

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION ON CHILDREN, YOUTH AND FAMILIES
March 10, 2016 Consultation on Tribal IV-E Plan Development Grant

Commissioner Rafael López: Good afternoon everybody, and welcome. This is Commissioner Raphael Lopez. I am the Commissioner of the Administration on Children, Youth and Families here at the United States Department of Health and Human Services. We extend to you all a warm welcome, and are honored to work with American Indian in Alaska, and in tribes, and government-to-government partnerships.

We are thrilled that you have joined us this afternoon to learn more about Tribal IV-E Development Grants, and we want to make sure that we are here to be both responsive to your questions, and that you are able to engage with us about strengthening the work that we do across the country. We support tribal family concepts and integrative [interruption from feedback]. As I was saying, we work hard to support tribal family concepts and integrative program care, all with the idea of making sure that our children get what they need, and their families get the help they need when they need it. We provide direct funding to tribes for culturally based Title IV-E foster care programs, which is one of the ways in which we can help promote tribal self-sufficiency, and improve the wellbeing of Alaska Natives and American Indian children and families.

Specifically, and more recently, we were able to participate in January, a few weeks ago, in a Tribal IV-E signing ceremony with the Eastern Band of Cherokee Indians. And many of us, who will be speaking on this call today, and who I'll introduce shortly, were instrumental in working closely hand-in-hand with EBCI to make sure that they could launch their program and serve the needs of the Eastern Band of Cherokee Indian children and families. And we're just so proud of that work and partnership, again, in a government-to-government partnership.

So what I'd like to do now is give a little bit of context about our work so that we're all on the same page around what's happening nationally. We actually just came off of a series of Secretary's Tribal Advisory Council meetings last week, where many of us participated, and one of the things we hear about regularly is just how important it is to provide the right kind of support, and the right kind of technical assistance to tribes across the country.

We believe that we can better support tribes to use IV-E to create far more responsive tribal child welfare systems that are run locally, and that are responsive culturally.

Again, in terms of context, we have had about 32 total grants since 2009. Of those total grants, seven have approved plans with five programs that are implementing now. Specifically, the Port Gamble S'Klallam, Navajo Nation in Keweenaw Bay, EBCI, which is the Eastern Band of Cherokee Indians, and the Chickasaw Nation. Approved plans that are not yet implementing are the Confederated Salish Kootenai, and South Puget

Sound, and our team is working closely with the two plans I just mentioned that are approved, but not yet implementing so we can get those off the ground and running.

I should say, in the spirit of transparency and honesty, seven is not enough. We can do far, far better. We know that our children are disproportionately represented in the American child welfare system, and we do not want our children in that system. We want them living with loving families that respect and honor their lives as sacred, and that really are providing the right kind of support and services so that they can reach their full potential and lives. So we fully understand that the number of tribes that are right now operational is simply not enough, which is part of why we are having this and other phone calls, and in person, to directly connect with tribal leadership and tribal staff that can help us improve our own services.

I want to share that one of the things that we're thinking a lot about is how we can create predevelopment grant-application engagement opportunities. One of the things that I've said fairly regularly, not just with the Secretary's Tribal Advisory Committee, but as our staff and I travel the country, and engage directly with tribal communities, is that we don't need a tribal consultation when there's an issue.

We want to make sure that you directly reach out to us and vice versa. We are responsive. If you see something out in the field that's not working for your community, we want to know that, or if it is working, and we should expand our scale when it's working, we want to know that too. So we want to be proactive and engaging in thinking about our predevelopment grant application engagement opportunities, because it's clearly what I've heard directly from tribal leadership since I've been in this role, and it is on us, in partnership with you, to figure out how to shift how we do our work nationally.

Second, we want to be responsive with our training and technical assistance. If something, again, is not working in terms of the provision of T&TA, we want to know about that. Are your experiences in the field either being expanded, and are learning/growing, or if not, we want to know how to change that live, not wait six months, or a year, or several years as tribes might be struggling with how to fill out what is often times complicated governmental forms and code changes at the tribal council level. None of those things should happen in absence of help and support, and we are here to help and support you to get through that process.

Third, we also want to host a series of webinars on IV-E to assist with barriers that arise frequently. What we've learned is that while there are clearly very important nuances from tribe-to-tribe across the country, there are some things that many tribes are struggling with, so why not lift those up? And from the experience of tribe-to-tribe learning, lift up what has worked for them, and the areas that are in common that haven't worked, either do away with them, or to change them. And that kind of engagement is exactly the kind of thing we should be doing more often.

Four is we want to make sure that we are more proactively, and more regularly communicating to tribal and regional staff, via our LISTSERV, about what is possible,

and what is permissible for tribes. And on this point, one of the things that drives me personally crazy is what I call the myths that become policy. And when we often ask here, “Well, what page, or what code are you referencing,” and often times it’s like, “Well actually, that really isn’t a rule,” or “That really isn’t a law,” but no one checked it.

So, bottom line, if you run into any challenges, and someone is telling you, “Oh, you cannot do X,” or “You cannot do Y,” but you’re not quite certain, please reach out to us either to our regional staff and/or the D.C. central office staff. We’d rather be consistent, communicate that nationally, and really be following the law than what we think cannot happen.

My own way of framing in this role is, what can we do together to make things possible? Not how can we come back at you with, no we can’t do that. No, this is impossible. No, we just don’t have the resources. With that said, I want to lift up that. For example, 50% of Tribal IV-E data system costs can be offset using administrative budget line items.

Why I bring this up is just last week we were in a conversation. In fact, my colleague Carlette, and Heather and Eileen, who I’ll introduce shortly, were all in the room when one tribe in particular wanted to clarify whether they could use Tribal IV-E administrative costs to actually cover the cost of data. And we answered the question in 30 seconds, which was a resounding yes you can, and we are happy to follow up with you to figure out how to do that. But that caused such consternation, and such angst that it took essentially months to surface that one, what I believe to be, very simple idea that should not stand in the way of good progress in a Tribal IV-E development.

We also, as hopefully you have heard throughout, welcome your direct, candid, and honest feedback. There is absolutely nothing wrong with telling us where we are doing something well, or where we are falling short, and it is in that candid and honest exchange that we could improve what we are doing. We don’t have all the answers here at the Federal Government. If you haven’t figure that out, welcome to the club. But, we do know that we learn more when we have candid and honest relationships and conversations. And what I believe in that context is that if there’s something we can change, we should tell you, and if it’s something we cannot, perhaps based on law, we should also tell you directly. We want to make sure that we reduce the number of barriers that we are hearing consistently from tribes across the country whether that has to do with eligibility barriers, or implementing IV-E because of things like termination of parental rights frequently conflicts with tribal family values and tribal cultural customs. We need to hear those kinds of things, and we can engage in direct dialogue about how to improve those systems to better meet your needs on the ground specifically for your tribe.

We also take very seriously when these issues are brought up. And we review our own authority about state statutes, and how to work with states to revise rules when necessary, and to really be, if you will, an honest broker between states and tribes,

which often case, as I've seen in person across the country, can be the source of great anxiety and angst between tribes and states.

So, on that note, as I've said multiple times, and it's worth repeating over and over, if you are struggling with getting [inaudible - interference], and/or meeting with the state counterpart, please let us know at the regional and central office level. And we would be happy to provide specific and direct staff assistance either on the phone or in person, including, in some cases, either myself or others, who will travel to your part of the country and make sure you're doing the right things on the right time schedule. We should not be taking year after year after year to get the Tribal IV-E Development Grant out the door.

So that's it. So I want to thank you again for your willingness to partner with us. Thank you for all that you do on behalf of Children, Youth and Families in the country. And I want to introduce to you several staff members who are in the room with me now.

First, we have Eileen West who's our Federal Project Officer for Tribal Title IV-E and IV-B, and many of you probably know her. And she happens to be an enormous champion of making sure we can navigate sort of the bureaucratic waters here, and bring to life a good work on behalf of our children and families.

We also have in the room Carlette Randall who is a Lakota, who is also a Federal Program Officer working closely with Eileen on Tribal Title IV-E foster care.

We also have Heather Zenone who is Cherokee, who is a Senior Policy Advisor in the Office of the Commissioner, specifically focused on tribal children, youth, and family.

We also have Camille Loya who is another extraordinary champion with the Administration on Native Americans, and in whom we trust and rely to keep us focused on the most important issues facing our tribal communities across the country. With that, I'll turn it over to Eileen, or to Heather, actually. My apologizes.

Heather Zenone: That's Commissioner. My name is Heather Zenone. I am the Senior Policy Advisor on Tribal Children, Youth and Families to the Commissioner. I just have a couple of housekeeping items I wanted to run by you.

To remind you that the lines are open, so that means we can hear everything you're doing. If you're typing, you're shifting your papers, we can hear all that, so the best thing you can do is you can do is you can hit the mute button on your phone, or hit *6 [inaudible-interference]. I also need to remind you of what the operator already said, which is that we're recording the consultation. We're recording the consultation for those who aren't able to attend today.

We'll put it up on the ACF website. There'll be a written transcript so you can read through it as well. We want to make sure that you have any of the information, all of the information you need, particularly if you want to make written comments. Written

comment period closes on April 11th. In the Dear Tribal Leader Letter, there's an address for submitting your written comments. That address is tribalfoa@acs.hhs.gov, and I'll reiterate that at the end of the meeting, but we've been experiencing some problems with it, so what I would love you to do, if you're able, is copy Eileen's email address, which is also in your Tribal Leader Letter, and I'll reiterate that address at the end of the meeting. So I just wanted to make sure that that's clear. I think there's also a typo in the Dear Tribal Leader Letter saying that the comment period was March 11th, which clearly wouldn't work. I'm sorry. It's April 11th.

So we pretty much covered our agenda. We're about ready to open up the conversation. I just wanted to say the same thing that the Commissioner's saying, that we're here [inaudible-garbled] expertise related to Indian child welfare, related to the needs of your community, and your children. We're here to listen to your expertise on children welfare systems, and on child abuse and neglect, and we're here to answer your questions related to Tribal IV-E Development Grants, or Tribal IV-E. So there is no conversation topic that is off limits here. This is your floor. We've identified four questions to kind of guide the conversation, but we certainly don't want to limit the conversation to that.

Eileen, do you want to talk a little bit about the IV-E Development funding, and I'll quit.

Eileen West: Okay, great. Thanks, Heather. And I want to echo what the Commissioner and Heather both said in terms of [inaudible], and I thank you, for myself, for taking your time out of your schedule to help with this process.

So just really briefly, the purpose of the funding for a Tribal Title IV-E Development Grant is to fund one-time grants to tribal organizations or tribal consortia that are seeking to develop and submit to the department a plan to implement a Title IV-E foster care, adoption, and at your tribal option, a guardianship assistance program. It's a 24-month grant with a 24-month budget cycle.

So the grants, that are under the funding opportunity, can be used for a variety of things that will get you to an approvable plan. So the legislation gave some examples, which is costs related to developing case planning and case review systems, foster care license and standards for foster homes, and standards for child-care facilities, quality assurance, court structure and procedures, data collection, some cost allocation methodology, financial controls, financial management. So, as you can see, it's a pretty long list, though, that also tells you that it can be pretty complicated too. Manageable, but there are a lot of pieces to it.

So we are anticipating final awards to be made before the end of this fiscal year. Maximum grant is \$300,000. That was given to us by legislation. And today we have had seven rounds of this funding opportunity, so we may have some folks on the call who have had some experience with the grant, and we would welcome their input too, because they have a unique perspective.

So having said all of that, we can move onto the questions or consultation.

Heather Zenone: Yes, we're good.

Eileen West: So the questions are on the second page of the Dear Tribal Leader Letter. In the event that you don't have them, I'll read you the questions.

So the standing announcement for the Tribal Title IV-E Development Grants is it's intended to provide funding to assist tribes in developing an approvable Title IV-E plan so that you can operate a foster care, adoption assistance, and optional guardianship assistance program. What recommendations do tribal leaders have for ensuring successful development of a Title IV-E plan?

Heather Zenone: So just to reiterate the question, do you guys have any suggestions what would be helpful, and if this question isn't helpful for guiding the conversation, please raise your own questions or concerns. The lines are open. You can just start talking, and if you're talking, and we can't hear you, it's probably because you hit *6.

Betsy Tulee: Would you mind repeating the question one more time? Sorry.

Heather Zenone: What recommendations do you have for ensuring successful development of a Title IV-E plan? So the grant funding is to develop the plan. Do you have ideas about what would help to ensure that that happens within the statutorily required 24 months, or you have concerns that you've heard that have been impediments to completing in 24 months?

Betsy Tulee: That's a big question.

Heather Zenone: We have time.

Betsy Tulee: Yeah, it's such a huge project a Title IV-E Development, and I think something I ran into here at Muckleshoot is that, you know, well, I think it's probably the same everywhere. Everyone is so busy, the tribal leaders, the finance department, the child welfare departments, so keeping folks onboard and up to speed with the different components of the IV-E Development is a real challenge, and keeping them engaged, and then trying to clarify, really, how this will benefit the tribe. And that's going to vary across the nation, of course. Here in Washington State, the State meets both the Federal match requirement, and when a child is not IV-E eligible they will pay the full foster care payment for that child out of state funds. So, for me, I need to be able to demonstrate how this will still benefit the tribe, because the foster care payment, maintenance payments will be made regardless of IV-E implementation. So really, demonstrating a bit more on how the admin fees, and paying for training, staff development, those type of things, as well as maybe being able to leverage other resources. How that will be beneficial to the children and families, and to the tribal community as a whole. So I guess in a nutshell just really being able to communicate ongoing-ly. I guess I may not have done it, and I could have used a bit more technical

support, little briefs, maybe, on the different components. So maybe to have partnered a bit more with my federal partners. It'd be great if Eileen and Carlette, and the other team members could come out here more often, right?

Heather Zenone: I would love to come back to Washington. I didn't hear your name. This is Heather.

Betsy Tulee: Betsy Tulee with the Muckleshoot Indian Tribe.

Heather Zenone: Hi Ms. Tulee. Thank you. So what I was hearing is that it would be helpful for people interested in the Development Grant to help inform tribal leaders and other people in the community about the benefits of doing direct IV-E. And I heard you say that it would be helpful if we provided additional T&TA, or additional assistance with that. Is there a particular form that would take? Do you think written?

Betsy Tulee: I think a much simpler like the PIs are probably helpful to us, who are really working on it, but the PI has such—is that what they're called, the instructions that we get when there's a new policy or something? They're really technical language. I mean, we have some brilliant people here, but they aren't in it from the social work field, perhaps. So, probably, language that's more user friendly for those not as familiar with all the federal language, or the social work child welfare type language. So, yeah, I guess. This is just sort of off the top of my head. I didn't really give this call... I've been pretty busy, so I haven't really thought out a lot of what I wanted to share. And I think we've just got to recognize that it's just such a huge project that how can we bring it back to scale, and there's just layers upon layers of regulations, and they have a great child welfare system here. They had an excellent code in place that just took a few tweaks, but we've got to remember that states have had decades to implement these child welfare programs, and they often have multiple, multiple program and policy staff to help implement any changes, or things like that. Whereas at least with some, I know some tribes are huge like Navaho Nation, but with this tribe, there's some great social work service delivery, but all the infrastructure, it's relatively new compared to states. So I think maybe being a bit more realistic about the implementation and the training. When we're trying to support staff in gaining these skills, some of the requirements are really good, but they're in the field on the run, and so to help them to gain the new skills, and tools, and knowledge to implement all these IV-E requirements, that's a challenge too that I've seen.

Heather Zenone: I can hear that. Commissioner Lopez?

Commissioner Raphael Lopez: I just wanted to follow up on something you said that I think is really important to lift up, which is how insurmountable the work feels on the front end, but how critically important it is to sort of break it up or chunk it up. And whether it's now, you know, or in the conversation later on, getting direct feedback about how to break it up to make it feel more doable in pieces versus feeling like, oh my gosh, I have to change everything and do everything over, one. And two, I'm curious on the spot if things like Q&A documents or simple grids with, you know... So by Q&A, I

meant like question and answer. Is this possible, yes, here is how you do it. No, it is not because of rule number XYZ. And on the grids, I'm imagining what if for the people with whom you have to work that are not deeply knowledgeable about child welfare. We were better at delivering much more easily graspable, visual graphics, right, so charts, bars, things that could say, okay, on these three factors, let's say administrative costs, here are three ways it could be done, and three tribes across the country that are doing it. That way, people see it's possible. Are those kinds of ways of communicating more helpful to you or not?

Betsy Tulee: I think that would be great, and especially, to be honest, I have a great new boss, and he has an accounting background through the school of business. So he wants to know bottom line how to financially support, and I'm an old social worker. I don't have that lingo, so to speak. And so how can I explain to him how the tribe will be able to leverage administrative funding in relationship to the cost allocation methodology, which I consider a little bit complicated. I guess I'm not that Brainiac. So, I mean, helping maybe someone like me to communicate a bit of that to those who would like that knowledge here at the tribe, our finance department, and our chief operating officer who's got the finance background. That would be helpful to me, and...

Heather Zenone: Betsy, we're sitting here thinking of lots of ideas, everything from videos, You Tube videos to some sort of like these are the financial benefits. Washington State is a more generous state than some others, so it'd be hard to do, but maybe we could do something that was kind of state by state so you could see what's being done in different states, so that's so doable, and I love that idea.

Betsy Tulee: That would be amazing. That's amazing, yeah. That would be so helpful. And I know it's great, but I can imagine for tribes from states where they don't get the state match, or the state funded foster care, IV-E is really probably so crucial, I could see, you know. And so I've got to explain not only the quality of social work services that we're building up under IV-E, but also the financial benefits. I want to be able to explain both of those maybe better than I have thus far. So I'll shut up. I'm talking too much.

Heather Zenone: I'm happy to hear from anybody who's as Brainiac as Betsy.

Dawn Duncan: This is Dawn Duncan from Hannahville Indian Community. Our tribe has looked at Title IV-E a number of times, and we were not sure that being a small tribe if the administrative cost would be kind of prohibitive. We only have about eight IV-E people in foster care right now. It's been as high as 11, but I'm just wondering if there are any... I know that you have to do that FMAP, and a CAM. Is there any more flexibility for determining who qualifies for IV-E, which tribe?

Eileen West: This is Eileen. What we found is we've got tribes that are all sizes in terms of being able to do IV-E. So one of the smallest tribes is Port Gamble S'Klallam Tribe up in Washington State, and they are operating a IV-E program. In fact, they even

have a Title IV-E waiver. So your admin will also cover things like staff time, IT expenses, staff time for your IT, so admin is pretty broad in terms of what it covers.

Dawn Duncan: Now, that's for the Development Grant, but when you go to implementation...

Eileen West: No. No. No. I want to be clear. That's beyond. That's when you are operating your own program.

Dawn Duncan: Okay.

Eileen West: Your Development Grant is \$300,000 to develop these pieces, so if you need to develop policy or change policy, or develop codes, or whatever you need to do, that's what that fund is for. It's to get you prepared to operate a IV-E program, and then under the IV-E program you can claim for maintenance costs, which would be you mentioned 8 to 11 children in care. There are also your admin costs, which I just explained, and then there are also training costs that you can claim. The training costs are up to 75%. I do want to point out upfront that admin costs are reimbursed at the rate of 50%.

Dawn Duncan: Okay.

Eileen West: Is that clear?

Dawn Duncan: Yes.

Heather Zenone: I heard your question as is it worth it in admin costs when you have very few children, and I think that's certainly a tribal determination, but we've seen small tribes that think it's definitely worth it in terms of both exercising tribal sovereignty, and in creating, growing and developing their own child welfare programs. So it's a local determination, but there's no limits at all on the size of the tribe, or the number of children served.

Eileen West: I'd like to add to that too. Some of the things that you don't typically think about, things that fall under admin costs, too, would be like recruiting foster homes, and licensing foster homes. So those are some of the other types of expenses that fall in as admin costs too.

Dawn Duncan: Okay. I have one other kind of question in regard to it says that in order to qualify for IV-E that you have to first have IV-B. We have a Behavioral Health Department, and we have a Healthy Homes Program, and my understanding is with the Behavioral Health that the funding comes through The Bureau of Indian Affairs. Does this IV-B have to be funded by HHS, or are those HHS dollars that flow through The Bureau?

Eileen West: So I need to explain to you. You do not have to have IV-B until you are at the point where you're going to operate a IV-E program. So you could apply and receive the grant now, and then apply for IV-B at that point in time when you're ready to operationalize your IV-E plan.

Heather Zenone: And then to answer the other question, the Title IV-B funds are administered through HHS, through The Children's Bureau. They're not part of The Bureau of Indian Affairs funding stream. So you might have something called a Title IV-B that comes through IV-B, but it's not the same. Ours is Title IV-B of the Social Security Act.

Dawn Duncan: Okay. I have one last question, and that's in relation to the filing of a petition for termination, or customary permanent suspension of parental rights at a point where the child has been in care for, what was it, 15 out of 22 months. Unless with the exception that if the child is placed with a relative. If children were placed with relatives, and there had been a qualification for Title IV-E funding at the beginning when the child was removed, would that funding continue indefinitely in a relative placement?

Eileen West: When you have a child in relative placement, ideally, you would like to make that permanency as permanent as you can, so such as a guardianship, or a customary adoption, but some of that, also, is going to depend on the age of the child and what's best for that child. So you're going to look at it on an individual child basis. I just want to point out that we have had a policy clarification that if you are doing customary adoption, suspension of parental rights, it is an acceptable option to filing that petition to terminate parental rights.

Dawn Duncan: I had understood that previously, but thank you for reemphasizing it.

Betsy Tulee: There was one thing I wanted to note at Muckleshoot that I feel kind of disappointed about is that those kids that are currently in relative guardianship placements, some of them are licensed. We've got, actually, quite a few because the tribe keeps a lot of the guardianships open and continues to provide services. The State of Washington usually doesn't pay for foster care for guardianships, but since the tribe continues to provide case management, the state has agreed to do so. And I was told that since they're already in guardianship that they won't be eligible for the RGAP payments or program, and I just wish that that could be changed, that we could provide that. Frankly, I think it would help, because like one of our social workers, the cases the social worker is carrying... Well, I can't remember how many, but just tons of guardianship, and she keeps up with them. Makes sure they have cultural contracts in placement if they're away from the tribal service area. Make sure the kids are getting their needs met. They provide stipends. They continue to provide tribal stipends and things, so they do get services, and I just would like to note for the record that I wish that those cases already in guardianship could be transitioned in, or whatever, made into RGAP type of cases. That would really increase, probably, the penetration rate from Muckleshoot, too.

Eileen West: When you say RGAP I'm kind of guessing, Betsy, that you mean relative guardianship.

Betsy Tulee: Yes.

Heather Zenone: I'm guessing RGAP is a Washington version of our Federal Guardianship Assistance Program.

Betsy Tulee: Oh, okay. Thanks, yeah. I think you're right. And just as a heads-up, a challenge we might face at Muckleshoot here is going back to determine eligibility for those kids at their time of placements. We may not have all the access to the financial records. Like the state connects us, really a—really, really wide range of programs to their database system. In fact, they were out here visiting yesterday, a couple... Eileen probably knows Torrez[?] and Bob Insley[?] in Washington State IV-E. They're very helpful. They said they would help us with that, but I think that could be a challenge. It would be, I think, here at Muckleshoot. Some we could easily access the information, but for other kids in care it might be difficult going back to determine eligibility at the time of placement.

Heather Zenone: That's a really good heads-up, Betsy, thank you. I definitely wrote that one down as something to look at.

Jennifer: This is Jennifer from the Oneida Nations.

Several: Hi, Jennifer.

Jennifer: Hi. I just have a question. We're just becoming familiar with the Title IV-E funding. We have our own ICW Department and Foster Care Program currently. I'm just looking in regards to the requirements for this developmental grant. I'm assuming that we would have to have our own children's code or legal jurisdiction in place prior to being able to apply for this. Am I correct in that thought?

Eileen West: Actually, there is no requirement that you have to have a code in place. What we'd be looking for is what do you have, and if you don't have it, how are you planning to develop it.

Jennifer: Okay, because we're in the works of developing that right now. We're the only tribe in The State of Wisconsin who does not have their own children's code. So we're in the beginning phases of trying to develop that, so I was just trying to familiarize myself with how would this fit into that.

Heather Zenone: I would include it in your overall plan. So if you're planning to apply for this development cycle I would make it clear in your application where you are in developing your code, and if you have a timeline, or expectations, I'd make those clear too.

Jennifer: Okay, thank you. That's very helpful.

Heather Zenone: Any other questions about the requirements? These are for the Development Grant or for IV-E implementation.

Krista Catron: From Prairie Band Potawatomi Nation. We're actually a tribe now who is in that developing stage. I just started Monday, so I'm still getting used to it and getting up to date with where we're at. I was just actually wondering—I don't know—if there's any tribes online right now that are possibly in their developing stage at all.

Heather Zenone: We can't see who's called in right now, so if there's anybody who's currently in development you want to holler at Ms. Krista from Prairie Band Potawatomi?

Krista Catron: Okay. That's all I was wondering. I know Ms. Sandy was kind of wondering if there anyone else that would be a part of it. So thank you.

Heather Zenone: There were a couple of the people on the call on Tuesday, a couple of development grantees on the call from Tuesday. If you reach out to me, or to Eileen, we'll try to get you connected.

Krista Catron: Yes. I will do that. I'll probably send an e-mail, and I'll initiate that conversation.

Betsy Tulee: I apologize. I might have missed a part of the conversation. I got sidetracked, but this is Betsy Tulee from Muckleshoot. Although we've spent down our grant monies, we're still developing a few pieces. So, if you mean development of the grant application, we've done that, and we've got a good person who's now in Finance, Grants and Contracts that a tribe could probably talk to, Sharon Curley, who Eileen knows. And then you're welcome to contact any of us at Muckleshoot, myself included, for any conversations about development of the program, and we've gotten great support from folks such as Port Gamble, and we talk pretty regularly with Covelo Confederated Tribes, and such as that. So it's nice to teamwork like that.

Krista Catron: Yeah, absolutely. I'd definitely be interested in maybe exchanging some contact information just to kind of keep in touch. I think that'd be great.

Heather Zenone: Eileen is willing to do that for you guys.

Krista Catron: All right. That sounds good.

Betsy Tulee: Can I give somebody my e-mail address? I don't have any contact with The Children's Bureau, really. I just got word of this telephone conference through Turtle Talk. It had the call-in number on it, and the other thing that I had was the GAO report 15-273, and that really doesn't have any direct contact information either.

Eileen West: This is Eileen. I'm assuming you have the letter then.

Betsy Tulee: No.

Heather Zenone: I don't think so. Turtle Talk put the letter in.

Eileen West: You can send it to me, and the other thing that I can do, too, is if you would like, I can add you to our LISTSERV.

Betsy Tulee: All right.

Eileen West: We have a child welfare LISTSERV, and for any other folks that are on this call, if you're not on our LISTSERV I'd be really glad to add you on. My name is Eileen, eileen.west@acf.hhs.gov. So just tell me what you would like, and I'll be more than glad to help you.

Betsy Tulee: All right, thank you. E-i-l-l-e-n-e?

Eileen West: E-i-l-e-e-n.

Betsy Tulee: E-e-n, okay.

Eileen West: Right.

Betsy Tulee: Okay.

Eileen West: Let me give you my phone number just in case, okay?

Betsy Tulee: Okay.

Eileen West: Because, you know, e-mail's not very forgiving if you mess up one letter.

Betsy Tulee: Yes.

Eileen West: Which I'm pretty good at doing that. So my office number is 202-205-8438.

Betsy Tulee: Thank you.

Eileen West: You're welcome.

Heather Zenone: Well, I kind of want to just wait, because I feel like if I wait somebody else will say something, or we could just ask the next question on the list, and you guys can still say something. So the next question actually is, what recommendations do you have for gauging capacity of a child welfare agency, and their administrative infrastructure, and assessing the tribe's readiness to operate a IV-E program? So any input you could provide for us in terms of the tribe's child welfare agency, their

infrastructure, and assessing readiness to operate a program, any comments, questions, suggestions. Has anyone on the call already done an assessment or considered an assessment, or did you have some other way for determining your interest in the Development Grant?

Eileen West: Or maybe you didn't do it, and you have some thoughts about whether you should have.

Heather Zenone: There you go.

Female: Hello?

Mark Westfall: Hello, my name is Mark Westfall, and I'm the ICW Director for the Seneca-Cayuga Nation down here in Oklahoma, and this is very, very new to me, and I'm frankly interested in the IV-E program, but I don't know where to start.

Eileen West: So, you know, one of the things that we can do is I can have our regional office contact you, and get you the basics of Title IV-E if that would be something you'd be interested in.

Mark Westfall: Perfect. I would very much appreciate that.

Eileen West: And it's Seneca-Cayuga in Oklahoma.

Mark Westfall: Yes.

Eileen West: Okay, great.

Mark Westfall: Would you like an e-mail address?

Eileen West: Yes, please, if you can.

Heather Zenone: Everybody on the call is going to get it, just so you know.

Mark Westfall: Well, that's fine. We need all the help we can get right now. It's mwestfall w-e-s-t-f-a-l-l, that's mwestfall@sctribe.com.

Eileen West: Okay, mwestfall@sctribe.com.

Mark Westfall: Correct.

Eileen West: Okay.

Victor Mann: Hello, this is Victor Mann with the Lovelock Paiute Tribe.

Eileen West: Yes?

Heather Zenone: Hi, Victor.

Victor Mann: Hello. We'd also like to be included on that information for the Development Grant to start.

Eileen West: Victor, what's your last name?

Victor Mann: Mann, M-a-n-n.

Eileen West: And you're with the Paiutes?

Victor Mann: Yeah, Lovelock Paiute Tribe.

Eileen West: Could you spell for us, please?

Victor Mann: L-o-v-e-l-o-c-k P-a-i-u-t-e.

Heather Zenone: Got it.

Eileen West: And can you give me your e-mail, please?

Victor Mann: It's victormann86@yahoo.com, v-i-c-t-o-r-m-a-n-n86@yahoo.com.

Eileen West: Okay, and there are no dots, dashes, periods, or anything like that in there?

Victor Mann: No.

Eileen West: Okay. And what state is your tribe in?

Victor Mann: Nevada.

Eileen West: Nevada, okay. Great, thank you.

Victor Mann: Thank you.

Betsy Tulee: Eileen and team, I'm sorry, but I'll have to leave the call for another meeting, but I appreciate this call, and if there are any future ones, I hope to participate as well.

Several: All right. Thanks, Betsy. Bye, Betsy.

Betsy Tulee: Bye, thank you.

Heather Zenone: So I think we may have lost our development grantee, so some of the other questions might not be all that answerable at this point. So one of our questions was about assessments, however you guys considered assessing your need and/or capacity for Tribal IV-E. Another question we're kind of interested in is, what do you think would be helpful, or what do you know would be helpful to be successful at implementing IV-E? And that could be what are your concerns about being successful, or what are your concerns about having it in place or not having it in place?

Dawn Duncan: This is Dawn Duncan, again. I think one of the real concerns that we've had is that we have so few licensable tribal homes, and we've often had to borrow homes from the state both at times when Title IV-E is involved, and times when it's just tribal. Go ahead.

Eileen West: I'm sorry, Dawn. No, no, no, I thought you were done, my mistake.

Dawn Duncan: I was pretty well done.

Eileen West: Do you have a sense of what the licensing barriers are? Is it availability of homes, or are there licensing barriers?

Dawn Duncan: I would say some of both. We have a strict drug and alcohol policy, and our foster homes, the foster parents, unless it's a direct relative placement on a temporary basis, involves drug testing. And often the problem isn't like prescription drugs, or big bad drugs that people are using. It's THC. The state does not test their foster home parents, and so I guess if we became just a Title IV-E, and we handled all of foster home placements, I don't think the state would be so available to us.

Heather Zenone: Well, that's interesting.

Eileen West: I have a question for you. Do you also have any barriers with potential foster parents not wanting to share information such as financial information with you?

Dawn Duncan: I don't think we've had that problem. I don't work directly in that area. I'm the tribal attorney rather than the tribal prosecutor, or social services worker. I haven't heard that there was a problem with financial information being shared.

Mark Westfall: Can I comment on that?

Heather Zenone: Please do.

Mark Westfall: This is Mark Westfall, again. I've recruited a number of foster homes, and one of the biggest barriers that we have is our tribal funding is so limited. Right now, we've got 10 kids, I think, in tribal custody. We're a very small tribe. But the biggest barrier we have is our money to pay these foster homes comes out of the PSSF grant, or IV-B, and that's depleted very quickly paying foster homes. The state will come in and fund these homes if they are assessed at state standards, which is

wonderful, we can do that, but trying to get the state to approve our standards and the state standards when they're already an open home is a huge barrier. Right now I've got four foster homes that are just sitting there, and I've submitted the home studies, and all of the required state documentation, and they're already open with the state, but I can't get them approved to do the cross funding between the tribe and the state through our tribal/state agreement. Are you with me on that?

Eileen West: Yeah, I understand the issue.

Heather Zenone: We absolutely are.

Mark Westfall: So this is just a huge barrier to get these homes open. And, unfortunately, Oklahoma has 11,000 children right now in need of care, and that's tribal and others, but that's huge. And I could fill these homes up in a hurry. You know, there's nothing for me to approve them as tribal homes. I can go in, do the background checks, fingerprints, get all that done, but we can't fund them. The state can, but we can't. And then the holdup is trying to get the state approval, and get in there and fund them so we can place kids. That is a huge barrier.

Heather Zenone: We hear you. Eileen, what you were going to say?

Eileen West: I was just going to say, I can let the regional office know that this is an issue, and see what we can do in terms of helping facilitate this.

Heather Zenone: Try to figure where it's stuck and see if we can move it forward. Would that be helpful?

Mark Westfall: That would be very helpful. It's stuck with DHS, The Oklahoma Department of Human Services.

Eileen West: I hear you.

Heather Zenone: I hear you. Okay, we will do that. We'll definitely follow up, Mark.

Mark Westfall: I appreciate it, and any help you can give me—I'm kind of new at this—is certainly much appreciated.

Eileen West: Thank you so much for sharing that.

Heather Zenone: It sounds like you're pretty on top of it for a newbie.

Mark Westfall: Well, I've had 58 foster kids of my own, and I've adopted three, so I'm familiar with the system. It's just trying to navigate it.

Eileen West: That is really awesome.

Heather Zenone: Thank you. Any other comments, questions either related to implementation or barriers to implementation, anything related to your foster care program?

Eileen West: Or anything you feel we need to know.

Heather Zenone: Absolutely. The floor is yours.

Roxanne Two Bulls: Hello?

Several: Yes?

Roxanne Two Bulls: Hi. This is Roxanne I'm with the Oglala Sioux Tribe.

Several: Hi, Roxanne.

Roxanne Two Bulls: Hi. At this point, the Oglala Sioux Tribe is a grantee of a Title IV-E planning grant. And the question, barriers to implementation, that type of thing, in regards to foster parent recruiting, one of the barriers that we encountered was that when we recruited foster parents we had a lot of people that were on the central registry from the period of time when The State Department of Social Services was on the Reservation. Some of these instances were not really abuse, physical abuse or anything like that, but it was because of poverty. Maybe they didn't meet the home standards, that type of thing, or they were messy, or whatever, but nonetheless, it left a population of maybe 25, 30 years ago of people that were on the central registry, and they're still on there. And they're not the same person they were 20 to 30 years ago, and they're interested in becoming foster parents now. So what we're trying to do is to find a mechanism to assist these people who are now elders in their communities who are interested in being a foster parent to our children. So that was one of the things that we found interesting, because although they were put on the central registry they weren't provided with the information, or didn't understand the information to get themselves off. So I don't know if any other tribes are encountering that, or just whatever. That would be helpful if somebody shared.

Eileen West: Roxanne, we can talk about this on our next call if you'd like.

Roxanne Two Bulls: Oh, that'd be great. Yeah, perfect.

Eileen West: Okay, great.

Heather Zenone: So Eileen is referring to one Peer Plan Development Grantee. They have regular calls where these kinds of issues can be raised and discussed peer-to-peer, and then worked through where possible. That's what she's referring to.

Jennifer: This is Jennifer, again, from the Oneida Nation.

Heather Zenone: Hi, Jennifer.

Jennifer: In regards to recommendations, I was wondering if you had any input from a federal perspective in terms of assessing whether or not the infrastructure and the readiness for tribes to take on this program, like if you had any feedback for the tribes.

Eileen West: This is Eileen. You know, so much of this really depends on how long your staff has been there, how knowledgeable they are, and a big thing in this whole thing is the commitment of your counsel. If you've got the strong support of counsel, and they want this to happen, it will happen.

Heather Zenone: And I agree with that entirely. The commitment at the local level is what drives everything forward. However you want to do your assessment, whether it's a needs assessment, or if it's from the standpoint of exercising tribal sovereignty, however you approach that. I did want to say that when we talked about this on the previous consultation call, there were a number of different assessment resources that different people had used, different tribal grantees had used. And so some were through... IV-B grantees were able to use an assessment program through, or assessment process through—Eileen, I need you to help me—was it through the Capacity Building Center for Tribes?

Eileen West: Yes.

Heather Zenone: So the Capacity Building Center for Tribes has what I understand to be a fairly comprehensive assessment, and then I'm trying to remember...

Eileen West: There's a little mini assessment, too, that's out there. I think that's on the webpage too.

Heather Zenone: For the newbies who are looking for that, that's the Children's Bureau's Capacity Building Center for Tribes, and if you can't find it with a quick Google search, you can e-mail me, or Eileen, and we'll get you the right links and the right contacts.

Eileen West: The Capacity Building Center for Tribes used to be the old NRC for Tribes for those of you out there who may not be familiar with the name change.

Jennifer: Thank you for providing that resource.

Heather Zenone: You're welcome. These questions are all making my list. It's going to the original question, or the original comment Betsy made about what can we put together to help tribes figure out what they can do first, or what they need to know. This is all going on my list, so assessments is making my list.

Roxanne Two Bulls: Eileen, this is Roxanne Two Bulls, again. Like I said, for the other people on the call, we are a current grantee. One of the situations we had before

the grant was applied for was we were in a state/tribe agreement, and we still remain that way, and we had a comprehensive assessment done by the former NRC for Tribes, and it was very helpful. And we still are looking at working on some of those deficiencies. And by the time—and we’re planning it and strategizing so that we are 100% ready to implement when we have our preprint approved. So that assessment is very important. And one of the things that resulted from the assessment was that we need to strengthen our IT system. We need to strengthen our infrastructure, and we need more training for our staff. So that may be something that you want to look at prior or during your implementation, I mean, during your application phase.

Eileen West: Thank you for sharing that, Roxanne.

Heather Zenone: That’s a really good point. Then for newbies on the call, the preprint is... Well, I’ll let Eileen explain it, but it’s basically the plan. It’s the structure of the plan.

Eileen West: So if you’re familiar with the Children’s Bureau website under the laws and policy tab there’s a section called program instructions. And the one in particular that’s really relevant to this is PI for Program Instruction, and it’s number 15-07. So what you would want to look at is the attachment to that program instruction, because that attachment is what we call the preprint or the IV-E plan. And the IV-E plan is a listing one-by-one of all the requirements that you would need to make to have an approvable Title IV-E plan. So it tells you on that preprint where it is in the federal law, or policy exactly what the requirement is, and it’s all broken out. You don’t get like a whole big long run-on paragraph. It’s broken out item-by-item, and then you tell us in the third column there where you meet it in your policies, your procedures, templates, whether you have like a case-plan template, court order templates, policy standards, standard operating procedures, tribal resolutions, whatever it is that you are using to meet that particular requirement.

I would really encourage you that if you haven’t seen this preprint to go and take a look at it. It is very comprehensive. It’s over a hundred pages. At first when you look at it, it is intimidating. I will give you that, but folks that have eventually worked their way through most of it finally realize that, yep, there is an end in sight to meeting all of that. So once you’re looking at that you want to look at it from the length of well, do we meet this requirement. Do we meet it partially, or do we need to develop it, and then if we do need to develop something, where are we going to put it? Are we going to develop a policy in a policy manual, or do we need to change our code? Those are decisions that you would have to make in terms of how you would want to meet that requirement. It’s a pretty good exercise in terms of giving you an idea of how much work you would have to do if you were to start working on developing your own IV-E plan.

Female: What was the number of that, again, 15-?

Eileen West: 07.

Female: 07, okay. I did get that right. Thank you.

Heather Zenone: Yes, zero 7 just in case you type O instead of zero.

Female: Yes.

Eileen West: And you want the attachments. You have to open up that document, and then scroll to the bottom, and you'll see the attachments. That's what you want.

Heather Zenone: The feedback we've heard from current grantees, and implementing grantees is that once you go through that hundred-page document you have your child welfare system, your foster care system pretty well planned out. So it's daunting, but it's useful. Is there anything we haven't discussed today you guys want to talk about?

Roxanne Two Bulls: This is Roxanne Two Bulls, again, with the Oglala Sioux Tribe. I missed a little bit of the beginning of the meeting, I mean, the call, and I wanted to know the written consultation comments will be due April. We should put our comments in writing?

Heather Zenone: That's right. Written comments can be submitted up until April 11th, 2016. So if you're looking at the Dear Tribal Leader Letter it says March 11th. We typoed that. We apologize. Then, Roxanne, so if you didn't hear, and maybe some other people joined after the beginning. I just wanted to reiterate in the Dear Tribal Leader Letter, the e-mail address for your written comments is tribalfao@acf.hhs.gov, so tribal f (as in Frank) o (as in orange), and a (as in apple), tribalfao. We've been experiencing some problems with that e-mail address, so just to be sure that we get your comments we've asked that you please cc Eileen, and I'm going to give her e-mail address out again. It's eileen.west@acs.hhs.gov, and if that bounces, her phone number is 202-205-8438.

Victor Mann: Hello, this is Victor Mann from the Lovelock Paiute Tribe, again.

Heather Zenone: Hi, Victor.

Victor Mann: When is the deadline for the Development Grant due?

Heather Zenone: I was just about to say that. It's July 29th I think is when it's due, and we're anticipating it getting posted at the end of April.

Victor Mann: Okay, thank you.

Heather Zenone: You'll have 90 days, and we will be putting it out over our LISTSERV, so you'll see the notice come across. I printed up the HHS forecast on it, and it said we estimate the posting date as April 29th, which makes the application due date—what is it, 90 days later?

Eileen West: Right.

Heather Zenone: And so it's listed as July 28th right now, but it'll be 90 days from the posting date.

Eileen West: Heather, give them the grant number.

Heather Zenone: Sure.

Eileen West: So, folks, if you get the grant numbers then you can do a search on the grant number too.

Heather Zenone: Yeah, it is the easiest way to find it. It's HHS-2016-ACF-ACYS-CS-1176. So I'll repeat it, HHS9(like Health and Human Services)-2016(like the year 2016)-ACF(that's for Administration for Children and Families)-ACYS(that's for Administration on Children, Youth and Families)-CS-1176.

Eileen West: That CS is C as in cat and S as in Sam.

Heather Zenone: Thank you, Eileen. Anybody need a repeat? Cool.

Mike Slizewski: I don't need a repeat, but this is Mike Slizewski at the Quartz Valley Indian Reservation, and I attempted to locate that. That just has not been posted, so don't look for that posting until April 29th, is that correct?

Eileen West: Yeah, right now a forecast is out, that's all.

Mike Slizewski: Okay.

Eileen West: The forecast means that we're going to be posting. We anticipate posting the funding opportunity announcement.

Mike Slizewski: Okay, yeah. I was on grants.gov, and I couldn't find it there. So that's because it's just not posted there yet, correct?

Eileen West: That is what the grant number will be, so if you have that then you can...

Mike Slizewski: Right.

Eileen West: Okay.

Mike Slizewski: Thank you.

Heather Zenone: Any other questions? I think we've covered the expected posting date, the due date, the funding award announcement number, and the comment period. Anything else that we can help you guys with today, or anything we can answer? Anything you need us to know?

Well, Commissioner Lopez had to leave about half way through but he, I'm sure, wants to thank you for your time and for your thoughtful input. And we'll be responding to all the comments, and incorporating your guys ideas as we go forward. So thank you so much for contributing your time and your insights today.

Female: Thank you.

Heather Zenone: Bye everyone.

Eileen West: Bye.

END OF SESSION