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Off-Reservation Indian Foster Care Human Services Division, Fond du Lac Lake Superior Band of Chippewa

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In 1991, only 30 percent of children in foster care in Saint Louis County, MN were in Indian homes, despite the legislative attempt of the Indian Child Welfare Act to improve this statistic. Many of these children lived with families who were residents of the Fond du Lac Indian Reservation, which lies primarily in Saint Louis County. Understandably, the staff responsible for social services at Fond du Lac were concerned about the number of Indian children they could not serve. But by 1990, there were 12 Indian foster homes per 1,000 persons on the Reservation, as contrasted with only one non-Indian foster home per 1,000 persons in the surrounding county. In other words, the Fond du Lac Band had reached a saturation point for eligible foster homes, and if more Indian children in need of foster care were to receive the benefits of placement with cultural integrity, those placements could not occur on the reservation. It was vital for Indian children to be placed in off-reservation Indian homes.

Unfortunately, off-reservation non-Indian agencies had difficulty recruiting Indian families. In 1991, for instance, there were no Indian foster care homes in Saint Louis County. This poor record was largely attributable to a lack of trust and understanding between Indian families and county and state government representatives. In particular, Indian families were concerned that cultural misunderstanding or even racism would cause non-Indian licensing officials to mis-assess their ability to care for foster children.

Fond du Lac's directors of human and social services believed the answer to this problem would be for the band to license off-reservation Indian foster parents. But the idea raised a second problem: The band's government was able to exercise licensing authority within reservation boundaries, but lacked authority outside those boundaries.

The Fond du Lac Foster Care Licensing and Placement Agency was the solution to both the jurisdictional and recruitment problems. By establishing a separate non-profit entity, chartered under state laws, which then contracted the Fond du Lac government's Division of Human Services to provide all programmatic and administrative services, the Band could legitimately work toward expanding the availability of Indian foster homes in northeastern Minnesota.

With the establishment of the off-reservation placement agency, many Indian families stepped forward to be considered for their licensure. In fact, before the Agency even opened its doors, interested parents were calling to ask how to begin the application and review process. The instincts of the staff had been correct – Indian families were more comfortable working with the Band. Discussing her family's decision to become a foster family and their choices of the Fond du Lac off-reservation program as the licensing body, one mother said,

“We don’t have to explain (to the Fond du Lac program) why we live the way we do, why we smudge the house down with sage or why we go to Canada for a pow-wow.”

In the last decade, the Fond du Lac Foster Care Licensing and Placement Agency has helped assure that fewer Indian children in Minnesota grow up in non-Indian homes, with little or no cultural contact. Statistics attest to specific program successes: The Agency has licensed 58 off-reservation Indian homes since its inception; it has placed more than 70 children each year since 1995; and, today, some 60 percent of the Indian children in out-of-home placement in St. Louis County are in Indian homes.

And there is more to the Agency’s success story. For instance, the program has brought foster families closer to their roots, a process facilitated in particular by the Agency’s cultural advisor, who arranges training and cultural events and is on call for emergency situations. The Agency also has helped the on-reservation foster care program, tribal administrators realized the Band could petition the state for reimbursement for reservation-based foster care as well. In combination, the programs channeled more than 41.9 million to Indian foster families over the period 1991-1996. Finally, the Agency is having a catalytic effect on Indian foster care provision across Minnesota. For example, one family has volunteered to develop a home for 16 teenage girls, and state officials are so pleased with the Program’s overall success that they are encouraging other bands and tribes to develop similar agencies.

For tribes nationwide, the most important aspect of the success of the Fond du Lac Foster Care initiative is that it enhances tribal self-determination and self-governance – an Indian foster care licensing and placement agency, together with a tribal government, is licensing and placing children in Indian foster homes outside the reservation boundaries. On a basic legal level. This extension of jurisdiction is an important accession of tribal sovereignty. On a more conceptual level, the Band’s degree of self-government has increased because it is better able to promote the rights and interests of all its citizens. Because of the Fond du Lac Foster Care Licensing and Placement Agency, Indian youth are much less likely to be “lost” in the non-Indian foster care system, and are increasingly afforded the protection of the Band despite their location off of the reservation. In protecting youth, the Band also helps assure future self-determination.

Several keys to the success of the Fond du Lac Foster Care Licensing and Placement Agency deserve mention. Most notably, the Fond du Lac Band tribal government has been extremely committed to the Program’s success. The Band’s directors of human and social services insisted on hiring highly qualified employees, creating good working relationships with county social workers, winning the support of the state government, and, in general, running an exemplary program. Because of these commitments, other tribal communities have the opportunity to similarly extend their self-governance and achieve similar success.

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