

**Eastern Band of Cherokee Indians  
Public Health and Human Services**

**2014-2019  
Child and Family Services Plan**

## Summary:

"I have a responsibility to keep our community safe, to provide access to quality health care, to provide educational opportunities, and to promote a lifestyle that celebrates our heritage and preserves our language." Chief Michell Hicks

The Eastern Band of Cherokee Indians, as one elder described, "We have defined and redefined ourselves as a tribe of people that has been held together with our ancestry, heritage, and cultural ways to become uniquely who we are as Cherokees." While speaking to a group of children, Chief John Crowe shared an old traditional story of a young boy who did not want to live his way of life with the stresses in his family. He kept going out into the woods until he finally was invited to join a tribe of bears who welcomed him into their world. As he changed into a bear, he began to realize that he could never become a human again. He wanted to see his family and his village one more time. He realized that he could still speak in Cherokee and even think like a human. In coming back home, he thought he was speaking Cherokee, but the people in the village only heard growling. The people were afraid, until the local Medicine Man told them he was the little boy that left many years ago to live with the Bears. Ironically, his family called him Young Bear. They all celebrated this meeting, and greeted him with a new dance that is still celebrated today through the Bear Song and the Bear Dance. Chief Crowe then explained to the children that animals and humans, as all things here on Mother Earth are kin. He told us the "old ones" shared that this was the last time in a much earlier time when humans could join the animal tribes, so we must learn to live and be happy and safe with our human families as the blessed relationship to all others in the Circle of Life. He told the children to respect their parents and all the gifts the Great One has bestowed to us here on Mother Earth. He told the adults to be responsible and to teach the children respect and to honor their elders.

Family is the basic structure in the Cherokee way of life. As the elders would say, children are to be taught, elders are to be respected, and adults are to be responsible as tribal members in the Circle of Life. With this in mind, Chief Hicks and the Tribal Council have directed the Division of Public Health and Human Services to assume the local county social services with our own tribal human services that includes the Family Services Program already being operated by the Tribe to serve our own people. The "turn-key" planning efforts are underway and with the hiring of a new position as Director of Human Services. In retrospect, back in the late 1950's and early 1960's, the Cherokee Historical Association under the leadership of Tom Underwood, a tribal member, established efforts with young Cherokee members through scholarships to college that gave opportunities for youth to interview elders as a subtle means of cultural preservation. While much of this recorded information has been lost in time, several books were written or encouraged to be written by our own members as a way to preserve the stories and way of life that we consider sacred and therefore, to be honored. These actions also led to many efforts that have been preserved by new organizations that continue today to as a way of keeping our heritage, culture, and language alive. The relationships made with other entities for the sake of this preservation included Western Carolina University, University of Tennessee, and University

of North Carolina at Chapel Hill, Wake Forest, and other universities that share our vision of preserving the unique Cherokee way of life.

The Tribal Child and Family Services Plan for Federal Fiscal Years 2015-2019 and Reports under the Title IV-B by the Social Security Act with authorities under the Child Welfare Act of 1978 and the Indian Self-Determination and Education Assistance Act provide a progressive way for us to support the family concept of integrated program care and preservation of the Cherokee family way of life. The 2013 Eastern Band of Cherokee Indians Tribal Health Assessment (THA) provided assessment, analysis, prioritization, improvement, and evaluation of data and resources for the new Human Services organizational plan to create opportunities for measureable outcomes to be achieved. The planning, workgroups, tasks, and associated activities with an integrated model directed toward results-based accountability has progressed with training of EBCI employees. The overall goal for the Tribe in terms of Child and Family Services is to have a fully functioning Child Welfare Program that rests in a full continuum of collateral services that will serve the children and families who are in the highest risk of maltreatment. The specific focus is on family preservation, reunification efforts, parenting skills education, staff training, and case management. By October 2015, our planning with support as mentioned will help to "turn-key" social services operation from the local counties of Swain and Jackson to the Division of Public Health and Human Services. We plan to better integrate and improve human services activities already being provided as Cherokee or Tribal support, safety, and assistance for children adults and family on the Boundary. This includes the integration and continuity of health care and behavioral services with protective and court related services as well. The key in our strategic planning will be a data and document system that will provide results-based accountability.

Coming-together is a traditional way that is as sacred to our people as a sign of completeness through dynamic change just as much today as it was over many years ago. The basis for this integrated activity is the "old way" where we seek the WAY OF RIGHT RELATIONSHIP through work and planning for positive changes for Seven Generations of Cherokee families. This is based on honor, respect, and protection of the sacredness of the Cherokee family. This is not just a strategic plan, but a vision for us focused on changing now for more positive outcomes in the future.

### **Historical Information:**

The Eastern Band of Cherokee Indians is a federally-recognized Tribe, the only one in the State of North Carolina, and is located on the Qualla Boundary in Western North Carolina. The Boundary or Reservation is contiguous to the Great Smoky Mountains and the Blue Ridge Parkway. There are approximately 14,000 Eastern Cherokee tribal members enrolled, most of whom live on the Reservation with slightly more than 56,000 acres held in trust by the federal government for the Eastern Band of Cherokee Indians.

Since earliest contact with European explores in the 1500's, the Cherokee have been identified as one of the most advanced indigenous Native American tribes. The Cherokee culture thrived for thousands of years in the southeastern United States before European contact. Following

European contact, the Cherokee society and culture continued to evolve progressively with that of the European settlers. Peaceful co-existence continued with mutual respect, government-to-government, as one of the so called ‘civilized’ tribes of that time in history. The relationship changed with growing numbers of settlers and greed caused by gold being discovered in Georgia during this nation's first gold rush.

The Indian Removal Act passed in 1838 by Congress began the removal of the Cherokee, along with other indigenous tribes that called the North and Southeast their original homeland. Thousands of Cherokee men, women, and children were literally rounded up and marched west of the Mississippi, an event known as the "Trail of Tears," that covered about 1,000 miles to what was called "Indian Territory." Today, known as the State of Oklahoma, The Cherokee Nation that traveled the Trail of Tears is the sister tribe that was once the Eastern Cherokee Indians, including the United Keetoowah Band of Cherokee Indians which are also federally-recognized. Thousands of lives were lost to disease, hunger, and the harsh elements of weather and fatigue of the long travel west.

Today, the descendants enrolled by the Federal Government survive as members of those earlier Cherokee Indians. The Eastern Band of Cherokee Indians are a strong and sovereign Tribe of almost 15,000 members that carry on their unique cultural traditions with stories, song-chants, and music to celebrate life with old ceremonies and language unique to the Cherokee Indians. "Ani-yunwiyah" in the Cherokee language refers to the Cherokee as the “Principle People.”

Like the United States, the Eastern Cherokee has a tripartite form of government, which includes judicial, executive, and legislative branches. Executive power is vested in the Principle Chief, the legislative power in the Tribal Council, and judicial power in the Tribal Court. The position of Vice-Chief is also part of the executive branch. The Principle Chief and Vice-Chief are elected to four year terms, while the Tribal Council is elected for two year terms by the registered tribal members. The 12 member Tribal Council is the legislative branch of government and represents the seven communities of the Eastern Cherokee in the three county area. The judicial branch is the Tribal Court system.

### **Tribal Agency Administering CFSP Program:**

IV-B Subparts 1 & 2 has been utilized by Family Support Services since 2005 and will continue to utilize the funds according to the current plan. The funds have mainly been used for family preservation, reunification efforts, parenting skills education, staff training and case management. In 2013, the Tribal Council of the Eastern Band of Cherokee Indians signed **Resolution Number 642** on August 1, 2013 authorizing the Tribe to reorganize existing social service programs, which historically have been housed in different divisions of the Tribal Programs. This reorganization pulled all of the relevant social service programs into a newly formed division labeled the EBCI Public Health and Human Services (EBCI PHHS). It is within that program that Family Support Services is administered and where the future EBCI Child Welfare program will be administered.

Within the next two years, the EBCI PHHS will form laws, policies and procedures that conform to both Title IV-B Subparts 1 & 2 as well as Title IV-E requirements. The goal is for the Tribe to have a fully functioning Child Welfare Program that rests in a complete continuum of collateral services that will serve the children and families who are in the highest risk of maltreatment. Currently there is a Steering Committee that is comprised of the Deputy Director of PHHS, who has been identified and placed in this position by the Principal Chief, the Directors of all the departments that have been organized into the PHHS, the Directors of the surrounding County's Department of Social Services, the Tribe's legal department, the General Manager of the Cherokee Boys Club Inc. Cansler Collaborative Resources is the consulting firm that has been hired by the Tribe to aid in this monumental task.

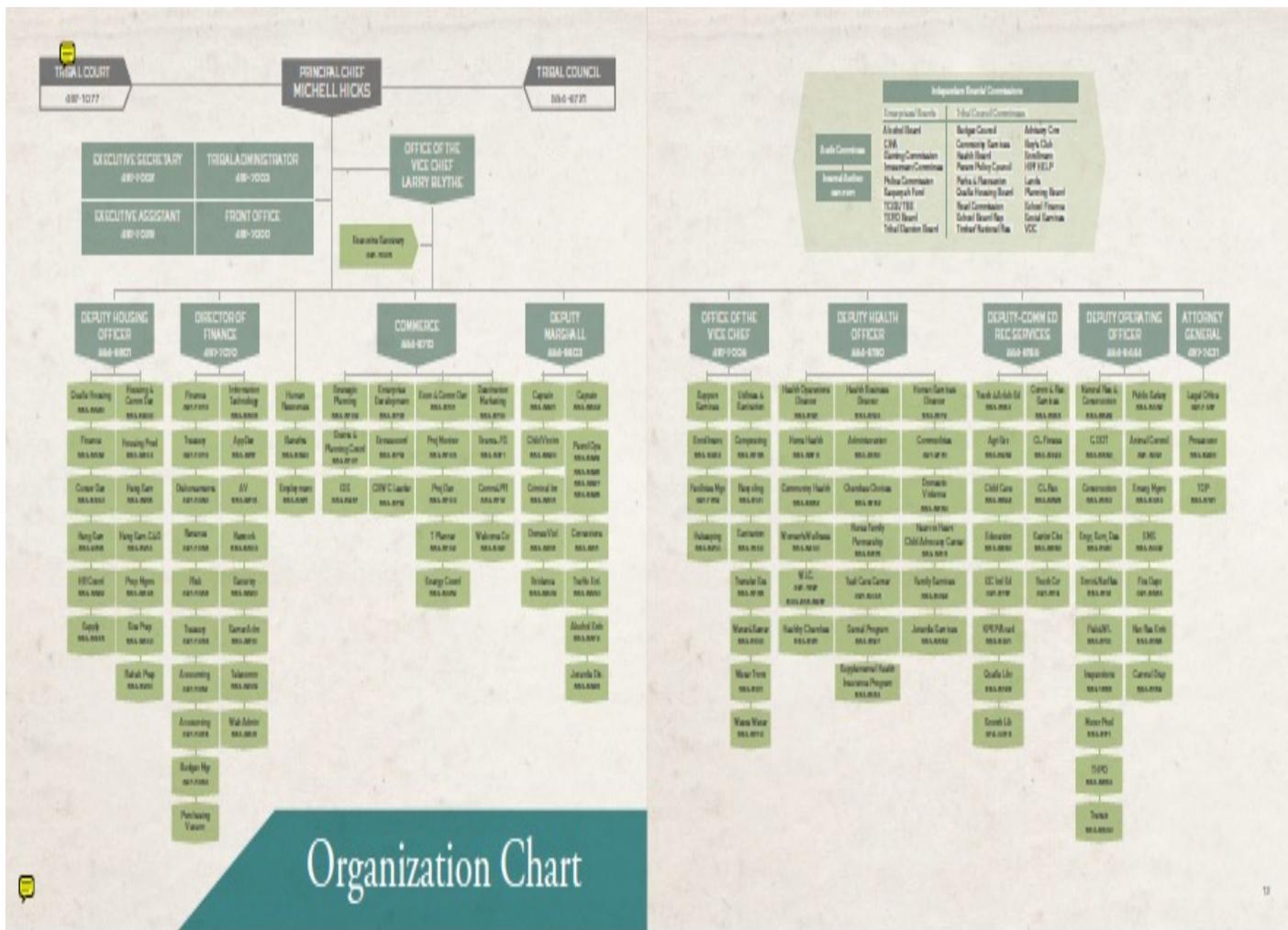
Members of the steering committee have been divided into sub-committees including: Child Services, Adult Services, and Eligibility. These subcommittees are responsible for crafting the policies, procedures, proposed budgets, and capital needs of these respective programs. These subcommittees are currently working on these issues. The current timeframe states that these functions will be completed by September 30, 2015 and ready to take clients by October 1, 2015. The North Carolina General Assembly passed Senate Bill 744 stating that the EBCI would be allowed by the State of North Carolina to assume responsibility for certain social services, healthcare benefit programs, ancillary services, including Medicaid administrative and service related functions and related reimbursement. Beginning October 1, 2014, the EBCI will assume responsibility of Supplemental Nutrition Assistance Program (SNAP). No later than October 1, 2015, the EBCI will assume all other services and programs related to GS 108-25e with the exception of special assistance, childcare, and adult care homes.

The CFSP being submitted by the Tribe this year will be planning for these changes in the Tribe's operations throughout this planning cycle. Each Annual Progress and Service Report will reflect the growth of this program and the addition of services that the Tribe is providing. Services will be transferring from State and County Organizations to newly formed Tribal Programs throughout this five-year timeframe.

Cherokee Family Support Services will submit and continue to administer the CFSP for the Eastern Band of the Cherokee Indians, which is now a division of the EBCI Division of Public Health and Human Services (DPHHS). As the new DPHHS division within the EBCI takes shape, responsibilities of administering the CFSP will change to accommodate assumption of social services on the Boundary. The organization will reflect or "look-alike" the State/County DSS programs and similar skills and competencies for child, adult, protective services and Foster Care.

The key differences will be in the integrated approach with behavioral services working hand-in-hand with the family unit for support, safety, and assistance needed to improve and to collect quality data for results-based accountability and reporting for enhanced assessment and positive family outcomes on the Boundary or trust lands of the Eastern Band of Cherokee Indians.

# Eastern Band of Cherokee Public Health and Human Services



## **Mission, Vision and Values**

The mission of the Family Support Services program is to **“Restore and Strengthen Native American Families.”** To this end, we are committed to providing family-centered strength-based services. And in keeping with the Indian Child Welfare Act, the Eastern Band of Cherokee believes that children have the right to be raised in their own families, communities, and culture. We also believe that families are their primary source of love and affection for their children and their first and most effective connection to Tribal culture.

We believe that all families have the right to self-determination. Our agency involvement with the families is merely to support, encourage, guide and enhance the strengths that each family already possesses. Family Support strives to provide services at the convenience of the family. In-home services, follow-up and referrals are all vital resources to the family’s success. Safety and permanency of our Cherokee children is paramount. The well-being of the children and their families is the driving force of service delivery. Stable families and happy children result in healthy communities. To this end, we will strive to improve program services and the overall child welfare system of the Eastern Cherokee.

## **Goals, Objectives and Measures of Progress:**

**Goal 1:** In-home casework services will be provided to 22 Cherokee families who are at risk of having children removed from their home. In-home services will help to ensure the continued safety of the child and increase family stability while working to eliminate problematic areas.

**Objective 1:** Administer the North Carolina risk assessment tool.

**Objective 2:** Assist family in developing goals to guide forward progress.

**Objective 3:** Assist family in identifying strengths and weaknesses.

**Objective 4:** Assist families in developing strategies for achieving goals.

**Improved Outcomes:** Stable home, well-adjusted child and family relationships, and family cohesiveness. We estimate providing this service to 22 Cherokee families.

**Goal 2:** Time-limited reunification services will be provided to 15 Cherokee families to expedite the reunification of families and securing permanency for children in the least amount of time possible.

**Objective 1:** Assist families in completing court-ordered case plans whose children are in foster care or kinship placement.

**Objective 2:** Attend court hearings to better serve families.

**Objective 3:** Tribal social worker will visit child in home at least monthly and as possible before each court hearing.

**Improved Outcomes:** Timely return of children to home, parenting skills and knowledge improved, parents reaching for help before problems escalate. We will continue to

collaboration with County partners to provide effective services such as supervised visitation, transportation, and case work services while keeping children safe

**Goal 3:** Assist County DSS in a joint Foster Care Initiative by recruiting Cherokee families to serve as foster homes to Cherokee children. We would project at least 3 Cherokee families being recruited and licensed each Fiscal Year.

**Objective 1:** Assist County DSS in the recruitment of potential Cherokee foster homes.

**Objective 2:** Assist County in providing pre-foster care training.

**Objective 3:** Research the possibility of the Tribe becoming licensed by the State as a Child Placing Agency.

**Improved Outcomes:** Cherokee children remaining in their community with extended family while nuclear family issues are being resolved.

**Goal 4:** Provide Parenting Education classes for at least 25 Cherokee families. Providing classes that will give parents the tools needed to raise children in a safe and nurturing environment, ensuring that children will grow to become responsible adults and valuable assets to the Cherokee community.

**Objective 1:** Provide parenting education classes 4 times per year or on an individual basis as requested.

**Objective 2:** Provide child care and transportation to participate as needed.

**Objective 3:** Research and purchase a parenting curriculum specific to Native American populations.

**Improved Outcomes:** Better skilled and informed parents, coordinator to serve as a support resource to parents, resulting in improved functioning of the family system. We will provide Parenting Education to 25 families per year.

### **Consultation and Coordination:**

The Tribe determined the most appropriate consultation process before undertaking the monumental task of developing a comprehensive Child Welfare program was to bring our Federal, State, and County partners together to confer about the Tribe's plan. The Tribe knew that although they were not seeking approval, it would be imperative to maintain a meaningful collaboration throughout this process now and in the future. The Tribe has established monthly meetings with the County Directors and the State DHHS to keep them apprised of progress, in addition to working out a Memorandum of Agreement on transfer of cases, timeframes, sharing of case information, shadowing and mentoring, jurisdictional issues, and funding. All these things are works in progress, and will remain as such until the Tribe opens its Child Welfare door in October 2015.

Engagement of other key stakeholders such as TANF, Domestic Violence, Child Advocacy, and Behavioral Health, Heart to Heart, Juvenile Services, Community health, Children's Dental, Cherokee Choices and Home Health were also part of the Tribal reorganization and are also

housed in the new Public Health and Human Services Division. All of these program managers meet weekly and have opportunity to refer families to needed services.

Other key stake holders would include local Departments of Social Services which has direct responsibility for CPS, foster care, monthly home visits and reunifications services. Staff from the Indian Child Welfare program attends all scheduled Child and Family team meetings prior to court reviews.

The North Carolina DHHS has assigned a liaison to the Tribe to address any child welfare issues including ICWA compliance issues. The Eastern Band and NCDHHS have a working MOA addressing specifically the responsibilities for providing the child welfare services and protection for Tribal children.

### **Involvement of Tribe and State Court CIP**

The Family Support program manager is an advisory board member of the North Carolina Court Improvement program, giving vital input and a voice to the Tribe within the State Court structure. However, direct consultation in regards to the Tribes writing of this CFSP did not occur from neither the State nor Tribal Courts. Lack of consultation was not a blatant disregard. Since the State and Tribe still have a working MOA in regard to CPS most policy changes and discussions occur during State CIP advisory board meetings. And since the Tribe does not handle CPS at this time consultation with that court did not occur.

### **Service Description:**

#### **Child Welfare Services - Subpart 1:**

- Ensuring that staff receives a minimum of 20 credit hours of training that is specific to the implementation of services to their specific client population, for example; trauma informed care, understanding the long term effects of domestic violence on children, fetal alcohol syndrome, family engagement, and so forth.
- In-home case work services and parenting classes.

#### **Safe & Stable Families – Subpart 2**

- Family Preservation: Assisting families in developing action plans to correct problematic areas that are creating family instability. Services are provided in the home, and at a frequency that the case may demand.
- Family Support: May include parenting, budgeting, referrals and/or homemaker services.
- Time-Limited Reunification: Assisting clients with casework services whose children have been removed by the State in completing the court-ordered reunification plan.
- Adoption Promotion: Meaningful collaboration with County partners in recruitment of Native American foster homes. Adoption video completed, bulletins completed, and billboards have been on display.
- Foster Care Frequency of Caseworker Visits: At the current time the Tribe does not operate a foster care program.
- Foster Care and Children under 5: The role of the Tribe in relation to children in foster care under five is primarily addressed through the Indian Child Welfare (ICWA) program. The ICWA social worker attends all court hearings for Cherokee children in the

District court along with a Tribal Attorney. Additionally, the same social worker attends as many Child & Family Team meetings as possible with the County DSS.

- Population Identification of Greatest Risk: The Tribe identifies all children under the age of 6 at greatest risk of maltreatment due to the remoteness of homes, lack of routine medical care, potential for isolation, and the lack of communications skills of this population. The Tribe has attempted minimize the risk to this population through programs such as the early Head Start program, Hope Center, pediatric clinics, WIC, and the Zero to 3 court.

### **Plan for Diligent Recruitment:**

The Tribe has engaged in meaningful collaboration with County partners in recruitment of Native American foster homes. An Adoption video has been completed, bulletins/pamphlets recruiting adoption and Cherokee foster homes have been created along with billboards on display.

In the coming months, the Tribe will began recruit of Tribal foster homes as the development of their Child Welfare unit is organized.

### **Health Care Oversight:**

The Tribe does not directly operate a foster care program at this time. The State at this time is responsible for the development of the health care coordination plan. Eastern Cherokee children utilize both Medicaid and Indian Health Services (IHS) to provide treatment services to children and families in the Child Welfare System. Referrals are made to local therapists and to other service providers who have demonstrated an interest in working with Indian families as well as the ability and skills to provide culturally appropriate treatment services to tribal children and families. The County Department of Social Services has local offices on the Reservation to provide access to Medicaid and Food Stamp services for Tribal members. As part of our MDT, consultation with physicians and other health providers occurs on a regular basis.

### **Disaster Plan:**

Attached is the Tribal Disaster plan along with North Carolina's Continuity of operations plan. Since the Tribe has an MOA with the State both plans have been submitted (see Attachments). In late June 2014, the Tribal Emergency Management office provided FEMA COOP training which was mandatory for all Tribal program managers. In addition, a consultant was brought in at the ending of the COOP training to assist program managers with the process of developing an electronic COOP for each program.

Currently, our on-going partnership with local counties will facilitate response to new child welfare cases until such time that the Tribe has assumed these responsibilities from the State, projected to be October 1, 2015. We also intend to utilize tribal resources such as our shelter and group care facilities.

Through our tribal disaster plan, we have established methods of communication that will assure, as much as possible, a timely response to professionals and families in the event of a disaster.

Because the Eastern Band of Cherokee Indians does not directly provide Child Protective services, the majority of essential records are held in County offices and in the State data collection system. We do, however, have certain records that would be of benefit to children and families receiving services.

**Training:**

Family Support Services policy requires staff to receive a minimum of 20 credit hours of training that is specific to the implementation of services to their specific client population, including, for example, trauma informed care, understanding the long-term effects of domestic violence on children, fetal alcohol syndrome, family engagement, and so forth. Family Support attempts to locate not only child welfare focused workshops but also those that are specific to Native American populations. A new training model and requirements will be developed and implemented over the course of the next 12 months.

**Technical Assistance:**

It is very probable that the Eastern Band will be requesting technical assistance on IV-E, IV-B, IT, and Finance in the coming months.

**Plan Availability:**

An electronic copy of the EBCI 5 year plan will be available to any who request a copy through the PHHS office. Additionally, a copy of the plan will be posted on the PHHS website.

**Assurances:**

Please see attachment.

**Certification of Population Count:**

Please see attachment.

