
INTRO TO THE INDIAN CHILD WELFARE ACT

Holly Stooksbury

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PROFESSOR ASHELY ARMSTRONG
Honors Capstone Project
University of Wyoming

Abstract

The care and protection of Native American and Alaskan Native children are vital to the survival of Indigenous communities. However, systems have not always been in place to provide that protection. Laws regarding the well-being of Native American and Alaskan Native children have undergone a great deal of change in the years following the end of the Indian Wars. One of the most important pieces of legislation was the Indian Child Welfare Act (ICWA) of 1978, which was significant because it worked to ensure that tribes would have more of a say in where their children would be placed for foster care and adoption. Despite the changes that have occurred in the welfare of Indigenous children, there is still much work that needs to be done. This project specifically addresses the problem that non-Native social workers have not been educated on the ICWA. This lack of education has caused some non-Native social workers to make culturally insensitive mistakes in the placement of Indigenous children, including on occasion placing children in homes where there have been previous charges of abuse. My project, which is a course shell that I developed through WyoCourses, seeks to help educate prospective social workers on the ICWA as well as the overall history of policies implemented for Native American children. This course shell is not just focused on explaining the particulars of the ICWA, but also the history of the boarding school system and the Indian Adoption Project. This course shell stresses the importance for future social workers to understand the ICWA and the history of Native American children. This will better equip them to continue to improve the care and protection of Native American children and, by further extent, Native American cultures overall.

UNIVERSITY OF WYOMING

1000 E. University Ave. • Laramie, WY 82071 • Outreach 307-766-1121

SOC 102 – 01 – Intro to the Indian Child Welfare Act (3 credits)

Days/Hours: Mondays and Wednesdays 9:10-11:00

Effective Date: Fall

Instructor: Holly Stooksbury

Email: hstooksb@uwyo.edu

Office Hours: Tuesdays and Thursdays 10:00-12:00 and by appointment

Course Format: In-person meetings

Website access: WyoCourses: <https://uwyo.instructure.com/courses/555889>



Instructor: I developed this course out of a desire to help educate prospective social workers about the basics of the Indian Child Welfare Act (ICWA) as well as the history of policies towards Native American children. Understanding this history not only demonstrates to students the need for policies such as the ICWA, but also changes that need to be made to these policies going forward. My experiences with the Native American and Alaskan Native communities have greatly shaped the structure of this course and I look forward to sharing my knowledge and experiences with you all!

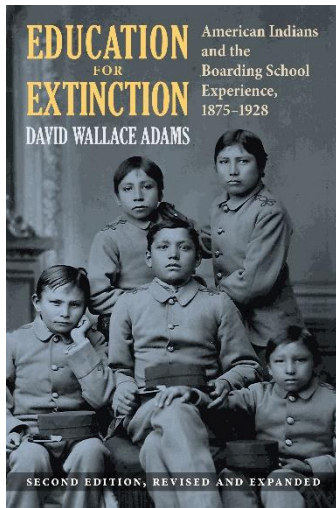
Instructor's Availability: As listed above, my office hours are generally Tuesdays and Thursdays from 10:00-12:00. I am also generally available to meet by appointment if those office hours do not work. For emergency or semi-emergency questions, text, or call (970) 672-7305. Non-emergency questions can be emailed to my personal email (hstooksb@uwyo.edu).

Course Description: This course introduces students to the history of Native American/Alaskan Native child policy. Students will learn about the Native American boarding/residential school system, the Indian Adoption Project, and why Indian Child Welfare Act (ICWA) is such an important piece of legislation. Students will also have the opportunity to understand the limitations of the ICWA and how this legislation can be improved for future generations. Not only will students have a chance to reflect and demonstrate their understanding of the materials for this course, but they will also have a chance to interact with Native American cultures through. This is because it is the goal of this course is to show students that by working towards bettering policies to protect Native American/Alaskan Native children, they are aiding in the survival of native cultures.

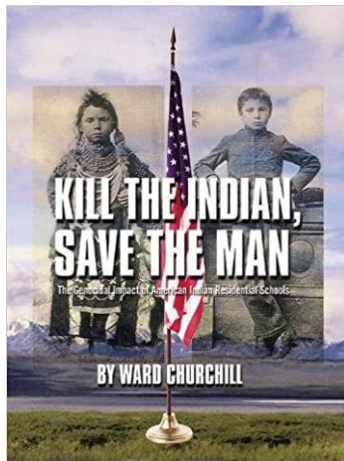
Student Learning Outcomes: Through coursework, students will . . .

1. Understand the history of Indian child policies (i.e., boarding schools, adoption project, ICWA).
2. Analyze issues with Indian child policies prior to the ICWA.
3. Understand the importance of the ICWA to the survival of Indigenous cultures.
4. Analyze issues within the ICWA and discuss possible improvements for the future.

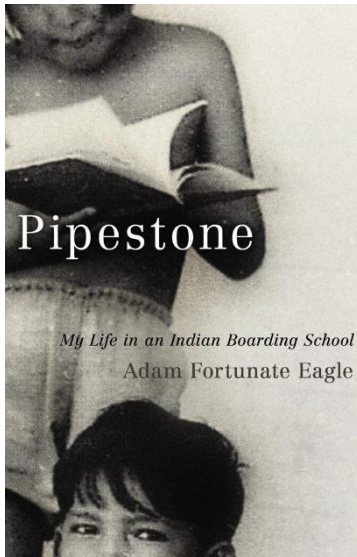
Required Text, Materials, and Technology:



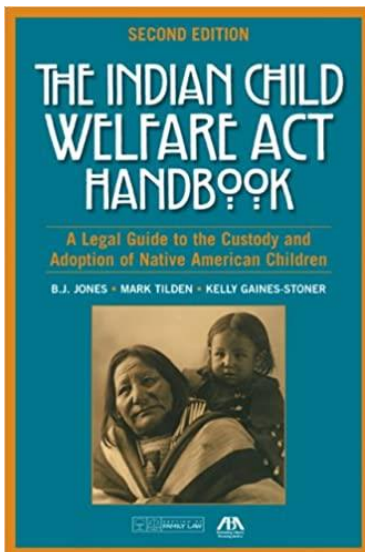
Adams, David Wallace. *Education for Extinction: American Indians and the Boarding School Experience, 1875-1928*. University Press of Kansas, 2020.



Churchill, Ward. *Kill the Indian, Save the Man: The Genocidal Impact of American Indian Residential Schools*. San Francisco, CA: City Lights, 2005.



Eagle, Adam Fortunate. *Pipestone: My Life in an Indian Boarding School*. Norman: University of Oklahoma Press, 2010.



Jones, B. J., Mark C. Tilden, and Kelly Gaines-Stoner. *The Indian Child Welfare Act Handbook: A Legal Guide to the Custody and Adoption of Native American Children*. Chicago, IL: Section of Family Law, American Bar Association, 2008.

******* While finding supplemental material from other texts, scholarly articles, reputable websites, etc. is acceptable and encouraged, you WILL NEED TO PURCHASE THE REQUIRED TEXTS. You will be expected to reference these texts throughout most assignments.**

University of Wyoming Resources:

Technical Support: Course difficulty questions should be directed to the instructor. The HelpDesk can be reached at <http://www.uwyo.edu/infotech/services/helpdesk/>

Academic Support: Students may wish to access the UW Writing Center online at <http://www.uwyo.edu/ctl/writing-center/> or UW Libraries at <http://www-lib.uwyo.edu>

Student Success Services: Student Success Services (SSS) is a program that strives to create an engaging environment for our students through a variety of meaningful learning opportunities structured to meet their unique needs. <http://www.uwyo.edu/se0/sss/>

Code of Conduct: Please be respectful of you fellow students and the instructor in all e-mails, chats, and discussions. Do not use profane or obscene words, or attack classmates personally for their opinions. If you would not say it in a classroom, please do not say it online.

Honor Policy

The University of Wyoming is built upon a strong foundation of integrity, respect, and trust. All members of the university community have a responsibility to be honest and the right to expect honesty from others. Any form of academic dishonesty is unacceptable to our community and will not be tolerated. UNIVERSITY REGULATION 802 will be followed in cases of academic dishonesty. According to University Regulation 802, an act is academically dishonest when it is an act attempted or performed which misrepresents one's involvement in an academic task in any way, or permits another student to misrepresent the latter's involvement in an academic task by assisting in the misrepresentation. Some examples of academic dishonesty include such acts as:

- a. representing as one's own work material copied or borrowed from any source, written or otherwise, public, or private, without proper citation of the source;
- b. using a ghost writer, commercial or otherwise, for any type of assignment;
- c. submitting substantially the same work for more than one class without the explicit permission of all concerned instructors;
- d. doing a class assignment for someone else or allowing someone to copy one's assignment;
- e. using notes or prepared information in an examination unless authorized by the instructor;
- f. taking an examination for someone else or allowing someone to take an examination for oneself;
- g. copying from, or assisting, another student during an examination;
- h. stealing, or otherwise improperly obtaining, copies of an examination before or after its administration; and
- i. submitting substantially the same work as someone else unless authorized by the instructor.

Equal Opportunity

Any student in this course who has a disability that may prevent her/him from fully demonstrating her/his ability should contact the course instructor as soon as possible so that the student and instructor can discuss accommodations necessary to ensure full participation. It is recommended that students with disabilities also contact the Student Educational Opportunity Office at 330 Knight Hall (766-6189). University Disability Support Services offers a variety of services and information to help students with disabilities have equal access to, and an equal opportunity to learn and participate in, UW's programs and educational opportunities. Services are determined on an individual basis and are tailored to minimize the impact of each individual disability as much as possible.

Communication:

Students may use the e-mail through the course shell or personal email (hstooksb@uwyo.edu) for communication. Communication with me should be via e-mail (unless extenuating circumstances arise; see instructor's availability above). I will make every effort to reply to e-mails within *48 hours*. Correct punctuation and grammar is expected at all times in communication on the course and with the instructor. When e-mailing your instructor, please be aware of the content and organization of your e-mail message (how you construct your message)

in that it is a reflection of your professional disposition. Following is an example of how a message should be constructed:

Example E-mail Message

Instructor Johnson,

I have attached my first written prompt. Is what I have written close to what is expected for this first assignment? Thank you in advance for reviewing my answer to this first assignment.

Mary Burn

Guidelines for Messaging

- a. Start the message with the name of the person being emailed.
- b. Use complete sentences.
- c. Use correctly spelled words.
- d. Use correct punctuation.
- e. End the message with your name.
- f. Re-read your message before sending.

Grading: Each week begins on Monday and ends on Friday at 11:59 pm. **All assignments, discussions, quizzes, and projects due in a given week must be completed prior to Friday at 11:59 pm.** Work completed after the due date will receive a 50% penalty. Work submitted more than 48 hours late will not be accepted. The instructor reserves the discretionary right to accept late work in unusual situations. All assignments and materials will be made available Monday prior to the start of class and may be completed as early as you would like. I will make sure to get grades and feedback for each assignment within 1 week of the due date. Grades will be assigned as follows:

- A = 90-100%
- B = 80-89.9%
- C = 70-79.9%
- D = 60-69.9%
- F = less than 60%

Activity	Points Each	#	Total points
Discussions	15	3	45
Quizzes	5	1	5
Class Participation	4	17	68
Written Reflections	25	2	50
Field Assignment	25	1	25
Final Project	50	1	50
Extra Credit	5	3	15

TOTAL POINTS: 258 Points

Extra Credit: There will be up to three extra credit opportunities available. Each extra credit assignment will be worth 5 points; therefore, you will be eligible for up to 15 extra credit points. Please read through the assignment details in the course shell for more instructions.

Class Participation: Participation will be assessed on a weekly basis. To receive full participation points, students must be in attendance on time with their required texts in hand, having fully read the required materials and watched the assigned videos, and ready to participate in class discussion. Students will be allowed up to three unexcused absences without any consequences to their final grade; all other absences must be cleared with me to avoid earning an automatic zero for the week. Students must notify me within at least 24 hours of a student's absence unless there are extenuating circumstances for the absence to be considered excused. Students with excused absences will be required to make up points by writing a 1-2-page reflection on either the assigned text or videos for the week(s) that they will be gone. These reflections will be due prior to the Wednesday of the week that the student(s) have returned to class. Simply showing up for class does not count as full participation. Students who simply show up but do not engage in the class will receive half points for the week. Participation points will be awarded each week on **Wednesday at 4:00 pm**.

Discussions: Each student will respond to the given discussion topics. To receive the full 15 points, each student must respond to the original post by **Wednesday at 11:59 pm** and to a minimum of two other student's responses by **Friday at 11:59 pm** of that week. The exception to this will be the Final Project Brainstorming discussion, which will be introduced at the beginning of Week 7 and due by the Friday of Week 12 at 11:59 pm; this includes the original post and the required response to your classmate(s). Original posts and responses must be thoughtful/detailed responses that adequately address the prompt as well as provide ample feedback to your fellow classmates. Please read through assignment details in the course shell.

Quizzes: There will be one quiz that you will be required to complete during Week 1. This quiz will cover information on the syllabus which will be crucial for you to understand in order to successfully complete this course. Please read through the quiz description in the course shell.

Assignments: You will be required to complete two written reflections during the course as well as complete a field assignment. Your written reflections should pertain to the course readings and videos included in the modules. Your field assignment should also pertain to what will be covered in the course. Please read through the detailed description for each individual assignment.

Final Project: Your final project will be due at the end of the semester. The goal of the final project is to choose a project related to the topics that we have discussed in class and present a 12–15-minute presentation that demonstrates your understanding of the material.

******* Referencing your work:** You will be expected to reference your work when you are taking information from your text or other sources. Points will be deducted for not following this procedure. (This includes discussion posts and your response to other classmates' discussion posts.)

Outline of Course Readings

Week	Readings
Week 2	<p><i>Education for Extinction</i> 1-31</p> <p><i>Kill the Indian, Save the Man</i> 1-33</p> <p><i>Pipestone</i> xiii-30 (before the section break)</p>
Week 3	<p><i>Education for Extinction</i> 33-102</p> <p><i>Kill the Indian, Save the Man</i> 34-82</p> <p><i>Pipestone</i> 31-61</p>
Week 4	<p><i>Education for Extinction</i> 105-183</p> <p><i>Pipestone</i> 62-100 (top of 101)</p>
Week 5	<p><i>Education for Extinction</i> 184-296</p> <p><i>Pipestone</i> 101-147</p>
Week 6	<p><i>Education for Extinction</i> 299-367</p> <p><i>Pipestone</i> 147-161</p>
Week 7	<p>Indian Adoption Project https://pages.uoregon.edu/adoption/topics/IAP.html (Links to an external site.)</p> <p>Louise Wise Services, “Our Indian Program”, 1960 https://pages.uoregon.edu/adoption/archive/LWSOIP.htm (Links to an external site.)</p>
Week 8	<p>Arnold Lyslo, “Suggested Criteria to Evaluate Families to Adopt American Indian Children Through the Indian Adoption Project,” 1962 https://pages.uoregon.edu/adoption/archive/LysloSCTEF.htm</p>
Week 9	<p>Indian Adoption Project Evaluation, 1958 through 1967 https://pages.uoregon.edu/adoption/archive/LysloIAP.htm</p>
Week 10	<p>Excerpt from David Fanshel, <i>Far From the Reservation</i>, 1972 https://pages.uoregon.edu/adoption/archive/FanshelFFTR.htm</p>

Week 11	Navajo Tribal Council, “Tribal Policy on Adoption of Navajo Orphans and Abandoned or Neglected Children,” 1960 https://pages.uoregon.edu/adoption/archive/NavajoTPOA.htm
Week 12	Margaret D. Jacobs, “Remembering the “Forgotten Child”: The American Indian Child Welfare Crisis of the 1960s and 1970s” https://www.jstor.org/stable/10.5250/amerindiquar.37.1-2.0136 (Links to an external site.)
Week 13	<i>The Indian Child Welfare Act Handbook</i> pgs. 1-32 <i>Facing the Future</i> pgs. 3-50
Week 14	<i>The Indian Child Welfare Act Handbook</i> pgs. 53-111 Frank Vandervort, “The Indian Child Welfare Act” <i>Facing the Future</i> pgs. 50-148
Week 15	<i>The Indian Child Welfare Act Handbook</i> pgs. 133-153 <i>Facing the Future</i> pgs. 163-235
Week 16	<i>The Indian Child Welfare Act Handbook</i> pgs. 159-169 <i>Facing the Future</i> pgs. 245-270

Assignment Outline

Assignments	Points	Due Date
Introductions	15	Friday of Week 1
Syllabus Quiz	5	Friday of Week 1
Class Participation	4	Participation points will be awarded each week by Wednesday at 4:00 pm.
Written Reflection 1	15	Friday of Week 11
Final Project Brainstorming	15	Friday of Week 12
Written Reflection 2	15	Friday of Week 14
Final Presentation	50	Friday of Week 14
Field Assignment	25	Friday of Week 15

Extra Credit	15	Friday of Week 15
Final Thoughts	15	Friday of Week 16

Works Cited

- Adams, David Wallace. *Education for Extinction: American Indians and the Boarding School Experience, 1875-1928*. Second Edition. Lawrence, Kansas: University Press of Kansas, 2020.
- Churchill, Ward. *Kill the Indian, Save the Man: The Genocidal Impact of American Indian Residential Schools*. San Francisco, California: City Lights Books, 2004.
- Fletcher, Matthew L. M., Kathryn E. Fort, and Wenona T. Singel. *Facing the Future: The Indian Child Welfare Act at 30*. East Lansing, MI: Michigan State University Press, 2009.
- Fortunate Eagle, Adam. *Pipestone: My Life in an Indian Boarding School*. Norman, Oklahoma: University of Oklahoma Press, 2010.
- Jacobs, Margaret D. "Remembering the 'Forgotten Child': The American Indian Child Welfare Crisis of the 1960s and 1970s." *American Indian Quarterly* 37, no. 1–2 (Winter/Spring 2013): 136–59. <https://www.jstor.org/stable/10.5250/amerindiquar.37.1-2.0136>.
- Jones, BJ, Mark Tilden, and Kelly Gaines-Stoner. *The Indian Child Welfare Act Handbook: A Legal Guide to the Custody and Adoption of Native American Children*. Second Edition. Chicago, IL: Section of Family Law, American Bar Association, 2008.
- Vandervort, Frank. "The Indian Child Welfare Act." *University of Michigan Law School Scholarship Repository*, 2010.