

American Indian Studies 450-019

Social Work 665-001

Spring 2017

UW Madison

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Office Hours: BY APPOINTMENT ONLY

The Indian Child Welfare Act (ICWA)

Course Time and Location

Tuesdays and Thursdays, 4:00 – 5:15 PM, Van Hise 391

Course Description

This three-credit course is recommended for social workers, but open to all students. It will provide students with a brief introduction to the tribes in Wisconsin and an opportunity to explore any pre-conceived ideas they come to class with in regards to American Indians. We will then discuss the history of boarding schools for American Indian children, and how this experience has impacted Native communities across the country. Students will explore historical trauma as part of the context in which American Indian children are disproportionately removed from their homes, and examine cultural connection as a means of healing trauma and buffering a variety of negative outcomes. With this context, students will then learn about the history of the Indian Child Welfare Act, its importance, and how to ensure its compliance as a mandated reporter or child welfare professional. This course also provides a framework for social workers to interact with American Indian clients in a way that is mindful of the role the Social Work Profession has played in colonizing Native people.

The first half of the semester will focus on historical circumstances leading up to the need for and creation of ICWA, and the role of the social work profession in the removal of and continued traumatization of Native American children. The second half of the semester will focus on the ICWA from a legal perspective, and current best practices to ensure compliance of ICWA by all mandated child abuse or neglect reporters.

This course meets the UW Madison Ethnic Studies Requirement, can be taken to meet the requirements for the American Indian Studies Certificate, and can be taken as an elective for Social Work students.

Required Texts

DeMeyer, Trace and Patricia Cotter-Busbee. *Two Worlds – Lost Children of the Indian Adoption Project*. Blue Hand Books, Greenfield, MA. ISBN: 1479318280 (available on Amazon)

Flethcher, Matthew L.M. et. Al. *Facing the Future – The Indian Child Welfare Act at 30*. Michigan State University Press. ISBN: 978-0-87013-860-7

Native American Rights Fund, The. *A Practical Guide to the Indian Child Welfare Act*. Available at www.narf.org/icwa (Free online text - can be downloaded as a PDF)

Course Expectations

- Attend class as scheduled and arrive on time. Provide notification of excused absence to the instructor 24 hours in advance, except in cases of emergency.
 - Participate fully in class discussions and activity. Participation expectations are explained below.
 - Adhere to a class discussion guideline that will be created in class.
 - Turn in all assigned coursework by the due date. Late coursework is not accepted unless in case of an unforeseen emergency or with a pre-approved extension from the instructor.
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Assignments

Reading and participation are required, and will be graded.

1. Reading reflections are worth 2 points each (reflections are 1-2 paragraphs summaries per chapter of reading assigned).
 - a. I prefer that these are added to the appropriate discussion board on Canvas (Discussion topics will be dated and include name/pages of assigned reading).
 - b. You may turn in hand-written reflections before class if necessary.
2. You will earn up to 2 points per class for participation.

This course combines sociological and legal perspectives on the rationale for the ICWA and how to follow it.

Due to the nature of the course material, you will be assessed in a short-answer exam format rather than with essays or research papers. The two main assessments will be:

3. The midterm (defining important terms and short-answer questions) 100 points
4. The final exam (defining terms, how you would respond to various scenarios to ensure ICWA is followed). You will however be graded on your demonstration of critical thinking and application of course knowledge; assessments will not be structured as rigidly as if they were for a law course. 150 points

AIS 450 students will be graded on thoroughness and thoughtfulness of their response, and incorporation of course content.

SW 665 students will, in addition, be graded on how closely their responses adhere to the Generalist Model for Intervention and Social Work Code of Ethics.

Assignment dates can be found in the course schedule.

Evaluation and Grading

Assessment of student performance is ongoing. Students should feel free to ask the instructor about their performance and how it can be improved if necessary. Regular check-ins are encouraged. The final grade will be assigned based on:

- Class participation – 60 points
- Reading Assignments – 72 points (2 points per chapter or section assigned)
- Midterm Exam – 100 points

→(Define 20 important terms from the course, 5 short-answer questions)

- Final Exam – 150 points

→ (Define 25 important terms from the course – cumulative – and 5 case studies responses)

Total Points: 382

Extra Credit Options: 5 points each, maximum of two extra credit assignments allowed:

- Attend the 20th Annual UW Madison American Indian Studies Evening of Storytelling and write a 1 page reflection (Friday 2/3/17 7-9 pm, Wisconsin Institute for Discovery)
- Interview a tribal social worker and write a 1 page summary
- Attend an event sponsored by a tribe, Native community, or organization and write a 1 page reflection

All extra credit activities identified by students must receive instructor pre-approval in writing.

Letter Grades will be assigned to the following percentages on all assignments and class participation:

A 94-100 Outstanding; surpasses expectations in all areas.

AB 88-93 Surpasses expectations in most areas.

B 92-87 Surpasses expectations in some areas.

BC 81-76 Meets expectations in most areas, above in some.

C 75-70 Meets expectations in some areas.

D 64-69 Below expectations in all areas.

Participation

Your presence and activity are integral to the quality of the classroom experience and your education. You need to be present to participate. If you cannot make it to class you must let me know ahead of time (email preferred). Everyone is allowed one excused absence; except in rare circumstances, more than one absence will most likely result in a lower grade for class participation.

By participating in class, you are contributing to a learning environment for yourself and your colleagues. You are also practicing critical thinking, communication, and leadership skills required in the competencies and practice behaviors that enhance your capacity to function as a proficient social worker or other professional.

Quality participation involves comments that are thoughtful, persuasive, logical and provide insight to the class. It also involves active listening and responding to your colleagues' contributions.

You can earn up to 2 points per class for participation. Grading is as follows:

0 points – absent

1 point – present, no participation

1.5 points – present, some engagement and participation

2 points – present, full engagement, thoughtful participation

Week	Date	Topic	In-Class Activities	Reading Due In Class Today	Assignment Due In Class Today
1	January 17 th	Introduction	-Syllabus, Introductions -What do you know about Indians?	NONE	NONE
	January 19 th	Wisconsin Tribes	-Wisconsin Tribes -The Ways videos www.theways.org	NONE	-The Ways reflection (in-class assignment)
2	January 24 th	What did you learn?	-In-class reflection/discussion on what you learned from last week?	Two Worlds (DeMeyer), pages xi - 76	Reading Reflection for pages xi - 76
	January 26 th	Native American Child Displacement in Wisconsin	-Introduction to ICWA – what is the law, and why is it a law?	Two Worlds (DeMeyer) Pages 77 - 116	-Reading Reflection for pages 77- 116

			-Missing Threads – The Story of the Wisconsin Indian Child Welfare Act: http://missingthreadswicwa.blogspot.com/ (57 minutes)		
3	January 31 st	Boarding Schools	-Watch <i>The Thick Dark Fog</i> (PBS) https://www.kanopystreaming.com/wayf/product/thick-dark-fog-reclaiming-native-american- (56 minutes)	Two Worlds (DeMeyer) pages 117 - 156	Reading Reflection for pages 117-156
	February 2 nd	Boarding Schools	-Lecture, discussion	Two Worlds (DeMeyer) pages 157 - 199	Reading Reflection for pages 157 - 199
4	February 7 th	Historical and Intergenerational Trauma in Indian Country	-Lecture, discussion	Two Worlds (DeMeyer) pages 201 - 243	Reading Reflection for pages 201 - 243
	February 9 th	Native Children in Foster Care/Adoptive Homes - Outcomes	-Lecture, discussion	Two Worlds (DeMeyer) pages 245 - 289	Reading Reflection for pages 245 - 289
5	February 14 th	Decolonizing Social Work – Acknowledging the Role of Social Work	-Lecture, Discussion	Two Worlds (DeMeyer) pages 293 - 333	Reading Reflection for pages 293 - 333
	February 16 th	Decolonizing Social Work – Strategies in Child Welfare/ICWA Cases/Adoption, etc.	-Lecture, Discussion	Two Worlds (DeMeyer) pages 335 - 359	Reading Reflection for pages 335 - 359
6	February 21 st	Two Worlds	-In-Class Discussion, reactions -How can the experiences in this book shape social work practice?	NONE	NONE
	February 23 rd	Decolonizing Social Work – Other Considerations (clinical, etc.)	-Lecture, Discussion	ICWA at 30 (Fletcher) pages 3-12	Reading Reflection for pages 3-12
7	February 28 th	Healing Trauma – Culture as a Protective Factor	-Lecture, discussion	-Research tribes developing or using cultural programs, especially for youth and youth who have been adopted or in foster care	-Identify 3 tribes with strong cultural programs. Write a paragraph for each.
	March 2 nd	Cultural Programs for Youth	-Guest Speaker * Biskakone Greg Johnson, Lac Du Flambeau, WI (Waswagoning)	- ICWA at 30 (Fletcher) pages 221 – 234 245 - 269	Reading Reflection for pages 221 – 234, 245- 269
8	March 7 th	Midterm Review	-In-class review for midterm exam	NONE	NONE
	March 9 th	MIDTERM EXAM	-The exam will ask students to define key terms from the semester and answer short-answer questions related to course content to-date	NONE	NONE
MIDTERM					
9	March 14 th	What is sovereignty?	-Lecture, discussion	NARF 9. Recognition of Tribal Law ICWA at 30 (Fletcher) pages 13-27 50-110	Reading Reflection for NARF Section 9 ICWA at 30 pages 13-27 50 - 110
	March 16 th	ICWA as a form of Tribal Self-Determination	-Lecture, discussion	NARF 10. Tribal-state agreements	Reading Reflection for NARF Sections 10, 19

				19. Application of other federal laws	
SPRING BREAK					
10	March 28 th	Jurisdiction - ICWA in Wisconsin, PL 280	-Lecture, discussion	NARF 2. Jurisdiction 7. Transfer 8. Who has Jurisdiction?	Reading Reflection for NARF Sections 2, 7, 8
	March 30 th	When does ICWA Apply?	-Lecture, discussion	NARF 1. Application 3. Who has Rights Under the Act?	Reading Reflection for NARF 1, 3
11	April 4 th	Active Efforts	-Lecture, discussion	NARF 4. Notice 5. Intervention 12. Active Efforts Requirement	Reading Reflection for NARF 4, 5, 12
	April 6 th	Termination of Parental Rights	-Lecture, discussion	NARF 13. Termination of Parental Rights 14. Expert Witnesses 17. Voluntary Proceedings	Reading Reflection for NARF 13, 14, 17
12	April 11 th	Foster Care and Placement	-Lecture, discussion	NARF 11. Foster Care Placement and Removal 16. Placement	Reading Reflection for NARF 11, 16
	April 13 th	Adoption	-Lecture, discussion	NARF 18. Adoption	Reading Reflection for NARF 18
13	April 18 th	ICWA Enforcement	-Lecture, discussion	NARF 20. Enforcement of ICWA Requirements 21. Application of Standards Higher than ICWA	Reading Reflection for NARF 20, 21
	April 20 th	Follow-Up and Resources	-Lecture, discussion	NARF 22. Resources	Reading Reflection for NARF 22
14	April 25 th	ICWA Cases in the Media and Criticisms of ICWA	-Lecture, discussion	ICWA at 30 (Fletcher) pages 235 - 244	Reading Reflection for pages 235 - 244
	April 27 th	A Day in the Life - Tribal CPS Workers	-Guest Speaker * TBD - Ho-Chunk Nation	ICWA at 30 (Fletcher) pages 111 - 126 235 - 244	Reading Reflection for pages 111 - 126 235 - 244
15	May 2 nd	Review	→ Terms, definitions, concepts	NONE - REVIEW	NONE
	May 4 th	Review	→ Case studies	NONE - REVIEW	NONE
Final Paper due 5/9/17 by 11:59 PM					

***Note: Order of class topics subject to change due to availability of guest speakers.**