



Data Collection and Its Impact on Indian Child Welfare Act Compliance Measures¹

The integrity of data is essential to conducting a reliable analysis of the effects of Toolkit implementation. Historically, data regarding the American Indian/Alaska Native population has been suspect by the Tribal community. For example, Child Welfare Services/Case Management (CWS/CMS) data has significantly undercounted the Tribal population throughout the country. Undercounting minimizes the need for resources, primarily in the area of funding to Indian tribes and service providing agencies.

Why accurate data is critical to the AIE project

Agency improvement in ICWA-related outcomes is measured by assessing changes over time from baseline data. Consequently, the determination of accurate baseline data is fundamental to the evaluation process. Collecting accurate data requires a multi-pronged approach, and attention to the various areas in the CWS/CMS where data relevant to ICWA determinations are captured.

It is important to pursue every reasonable effort to insure that county data accurately reflects the number of Indian children that enter the child welfare system and their length of stay in foster care. Accurate data gathering is critical for assessing the level of disproportionality of Indian children in the child welfare system and instrumental for measuring the effectiveness of training to address ICWA compliance issues.

Efforts are currently underway at the state level to simplify the data entry process relevant to the ICWA. Particularly in view of the multiple areas in CWS/CMS where ICWA-related data is required, data collection protocols should be established by county agencies and included in all ICWA-related trainings. The importance of updating ICWA-related data on a regular basis may often be overlooked. Consequently, it is recommended that county protocols stipulate that case workers routinely update information related to the ICWA.

Current data is inaccurate

It is widely accepted that there are significant inaccuracies in the count of ICWA cases in the state determined by the CWS/CMS. A noteworthy problem is that CWS/CMS data entry is based on the manner in which the data is collected. Three CWS/CMS data items are particularly

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relevant to American Indian or Alaska Native status: race/ethnicity status, tribal membership status, and status with respect to the Indian Child Welfare Act.

Race/Ethnicity Status

If a respondent indicates more than one ethnicity, only the one that the respondent selects as the primary identity is recorded. If the secondary ethnicity is Indian, that information is not available.

Tribal Membership Status

Tribal membership status may change over time pending verification received from one or more Tribes. Additionally, the space to report membership is limited to only one Tribe. If a child has membership in more than one Tribe, the selection of only one of the Tribes for inclusion in the CWS/CMS database is based on the strongest association. If the associations are equivalent, the choice is arbitrary. The data entry categories for Tribal Membership Status are: Member; Eligible; Pending Verification; Claims Membership; Not Eligible; and Missing.

Status with Respect to the Indian Child Welfare Act

Reporting this status is mandatory for all children in the CWS/CMS. The categories are: Eligible; Pending; Not Eligible; Not Asked/Unknown. As with Tribal membership status, ICWA status may change over time as responses are received from inquiries to one or more Tribes.

Better methods of identifying and counting Indian children in the CWS/CMS

Some counties have devised ways to achieve a more accurate count of the number of Indian children in the child welfare system. For example, in San Diego County one staff person implemented the running of data in three sets—first to establish if the child was identified as Indian, second to see if the mother was identified as Indian, and third to see if the father was identified as Indian. By running the data in this manner, the staff person was able to achieve greater precision with respect to the number of Indian children in the system, and then follow-up to determine if the children were ICWA eligible.

Alameda County established a protocol to review all cases to determine if proper inquiry had been made regarding Indian identity and to enter any new ICWA-related information in CWS/CMS. The protocol also insured that proper inquiry is made and documented at the outset. By implementing this new protocol, county staff discovered that there were many more Indian children in the system than had previously been tabulated. A county representative commented that the count had almost tripled.

The lesson to be learned by these examples is that it is vitally important to document accurately the number of American Indian/Alaska Native children that enter the child welfare system and those who are identified as ICWA eligible.

Tips for social workers to insure proper entry of ICWA-related data

- Enter data accurately and with consistency in all fields of CWS/CMS that pertain to Indian ancestry and ICWA-related status.
- Check with your supervisor or manager to ensure you are following the correct protocol. (Some counties have staff specifically designated to record ICWA cases and provide notice.)
- Properly document cases that have been identified as ICWA eligible.
- Revisit your cases and update ICWA-related data on a regular basis, especially when subsequent inquiry indicates that a case is under the purview of the ICWA.