



# KIUYUM-ID

Volume 9 Issue 4

NOVEMBER 1999

## GED VIDEO SERIES

The Tribal Education Department now has the General Educational Diploma (GED) video series available for tribal members who are preparing for the GED exam. The GED video series can also be used for high school students as introductory course exercises or scholastic review.

The GED video series contains:

- video tapes
- student workbooks

The video series covers all of the subject areas on the GED test:

- Reading (5 Programs / Chapters)
- Science (6 Programs / Chapters)
- Social Studies ( 5 Programs / Chapters)
- Math ( 15 Programs / Chapters)
- Writing ( 10 Programs / Chapters)

Umpqua Community College uses the same GED video series when preparing students for their GED test.

To make an appointment to evaluate your needs and to check out the videotapes and workbooks, please contact Tonya Theiss-Skrip, Education Programs Director at (541) 672-9405 or 1-800-929-8229.

If you would like more information on the **KIUYUM-ID**, or if you have announcements that you would like published, such as reunions, births, birthdays, and eulogies, please contact:

**Cow Creek Tribal Government Office**

**Attn: Tonya Lenihan**

**2371 NE Stephens, Suite 100**

**Roseburg, OR 97470**

**1-800-929-8229 or (541) 672-9405**

## QUARTERLY GENERAL COUNCIL MEETING

All tribal members are encouraged to attend the quarterly General Council meeting on November 14, 1999. Due to the travel time with some of the tribal members returning home after the meeting, the General Council meeting will begin at 11:00 a.m.

Every attempt will be made to conclude the meeting no later than 1:30 p.m. The Seven Feathers culinary staff will serve a luncheon immediately following adjournment.

Topics for the General Council meeting will include, but are not limited to, the following:

- Call to Order 11:00 a.m
- Ascertain Quorum
- Approval of Minutes
- Enrollment Report
- Financial Report
- Economical Development / Business Report
- Land Acquisition Report
- Legislative Report
- Other Business
- Adjourn / Lunch 1:30 p.m.

The General Council meeting will be held at:

**Cow Creek Government Office**

**2371 NE Stephens, Suite 100**

**Roseburg, OR 97470**

For more information please call

**1-800-929-8229 or (541) 672-9405**



## INDIAN CHILD WELFARE ACT (ICWA)

The Indian Child Welfare Act (ICWA) was passed in 1978. Its passage was a congressional response to the high number of Indian children who were removed from their families and tribes by non-tribal public and private agencies, and placed in non-Indian foster homes or made available for non-Indian adoption. The placements in non-Indian homes resulted in a separation of Indian children from their culture, which led to serious adjustment problems as they grew up in a white culture that did not acknowledge their Indian heritage.

One of the most serious failings of the present system is the removal of Indian children from the custody of their natural parents by non-tribal government authorities who have no basis for intelligently evaluating the cultural and social premises underlying Indian home life and childrearing, and therefore have no understanding of how the Indian extended family can play a critical role in the life of an Indian child.

Both the congressional hearings that resulted in the passage of the ICWA and the subsequent court cases that interpreted the ICWA noted the serious impact that removal of Indian children has on tribes. The very survival of Indian and tribal culture is significantly impaired when Indian children are removed from their families.

The cornerstone of the ICWA is its recognition of the importance of tribal integrity, the cultural and social standards of the tribal community, and the concept of extended family in Indian society. Recognition of these principals resulted in the ICWA jurisdictional and procedural requirements that must be followed in any court proceeding where the result may be the removal of an Indian child from his or her home and the parent or Indian custodian cannot have the child returned upon demand. In most cases, these will be child protection proceedings.

Please note that the Indian Child Welfare Act must be read in conjunction with other applicable state or federal laws. Generally, ICWA procedures must always be followed unless other state or federal law provides a higher standard of protection for the Indian child, parent, or Indian custodian.

### PROCEEDINGS COVERED BY THE ICWA

#### A. Child Custody Proceedings

The ICWA requirements apply to child custody and placement proceedings that take place in state courts. In many jurisdictions, a specialized juvenile court will hear these cases.

There are four types of proceedings that meet the ICWA definition of a "child custody proceeding." Each type of proceeding will have its own procedures and forms.

**Foster Care Placement** is any action that removes an Indian child from his or her parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where the parental rights have not been terminated.

**Termination of Parental Rights** is any action that results in the termination of the parent-child relationship.

**Preadoptive Placement** is a temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement.

**Adoptive Placement** is the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption.

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# INDIAN CHILD WELFARE ACT (ICWA)

## CONTINUED

### B. Delinquency Status Cases

The ICWA does not apply generally to delinquency cases, but does apply to status cases such as truancy and runaways. A "status case" is a case in which the behavior is subject to court action because the perpetrator is a juvenile. These cases are brought to court through either police citation or agency petition. Truancy and runaway status cases are subject to ICWA requirements because they are involuntary proceedings that may lead to an out-of-home placement.

### ICWA REQUIREMENTS

#### A. Membership

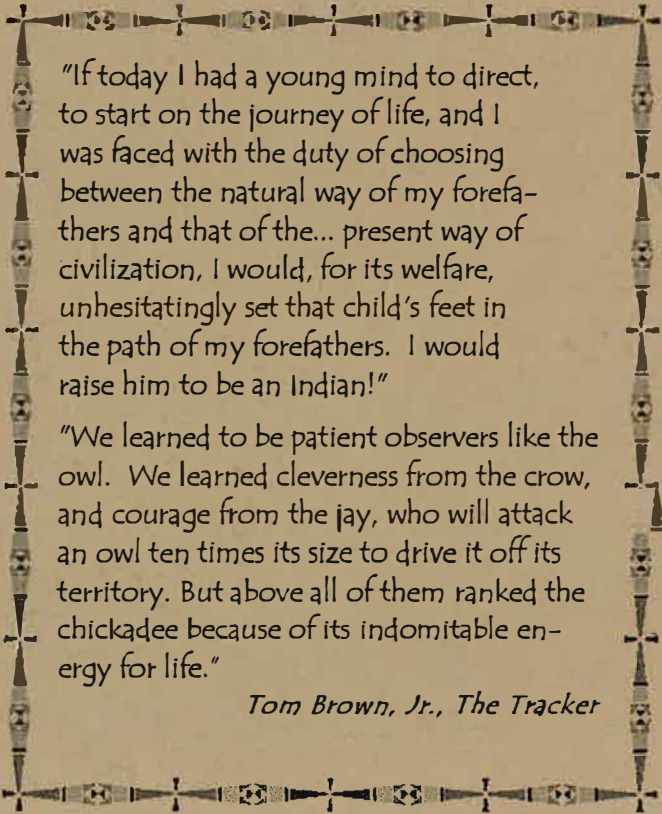
The starting point in determining whether the ICWA applies is a determination as to whether the child is an "Indian child" as the term is defined by the ICWA. The ICWA defines an "Indian child" as follows:

- Unmarried.
- Under the age of 18.
- Member of an Indian tribe or eligible for membership in an Indian tribe.
- Is the biological child of a member of an Indian tribe.

Each of the four requirements must be met for the ICWA to apply. It is important to note that not only must the child be a member or eligible for membership, but a biological parent must also be a member.

The tribes determine their own eligibility criteria for membership. The individual tribes must be contacted for written verification of tribal membership status as early in the proceedings as possible to determine whether ICWA will apply or not. A membership eligibility form requesting this information can be sent to the tribe or tribal representative at the onset of the proceeding.

Even if the child or parent has knowledge of tribal enrollment status, the tribe is the ultimate authority and the tribal determination is the governing authority regarding membership of the child and parent. In instances where a child is eligible for membership in more than one tribe, both tribes should be contacted for written verification of eligibility.



"If today I had a young mind to direct, to start on the journey of life, and I was faced with the duty of choosing between the natural way of my forefathers and that of the... present way of civilization, I would, for its welfare, unhesitatingly set that child's feet in the path of my forefathers. I would raise him to be an Indian!"

"We learned to be patient observers like the owl. We learned cleverness from the crow, and courage from the jay, who will attack an owl ten times its size to drive it off its territory. But above all of them ranked the chickadee because of its indomitable energy for life."

*Tom Brown, Jr., The Tracker*



# NATIONAL AMERICAN INDIAN HERITAGE MONTH, 1999

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Ours is a nation inextricably linked to the histories of the many peoples who first inhabited this great land. Everywhere around us are reminders of the legacy of America's first inhabitants. Their history speaks to us through the names of our cities, lakes, and rivers; the food on our tables; the magnificent ruins of ancient communities; and, most important, the lives of the people who retain the cultural, spiritual, linguistic, and kinship bonds that have existed for millennia.

As we reflect on the heritage of American Indians, Alaska Natives, and Native Hawaiians, we also reaffirm our commitment to fostering a prosperous future for native youth and children. At the foundation of these efforts is our work to provide a quality education to all Native American children. In particular, we have sought significantly increased funding to support Bureau of Indian Affairs school construction and 1,000 new teachers for American Indian youth. My 1998 Executive order on American Indian and Alaska Native Education sets goals to improve high school completion rates and improve performance in reading and mathematics. And we are working to get computers into every classroom and to expand the use of educational technology.

We are also seeking ways to empower Native American communities and help them prosper. My Administration is expanding consultation and collaborative decision-making with tribal governments to promote self-determination. We also support tribal government economic development initiatives, particularly those that increase or enhance the infrastructure necessary for long-term economic growth. My New Markets Initiative seeks to leverage public and private investment to boost economic development in areas that have not shared in our recent national prosperity. In July, I visited the Pine Ridge Reservation of the Oglala Sioux, as part of my New Markets Tour, to explore opportunities for economic development in Indian Country.

Among the most serious barriers to economic growth facing tribal communities is a lack of housing, physical infrastructure, and essential services. My Administration is working with tribal leaders to build and renovate affordable housing on tribal lands, bring quality drinking water to economically distressed Indian communities, and improve public safety. We are moving to assist tribal governments in developing the physical infrastructure needed for economic development, including roads, fiber-optic cabling, and electric power lines.

In working together to shape a brighter future for Indian Country, we must not lose sight of the rich history of Native Americans. Just weeks ago, the Smithsonian Institution broke ground on the National Mall for the National Museum of the American Indian. This wonderful facility will preserve and celebrate the art, history, and culture of America's indigenous peoples. It is also fitting that the first U.S. dollar coin of the new millennium will bear the likeness of Sacajawea and her infant son -- an image that captures the importance of our shared history.

**NOW, THEREFORE, I, WILLIAM J. CLINTON,** President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 1999 as National American Indian Heritage Month. I urge all Americans, as well as their elected representatives at the Federal, State, local, and tribal levels, to observe this month with appropriate programs, ceremonies, and activities.

**IN WITNESS WHEREOF,** I have hereunto set my hand this first day of November, in the year of our Lord nineteen hundred and ninety-nine, and of the Independence of the United States of America the two hundred and twenty-fourth.

WILLIAM J. CLINTON



## STOP A KILLER FROM SNEAKING UP ON YOU

### Silent but Deadly

You may think of Hepatitis B as a sexually transmitted disease (STD) but it is 100 times more contagious than HIV, and about one in every 20 Americans will be infected at some point in their life. In adults, the immune system springs into action at the first encounter with the virus, killing it before it does any serious damage to the liver, and spurring the body to manufacture antibodies to ward off the disease in the future.

In about 5 to 10 percent of the people who are infected with the hepatitis B virus, the disease takes hold despite the immune systems best efforts to fight it. These individuals are called chronic carriers, and have the disease for life. They also have a 200-times greater chance of liver cancer than people without the disease. Hepatitis B is especially dangerous because chronic carriers are likely to have no recognizable symptoms, so they may never suspect they are spreading the disease.

### A Disease That Can Live on a Doorknob

Hepatitis B is classified as a STD because it can be transmitted through unprotected sex. Hepatitis B can survive up to a month outside the body, on surfaces such as doorknobs and tabletops (and yes toilet seat!). You can get the disease by touching a doorknob that harbored the virus and then rubbing your eye with your hand. You are however more likely to get hepatitis B by using an infected person's toothbrush or razor, which might come into contact with blood. For the same reason, un-sterilized manicure instruments, body-piercing equipment, tattoo, and electrolysis needles could be potential carriers.

### Protection by Injection

The GOOD NEWS is that hepatitis B can be completely avoided! By simply having a series of 3 Hepatitis vaccinations, the chances of contracting Hepatitis B is LOW.

**Don't take a chance – GET VACCINATED!**

## LOW INCOME ENERGY ASSISTANCE

Applications for the Low Income Energy Assistance Program (LIHEAP) can be picked up from the Tribal Government Office and submitted on the following dates:

**Elders and the disabled must submit their application from:  
November 8 – 19**

**The general tribal households may begin submitting their applications:  
November 29, 1999.**

LIHEAP is available to assist tribal families within the seven county service areas. All applications will be reviewed for household income and heating needs. This program helps with electric, gas, propane, wood/pellets, and oil fuel purchases during winter months.

If you would like to apply this year, or if you have any questions, please call Rhonda Malone at the Tribal Health and Wellness Clinic 1-800-935-2649 or (541) 672-8533





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## CONTRACT HEALTH

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The Cow Creek Contract Health Program is a federally funded program for eligible tribal members in the seven county service areas. The counties are Deschutes, Douglas, Coos, Jackson, Josephine, Lane, and Klamath. All services must be pre-approved by calling Linda Rondeau or Roma Jackson at 1-800-935-2649. Emergencies must be called in within 72 hours.

Federal guidelines state that the Contract Health Program is the payer of last resort, therefore, all other alternate resources, such as private insurance, Medicare or Medicaid must be used prior to the Contract Health Program paying for services.

Over the last few months there have been very expensive dental services required for tribal members. Nearly half of these expenses could have been prevented with appropriate dental exams and cleanings. In an effort to avoid extensive dental work, exercise preventive dental care by maintaining appointments every six months for teeth cleaning and examination. This effort will save Contract Health dollars.



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## OMAP COVERAGE

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In response to some recent inquiries regarding the Oregon Medical Plan (OMAP) eligibility and coverage as it relates to the Contract Health Program, the following information is provided:

Federal guidelines mandate that the Contract Health Program is the payer of last resort, therefore, any tribal member *eligible* for the Oregon Medical Plan must maintain a current OMAP medical card. If coverage under OMAP lapses for lack of member responsibility, the Contract Health Program will not cover any medical appointments or prescriptions.

If you have additional questions about the Oregon Medical Plan or eligibility for the Contract Health Program, please call Linda Rondeau at 1-800-935-2649 or (541) 672-8533.

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## OVER-THE-COUNTER PROGRAM

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The Over-the-Counter Health Program enables all tribal members, regardless of where they live, to \$100.00 of non-prescription pharmaceutical supplies, such as Advil, Tylenol, cold and flu medicines, cough syrup, thermometers, vitamins etc. If you want to quit smoking, Contract Health can pay up to three months worth of non-smoking supplies.

To enroll in this program, you must contact Linda Rondeau at 1-800-935-2649, with the name of the pharmacy you normally use. Once the account information is established with your pharmacy, you can call Linda, at least 24 hours in advance, for pre-approval of your pharmaceutical needs.

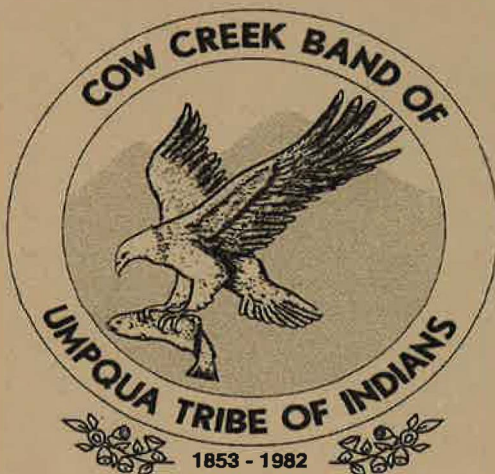


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## BIA HOUSING IMPROVEMENT

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- **BIA Housing Improvement Program (HIP)**  
The Housing Improvement Program (HIP) is now accepting applications for housing assistance. The HIP program is a Bureau of Indian Affairs federally funded program contracted and administered by the Tribe. This program can assist eligible tribal members living in the seven county service area with housing needs such as: repairs, rehabilitation (roof, weatherization, windows, doors, structural repairs, etc.) or replacement housing. Priority is given to families with the greatest needs in relation to income, family size, etc.
- **Cow Creek Tribal Housing**  
The Tribal Housing program can assist tribal members with down-payment assistance or home repair assistance. This program is not restricted to the seven county area, however, applicants must be ineligible for the BIA Housing Improvement Program.
- For more information regarding the BIA Housing Improvement Program or the Cow Creek Housing Assistance Program, please contact Carol Ferguson, Housing Director at the Tribal Government Offices, 1-800-929-8229



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## TRIBAL IDENTIFICATION

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Tribal identification cards are available to any member upon request. If you would like one, contact Carol Ferguson at the Cow Creek Government Offices. You will be sent an application. Sign the ID card, enclose an appropriately sized photo and mail it back to the Tribal Government Offices. **PLEASE DO NOT FILL IN ANYTHING ON THE CARD EXCEPT YOUR SIGNATURE.**

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## UPDATED ADDRESS

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Tribal members are encouraged to maintain a current address at the Tribal Government Offices. Tribal members who have minor children not living in their households should update the child's current addresses for information on trusts and youth activities. If you know of any tribal members who have not been receiving correspondence from the Tribal Government Offices, please recommend that they call the toll free number (1-800-929-8229) or write to: **Cow Creek Government Offices, 2371 NE Stephens, Suite 100 Roseburg, OR.**

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## JOB LINE

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Tribal members interested in employment opportunities at Seven Feathers Hotel and Casino Resort, the Cow Creek Gaming Commission, the Cow Creek Government Offices, Valley View Motel, Riverside Lodge, Seven Feathers Truck & Travel, Umpqua Indian Foods, or Canyon Cubbyhole's, please call the Tribal Jobs Line at 1-800-676-0854 for a prerecorded listing of all job openings. The Tribal Job's Line is updated on a weekly basis and provides instructions as to where and how to apply.

