer Counseling program at Grand Ronde. They also attended and participated in the Tribal Health Fair where 300 tribal members were in attendance.

DHS staff and NWSDS are involved with the intergovernmental agreement for monitoring of the three Adult Foster Homes on the reservation where elders are safe and living as independently as possible. SUA staff organized a visit to the homes with staff from the Portland Q Center representing the GLBT community. The Q Center is looking to pursue a similar project in Portland.

The 7th Annual Native Caring Conference was held and over 265 elders and caregivers participated with over 50% being at the conference for the first time. The conference focused on supporting family caregivers and grandparents raising grandchildren. The outcomes from the conference are to increase independent living skills; increase caregiver knowledge of

health promotion, nutrition and self care and to increase caregiver satisfaction (pre and post evaluation results).

The Native Caring Committee received a \$5,000 grant from the Office of Multicultural Health to hold listening sessions on equity in health care at the conference and over 40 tribal members participated.

APD staff and Grand Ronde staff participated in the Native Caring Planning Committee in planning and implementation of the conference.

DHS/APD State Unit on Aging staff offers technical support and sharing of resources for both the Older American's Act Caregiver and Nutrition programs.

Grand Ronde is a member of a list serve for caregiver and nutrition education with the State Unit on Aging.

The Confederated Tribes of Grand Ronde received System of Care funding from DHS in the amount of \$52,312 for safety, permanency, well-being and attachment services for children in care serving 343 clients. The tribe also received a SSBG grant for children in care in the amount of \$35,803.

CONFEDERATED TRIBES OF SILETZ

The State Unit on Aging staff offered technical support to the Elder Coordinator on care giving and nutrition programs. This increased the knowledge of how the Title III and Title VI Caregiver programs work in Oregon and increased collaboration between the Tribe and Oregon Cascades West Council of Governments which is the local Area Agency on Aging. Siletz Tribal staff was on the Native Caring Committee and sponsored members from the tribe to attend the Native Caring Conference

The State Unit on Aging staff, Elder coordinators and Area Agencies on Aging developed Tribal caregiver guidelines for the Title VI caregiver program and held full-day training at Warm Springs with other Oregon Title VI programs in September. This event increased collaboration, communication and coordination between Title III and Title VI Services with the tribes.

The Siletz Tribe is a member of a list serve for caregiver and nutrition education with the State Unit on Aging.

APD staff participated in the Native Caring Planning Committee with the tribe. The Siletz Tribe plays an active role on the Committee and the next Native Caring Conference will be held at Chinook Winds Casino in March, 2013.

The Confederated Tribes of Siletz provide child protective services to tribal members in their service area. Indian child welfare cases are handled through the Tribal Court located at the tribal offices in Siletz. The tribe serves tribal member children in its care, control and custody and tribal member children who are in the care, control and custody of the DHS Child Welfare Programs. Child Welfare Programs has a strong partnership with the tribe for member children in the tribal system and in the state system.

The tribe has a contract for a Social Service Block Grant (SSBG) for \$32,472 which assists the tribe in remedying neglect, abuse and exploitation of children. The grant provides for community-based, home-based or other less intensive forms of care.

The tribe also receives System of Care funds of \$55,078 to provide for individualized services, to involve families in case planning, assist with community collaboration and establish custom services serving 186 clients.

The tribe is one of two in Oregon that runs its own Tribal TANF program. The funds do not pass through DHS. The tribe receives federal funds directly from the U.S. Department of Health and Human Services (DHHS). The tribe administers the program and uses its own system and methods for tracking data on the families its serves.

DHS has an agreement with the tribe to provide additional services to members who are receiving Tribal TANF assistance. These services include employment and training, work experience, and additional supports to families. They are paid with state funds and counted toward the TANF maintenance of effort requirement. The agreement requires the tribe to provide data on the number of clients served through the agreements.

CONFEDERATED TRIBES OF UMATILLA INDIAN RESERVATION

APD staff, the Area Agency on Aging (CAPECO) and the Tribe worked to develop Tribal caregiver guidelines and held training in September. This increased Title III and Title VI Coordination and increased collaboration and communication on joint shared clients. CAPECO offered a Powerful Tools for Caregivers training at the Tribe and the SUA offered technical support to the Elder Coordinator on care giving and nutrition programs. This increased collaboration with a goal of people living as independently as possible and people staying healthy. The CAPECO Director is a member of the Native Caring Committee with planning and implementation of the conference and works closely with the Umatilla Tribe.

The Umatilla Tribe is a member of a list serve for caregiver and nutrition education with the State Unit on Aging.

The tribe received a Social Services Block Grant of \$19,502 through DHS, so that children under the jurisdiction of the Tribal Court and their families can receive effective child welfare services to reduce abuse and

neglect. The tribe also received System of Care funds totaling \$31,255 to meet the individual needs of the children and their families in order to promote safety and permanency clients served were 266.

COQUILLE INDIAN TRIBE

State Unit on Aging staff offered technical support to the Elder Coordinators on caregiver and nutrition programs that increased knowledge of how the Title III and Title VI Caregiver programs work in Oregon.

The State Unit on Aging staff, Elder coordinators and Area Agencies on Aging developed Tribal caregiver guidelines for the Title VI caregiver program and held full-day training.

APD staff participates in the Native Caring Planning Committee with the Tribe and they are active with planning and implementation of the conference. Staff also encourages collaboration between the local Area Agency on Aging (South Coast Business Employment Center) and the tribe.

Coquille tribe is a member of a list serve for caregiver and nutrition education with the State Unit on Aging.

APD and State Unit on Aging facilitated a meeting to discuss the feasibility of housing for elders on the reservation. Five staff attended and the outcome was increased collaboration and communication on joint shared clients.

The Coquille Indian Tribe operates a Tribal Court offering services to tribal members who are in the need of child protective services. The tribe received a Social Service Block Grant of \$6,478 to provide effective child welfare services and reduce the risk of abuse and neglect.

The Coquille Indian Tribe receives \$15,164 in System of Care funds through DHS to meet the individual needs of children in the tribal foster care system. These funds are used to promote safety, permanency and well being, and to employ a strength/needs-based philosophy and practice relative to child welfare; 23 families were served.

The Coquille Indian Tribe has an agreement with DHS for Title IV-E funds, an entitlement program from the U.S. Department of Health and Human Services passed through to the tribes that operate Tribal Courts to provide child protective services. Title IV-E covers the costs of room, board, food, clothing and related administrative costs. The tribe received \$9,770 for services.

COW CREEK BAND OF UMPQUA INDIANS

DHS/APD State Unit on Aging staff offers technical support and sharing of resources for both the Older American's Act Caregiver and Nutrition programs. Staff also encourages collaboration between the local Area Agency on Aging (Douglas County Senior & Disability Services Division) and the tribe. The AAA is offering a Powerful Tools for Caregivers in Southern Douglas County including tribal caregivers. Outreach has been accomplished with the tribe and there is an increased knowledge of caregiver programs resulting in people living as independently as possible.

APD staff participated in the Native Caring Planning Committee with the tribe.

The Cow Creek Tribe is a member of a list serve for caregiver and nutrition education with the State Unit on Aging.

The Cow Creek Band of Umpqua Indians works closely with DHS child protective services through a Child Welfare Program tribal liaison. The tribe received a Social Service Block Grant of \$11,092 to reduce the risk

of abuse and neglect and to serve tribal families in need of preventive or intervention services.

The tribe also received \$23,370 in flexible System of Care funds to meet the individual needs of children and their families; 328 clients were served.

KLAMATH TRIBES

DHS/APD State Unit on Aging staff offers technical support and sharing of resources for both the Older American's Act Caregiver and Nutrition programs. Staff also encourages collaboration between the local Area Agency on Aging (Klamath Basin Senior Citizen's Council) and the tribe.

The State Unit on Aging staff, Elder coordinators and Area Agencies on Aging held training on Title VI Caregiver Guidelines in 2011 and two Senior Program staff- the Coordinator and Supervisor attended. This training increased collaboration, communication and coordination between Title III and Title VI Services with the tribes. The training also resulted in increased knowledge on Caregiver programs in Oregon.

APD staff participated in the Native Caring Planning Committee with the tribe and many Klamath tribal elders were able to attend the 6th Annual conference and took part in the listening sessions for health care equity. The Klamath Tribes are a member of a list serve for caregiver and nutrition education with the State Unit on Aging.

APD and State Unit on Aging staff offered technical support to the elder's coordinator on care giving and nutrition.

The Klamath Tribe has been dependant on the DHS Child Welfare Programs to provide protective services to tribal member children. In 2007, the tribe opened a Tribal Court to offer protective services to tribal member children in Klamath County. This program also expanded the

services of the tribal social services program to include child protective services.

The tribe funds child protective services to member children through three sources, all administered by Child Welfare Programs:

- Social Service Block Grant of \$25,011
- System of Care funds of \$22,824 to meet the individual needs of children, which served 176 clients;
- Title IV-E Administrative Payments \$134,485

The tribe is one of two in Oregon that runs its own TANF program. The funds do not pass through DHS. The tribe receives federal funds directly from the U.S. Department of Health and Human Services, administers the program and uses its own system and methods for tracking data on the families it serves.

Under an agreement with the tribe, DHS provides additional services to members who are receiving TANF assistance from the tribe. These services include employment and training, work experience and additional supports to families. They are paid with state funds and counted toward the TANF maintenance of efforts requirement. The agreement requires the tribe to provide data on the number of clients served through the agreement.

CONFEDERATED TRIBES OF WARM SPRINGS

The Office of Developmental Disabilities provided technical assistance with developing case management services for individuals with developmental disabilities. Regular site visits helped to establish DD case management for children and adults with developmental disabilities living with their families; the goal is for people to have access, information and referral to DD services.

The State Unit on Aging staff provides contract oversight and compliance for the Administration on Aging's Evidence Based Living Well federal grant. The Confederated Tribes of Warm Springs have developed ongoing programs for their elders and give presentations to help other tribes around the nation initiate similar programs. The Enhanced Fitness physical activity program results in improved health and decreased hospitalization and health care costs.

With assistance from the Administration on Aging, the State Unit on Aging, elder coordinators and Area Agency on Aging in 2010 developed tribal caregiver guidelines for Title VI caregiver program. There were six partner meetings during the year, which increases collaboration, communication and coordination between Title III and Title VI services with the tribes.

DHS meets quarterly with the Confederated Tribes of Warm Springs and the eight other Oregon tribes to discuss all aspects of the Title XIX program and provide technical support.

The Confederated Tribes of Warm Springs received a Social Services Block Grant of \$34,485 to assist with providing effective, culturally relevant child welfare services to Indian children and their families. Funds provided to the tribes for child welfare services provided by the tribes are not for prevention of abuse or neglect, but rather to meet the needs of children who have been the victims of abuse or neglect.

The Confederated Tribes of Warm Springs also received \$49,579 for Oregon's System of Care, serving 385 clients. System of Care is the product of an agreement among DHS, the Juvenile Rights Project and the National Center for Youth Law for the use of flexible funds to meet the individual needs of children and their families in order to promote safety, permanency and well-being.

The Confederated Tribes of Warm Springs co-manages DHS cases with APD. The tribe and DHS are increasing their collaboration and

communication regarding shared clients to provide comprehensive and integrated client support. APD is participating on the Tribal Multidisciplinary Team and working with tribal law enforcement on background checks to provide a safer environment for seniors and people with disabilities.

DHS PROGRAMS THAT AFFECT ALL TRIBES OF OREGON

TRIBE-WIDE ACTIVITIES

DHS/APD STATE UNIT ON AGING

Background:

The Older Americans Act emphasizes coordination of Title VI and Title III services that are provided within the Title VI service areas of six Oregon tribes. Coordination helps avoid duplication of services and maximizes available resources for everyone. The primary goals of the Administration on Aging for seniors and elders are:

Goal 1 — Empower older people, their families, and other consumers to make informed decisions about, and to be able to easily access, existing health and long-term care options.

Goal 2 — Enable seniors to remain in their own homes with high quality of life for as long as possible through the provision of home and community-based services, including supports for family caregivers.

Goal 3 — Empower older people to stay active and healthy through Older Americans Act services and the new prevention benefits under Medicare.

Goal 4 — Ensure the rights of older people and prevent their abuse, neglect and exploitation.

INDIAN CHILD WELFARE

DHS collaborates with the Oregon tribes to prevent and reduce the number of Native American children placed into state custody. The Oregon tribes participate with DHS through the Tribal/State Advisory Committee, which meets quarterly and holds an annual conference. Oregon DHS also has a full-time staff person assigned as its Indian Child Welfare Manager.

NOTABLE 2012 INDIAN CHILD WELFARE EFFORTS

TRIBAL CONSULTATION

Participation and consultation of tribal representatives is an important component of the Title IV-B plan. Tribal consultation is considered an ongoing process in Oregon.

Numerous ongoing opportunities for tribal consultation provide collaboration with Oregon Tribes. Some of the structured involvement is through participation in ongoing meetings such as the SB770 Health Cluster Quarterly meetings, Indian Child Welfare Act (ICWA) Quarterly Advisory Committee meetings, and Quarterly ICWA Regional Liaison meetings, Tribal representation on the statewide Child Welfare Advisory Committee, ICWA conference planning committee, Native American Independent Living Program (ILP) conference planning committee, and other special initiatives. These are addressed in more detail throughout the report.

Attendance for the tribes at the ICWA Advisory committee quarterly meetings varies based on location, time of year and their workload.

At the August 2011 meeting, seven of the nine tribes were represented, including the Confederated Tribes of Grand Ronde, The Klamath Tribes, Cow Creek Band of Umpqua Indians, Burns Paiute Tribe, Confederated

Tribes of the Umatilla Indian Reservation, Confederated Tribes of Siletz Indians and the Confederated Tribes of Warm Springs.

At the November 2011 meeting, six of the nine tribes were represented, including The Klamath Tribes, the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, Burns Paiute Tribe, Cow Creek Band of Umpqua Indians and the Confederated Tribes of Grand Ronde.

At the February 2012 meeting, five of the nine tribes were represented, including the Confederated Tribes of Grand Ronde, Cow Creek Band of Umpqua Indians, Confederated Tribes of Warm Springs, Confederated Tribes of Siletz Indians and the Burns Paiute Tribe.

At the May 2012 meeting, there were five of the nine tribes represented, including the Confederated Tribes of Grand Ronde, Cow Creek Band of Umpqua Indians, The Klamath Tribes, Confederated Tribes of Siletz Indians and the Burns Paiute Tribe.

The Oregon tribal representatives recommend goals and objectives for Oregon's five-year plan, which are actively worked on throughout the year. This work is done through specific meetings scheduled in addition to discussing the plans at the ICWA Advisory Committee meetings held quarterly and through projects and goals submitted as part of the Title IV-B Plan. A total of 40 hours was spent by DHS in consultation with the Tribes in compiling the 5-year plan. Outcome measures and progress are discussed at the ICWA Tribal/State advisory meetings. Small work groups are organized depending upon the project. The tribes consult with and share their 5-year and annual plans with DHS through the quarterly ICWA Advisory Committee meetings. DHS shares the State's 5-year and annual plans with the tribes electronically at the time the plans are submitted to ACF and at the ICWA Advisory committee meetings.

Each year, one of the Oregon tribes co-hosts with DHS, the Tribal/State ICWA Conference. The Confederated Tribes of Warm Springs Indians co-hosted last year's ICWA Conference held August 30, 31 & September

1, 2011. The conferences provide essential training on the importance of the Indian Child Welfare Act, the best interests of Indian children, the stability and security of those children, their Tribes, families and communities. The conferences also focus on the importance of traditions and the continued collaboration between DHS and the Tribes.

Child Welfare Programs executive staff and central office managers also meet periodically with the Coalition of Communities of Color, an organization representing many providers and advocates in the Portland area, including the Native American Youth and Family Center (NAYA). These meetings focus on improving communication and collaboration around issues of concern to communities of color, including recruitment and retention of native foster and adoptive homes.

QUARTERLY ICWA ADVISORY COMMITTEE

The Oregon Tribal/State ICWA Advisory Committee meets quarterly and serves two main functions:

1. To identify barriers in department policy and rules in providing services to Indian children in both state and tribal custody, and
2. To work on direct communications between DHS and the Tribes.

The Child Welfare Programs (CWP) and ICWA Advisory Committee continue to work on outstanding issues and develop stronger consultation and collaboration between the State and the Oregon tribes.

Tribal representation on CWP work groups is critical to policy development that may affect Indian children, families and the Oregon Tribes.

Continuing ICWA compliance issues are:

- ICWA practice and accountability;
- The continued lack of native foster/adoptive homes;

- The lack of qualified expert witnesses as required by the ICWA;
- Addressing the need to do active efforts up-front to prevent removal of native children from their homes or to safely return native children to their homes or guardians, tribal access and training related to OR-Kids;
- The renewed focus on the disproportionality of native children in the child welfare system;
- Continued efforts to provide tribes access to criminal records checks. As a result of these discussions, some of the things that have happened this year include:
 - A continued refocusing on ICWA compliance and practice at the upcoming ICWA Conference;
 - Implementation of an ICWA CFSR that covered 54 randomly selected ICWA cases;
 - Discussions that continue between DHS/OCWP management staff and tribes around ICWA practice and accountability;
 - ICWA dashboard in development to track ICWA compliance;
 - Development of a policy option package for statutory changes regarding criminal records checks for tribes; and
 - Institution of conference calls during the months between the ICWA Advisory Committee meetings with the tribes and DHS central office management.

This comes at a time when the structure around ICWA in the DHS Central Office is evolving with the appointment of a new ICWA Program Manager and the hiring of two new ICWA Consultant positions that will work with field staff regarding ICWA training and case consultation to increase ICWA compliance. The new structure is as follows: ICWA Program Manager (reports to the DHS Director); one Executive Support Specialist (reports to ICWA Program Manager); two ICWA Field Consultants (reports to ICWA Program Manager); one Administrative Specialist (this position will be going away at the end of October when the current employee retires).

At this time there is no definite implementation date for the ICWA Dashboard, however, the goal is to have it implemented by the end of 2013. The plan is to have the data included in the Child Welfare field dashboards; however, the conversion from the old system to the new SACWIS system caused issues with the data. This will require a clean-up effort before the data can be used accurately and be useful.

SENATE BILL 770 HEALTH SERVICES CLUSTER MEETINGS

The SB 770 meetings allow both administrators from DHS and tribal representatives to meet quarterly and work on issues together to maintain a cooperative relationship with the tribes. This meeting is an outcome of Executive Order from the Governor and legislative action, with the expectation that Departments within State government form and strengthen relationships with tribes.

DHS has two consultation processes in place to work with the Oregon tribes. The first is provided by the SB770 meetings whose main focus is health care and working with the Tribal Health Directors; Child Welfare is a minor part of these discussions. The second are the ICWA Advisory Committee meetings. These meeting are every quarter and usually last approximately six hours. In the months between the quarterly advisory meetings there are now monthly conference calls that last one hour each. In addition to these meetings, there are also subcommittees set up as needed. These meetings meet the statutory requirements set out in the SB770 for tribal consultation.

TITLE IV-E TRAINING

The Department provides ongoing Title IV-E training either on-site with individual tribes, or group training for tribes (the non-Title IV-E tribes are also encouraged to participate, if they choose). The trainings are primarily focused on providing technical assistance to tribes with Title IV-E agreements, but they can be expanded to all Oregon Tribes, depending on the topic. The trainings are intended to shorten the response time for

questions from the tribes and allow more frequent discussion between the State and the tribes, while providing an opportunity to follow-up on training related to federal funds. In 2011, ten individual trainings and technical assistance visits were conducted with the tribes. These included trainings for new staff, assistance for reporting and documentation especially around administrative claiming, and coordination of Title IV-E eligibility needs.

The Confederated Tribes of Siletz Indians became a direct title IV-E grantee. DHS has committed to working with the Confederated Tribes of Siletz Indians IV-E to provide what support is needed within the parameters of the program.

DISTRICT MANAGERS COLLABORATION WITH OREGON TRIBES

Monthly or quarterly contact between District Managers, Tribal Managers and respective staff has been strongly encouraged to strengthen relationships. Some districts have developed processes with the tribes that enable them to have better relationships. The agency has encouraged other districts to take the model and work through the process with their local tribe. Working through the process with each other strengthens the relationship between the agency and the tribe. DHS also encourages the involvement of the tribes in local planning and training.

Many of the district offices have regularly scheduled meetings with the tribes throughout the state to network and discuss issues. This has proven very beneficial and continues to be suggested to other districts as a way to promote better collaboration between the agency and local tribes.

CONSULTATION AND COLLABORATION WITH CENTRAL OFFICE DHS

The co-chair of the ICWA Tribal/State Advisory Committee is the representative to the statewide Child Welfare Advisory Committee, which is a statutory committee.

Administrators and program managers attend the Quarterly ICWA Tribal/State Advisory meetings. Administrators have been able to recruit tribal participation on DHS committees that effect policy. There are a total of 56 ICWA liaisons in all of the DHS Child Welfare offices; as the designated staff, they are the first point of contact for Native American cases that may be identified as ICWA.

The ICWA liaisons communicate with the Oregon Tribes in their region and assist staff in working with all federally recognized tribes to better serve tribal children in DHS care and custody. The State of Oregon has two ICWA units (Portland and Salem) that are fully staffed with supervisors and staff to address the high native population in their areas and to provide ICWA services to the children and families.

As mentioned above, DHS has instituted conference calls in the months between the ICWA Advisory Committee quarterly meetings. The first conference call was in March, 2012. These calls appear to have resulted in better, timelier communication of tribal concerns around ICWA compliance; tribes have received timely notification of statutory changes that may affect them, timely updates on budget issues within DHS that may impact the tribes, and more in-depth discussion about the ICWA CFSR results.

Oregon has identified the following goals in our 2009-2014 Child and Family Services Plan:

WORKFORCE DEVELOPMENT

Goal: To have competent ICWA Liaisons in each branch office.

Measurement: Annual survey of each branch office.

- Further develop the role of the ICWA Liaison.

In 2011, the ICWA Liaisons' Roles and Responsibilities were finalized and distributed to the District Managers. This will better define the expectations of the field office ICWA Liaison position and improve their ability to assist branch staff in providing appropriate services to Native children and their families.

Goal: Increase the ICWA cultural competency of staff.

Measurement: Increase number of staff who has completed ICWA training.

- Move ICWA Core Training to Tribal Service Areas;
- Involve tribal members in developing and implementing ICWA training; and
- Improve cultural testimony in DHS ICWA cases.

From July 1, 2011 through May 2012, there was a total of 159 staff who attended CORE training over the previous reporting year. Of the 159, one was tribal staff and 158 were DHS Child Welfare staff. The increase in numbers over the last year is due to DHS being approved to hire Child Welfare caseworkers.

Included in DHS Child Welfare CORE training is our ICWA core training. The work toward enhancing representation of all nine Oregon Tribes in the Child Welfare Core training is an ongoing, ever evolving process. The classroom training includes an overview of Native Americans and the ICWA history, as well as suggestions and resources for caseworkers working with tribal children. The project currently place to augment the classroom training experience is pending due to staff changes within the ICWA Unit in the DHS Central Office.

Each of the nine tribes has prepared a tri-fold that is displayed during the ICWA training, and the information is included in the training program. Each of the tri-fold displays are educational and provide the opportunity for the tribes to share their own culture. The displays include items such

as specific tribal pictures, typical lifestyle, resources available to children and their families, and time lines specific to their tribe.

These continue to provide a starting point for discussions regarding cultural differences and supports that may be available for native children. In addition to using these tri-folds to promote understanding and conversations regarding the tribes and the difference in their cultures, they are also displayed at the ICWA Conferences. At the conferences the tribes have representatives present to answer questions of attendees and to provide additional information about their tribe. The tribes are encouraged to update the tri-folds whenever they feel they need to so that the information is kept current.

The Child Welfare Training Unit was able to secure funding for staff to complete the NICWA online ICWA training; those who have taken it so far are ICWA Liaisons, ICWA support staff, and DHS Central Office ICWA staff.

There has been an active DHS-Tribal workgroup working on developing a list of tribal experts. The workgroup started out by defining what questions were appropriate for use when a qualified expert witness was testifying based on the categories listed in the ICWA. The workgroup is currently developing a recruitment strategy; the final step in the process will be designing a training plan for qualified expert witnesses. In addition, training will be developed for our legal partners to help them understand the role of the qualified expert witness in regards to Indian child welfare cases. The committee continues to be on hold until additional funding can be located to support the recruitment and training; state budget constraints are still an issue. There has recently been a decision made to reconvene this workgroup, at that time the participants will be reassessing the direction and outcome goals of this project. There is still a need to resolve the issue and redirecting the effort may be the best solution.

Goal: Increase ICWA compliance.

Measurement: Decreased number of non-active efforts findings by the court.

Data cleanup and improved accuracy of the data gathered from families and entered into the SACWIS system is continuing. The ICWA program staff continues to participate in the development of the OR-Kids system as it moves forward with the next phase to ensure that the ICWA data collected will be entered accurately. One process that was instituted with OR-Kids was that the case could not move forward until the ICWA diligent search process was complete and the appropriate notices were sent. This has increased the number of tribes that have been notified or contacted during the first step of a case.

This past year, the previous ICWA Program Manager (now retired) was not able to visit the field district offices to meet with management and ICWA line staff to provide training and updates on procedures; however, with the new staff changes, and once the two new positions are hired, DHS will be better able to meet these needs. Once these meetings start again, they will be used as a way to gather information and problem solve on issues that the field is encountering that make it more difficult to comply with the ICWA.

The ICWA Program Manager consults with caseworkers on a regular basis to help make sure they are complying with the ICWA. The two new ICWA positions will also take on this role. These positions will also be facilitating communication between DHS child welfare field staff and the local tribal child welfare staff to enable staff to better collaborate on serving tribal children in DHS care and custody.

PERMANENCY PLANNING

Goal: Increase tribal consultation in case planning for tribal children in DHS custody.

Measurement: Branch survey to determine if there is an increased number of ICWA staffing.

- Continue to develop ICWA staffing in branch offices/tribal service areas.

There has not been a formal survey of the branch offices to date. This continues to be an issue due to a lack of resources as a result of budget cutbacks and staffing issues. A baseline survey still needs to be pursued.

Goal: Complete a decision point analysis of case decisions.

Measurement: Change in disproportionate number of native children in foster care.

- Oregon continues the partnership with the courts, Youth Development Council, Early Learning Council and Casey Family Programs (OCCF was abolished on 6/30/12) to address the disproportionate number of Native American children in foster care. The initiative encompasses eleven Oregon counties and focuses on reducing the number of African American and Native American children in foster care. The eleven counties include Coos, Deschutes, Multnomah, Jackson, Malheur, Tillamook, Washington, Lane, Josephine, Marion and Umatilla. Part of this initiative included the completion of a Decision Point Analysis that was initially completed in December 2009, with an additional report completed in March 2010. Oregon continues to address the issues identified in the report through collaboration in the referenced counties. For those counties with tribes, the tribes are an active part of the planning and activities.
- Determine and assess the decisions at key decision points in the continuum of a child's care that may lead to disproportionality of native children in foster care. This will continue to be a focus area over this next year as the Decision Point Analysis was completed in March 2010. The analysis is currently being used by the eleven

counties listed above in their work with the initiative to reduce disproportionality in addition to information provided by Casey in their dashboards. Individual counties put together their own work plans; the local tribes are included where appropriate. These plans have not been shared with the ICWA Program Manager at this time.

PERMANENCY PLANNING AND SAFETY

Goal: Complete Five ICWA CFSR's.

Measurement: Completed reports.

This past year, DHS did an ICWA CFSR that focused on compliance issues. The results have been provided to the tribes and the DHS district and program managers. Several conversations are currently taking place between the tribes and DHS staff to address the issues that came to light regarding compliance and placement issues. One item was the lack of clear wording around active efforts in the court orders; this is being addressed by the Oregon Judicial Department through their efforts to update and upgrade the court system and make the orders more consistent throughout the state. As a result of the ICWA CFSR, several tribes are now working with local DHS staff on areas identified that need improvement. After the next ICWA CFSR, DHS and the tribes will be better able to pinpoint areas that appear to consistently poor performance areas. Currently, the DHS unit that does the ICWA CFSR has been discussing with the tribes the need to do this annually. Recently the staff that does the CFSR's has been transferred to another area of the agency and is working on setting the dates for the next ICWA CFSR. There will be a workshop at the 2012 ICWA Conference that will specifically look at the results of the ICWA CFSR and work on identifying some solutions to issues identified in the report. After the ICWA Conference and the next CFSR, DHS and the tribes can begin to formulate a meaningful work plan to address the areas that will lead to better ICWA compliance.

RESOURCES

Goal: Increase Foster Parent recruitment that focuses efforts to increase placement resources for children; increase efforts on targeted recruitment, specifically related to increasing the pool of Native American Foster Homes; and increase child specific recruitment.

Measurement: Data inquiry showing a change in the number of Native American foster homes.

- Engage Oregon's Native American Tribes in planning foster and adoptive home recruitment and retention strategies.

Efforts are ongoing to engage and include Oregon's Native American Tribes in planning foster and adoptive home recruitment and retention. Multnomah County has added an ICWA certifier to their certification unit who is Native American. This position was carved out of Multnomah certification allocation based on the recognized need to reach out to this community. The worker goes out once a week and conducts informational meetings at the Native American Youth Association (NAYA) and participates in the Native American case staffing in Multnomah. The difference in numbers from year to year appears to be a natural occurrence based on the needs and families available and not considered a trend about which to be concerned.

There are additional efforts to increase the number of Native American foster homes through efforts to provide specific recruitment funds for tribes as well as a general RFP to address minority recruitment. Some recruitment is targeted more towards specific homes as needed when a native child comes into care and is determined to be an ICWA child; also, branch caseworkers work closely with a child's designated tribe to provide a foster/adoptive home based on the child's needs and the mandates of the ICWA. This can be difficult when a tribe is an out-of-state tribe, but caseworkers work diligently with great success to locate appropriate homes. Currently, we are unable to obtain the actual number

of native foster homes due to system issues; these issues are actively being worked on.

DHS is working in partnership with Oregon tribes to safely reduce the number of Indian children in foster care. Specific strategies to safely reduce the disproportionate number of Indian children in state custody who are Indian Child Welfare Act-eligible are being developed, and a grant from Casey Family Programs will bring additional resources to support that effort. In May 2009, the Oregon tribes, DHS staff and several community partners convened the N8V Summit, partially funded by the grant from Casey Family Programs to address the issues of Indian Child Welfare Act (ICWA) compliance and the disproportionality of Native American children with Oregon's child welfare system. There were a total of 12 teams with each tribe having a team, one team from each of the DHS ICWA Units and one team from Child Welfare Programs Central Office. The teams put together action plans specific to their areas that included addressing culturally appropriate resources and services and continued to work on their action plans through 2010. In 2011, with funding and other assistance from Casey Family Programs this partnership became the Safe & Equitable Reduction in Foster Care Project. In the beginning there were eight county teams working with Casey support, this has recently expanded to 11 counties. Those counties with tribes have tribal participation on their teams.

In 2010, the ICW Program Manger, with the assistance of the District Managers and the Field Services Manager, revived the work being done on the ICWA Liaison Roles and Responsibilities document with the result that it was implemented throughout the state to provide practice consistency, accountability and strengthen the relationships between DHS and tribes. In 2011, DHS and tribes have continued to work on ways to support the ICWA Liaison Roles and Responsibilities including District and Program Managers reviewing the document at their meetings and the tribes passing on their concerns and support to DHS through the quarterly ICWA Advisory Committee meetings. The work the liaisons do and

acknowledging that work was one of the focuses of the 2011 ICWA Conference held August 30, 31 and September 1, 2011.

In 2011, the Tribal/State ICWA Conference was co-hosted by the Confederated Tribes of Warm Springs Indians. This is the 33rd year since the congressional passage of ICWA. At the ICWA Conference, both state and tribal staff increased and strengthened their knowledge in culturally competent and promising practices related to ICWA. This year's focus was on the work that ICWA liaisons do, the support they need to continue doing the work well, and acknowledging those currently doing this important work. Workshops and activities were designed to strengthen these areas with an intended outcome of better support for ICWA liaisons in addition to building relationships with state and tribal staff and understanding the work of each other. While similarities may exist, there are many differences in approaches to the child welfare work. The conference is anticipated throughout the year as a renewal of hope and working together to provide culturally appropriate services to Native American children and families. While there are many challenges; this venue provides an opportunity for folks to have open, honest discussion and learn best practice.

As part of the Program Improvement Process (PIP), DHS identified the need for an expanded list of expert witnesses for court proceedings when a case is identified as an ICWA case. DHS staff and tribal staff have formed a workgroup to develop training materials for the recruitment and training of expert witnesses. The first meeting was held in September, 2009 and meetings continued through 2011 to address the different aspects of the expert witness process and who/where to target recruitment efforts with the goal to begin recruitment efforts early in 2012. At this time, the work is pending due to funding issues. As soon as funding is found/resolved, the work will continue forward with recruitment and training.

DHS and the Oregon tribes have also been involved in the development of a new data system for Oregon child welfare, called OR-Kids. This effort

promises to provide the State and the tribes with better and timelier data and information that will allow them to improve services for Indian children and their families. The OR-Kids implementation date was delayed and went "live" on August 29, 2011. The tribes received training on the new OR-Kids system in December 2010 and January 2011.

FUNDING

Many of the funding programs as described below have their own federal outcome requirements and are based on deprivation eligibility.

SSBG TITLE XX AGREEMENTS

Through the Social Service Block Grant (SSBG) Agreement, funds are authorized to the tribes to support their work to provide effective, culturally relevant child welfare services to Indian children and their families.

The objective of this Agreement is to provide SSBG funding to the tribe directly so that children under the jurisdiction of the Tribal Court and their families can receive effective child welfare services that reduce the risk of abuse and neglect and that serve tribal families in need of preventive and/or intervention services.

The source of these funds is Title XX of the Social Security Act and must therefore meet program requirements for Title XX and stay within the parameters outlined in Oregon's Title XX state plan.

All nine federally recognized tribes of Oregon receive Social Service Block Grant funds.

SYSTEM OF CARE

Oregon's System of Care (SOC) child welfare model is the result of a collaborative agreement between the Department of Human Services, the Juvenile Rights Project (JRP), and the National Center for Youth Law. That agreement was in response to the concern that child welfare agencies were failing to address individual needs of children in the foster care system. The agreement included provision for the use of flexible funds to meet the individual needs of children and their families in order to promote safety, permanency and well being, and to employ a strength/needs-based philosophy and practice relative to child welfare.

All nine of the federally recognized tribes of Oregon receive SOC funds. These funds are state General Fund dollars, with no federal requirements. There is an agreement between the state and the tribes that outlines the requirements of how SOC funds are to be used and how the expenditures are to be reported.

TITLE IV-E AGREEMENTS

Title IV-E provides federal reimbursement for the costs of eligible children in foster care. It covers food, clothing, shelter, daily supervision, school supplies, reasonable travel for visitation, and related administrative costs, but does not cover the costs of treatment services. All Title IV-E eligible children are to receive medical coverage under Title XIX (Medicaid). DHS pays the non-federal share of the Title IV-E payment, e.g., the match payment from the state's General Fund at approximately 37% of the child's monthly cost of care.

Currently, tribes do not have the ability to access Title IV-E directly through the federal government and must enter into an intergovernmental agreement with the state to recoup eligible expenses. However, on October 7, 2008, the President signed the Fostering Connections to Success and Increasing Adoptions Act of 2008, (P.L. 110-351, Foster Connections Act) into law. Effective October 1, 2009, tribes have the

option to directly access and administer IV-E funds by submitting a plan to the federal government.

The Confederated Tribes of Siletz is the only Oregon Tribe moving forward with developing a Title IV-E P and Child Welfare practice that will allow them to have direct access to Title IV-E funds. DHS continues to provide support as they are completing all the federal requirements. The Office of Child Welfare Program, Federal Advocacy and Integrity Unit (FAIU) will be meeting with the tribe at least monthly through the implementation of this significant change. FAIU will provide continuous support even after the tribe's Title IV-E State Plan is approved and they are able to begin claiming Title IV-E directly.

DHS currently has agreements with six Oregon tribes for Title IV-E funding:

- The Confederated Tribes of Grand Ronde;
- The Confederated Tribes of Siletz;
- The Confederated Tribes of Umatilla;
- The Confederated Tribes of Warm Springs;
- The Coquille Indian Tribe; and
- The Klamath Tribes.

IV-E WAIVER AGREEMENTS

Oregon's Title IV-E Waiver has been extended until June 30, 2016, while the Administration of Children and Families (ACF) review our request to renew our Title IV-E Flexible Funding Waiver. All nine federally recognized Oregon Tribes have been provided the information and opportunity to submit a Title IV-E Waiver plan for approval. To date, the three tribes that submitted a plan have an approved Title IV-E Waiver agreement.

The purpose of these agreements is to provide Title IV-E Waiver Reinvestment funding to support tribal efforts in the prevention of

substitute care for tribal children, and to facilitate family reunification, or another approved permanency plan for tribal children who are already in a substitute care placement.

The types of services provided with Title IV-E Waiver funds focuses on culturally specific services that may include the following: individual sessions with the child to develop and maintain respect for native culture; child/family advocacy at community meetings; child/family advocacy at court hearings and CRBs; attendance and participation at child safety meetings, family decision meetings, school meetings and other meetings/staffing related to the child; group sessions, such as talking circles, that are age and school appropriate and teach culturally appropriate social, communicative and conflict management skills and traditions; native dance, regalia making, beading and drumming and activities such as ceremonies, festivals or gatherings which may include birth families and foster parents; and positive Indian parenting meetings that may include birth parents and foster providers.

ONGOING SUPPORT FOR CHILD WELFARE PROGRAMS

In addition to the funding sources outlined above, DHS is responsible for providing ongoing support for the nine federally recognized tribes of Oregon. Specifically, DHS is available to assist the tribes in the following:

- Scheduled conference calls take place with one of the tribes on a weekly rotation schedule;
- Face-to-face visits at the tribal office as requested by the tribe;
- Provide technical assistance and training to tribal staff on the appropriate documentation needed to support the tribes' Title IV-E claim for administrative costs and training costs;
- Monitor and evaluate the tribes' Title IV-E foster care maintenance payments and administrative claim to ensure timeliness and accuracy;

- Manage compliance with federal and tribal child welfare policy, judicial findings, safety requirements, foster care licensing and case documentation;
- Develop procedures for implementing and administering federal requirements as it relates to tribal Title IV-E, SSBG Title XX and System of Care programs;
- Manage tribes' Title IV-E, SSBG and SOC agreements and any contract associated with these federal programs;
- Facilitate appropriate security access;
- Coordinate ongoing OR-Kids training;
- Assist with submission of annual state plans and fund requests for Title IV-E; and
- Work corroboratively with Region X to ensure tribes' administrative claiming process meets federal requirements.

STATE/FEDERAL FUNDING TO OREGON’S NINE FEDERALLY RECOGNIZED TRIBES

Following is an outline for each Oregon tribe of the state and federal funding it received, the number of clients served with that funding, and the percentage of the tribe’s overall child welfare budget the state and federal funds represent.

Burns Paiute Tribe	Funding Received
Social Services Block Grant (SSBG)	\$2,669
System of Care (SOC)	\$6,688
Clients Served	38
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	

Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians	Funding Received
Social Services Block Grant (SSBG)	\$6,819
System of Care (SOC)	\$15,405
Clients Served	142
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	

Coquille Indian Tribe	Funding Received
Social Services Block Grant (SSBG)	\$6,478
System of Care (SOC)	\$15,164
Title IV-E Waiver	\$9,770
Clients Served	23
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	

Cow Creek Band of Umpqua Tribe of Indians	Funding Received
Social Services Block Grant (SSBG)	\$11,092
System of Care (SOC)	\$23,370
Clients Served	328
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	

Confederated Tribes of Grand Ronde	Funding Received
Social Services Block Grant (SSBG)	\$35,803
System of Care (SOC)	\$52,312
Clients Served	343
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	
Title IV-E Administrative Payments	\$195,193
Clients Served	34

The Klamath Tribes	Funding Received
Social Services Block Grant (SSBG)	\$25,011
System of Care (SOC)	\$22,824
Clients Served	176
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	
Title IV-E Administrative Payments	\$134,485
Clients Served	8

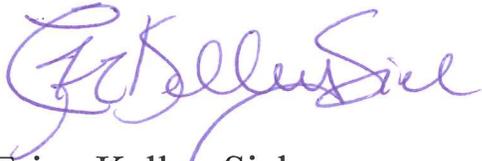
Confederated Tribes of Siletz Indians	Funding Received
Social Services Block Grant (SSBG)	\$32,472
System of Care (SOC)	\$55,078
Clients Served	186
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	
Title IV-E Administrative Payments	\$7,911
Clients Served	7

Confederated Tribes of the Umatilla Indian Reservation	Funding Received
Social Services Block Grant (SSBG)	\$19,502
System of Care (SOC)	\$31,255
Title IV-E Waiver	\$17,321
Clients Served	266
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	
Title IV-E Administrative Payments	\$107,824
Clients Served	28

Confederated Tribes of the Umatilla Indian Reservation	Funding Received
Social Services Block Grant (SSBG)	\$34,485
System of Care (SOC)	\$49,579
Title IV-E Waiver	\$33,166
Clients Served	385
<i>Note: SSBG and SOC number of clients served are not unduplicated</i>	
Title IV-E Administrative Payments	\$213,451
Clients Served	77

SUMMARY

While extensive, this annual report presents only highlights of the full range of efforts that DHS has brought this year to its work with Oregon's nine federally recognized tribes. Those efforts reflect the value HDS places on the collaborative partnership and government-to-government relations between the agency and the tribes. While much work is being done, there is more work to do. DHS looks forward to ongoing work with the tribes in support of the independence, health and safety of tribal members.



Erinn Kelley-Siel
Director

11-20-12

Date

PARTICIPATING DHS STAFF

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GLOSSARY OF TERMS

AAA	Area Agency on Aging
APD	Aging and People with Disabilities Division
BRFSS	Behavioral Risk Factor Surveillance System
CFSR	Child, Family and Safety Review
CWP	Child Welfare Programs
DD	Developmental Disabilities
DHS	Oregon Department of Human Services
DRA	Deficit Reduction Act
FAS	Fetal Alcohol Syndrome
FFY	Federal Fiscal Year
HB	House Bill
HIPAA	Health Insurance Portability and Accountability Act
ICWA	Indian Child Welfare Act
IHS	Indian Health Service
ILP	Independent Living Program
JRP	Juvenile Rights Project
NRC	National Resource Center
NWAIHB	North West Area Indian Health Board
OHP	Oregon Health Plan
ORS	Oregon Revised Statutes
SB	Senate Bill
SBHC	School-Based Health Center
SOC	System of Care
SSBG	Social Services Block Grant
TANF	Temporary Assistance for Needy Families
TCM	Targeted Case Management