

Lakota Oyate Wakanyeja Owicakiyapi "LOWO"
EXECUTIVE DIRECTOR REPORT
August 2013

Executive Director (ED) provides daily oversight for organizational operations, supervision of 19 staff, financial procedures, building/vehicle/equipment maintenance, community relations and family involvement. The Executive Director oversees Foster Care, Guardianship, In-Home Services, Foster Parent Recruitment, Training and Licensing services provided by staff. Other activities include monitoring financial activities by staff and consultants and daily financial record keeping details on accounting firm monthly compilations, payroll and subsidiary reports. Monthly billings are submitted to State DSS-CPS and Casey Family Program.

ADMINISTRATIVE AND ORGANIZATIONAL ACTIVITIES

- Daily staffing meetings with Intake/Investigation and Case Management Supervisors for updates on intake, referrals, emergency crisis responses and staff assignments
- Meeting with Connie Pourier, BIA Social Services Director regarding funding delay concerns and request for technical assistance for file review and clinical supervision. A date was schedule for Connie to review LOWO BIA files. **8/1/13**
- Conference call with Eric Lochen, Attorney regarding personnel and employee unemployment hearing requests. **8/2/13**
- Conference call with Steve Preister, National Resource Center for Organizational Improvement and Kathy Deserly, National Resource Center for Tribes for planning Child Welfare/Education School Summit. We discussed location, participant list and confirmation of final date. **8/9/13**
- Regular LOWO Board monthly meeting held Friday, **8/16/13**
- Tour of Crisis Care Center, Rapid City, SD to meet with director and staff regarding operations and client care protocol. They are interested in assisting with establishing a similar program in collaboration with LOWO, CASA and Attorney General. Their intake approach has minimized and stabilized potential critical incidents. **8/19/13**
- Attended federal hearing for LOWO child at request of US Attorney's Office. **8/19/13**
- Coordination conference call of all National Resource Center consultants working on training and technical assistance activities with LOWO staff. The purpose of

the call was to coordinate on-site training dates, provide updates on TA provided to date and determine evaluation activities. **9/20/13**

- Meeting with Virgena Wieseler, SD-DSS-Child Protective Services Administrator for information sharing purposes, compliance requirements and funding needs. **8/22/13**
- Tour of Child Advocacy Center, Lower Brule Sioux Tribe and meeting with director and nurse on organizational operating procedures, legal requirements and advocacy role. Other OST Tribal members attending were CASA and Attorney General. **8/22/13**
- Multi-Disciplinary Team meeting in Rapid City. This is a monthly information sharing with US Attorney's staff, BIA-CI's, OST Attorney General, Indian Health Service, LOWO and CASA regarding federal cases. **8/30/13**

LOWO FUNDING

Bureau of Indian Affairs 93-638 Contract

Contract provides for one staff supervisor position, contract support activities and indirect cost expenses. The supervisor provides oversight of Family Support Specialist (FSS) Case Managers. ED meets daily with supervisors for monitoring and oversight purposes.

A request was made to our local BIA Social Services office that we have not received the remainder of our 2013 Child Welfare Assistance and none of the administrative and contract support funds. Connie Pourier, Director, will make another request for our allocation.

The contract begins October 1 – September 30, 2013

Purchase of Services Agreement/SD-DSS-Child Protection Services

The Purchase of Services Agreement between LOWO and SD-DSS Division of Child Protection Services was approved for \$879,919 (including \$819,919.00 for personal services and operating expenses and \$60,000 for reimbursement of Title IV-E allowable administrative claims). The new agreement provides for 2 supervisors, 11 Family Support Service Specialists (FSS), 1 Social Service Aide and 2 Secretaries. This contract provides a majority of funding for LOWO positions.

LOWO bills monthly for reimbursement of staff salary costs and submits quarterly administrative receipts for reconciliation. We are in compliance with funding requirements.

The contract begins July 1 – June 30, 2013

Casey Family Jurisdiction Agreement 2012/2013 provides funding for youth on the original case load in 2006. The enrollment for Casey Family Program youth cases was capped at that level. At this time, CFP phased out of direct services and LOWO assumed case management for this youth population. LOWO will continue to provide oversight until each youth ages out of the foster care system.

A file review will be occurring this month to determine compliance of case management requirements. An on-site review will be scheduled and a final report will be shared with the LOWO board. We anticipate changes in the case management numbers.

The agreement begins January 1 – December 31, 2013

Personnel

There is one temporary employee in the Administrative Assistant position (HBN).

Board of Directors

The BOD held the monthly meeting on August 16, 2013.

Business items included: Approval of Meeting minutes), Approval of July 2013 Financial Report, Executive Director and Supervisor Reports.

Community Relations

Child Protection Meetings continue to be held on a weekly basis. LOWO management staff meet with the FBI on a bi-weekly basis to share case review information. The federal Multi-Disciplinary Team meets once a month either in Rapid City or at LOWO. This forum provides federal investigators, administrators and attorneys an opportunity to report the findings and progress of on-reservation cases.

Respectfully Submitted:

Emily Iron Cloud-Koenen

Emily Iron Cloud-Koenen, Executive Director

Report Activities for August, 2013

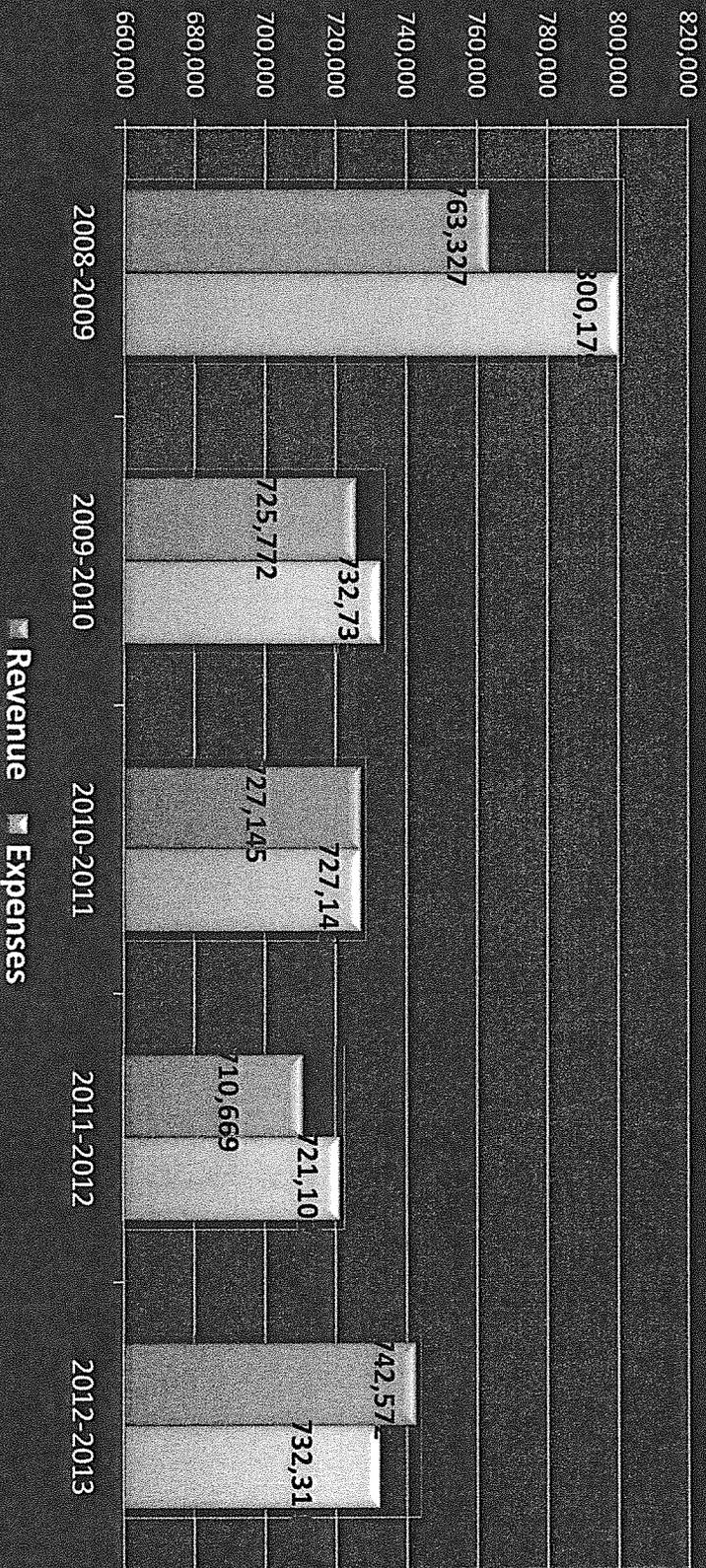


Emily Iron Cloud-Koenen
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Pine Ridge, SD 57770



LOWO Funding

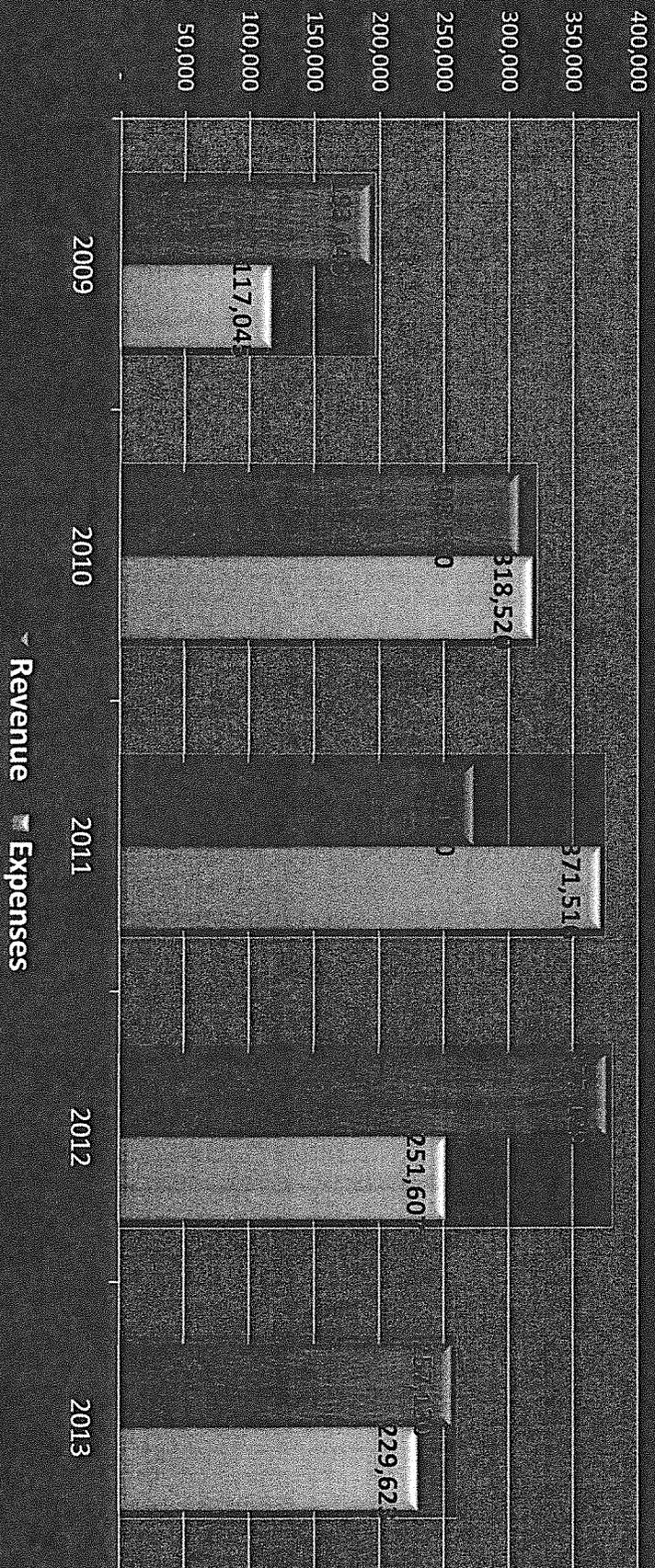
South Dakota Department of Social Services Contract





LOWO Funding

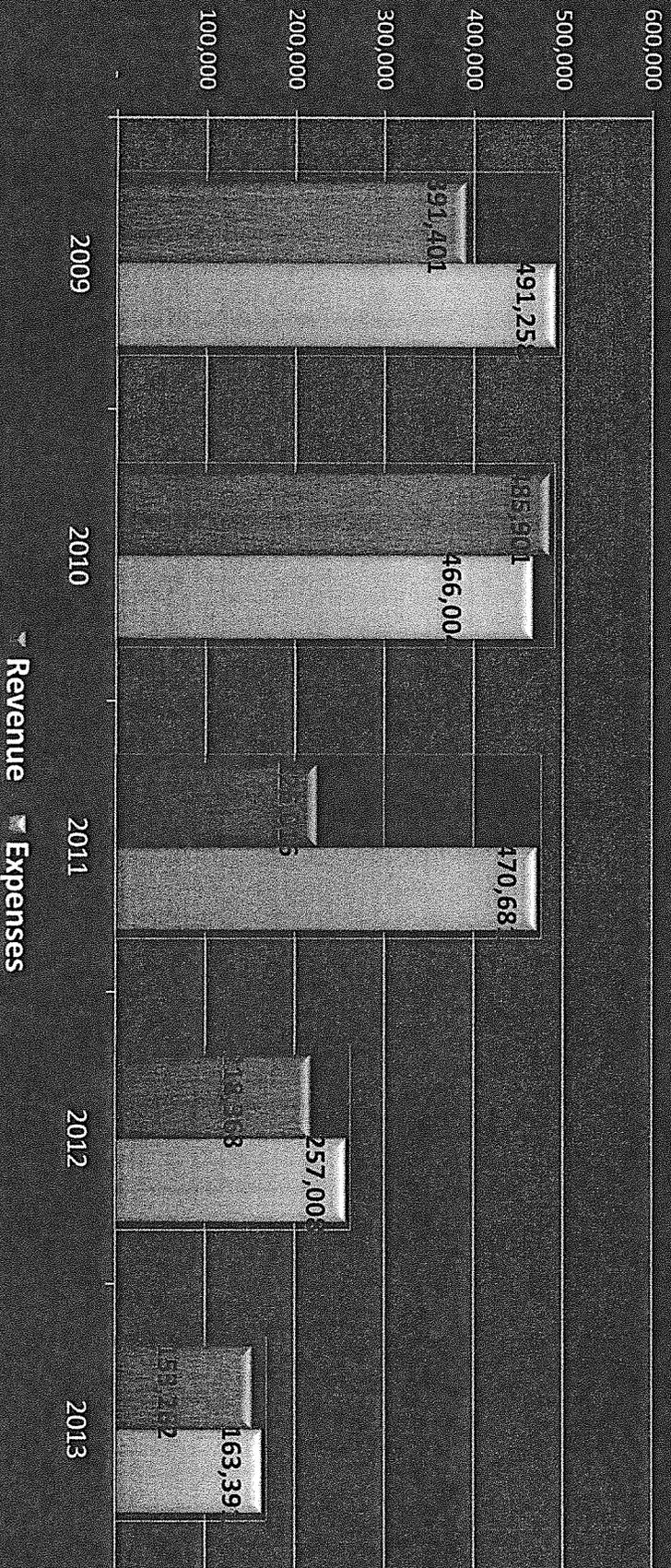
Bureau of Indian Affairs 638 Contract





LOWO Funding

Casey Family Program Jurisdictional Agreement



DEPARTMENT OF SOCIAL SERVICES
DIVISION OF CHILD PROTECTION SERVICES

700 GOVERNORS DRIVE

PIERRE, SD 57501-2291

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Strong Families - South Dakota's Foundation and Our Future

March 22, 2013

Emily Iron Cloud Koenen
Lakota Oyate Wakanyeja Owicakiyapi Inc.
P.O. Box 604
Pine Ridge, South Dakota 57770

Dear Emily:

As you know, the end of the SY 2013 contract between the Department of Social Services, Division of Child Protection Services and Lakota Oyate Wakanyeja Owicakiyapi Inc. (LOWO) ends on May 31, 2013 and it is time to renew the contract for SF 2014. The contract for SF 2014 will include an inflationary increase, as well as funding to hire another supervisor for LOWO as a result of the department's budget request which was approved during the recent legislative session.

LOWO continues to meet the federal Title IV-E requirements as evidenced by the successful Title IV-E Federal Review conducted by the Region VIII Administration for Children and Families in May 2012. The Department was found to be in substantial compliance with all federal requirements which involved a review of 80 cases, with some of them being LOWO cases. The department appreciates the due diligence provided by you and your staff to assure that LOWO cases were in compliance.

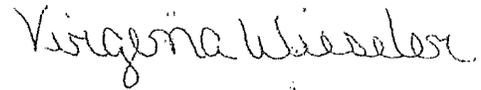
Not only has LOWO continued to submit timely and accurate monthly invoices under the contract during the past year, LOWO has also submitted quarterly invoices for Title IV-E administrative reimbursement to support the work of LOWO. The department appreciates LOWO's attention to detail when submitting invoices for funding.

The department would also like to commend you, your staff and the LOWO Board for the work being done through the Children's Bureaus' National Resource Center for Tribes, National Resource Center for Organizational Improvement, National Resource Center for Child Protection and the National Resource Center for Data and Technology. Continuous quality improvement is critical to the success of any organization and the steps taken by LOWO to have a thorough Program Assessment completed by the National Resource Center for Tribes and Organizational Improvement demonstrates LOWO's commitment to enhance and strengthen the services provided to children and families.

I would like to schedule a time to meet with you to discuss the FY 2014 contract and discuss your ideas for the FY 2105 budget request.

I would like to thank you, your staff and the LOWO board for another successful contract year as we begin the sixth year of the partnership between the Department of Social Service and LOWO.

Sincerely,

A handwritten signature in cursive script that reads "Virgena Wieseler".

Virgena Wieseler
Division Director

 Donna Denker & Associates
certified public accountants

March 22, 2013

To Whom It May Concern:

RE: Financial Management at Lakota Oyate Wakanyeja Owicakiyapi

This letter is regarding the services provided by Donna Denker and Associates. We are a full service accounting firm offering audit, tax accounting services, review, compilation, consulting, and bookkeeping services. Since 2008, the firm has provided services to Lakota Oyate Wakanyeja Owicakiyapi (LOWO). Presently we provide the following services:

- 1) Compilation of financial statements, including a detailed general ledger report.
- 2) Reconciliation of bank accounts.
- 3) Weekly Preparation of accounts payable checks.
- 4) Data input of manual checks generated by management.
- 5) Processing of biweekly payroll.
- 6) Preparation of quarterly and year end payroll tax returns.
- 7) Preparation of BIA quarterly reports (SF 425's).

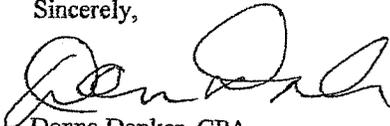
The staff at LOWO handles all of the documentation and file retention. They inform us of the need to prepare checks for accounts payable and payroll. Budgets are utilized as a tool for monitoring spending and budget reports are provided each month to the management and board of directors.

LOWO maintains all client files in house and only provides information to us on an as needed basis for financial purposes. Client confidentiality is guarded by all. Though we provide financial information for funding agents, LOWO prepares all narratives reports on the objectives and tasks related to administering their grants.

All monthly reconciliation including their bank accounts are completed and financial statements prepared for their board meeting the following month. The board, in our experience has been very involved in the financial management of the organization. The tone at the top of this organization has been excellent in our experience.

If we can provide additional information, please feel free to contact us.

Sincerely,



Donna Denker, CPA
Donna Denker & Associates
Certified Public Accountants

Dependable, Innovative Solutions

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Final, Staff Copy
(120501)

**ASSESSMENT REPORT
Of the Lakota Oyate Wakanyeja Owicakiyapi (LOWO)
Pine Ridge Reservation
Oglala Sioux Tribe**

Prepared by:

**Steven Preister, Associate Director
National Child Welfare Resource Center for Organizational Improvement (NRCOI)
and
Kathy Deserly, Associate Director
National Child Welfare Resource Center for Tribes (NRC4Tribes)**

**A Service of the Children’s Bureau
Members of the T/TA Network
Administration for Children and Families
U. S. Department of Health and Human Services**

**Submitted to:
the LOWO Board of Directors
and
the LOWO Executive Director, Emily Iron Cloud Koenen**

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Background

In 2011, the Lakota Oyate Wakanyeja Owicakiyapi (LOWO), the Oglala Sioux Tribe's (OST) one centrally administered child welfare agency, secured its first full time Lakota executive director. The LOWO Board of Directors, the incoming Executive Director, Emily Iron Cloud Koenen, and the outgoing Executive Director, Susan DuBray, decided that this was the right time to have an assessment conducted by outside child welfare consultants on the functioning of LOWO, its services, staff, and Board of Directors. The following describes how the technical assistance to conduct this assessment was obtained and planned, as well as plans for other potential technical assistance for LOWO that might be needed based on the assessment findings:

- Technical assistance was requested from two of the Children's Bureau's National Resource Centers: the National Child Welfare Resource Center for Tribes (NRC4Tribes) and the National Child Welfare Resource Center for Organizational Improvement (NRCOI).
- This technical assistance is provided at no charge to tribal and state child welfare agencies as a service of the Children's Bureau, the federal agency which has oversight of state and tribal federally-funded child welfare services.
- LOWO made a formal request to the Federal ACF Regional Office VIII in Denver in the summer of 2011, and it was approved. Kathy Deserly from the NRC4Tribes and Steven Preister from the NRCOI were designated the Technical Assistance (TA) providers. A Work Plan was developed by the TA Providers and the LOWO leadership and was approved by the Regional Office. The work plan identified the following tasks for this first phase of technical assistance:
 - Onsite and telephone interviews with LOWO internal stakeholders (such as the LOWO Board of Directors, Executive Directors, staff, clients) and external stakeholders (such as community partners—OST court, schools, law enforcement, and community members, and State/regional child welfare partners) to learn about the current functioning of and community perceptions about the Agency.
 - Drafting of the LOWO Assessment Report.
 - In-person meetings with the LOWO Board of Directors and the Executive Director to review the draft and for discussion, feedback and revision of the draft Assessment Report.
 - Subsequent in-person meetings with key LOWO internal and external stakeholders to review the draft and for discussion, feedback, and revision/finalization of the draft Assessment Report.
 - Building on the Assessment Report, drafting of a multi-year LOWO Strategic Plan with Board and staff members and external stakeholders to build on LOWO's strengths and to address the agency's challenges, with the ultimate goal of significant improvements in child, youth, and family outcomes for those served by LOWO.
 - Prioritizing and sequencing of the goals of the strategic plan to define what LOWO will address in year one of implementation of the strategic plan, year two, etc.

- For the year one goals, development of detailed work plans to implement action steps to address the challenges of year one and improve outcomes.
- Subsequent phases of technical assistance from LOWO may include requests for technical assistance from National Resource Centers and other members of the Children’s Bureau’s Training and Technical Assistance Network to secure the expertise to assist in implementing the detailed work plans.

LOWO History

In recent television (20/20 with Diane Sawyer) and radio (“All Things Considered” - National Public Radio) broadcasts, the challenges of child welfare for South Dakota tribes have become a national discussion topic among Native and non-Native people across the United States. While the NPR story has focused on the issues of the Indian Child Welfare Act, the “20/20” story was directly focused on the Pine Ridge Reservation—the strengths of its people as well as the challenges of children growing up there.

While these stories have brought out concern, interest, and even outrage on the part of many people who care about children, neither story focused on what is actually occurring at the Pine Ridge Reservation to address child and family social issues. Yet within the Pine Ridge Reservation there are many people whose vision has been to exercise tribal sovereignty and responsibility in creating and managing culturally appropriate child welfare services. Going back more than a decade, many individuals have participated in efforts to make this vision a reality.

Oglala Oyate Iwicakiyapi Okolakiciye (OOIO)

An initiative to address this vision began under the leadership of the Oglala Oyate Iwicakiyapi Okolakiciye (OOIO)—Society for Advocacy, Defense and Empowerment of Children, Families and Communities. This group, comprised of service providers, community members and tribal leadership, conducted monthly planning meetings and community forums to realize this vision for Oglala children and families in need.

OOIO Vision Description

The OOIO Oglala Lakota Integrated Child Welfare Services working group, which was comprised of partner agencies (the Oglala Sioux Tribe, Oglala Nation Tiospaye and Advocacy Resource Center, South Dakota Department of Social Services—Child Protection, Bureau of Indian Affairs, Casey Family Programs, OOIO and reservation families, youth, teen parents, elders and tribal community leaders) worked to address permanency issues and safety of children on the Pine Ridge Indian Reservation.

The vision of the system of care was defined as “one system of caring for families and encompassed the creation of one integrated system of service providers working in collaboration, coordination and cooperation focused on serving the needs of children and families as opposed to several agencies working parallel to each other with little or no communication.”

Early Pine Ridge Child Welfare Needs Assessment

Factors supporting the needs of families were provided in a final report more than ten years ago, "Casey Native American Child Welfare Assessment Project—Pine Ridge," March 21, 2001. The report provided information and data on child abuse and neglect. Some of the information in this report includes:

- The Pine Ridge South Dakota-Department of Social Services-Child Protective Services Agency (SD-DSS-CPS) serves Shannon County which has a population of 6,200 children under age 19 who are 98.5 percent Native American. [There is little information on Jackson and Bennett Counties, also on the reservation.] There is a 48 percent family assessment rate for initial maltreatment allegations. The Pine Ridge substantiation rate is 17.6 percent, the highest in the State.
- Needs related to children, youth and families determined through eight focus group sessions among caregivers, foster parents, tribal and non-tribal service providers, youth 13-21 years, elders, community and tribally elected leaders indicate the following:
 - Four geographic areas stressed needs for jobs with decent pay, programs to occupy youth, mental health assistance, and programs to stop racism.
 - Youth issues include alcohol and drug abuse, school drop-outs, sexual abuse, teen pregnancy, sexual assault, violence in schools.
 - Factors contributing to child abuse include alcohol and drug abuse and domestic violence, but there are interventions only in severe cases.
 - Economic factors were identified: poverty is pervasive, housing patterns are problematic, there is a lack of training and employment.
 - Service issues were also identified: the need for crisis prevention/support, the need for effective training, school coordination with other agencies, and youth wanting positive attendance expectations.

Collectively, the focus group participants further determined their aspirations would be realized through continued prevention and intervention work. Prioritized needs included: services for the most vulnerable age group (14-17); local investigations of sexual assaults perpetrated against children; a shelter for abused children; self-sufficiency in housing; establishment of a Family Resource Center (Integrated Child Welfare Agency) to provide comprehensive child and family services; better prosecution and less politicization; a child support division; opportunities for job preparation; traditional parenting skills to address diabetes and alcoholism through the warrior concept of attacking the problem; and, support for families from court and social services.

The following were the recommendations of focus groups specific to these identified needs:

- Continue the vision of OOIO Family Resource Center (Integrated Child Welfare Agency);
- Set-up a crisis response team to respond to children in trouble headed by Tribal Judiciary, Public Safety, Education, Health, Social Services, Bureau of Indian Affairs (BIA), and Indian Health Services;
- Regain the language, develop Tiospaye (extended families), reintroduce the "Hunka" (Making of Relatives) ceremony for children without a family;

- Tiospaye and communities accept responsibility for raising and guiding children;
- Establish a teen court where their peers judge offenders;
- Integrate Lakota healing, knowledge and protocol as options in service delivery; and,
- Establish effective organizational elements to ensure coordination.

Integrated Child Welfare Agency—LOWO Today

On April 23, 2003, through OST Ordinance No. 03-05, the Lakota Oyate Wakanyeja Owicikiyipi Incorporation (LOWO) was chartered as a Tribal Public Agency with a board of directors to provide organizational functions necessary to provide and manage one centrally-administered comprehensive child and family services agency on the Pine Ridge Reservation. The existence of the agency was initially approved for four years. A year later the first LOWO Board of Directors was certified. In the fall of 2004, the first LOWO Board of Directors' oath of office was administered and the first board meeting was held. At the end of the four years, in 2007 LOWO was designated in perpetual existence by the OST and no future charter renewal was required.

With the support of the Casey Family Programs, who provided office space, staff and equipment, LOWO launched its operations as one of the most unique tribal child welfare agencies in the nation. Since then, LOWO has continued its capacity building activities inclusive of partnership agreements, development of tribal licensing standards, and completion of Child and Family Tribal Code revisions.

Historically, there had never been an agreement by the OST to allow the state of South Dakota to do child welfare work on the Reservation. So one of the most significant accomplishments of LOWO has been the establishment in 2008 of a formal agreement with the State of South Dakota, Child Protective Services, for LOWO to provide Title IV-E foster care services for the Pine Ridge Tribe, thus ending more than 40 years of State supervision over Oglala Sioux child welfare cases.

Today, services provided by LOWO include:

- Family Preservation and Advocacy:
 - Tiwahe' Care—Family Support Services. These services are provided to intact families/extended families that are experiencing stress and are at risk of becoming involved in the child welfare system.
 - Tiwahe' Care—Family Preservation Services. These services are provided to intact families/extended families that have become involved in the child welfare system and where there is risk of removal of the children from the home.
 - Tiwahe' Care—Family Reunification Services. These services are provided to families/extended families who have had children placed in out-of-home care and are in need of advocacy and support to regain custody of their children.
 - Tiwahe' Care—Pre-Adoption Services. These services are provided to relative/resource families who are in the process of establishing a permanent home for children they have had placed with them and are working toward formalizing this plan.

- Transition Support Services:
 - Tokatakeya Care—Transition Services. These services are provided to young adults between the ages of 18 and 25 who have aged out of the foster care system.
- Foster Care Services and Resource Family Recruitment and Licensing:
 - Wakanyeja Care—Foster Care Services. These services are provided to children age 18 and under who are in out-of-home care placed in a licensed resource family home, a licensed residential treatment facility, or group home.
 - Resource Family Recruitment and Licensing Services. LOWO currently has 31 licensed resource families that are able to provide foster care to children who need a safe and stable home. All of the resource families go through pre-service training, must pass a criminal background check, and have a clear central registry screening for child abuse and neglect. Every resource family must be re-licensed annually.
- Family Group Decision Making:
 - Family Group Decision Making (FGDM) is a facilitated process through which a tiospaye (extended family) works to develop a safety plan that protects their children. A facilitator plans and coordinates with the tiospaye to arrange for a meeting to bring all of the family together to address the issues that brought the children to the attention of the child welfare agency. This process also involves the input of others known to the family such as social workers, teachers, neighbors, clergy, spiritual leaders, doctors, or others who are committed to the safety and well-being of the children. The family plan is reviewed to make sure it addresses the safety issues for the children and in court-involved cases is submitted to the court for consideration and approval and entered into the court record.
- Lakota Cultural Services--Lakota Practice Model:
 - LOWO provides services based on the foundation of Lakota cultural practices and healing through the Oglala Lakota Practice Model, which incorporates the use of traditional ceremonies and healings to promote the health and well-being of children and families. Families are given the choice of utilizing cultural services, a combination of cultural services and western clinical services, or solely western clinical services to promote and improve holistic wellness.
 - LOWO has worked with children and families in coordinating, arranging, and participating in the following ceremonies, including Inipi (purification), Lowampi (healing), Nagi Kicopi (calling the spirit back), Wopila (giving thanks), Hoksi Yuha Gluonihanpi (honoring the birth of the child), Ikpe Ognaka Wicayuonihanpi (honoring the spirit in the womb), Tamni Gluonihanpi (placenta ceremony), and Wasigla Ekignakapi (wiping of tears). In August 2006, LOWO sponsored the first annual Winyan Isnati Wicoghan, "Womanhood Camp" with 11 young women and 3 women staff participated in the ceremony.

Some Current Data and Information—LOWO Today

Pine Ridge Reservation

The Pine Ridge Reservation is approximately 11,000 square miles and is roughly the size of Connecticut. It has a population of about 45,000. It is home to the Oglala Sioux Tribe and is one of the poorest places in the country, according to 2010 census data.¹

Service Funding

The LOWO budget of approximately \$1.5 million, which funds the services described in the previous section, comes from a limited number of sources:

- State of South Dakota, pass through contract of Federal Title IV-E Funding, Foster Care Services (since 2007).
- Bureau of Indian Affairs, LOWO administers a PL93-638 contract for Child Assistance, referral, and protective services (since 2008).
- Casey Family Programs, LOWO provides foster care for Casey clients, guardianship, post-adoption, and transitional youth services (since 2006; Casey funds have been decreased by 50 percent in 2012).
- Oglala Sioux Tribe, flexible funding for family services.

LOWO does not receive a significant funding source—Title IV-B Family Preservation and Support funds—since those dollars go to another tribal agency (see page 18). As a result, LOWO cannot fully meet the needs of the families who receive crisis intervention from the agency. LOWO could be providing prevention and support services to these families, but the agency doesn't have access to this important piece of funding.

Caseload Data

The following summarizes current LOWO referrals and investigations:

- In 2010, there were a total of 951 referrals and 200 investigations were assigned.
- In 2011, there were 1299 referrals and a total of 527 investigations assigned.
- Thus there was a 30 percent increase in referrals and investigations between the two reported years.

The chart on the following page summarizes the number of children served through the BIA 638 Agreement. These numbers—and the costs associated with these placements—continue to increase yearly.

¹ *New York Times*, March 6, 2012, A1, A18, "At Tribe's Door, a Hub of Beer and Heartache."

<i>Fiscal Year</i>	<i>10/08 – 9/09</i>	<i>10/09 – 9/10</i>	<i>10/10 – 9/11</i>
Foster Care: Defined as children in foster or kinship placements.	82	184	470
Residential Care: Defined as children in off-reservation residential treatment centers.	2	14	31
Special Needs	11	9	3

Data Collection Challenges

With multiple funding sources, there are challenges in collecting consistent data that can be reported in meaningful ways to staff, board, Tribal Council, community, and funding agencies. The data collected for children and families served through the Title IV-E contract with State DSS/CPS is managed through the State’s FACIS data management system. This information is collected and entered regularly by LOWO staff into the state system in order to generate financial reimbursement to LOWO and foster care payments.

The Bureau of Indian Affairs 638 Agreement financial and child welfare data is reported through quarterly Form 428 Federal Financial Form reports and annual Financial Assistance and Family Social Service Program Reports and submitted to the local Pine Ridge Agency Superintendent.

The Casey Family Programs has assisted LOWO in the development of the Harmony software/data management system which functions as a case management tool for children in out-of-home care, kinship, and in-home care. LOWO is in the developmental stages of configuring Harmony to be able to do the whole LOWO process with Child Protection, from intake, to case management, to closures.

Staffing

A staff of nineteen (19) persons is responsible for conducting the full range of LOWO’s services throughout the 11,000 square miles of the Pine Ridge reservation. The chart on the following page identifies the staff positions within LOWO as well as their responsibilities and caseloads:

Position	Number of Positions	Responsibilities	Current Number of Cases As of 3/12 Assigned per Worker
Executive Director	1	ED is responsible for full range of operational functions related to: Personnel, Finance, Board of Directors, Public Relations, Resource Development.	0
Family Support Specialist Supervisor/Intake and Investigation	1	The FSS Intake and Investigation Supervisor provides oversight to (2) Intake and (2) Investigators and (1) Crisis Intervention Worker. The Supervisor plans, organizes, directs and coordinates functional operations of the Intake/Investigation Unit.	0
Family Support Specialists – intake/Investigator/ Crisis Intervention	5	FSS Intake/Investigators/Crisis Intervention Workers are responsible for gathering detailed information to assess alleged child abuse and neglect, assess removal of children from unsafe environments, provide safety management plans for in-/out-of-home care, work with tribal court system and identification of relative placement resources and respond to emergencies regarding reports of alleged child abuse and neglect on a 24 hour basis.	1299 referrals 527 Investigations
Family Support Specialist Supervisor/Case Management	1	The FSS/Case Management Supervisor provides oversight to (8) Family Support Services Case Managers. The Supervisor plans, organizes, directs and coordinates functional operations of the FSS Case Management Unit.	0
Family Support Specialist/Case Managers	8	The FSS Case Manager provides services to children and families in accordance with agency protocols for service provision. Priority tasks are identification of strengths and needs of families, conducts home visits, school and residential treatment visits, tracks children in placement, refers children to other agencies for resources or traditional Lakota cultural services, conducts case reviews with families and completes required reviews, reports and staffing requirements.	40-50 cases each Total: 350 active cases
Administrative Assistant	1	The Administrative Assistant provides day-to-day administrative support in accounting and documentation management. Serves as the primary and first point of contact for internal and external inquiries and requests. Processes monthly subsidy payments, billings and drawdowns, arranges travel logistics and assists in budget tracking.	0
Staff Assistant	1	The Staff Assistant serves as the primary source of support to the Family Support Specialists and the Supervisors of clinical services. Provides day-to-day administrative support, answers phone and route calls to staff, develops and maintain files, assist with event coordination, drafts correspondence and prepares reports.	0
Janitor	1	The Janitor provides routine building cleaning services such as sweeping, dusting, mopping bathrooms and kitchen, provides oversight of cleaning supplies and reports to supervisors on maintenance needs.	0

The Future

While the vision of the OOIO has been realized in many ways with the foundation of LOWO, its access to state and federal funding resources, and its development of many culturally appropriate services, this journey has not been an easy one and it is far from over.

The challenge of running an agency which serves the most vulnerable people in a community is not an easy one. But transferring services from a state-run agency to a tribal-run agency doesn't automatically guarantee success. Any agency that has the responsibility of removing children from their families due to concern for their safety and well-being is also itself a target for criticism. The challenges faced by state child welfare agencies are also the challenges faced by tribal child welfare systems. LOWO has not been immune from community complaints or dissatisfaction.

Under the new executive leadership of LOWO, there is recognition that it is time to look back on LOWO's beginnings as well as examine its current state of operations in order to build a strong future. And the data contained in the last section make it clear that LOWO faces serious challenges, particularly fiscal support and staff workload.

The Process Used for This Assessment

Two onsite visits to Pine Ridge Reservation of 2.5 days each were made by Kathy Deserly and Steven Preister on July 12-14 and August 23-25, 2011. (A third onsite TTA visit was held on November 15, 2011, and a fourth on February 23, 2012.) During these two site visits and in multiple off-site telephone conference calls, the TA Providers held group and individual interviews and focus groups with internal and external stakeholders, including:

- Group and individual interviews with the LOWO Board of Directors.
- The outgoing and incoming LOWO executive directors.
- Group and individual interviews with the LOWO staff.
- LOWO birth parents, foster parents, and youth served by LOWO.
- OST Schools.
- OST Court.
- OST Public Safety.
- ONTRAC, Indian child welfare services.
- Community providers (CASA, OSEC, etc.).
- The Children's Bureau's Federal Region VIII (Denver) child welfare staff.

The first draft of the Assessment Report was completed following these interviews and was sent for review to the LOWO Board of Directors and the Executive Director on November 11, 2011. On November 15, 2011, The TA Providers made an onsite visit to LOWO to meet with the LOWO Board and Executive Director to review the first draft. The Board provided feedback that resulted in some changes to the draft Assessment. But by and large, the Board and the Executive Director concluded that the draft Assessment was insightful and accurate and provided them with a clear road map of where LOWO needed to go in its next developmental phase.

In the first two months of 2012, the TA Providers continued interviewing LOWO stakeholders and held telephone interviews with the following stakeholders whose input was critical before the draft Assessment Report could be finalized:

- The OST Council's Health and Human Services (HHS) Committee members.
- South Dakota State and regional child welfare leadership and staff (SD/DSS/CPS).
- Two individuals who had worked with LOWO since the OOIO planning began (see page three of this Assessment Report).

It is interesting to note that the results of these interviews—the feedback provided by these persons on LOWO's current strengths and challenges—were largely consistent with the first draft of the Assessment Report's delineation of those strengths and challenges.

We want to thank each and every internal and external stakeholder for their time, information, honesty, and commitment to good outcomes. The TA providers learned everything we know about LOWO from them.

Therefore, the TA providers want to stress this very important perspective before readers review the next sections of this Assessment Report that identify and discuss LOWO's strengths and challenges:

This Assessment Report is not our assessment. It is the assessment of LOWO's internal and external stakeholders. What we have written in this Assessment Report is what we learned from you.

LOWO's Strengths

The good news contained in this Assessment Report is that we learned that LOWO has many significant strengths as it moves into its next developmental phase. This section of the LOWO Assessment Report focuses on these seven strengths:

1. That LOWO exists as the OST centrally-administered child welfare agency is a critical strength. This may sound like an unusual strength. But in light of the information shared the week of October 24, 2011 by National Public Radio in its multiple-part reports about child welfare practice in South Dakota with native children and families, it is abundantly clear how critical it is for the tribes to do their own child welfare work. OST is ahead of many tribes in the United States and is blessed by the fact that OST community stakeholders worked so long and so hard to create LOWO (see the "LOWO History" section of this Assessment Report).
2. LOWO's history and legacy is a major strength. As reflected in the "LOWO History" section of this Assessment Report, LOWO came about through extensive grassroots formation through the work of OOIO. The strengths in the organizational development through OOIO can help LOWO retain and regain its original focus.

LOWO also came about through the legacy and support of Casey Family Programs which supported and managed a child welfare agency on Pine Ridge for many years which then

evolved into the LOWO program. It cannot be stressed enough that Casey's tradition of service excellence is part of LOWO's heritage. Part of the motivation to conduct this LOWO Assessment was the desire to preserve and build on this foundation of excellence. Importantly, it appears that Casey remains willing to be a helpful partner as LOWO moves into its next developmental phase.

3. LOWO's Board of Directors is a major asset. The TA Providers were struck at the collective and individual commitment of LOWO's Board members to the success and well-being of the Agency and the children and families it serves. The Board is and can be even more a powerful force in OST in helping LOWO master its challenges and be viewed in the community as a valuable OST asset. More is said about this in the challenges/recommendation section of this Assessment Report.
4. LOWO's staff is another core asset on which to build a stronger LOWO future. The TA Providers were impressed by the strong commitment of staff to working successfully with LOWO's children, youth, and families despite multiple serious challenges such as high unemployment and multi-generational dysfunctional patterns. Staff members clearly feel part of a dedicated team. The recent return of some seasoned child welfare supervisors to LOWO bodes well for the future. There are still many staff challenges to be addressed, such as training needs, strong supervision, better worker retention, and better use of the LOWO Practice Model (see the next section of this Assessment Report).
5. The positive, collaborative Title IV-E partnership between the State and Regional DSS/CPS and LOWO is a very important strength that promises continuous improvements in foster care. The TA Providers were struck in our interviews with LOWO leadership and staff and DSS/CPS State and regional leadership and staff by the good will, positive relationships, mutual respect and support, and non-defensiveness of both sets of partners. The TA Providers concluded that the two entities are now partners in continuous practice improvement. LOWO demonstrates regularly a willingness to acknowledge areas that need improvement and to ask for and receive help, training and technical assistance. DSS/CPS demonstrates regularly a willingness to provide what is needed to help LOWO improve practice and outcomes.

The TA Providers speculated that perhaps LOWO and DSS/CPS are this far along in their relationship in part because of the participation of both in *the Collaborative Circle for the Well-Being of South Dakota's Native Children*. Perhaps it was there that this relationship building first began. This is not to say that everything is perfect—for example, a number of people said that when a family is transferred to LOWO or to the State because the family has moved, perhaps more contact and a better hand off would be beneficial to all. But as several interviewees said, using the same words, "It just seems like it's getting better and better." And, "We're committed to LOWO's success. If LOWO is successful, we're successful too."

The TA Providers concluded that this is a IV-E State-Tribal partnership that can serve as a working model for other jurisdictions.

6. LOWO's Practice Model is a unique and powerful building block for moving forward to better outcomes. (Details about the Practice Model are contained in the "LOWO History" section of this Assessment Report, page six.) It is a model that has potential for adoption by the other South Dakota tribes because of its foundation in traditional Lakota values, practices, and

ceremonies. Its application in all aspects of LOWO's child welfare work still needs to be realized (see the next session of this Assessment Report).

7. LOWO's external OST stakeholders are a major strength whose potential has not been tapped adequately yet. The TA providers were struck by the many OST stakeholders who want LOWO to be successful—to really achieve excellent outcomes for the children, youth, and families served. By and large, they stand ready to be helpful, constructive partners with LOWO if they are engaged by LOWO successfully and authentically as true community partners in the critical task of securing the safety, permanency, and well-being of the next Lakota generations. This OST stakeholder willingness is demonstrated by the near universal respect and admiration expressed for the OST elder, LOWO's Executive Director, Emily Iron Cloud Koenen.

If LOWO is able to move forward developmentally as suggested in this Assessment Report, it holds the potential to serve as a child welfare practice model for many other tribes. But using its strengths to master its challenges will not be an easy undertaking.

LOWO'S Challenges and the Two NRCs' Recommendations

In addition to LOWO's strengths, we learned from stakeholder interviews about seven major challenges facing LOWO and the OST community. For each of these challenges, the TA Providers give an explanation of the issue and then makes some recommendations to address the challenge.² These recommendations often include suggested training and technical assistance (TTA) from the Children's Bureau's TTA Network. If LOWO decides to pursue any of this TTA, it will require the approval of the ACF Federal Regional Office VIII.

1. Creating and implementing a plan for LOWO staff development, including deepening the LOWO Practice Model implementation in all aspects of LOWO's work, through staff training, supervision and coaching, and peer learning circles.³

LOWO needs a strong, stable, and highly skilled staff in order to achieve the best outcomes possible for OST children and families. To help accomplish this, a proactive comprehensive plan for strengthening and sustaining workers' and supervisors' skills needs to be developed and implemented. Members of the Children's Bureau's TTA Network that could help LOWO develop and implement this plan include the National Resource Center for Permanency and Family Connections, The National Resource Center for In-Home Services, and the Butler Institute for Families at the University of Denver through a contract with one of the NRCs.

The TA Providers recommend that the following be included as components of this comprehensive plan:

² These seven challenges are not ranked in order of importance here. Later, when they are addressed in the subsequent LOWO Strategic Plan, the goals and strategies to address these challenges will be prioritized and sequenced to create a multi-year strategic plan.

³ In all these activities and interventions, the TA Providers believe that the principle of participatory design should guide their development: those who have to do the work should be involved in designing the products. Staff are empowered when they are made part of the design and implementation process.

- A LOWO training system built around the LOWO Practice Model that comprehensively addresses pre-service, in-service, transfer of learning, continuous professional development for workers and supervisors, and evaluation to determine the impact and effectiveness of training.
- An annual professional development plan as part of each worker's and supervisor's annual performance appraisal.
- Regularly scheduled and structured supervision of workers and supervisors.
- A regularly scheduled staff forum on implementation of the LOWO Practice Model. At these forums, staff would present a work situation where s/he is having difficulty applying the practice model and peers would provide suggestions, critique, and support.
- Regularly scheduled Learning Circles⁴ for LOWO's supervisors from all program areas.
- Regularly scheduled Learning Circles for each LOWO supervisor and her unit of workers.
- Until LOWO again has an MSW with clinical training on staff, regularly scheduled staff access to clinical consultation.

2. Supporting and strengthening the LOWO Board of Directors.

This is an extremely hard working Board, with dedicated Board members. With better support, the Board can contribute even more to the work of LOWO. The Board can be strengthened through expanding some functions and changing some Board practices that were needed in the past. The TA Providers recommend the following as strategies to support and strengthen the LOWO Board of Directors:

- a. Board staffing and support. The LOWO Board needs to be better staffed and supported by providing it with the critical information it needs to understand how effective LOWO is, particularly services outcomes data. We recommend that the Executive Director propose to the Board the outcomes data it should be reviewing on a regular basis, develop a schedule for the provision of this data, and present and explain the data to the Board on this schedule so the Board can have thorough discussions and understanding about LOWO's performance. The Children's Bureau's National Child Welfare Resource Center for Child Welfare Data and Technology (NRC-CWDT) could assist the Executive Director in helping to define these needed data elements and in developing LOWO's capacity to collect, generate, analyze, and understand this data. Once LOWO has the capacity to generate these data reports for the Board, Board members should report back to their Districts at least quarterly, including sharing and discussing LOWO workload and outcomes data with their community members.
- b. Expanding the Board's functions. Challenge #3, below (reducing staff caseloads, better staff retention, and increasing the number of staff), has a direct relationship with the

⁴ The Butler Institute for Families at the University of Denver Graduate School of Social Work provides consultation and technical assistance on Learning Circles. Their services can be facilitated through the NRC4Tribes.

functions undertaken by the Board. In order for LOWO to address Challenge #3, below, the Agency will need more resources. The Board, working with the Executive Director, needs to provide leadership in acquiring more resources. NRCOI may be able to provide some technical assistance to the Executive Director and the Board in developing and implementing a resource expansion plan.

- c. Changing some current BOARD practices. The Board needs to consider changing some of its current practices that developed because they were needed in the past. These practices make sense in an historical context, but now they are in fact not helpful both to the Board's and to LOWO's functioning. The NRC4Tribes may be able to secure the services of a technical assistance provider well-experienced in the work of tribal boards to help with this effort.

3. Reducing staff caseloads, better staff retention, and increasing the number of staff.

Staff morale is affected by caseload sizes, staff turnover, and too few staff for the amount of work. If improvements can be made in these three areas, morale and child and family outcomes would improve as well.

All three are very hard to change. The first—reducing staff caseloads—is the easiest of the three, although it is not easy to accomplish. Interviews helped the TA Providers to identify two core issues that, if addressed successfully, would have a major impact in reducing LOWO's caseload. They are: a. LOWO's service delivery approach and its "front door"; and b. LOWO's "back door."

- a. LOWO's service delivery approach and its "front door." It is hard to say that LOWO has one service delivery approach—it probably has a number of them. Nor does the service delivery approach that is described here held by all leadership and staff. But the TA Providers think it does tend to affect most staff.

As on many reservations, at Pine Ridge there are historical and intergenerational social problems. While service staff must deal with these issues when working with children, youth, and families who have come into the tribal child welfare system, LOWO cannot possibly solve these longstanding problems alone. Yet because of its position in the community as a social services agency, there is an expectation that LOWO should solve these problems. A number of interviewees believe that LOWO's focus is too broad, and perhaps this is because of the perception that LOCO can solve everything. The central question is, "Who is really appropriate for LOWO to work with?" vs. "LOWO is the only or best family resource on the Reservation so we're going to go there and LOWO has to take us." Several interviewees said, "LOWO tries to be all things to all people."

If this is an accurate portrayal of a service delivery approach that exists in LOWO, the question is, how can it be modified to be more realistic? The TA Providers recommend the following:

- Create a work group of LOWO internal and external stakeholders. Seek and obtain technical assistance from DSS/CPS (CPS has expressed a willingness and

commitment to help) and the National Resource Center for Child Protective Services (NRCCPS).

- With the technical assistance, conduct a random case read of new cases accepted at intake. Discuss them in the work group. Determine which might not have been appropriately accepted.
 - Develop acceptance criteria and develop a screening protocol. Use the NRC4Tribes to get samples from other tribes and States.
 - When the screening protocol is completed and accepted, train all LOWO staff, beginning with the supervisors.
 - Do periodic, randomized case reads of new cases accepted at intake to determine if it is reducing acceptance at LOWO's front door.
- b. LOWO's "back door." When we interviewed LOWO supervisors, several reported that they have concluded that current staff caseloads could be reduced through a thorough case review because a good number of cases are being left open too long and not closed when appropriate. The TA Providers recommend the following actions:
- A thorough review of all open cases as soon as this is feasible to make appropriate case closures. This initiative should include designing and implementing a regular, ongoing case review process to ensure timely and appropriate case closures now and in the future.
 - Technical assistance from DSS/CPS (CPS has expressed a willingness and commitment to help) and from the National Resource Center for In-Home Services (NRCIHS) to work with LOWO to develop clear criteria for closing in-home cases, followed by training—first for LOWO supervisors, and then for LOWO frontline staff.
 - Simultaneous technical assistance from DSS/CPS (CPS has expressed a willingness and commitment to help) and from the National Resource Center for Permanency and Family Connections (NRCRFC) to work with LOWO to develop clear criteria for closing out-of-home and reunification cases, followed by training—first for LOWO supervisors, and then for LOWO frontline staff.

Better staff retention is a serious challenge. By way of background, LOWO finalized negotiations and entered into an agreement with the authorization of the Oglala Sioux Tribe to transfer services and funding for child welfare from the South Dakota, Department of Social Services, Child Protective Services (SD DSS/CPS) to the Tribe. LOWO became the sole Child Protection agency on the Pine Ridge Indian Reservation as of February 1, 2008. The transfer of Child Protection cases from SD DSS/CPS to LOWO occurred in October 2007. These cases included IV-E and Kinship placement. Since that time LOWO has had a steady increase of child abuse and neglect reports and children who have been placed under care, supervision, and placement by the Tribal Court to LOWO. Recent numbers show that:

- In 2010, there were a total of 951 referrals and 200 investigations were assigned.
- In 2011, there were 1299 referrals and a total of 527 investigations assigned.

The Oglala Sioux Tribe has a dire shortage of child protection staff: LOWO has two investigators who respond to investigations that cover the entire reservation. The major increase of investigations has impacted the urgent need to comply with the Family and Youth Code allowing 45 days at the most to substantiate a case before the court, as an example of the growth expansion and how it impacts the services to the children and families we serve. The increase of children and families that LOWO provides services to, and the lack of resources and additional staff, has impacted and overwhelmed the entire support staff. Overwhelming numbers have impacted the retention of employees due to staff burn out. The lack of updated office equipment and transportation has been another contributing factor to staff turnover. Numbers have increased, but the LOWO budget has remained the same.

Without a stable staff, turnover seriously affects LOWO clients and decreases good outcomes. We know that the most important factor in retaining child welfare staff is high quality supervision—child welfare data are very clear about this. The TA Providers recommend that three of the National Resource Centers (In-Home Services [NRCIHS]; Permanency and Family Connections [NRCPFC]; and Youth Development [NRCYD] work together as a team with LOWO to develop and implement a strategic plan for improving the skills of LOWO supervisors to supervise in-home, out-of-home, and reunification cases, as well as supervising pre-adoption services provided to relative/resource families who are in the process of establishing a permanent home for children they have had placed with them and are working toward formalizing this plan, and supervising transition support services provided to young adults between the ages of 18 and 25 who have aged out of the foster care system.

The third task in this LOWO challenge is the hardest—increasing the number of LOWO staff because there is too much work for the current staff size. It will require major efforts by the LOWO Board and LOWO Executive Director to increase resources for the Agency. The TA Providers recommend requesting the NRC4Tribes and the NRCOI to secure an appropriate consultant to work with the Board and the Executive Director to develop a plan for them to implement that focuses on enhancing resources from:

- OST and other tribal sources.
- Foundation sources.
- Grants and contracts from state and federal sources.

4. Supporting LOWO's resource families.

Based on interviews and focus groups with LOWO's internal and external stakeholders, the TA Providers concluded that this challenge is one of LOWO's most serious at the present time. LOWO's resource families include native foster parents, kinship care providers, and guardians. By and large, these families say they:

- Feel little support from LOWO staff.
- Are doing their own child welfare casework for their placed children and themselves.
- Depend on other resource families for support and for services such as respite care.

The TA Providers recommend that LOWO request technical assistance from the National Resource Center for Resource Parents Recruitment and Retention (NRCRPRR) of AdoptUSKids and the NRC4Tribes to work with LOWO and LOWO's current resource families to develop and implement a comprehensive strategic plan to fully support LOWO's resource families. We recommend that components of this strategic plan include the following:

- Determination of the reasons that resource families have dropped out of service.
 - Identification of all the support needs of resource families and plans to address them.
 - How to network LOWO's resource families to better provide each other peer support, including consideration of helping them create a peer association.
 - Determination of the level of need for additional LOWO resource families together with a tailored recruitment plan.
5. Working more effectively with LOWO's external stakeholders to ensure cross-system teaming, more effective service delivery, and OST community acceptance, support, and collaboration.

As stated previously in the "LOWO's Strengths" section of this Assessment Report on page 13, LOWO's external stakeholders are a major strength whose potential has not been tapped adequately yet. The TA providers were struck by the many OST stakeholders who want LOWO to be successful—to really achieve excellent outcomes for the children, youth, and families served. By and large, they stand ready to be helpful, constructive partners with LOWO if they are engaged by LOWO successfully and authentically as true community partners in the critical task of securing the safety, permanency, and well-being of the next Lakota generations.

The strategy some child welfare agencies have used to work more effectively with external stakeholders is to create a formal stakeholder collaborative that has purposes defined in a charter document. The TA Providers recommend that LOWO consider doing something similar. This would not be unlike the early convening of OST stakeholders in the OOIO that created LOWO. NRCOI and NRC4Tribes can provide more information on this strategy if LOWO is interested in exploring this further. If the decision is to move in this direction, the two can also provide technical assistance to design, implement, and staff a LOWO Stakeholder Collaborative.

If LOWO decides to create such an entity, after it is operational, we recommend that LOWO use the stakeholder collaborative to study and collectively design and implement better ways for LOWO to work collaboratively with the following four core OST systems and to address the challenges identified through our interviews and focus groups with internal and external stakeholders:

- a. ONTRAC, Indian child welfare services.

Almost every stakeholder we interviewed who knows of the child welfare work of LOWO and of ONTRAC was puzzled and confounded about why these two core child welfare activities are separated and not integrated, including staff from both organizations.

LOWO receives State and federal Title IV-E pass-through funds for child welfare work— foster care and out-of-home services, but provides a wide range of other child welfare services, including in-home services.

As the Tribe’s Title IV-E agency, federal law requires that the Title IV-E agency must also be the recipient of Title IV-B, Part 1 funds.

IV-B Subpart 1 (Child Welfare Services) provides funding to promote Tribal and State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families, by protecting and promoting the welfare of all children; preventing the neglect, abuse, or exploitation of children; supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner; promoting the safety, permanence, and well-being of children in foster care and adoptive families; and providing training, professional development and support to ensure a well-qualified child welfare workforce.

ONTRAC is the Oglala Sioux Tribe’s Indian Child Welfare Act program and provides services through BIA Indian Child Welfare Act (ICWA) funding and other resources. ONTRAC also receives the Oglala Sioux Tribe’s Title IV-B Part 1 and Part 2 family preservation funds.⁵

Title IV-B Subpart 2 (Promoting Safe and Stable Families) provides funding to develop, expand and operate a program of family preservation, family support services, time-limited family reunification services, and adoption promotion and support services.

These two federal programs—Title IV-E and Title IV-B—were never intended to be divided. The funding issue is outside the domain of this Assessment but needs to be addressed by the Federal Administration for Children and Families (ACF Region VIII in Denver).

Feedback from stakeholders also indicated the collaboration between the two programs is weak or non-existent. LOWO and ONTRAC could use the LOWO Stakeholder Collaborative to study the issues and dynamics and develop a plan for uniting the two programs under one home that ensures cross-system teaming and more effective service delivery.

b. Working more effectively with the schools.

The OTA Providers interviewed staff from a number of schools on the Reservation. We were surprised at the range of collaboration between individual schools and LOWO

⁵ It should be noted that when the TA Providers interviewed members of the OST’s Health and Human Services (HHS) Committee, some expressed that an outside assessment of ONTRAC, similar to the one conducted for LOWO, could be very helpful for the Committee to examine the full picture of the tribal child welfare system.

staff. Some schools report complete collaboration and cooperation in addressing child and family needs identified by the school. Others reported the opposite.

We believe this is an area that needs major LOWO improvement and consistency. LOWO's work with local schools is its best opportunity to do quality work that prevents and deflects children from coming into the child welfare system.

Based on interviews with school and LOWO staff, the TA Providers created a list of activities and approaches that could be used to improve LOWO services to schools that we will be happy to share with LOWO staff. LOWO and the schools could work together through the LOWO Stakeholder Collaborative to create a model of LOWO-school collaboration that would greatly benefit both the OST child welfare and the OST education systems and prevent children from coming into care.

c. The partnership/protocols between LOWO and Public Safety.

Similar to what we learned about the range of collaboration between LOWO and the schools, we saw a similar range of collaboration between LOWO and Public Safety. Public Safety is extremely eager to work with LOWO to improve the partnership between the two by creating protocols that would guide practice by LOWO and by Public Safety when they need to work together. Again, LOWO and Public Safety could work together through the LOWO Stakeholder Collaborative to create and implement these work protocols. Also, the NRC4Tribes could search for protocols already developed by other tribes. It is important to note that, like LOWO, Public Safety's resources are very limited—38 police officers today, down from 101 six years ago,⁶ so collaboration between LOWO and Public Safety in conducting investigations will be a challenge, but critically important nonetheless.

d. Improved partnership between LOWO and the Court.

Interviews with LOWO and Court staff indicated cordial relationships and mutual respect. At the same time, both systems desire more effective collaboration. We recommend that LOWO and the Court work together through the Stakeholder Collaborative to identify what needs to be improved and to develop plans to implement them.

The "Wakanyeja Na Tiwahe Ta Woose" (Oglala Sioux Tribe Child and Family Code) was adopted by the Oglala Sioux Tribe in May 2007. Since the adoption of the Child and Family Code, approximately four years ago, there is still a need to educate the tribal programs and the off-reservation agencies regarding the tribal law on Child Protection and the Unborn Child. The Oglala Sioux Tribal Code is unique in recognizing a fetus as an individual with individual rights. Therefore, LOWO has offered assistance in establishing the protocol for pregnant mothers that has been a challenge to prevent violating the mother's due process.

⁶ *New York Times*, March 6, 2012, A1, A18, "At Tribe's Door, a Hub of Beer and Heartache."

LOWO and the Tribal court would greatly benefit in receiving legal TA to review the current Code and process regarding child protection and make improvements from the National Resource Center for Tribes (NRC4Tribes), since one of the partners in the NRC4Tribes was involved in the development of the Code. TA could also be provided from the Children's Bureau TTA Network member, the National Resource Center for Legal and Judicial Issues and its partner organization, the National Council of Family and Juvenile Court Judges.

If LOWO decides to create such an entity (a formal stakeholder collaborative), in addition to benefiting the work of LOWO, a potential ancillary benefit might be that the OST community stakeholders work more effectively with each other in their non-LOWO activities.

6. Becoming an outcomes-driven agency by developing LOWO's capacity for (a) building an information system that supports collection of essential data, (b) generating outcomes reports, (c) analyzing outcomes data to understand practice, and (d) creating and implementing a Quality Assurance/Quality Improvement (QA/QI) system that can determine how to change practices to achieve better outcomes.

LOWO does not have the data it needs to do its work effectively, or an information system with enough capacity to generate the needed data. It remains too reliant on hand counts to get basic data.

Because of this, LOWO doesn't yet have the capacity to transform itself into an outcomes-driven agency. Also because of this, the agency service delivery approach does yet comprehend the value of data because staff do not yet have the experience of how good use of data can improve client outcomes. An outcomes-driven agency knows how to generate data and outcomes report, analyze outcomes data to understand practice, and how to experiment with changing practice to achieve better outcomes and the ability to research whether those practice changes are effective.

Very few, if any, tribal child welfare agencies currently have this capacity. Before the implementation of the Child and Family Services Reviews in 2001, very few State child welfare systems did either; however, more and more states are developing this capacity. But if LOWO could build and use this capacity, LOWO could achieve substantially better outcomes for the children, youth, and families it serves. It could also serve as a model for other tribal programs.

The TA Providers recommends that two National Resource Centers—the National Resource Center for Child Welfare Data and Technology (NRC-CWDT) and the National Child Welfare Resource Center for Organizational Improvement (with its QA/QI expertise)—be requested to provide TA and to work with a LOWO work group to develop a plan to build this capacity. The work group should include LOWO staff who are involved in generating and using data. Other appropriate external stakeholders, including DSS/CPS QA/QI skilled staff, should also be recruited, especially since CPS has expressed a willingness and interest in assisting LOWO with this initiative. This work group would work on the following tasks:

- Put together a plan to produce regular data reports for the LOWO Board (see Recommendation 2a on page 14 of this report). This will be a temporary plan until greater LOWO capacity is developed.
- Develop a plan for a more adequate information system for LOWO, taking into account the current Harmony system inherited from Casey Family Programs and the NRC-CWDT's Reconnect Families Database.
- Delineate the data elements needed to monitor outcomes and practice.
- Plan a QA/QI system that has the capacity for generating data and reports, analyzes the data, monitors, and improves practice to get better outcomes.

We recommend that LOWO seek and secure outside funding to develop this capacity for three-four years until it becomes part of the culture of LOWO and LOWO has the ability to sustain it. A potential funding partner has already been identified.

7. Developing, disseminating, training, and implementing a clear, straightforward, and transparent complaint process that is followed universally.

As stated previously in the "LOWO History/The Future" section of this Assessment Report on page 10, the challenge of running an agency that serves the most vulnerable people of a community is not an easy one. But transferring services from a state-run agency to a tribal-run agency doesn't automatically guarantee success. Any agency that has the responsibility of removing children from their families due to concern for their safety and well-being is also itself a target for criticism. The challenges faced by state child welfare agencies are also the challenges faced by tribal child welfare systems. LOWO has not been immune from community complaints or dissatisfaction.

The TA Providers' interviews with stakeholders heard multiple complaints about LOWO. The problem to be addressed here, however, is not the fact that there are complaints. Complaints are to be expected. The problem is that there is not a standard complaint process that is used by everyone. We heard complaints that went to the entire Board and to individual Board members, other complaints that went to the Executive Director or other staff, and still other complaints that went to the OST Tribal Council's Health and Human Services (HHS) Committee or Committee members. Further confounding the problem is how each of those persons or entities dealt with the reports. The OST community and the LOWO leadership and staff seem equally confused about where and how to deal with reports.

We recommend that LOWO set up a small work group consisting of LOWO Board members, staff, and stakeholders and use technical assistance from the National Resource Center for Child Protective Services (NRCCPS) to develop and implement a clear, straightforward, and transparent complaint process that is followed universally. The work group can begin, with the NRCCPS's assistance if requested, by gathering complaint processes used by other child welfare agencies and make use of the best. The NRCCPS may have some examples from their work with agencies in developing citizen review processes. After completion of the development of this process and Board approval, all Board members and LOWO staff should be trained before implementation. Plans should also be made about how to train all LOWO stakeholders so that all of OST knows and follows the complaint process. The

goal here is not to stop complaints (complaints are inherent in the nature of child welfare work), but to ensure that complaints are handled fairly and ethically.

Remaining Work

This following summarizes the work remaining to make use of the information contained in this Assessment Report:

- Following the TA Providers onsite visit to LOWO on February 23, 2012, a third draft of the LOWO Assessment Report was completed on March 14, 2012 and transmitted to the LOWO Executive Director and Board of Directors for review at the Board's March 16 meeting. Changes and additions subsequently were made in a fourth draft dated April 6, 2012, for review at the April 11, 2012 Board meeting. At that Board meeting, the Board reviewed the changes included in the fourth draft and *accepted* the fourth and final draft of the LOWO Assessment Report, not approve it. Approving it would have meant that they were in agreement with everything contained in the Report which would be unreasonable since they are not the Assessment Report's authors. Voting to accept the Report conveyed that the Board agrees with the Report's general direction.
- Next, based on what was learned through the Assessment, LOWO will work with the TA Providers to develop a multi-year LOWO Strategic Plan. Seven work groups, around the seven LOWO challenges identified in this Assessment Report, have begun to be formed, with a core of LOWO staff who volunteered. The first task of each of the work groups will be to determine who needs to be added to them (Board members, other staff, external stakeholders). The TA Providers will work with the seven work groups onsite and by webinar to develop the LOWO Strategic Plan. When the Strategic Plan is completed, it will be brought back to the Board for approval (not acceptance). If the Board approves the Strategic Plan, it becomes LOWO's official Plan.
- LOWO can't implement the entire Strategic Plan at once—this would overwhelm the LOWO Board and staff. Therefore, the next step is to prioritize and sequence the contents of the Plan, identifying which of the challenges (or parts of challenges) should be addressed in the first year of program improvement, the second year, etc.
- After this prioritizing and sequencing, those that are to be addressed in year one will need to have detailed work plans developed. These detailed work plans will be developed through collaboration of LOWO, appropriate stakeholders, and the current and/or new NRC TA providers proposed for each of the challenge areas.
- After the detailed work plans for year one are completed, they will be submitted to the Federal Region Office VIII staff for review, possible revision, and approval.
- After approval, LOWO will move to implementation of year one Work Plans.

In conclusion, the TA Providers want to express our gratitude for the cooperation of all persons who participated in this Assessment. It has been an honor and a pleasure working with you and we look forward to collaborating with you to complete this work.

Respectfully submitted,

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May 1, 2012

10/5/12

**NEEDED NEW RESOURCES IDENTIFIED IN THE PLAN FOR LOWO'S FUTURE
(Seven Sections/Work Groups' Draft Plans)**

1. LOWO STAFF DEVELOPMENT:
 - Strategy #7, Staff Access to and Use of Clinical Consultation, pp. 19-20.
2. STRENGTHENING AND SUPPORTING THE LOWO BOARD OF DIRECTORS:
 - Strategy #1, LOWO Board Leadership Model, costs for cultural experts and meeting/training expenses, pp.1-3.
 - Strategy #4, Annual Updating of Governance Policies, costs of quarterly meetings and 1-2 days training, p0. 11.
3. WORKER CASELOADS, STAFF RETENTION, AND INCREASING STAFF:
 - Strategy #4, Upgrading Needed Office Equipment and Vehicles, costs to be determined, pp. 1011.
 - Strategy #5, Implementing Staff Caseload Standards/New Staff, costs to be determined, pp. 12-16.
4. LOWO RESOURCE FAMILIES:
 - Strategy #1, the Need for New Resource Families, to be determined, pp. 1-2.
 - Strategy #2, Adding a LOWO Vital Records/Case Assistant staff person, to be determined, pp. 2-3.
5. LOWO STAKEHOLDERS:
 - Strategy #3, LOWO/Schools Child Welfare/Educational Summit, meeting costs, page 8.
 - Strategy #4, LOWO/Courts, Attorney General/Public Safety Summit, meeting costs, page 12.
6. DATA AND CQI:
 - Strategy #2, Improve the Management Information System (MIS), costs to be determined, pp. 7-9.
 - Strategy #3, Creating and Operating a Continuous Quality Improvement (CQI) System, costs to be determined, pp. 10-13.
 - Strategy #4, Seeking 2-4 Year Funding to Support the Development of the MIS and CQI Systems, budget to be developed, pp. 14-15.
7. LOWO COMPLAINT PROCESS:
 - Strategy #1, Development of the Complaint Process, costs of printing and distributing a brochure to OST Stakeholders that describes the new complaint process, costs to be determined, page 4.