

# June 14th, 2018

## Action Items

February 27th, 2018 meeting notes to be presented for Executive Board review and approval.

- February 27th, 2018 meeting notes - motion made by , 2nd by .

## BOARD APPOINTMENTS:

1. Wild Rice Task Force - None; see resolution 06142018\_02

## RESOLUTIONS:

1. MIAC Resolution 06142018\_01: TNEC Resolution regarding Curriculum Development
2. MIAC Resolution 06142018\_02: Wild Rice Task Force Resolution
3. MIAC Resolution 06142018\_03: Joint Advisory Council - Cultural Service Providers

## LETTERS OF SUPPORT:

## Important Dates



## Meeting Details

- ▶ Date and Time: **Thursday June 14th, 2018 1:00pm to 4:00pm**
- ▶ Location: Treasure Island Resort & Casino (Welch MN)
- ▶ Invocation: Robert L. Larsen

## New / Other Business

## Roll Call - Tribal Leaders Present

- ▶ Vice-President Robert L. Larsen (MIAC Chairman) - Lower Sioux Indian Community
- ▶ Chairwoman Cathy Chavers - Bois Forte Band of Chippewa

### Roll Call - Tribal Leaders Present

- ▶ Vice-President Robert L. Larsen (MIAC Chairman) - Lower Sioux Indian Community
- ▶ Chairwoman Cathy Chavers - Bois Forte Band of Chippewa
- ▶ Chairman Kevin Dupuis - Fond du Lac Band of Lake Superior
- ▶ Chief Executive Melanie Benjamin - Mille Lacs Band of Ojibwe
- ▶ Sec./Treasurer Rebecca Crooks-Stratton - Shakopee Mdewakanton Sioux Community
- ▶ Chairman Terrence (Terry) Tibbetts - White Earth Nation
- ▶ Chairman Darrel Seki - Red Lake Nation
- ▶ Vice Chair Janice Marie Spry (MIAC Vice Chairwoman) - Grand Portage Chippewa
- ▶ Chairman Faron Jackson - Leech Lake Band of Ojibwe
- ▶ President Shelley Buck - Prairie Island Indian Community

### Next Meeting

- ▶ Date and Time: TBD
- ▶ Location:
- ▶ Agenda:
- ▶ Notes:

# Agenda



## INDIAN AFFAIRS COUNCIL

### QUARTERLY BOARD MEETING

Thursday, June 14th, 2018

1:00pm to 4:00pm

Treasure Island Resort & Casino  
5734 Sturgeon Lake Road  
Welch, MN 55089  
BUFFALO Room

## AGENDA

Meeting Called To Order

Invocation

Roll Call & Introductions

Review & approval of notes from Feb. 27, 2018

### 1. MIAC Updates:

Executive Director – Dennis Olson Jr  
Cultural Resources Department – Melissa Cerda  
Legislative & Grants Director – Shannon Geshick

### 2. Reports:

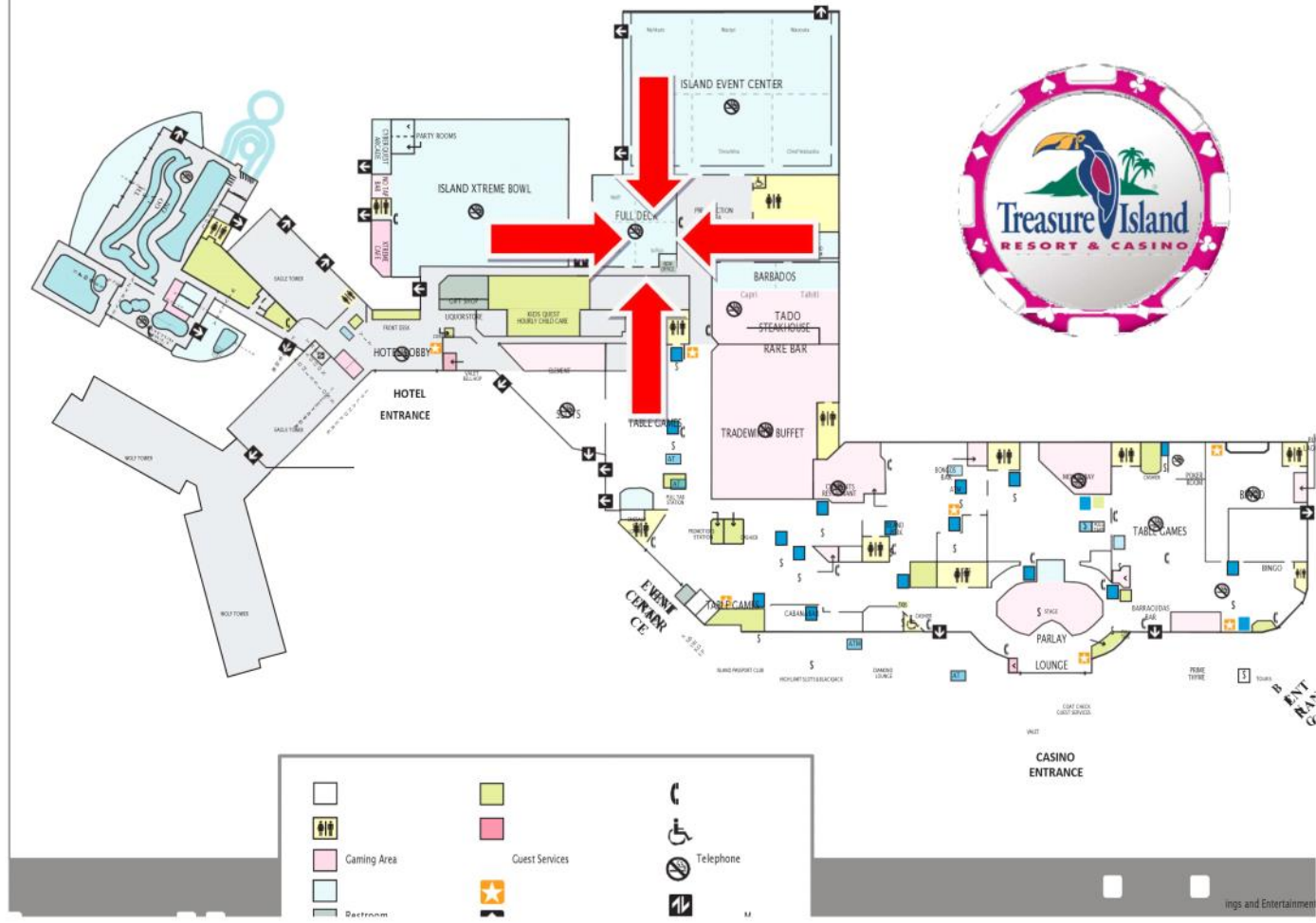
Urban Indian Advisory Board – Karen Bedeau  
Tribal Nations Education Committee – **RESOLUTION for MIAC Board Consideration**  
Ombudsperson for American Indian Families – Jill Esch  
Joint Council Advisory Committee  
Commissioners  
State Tribal Liaisons

### 3. Presentations:

- ✘ **State Historic Preservation Office (SHPO)**; Matt Massman, Commissioner of Administration, State of MN
- ✘ **Legislative and Program Update on the Tribal Statewide Health Improvement Partnership (Tribal SHIP)**; Chris Tholkes, Assistant Division Director, Office of Statewide Health Improvement Initiatives, MN Department of Health.
- ✘ **Government to Government Collaboration and Communication Program Awareness, Tribal Advisory Council, Program Update**; Curtis Elke, State Conservationist, USDA, Natural Resources Conservation Service.
- ✘ **MN JDAI (Juvenile Detention Alternatives Initiative) & State Scale Platform / Expansion**; Curtis Shanklin, MN JDAI State Coordinator & Katrinna Dexter, MN JDAI State Co-Coordinator
- ✘ **UMD New Graduate Program in Resources**; Tadd Johnson, Professor, University of Minnesota Duluth
- ✘ **Preparation for Census 2020**; Marilyn Miller, Tribal Partner Specialist, U.S. Census Bureau – Chicago Regional Office
- ✘ **Census 2020 Communication and Mobilization Plan for Undercounted Communities**; Huda Ahmed, Senior Strategist, Grassroots Solutions & Susan Bower, State Demographer, State of MN
- ✘ **Tobacco Prevention**; Ikidowin Youth Theater Ensemble & Indigenous Peoples Task Force

Announcements

Adjourn



ings and Entertainment

ATM/Ticket-In Ticket-Out Redemption Kiosk  
Island Passport Club Kiosk Emergency Exit

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# Executive Director Report



**Executive Director Report**

**Submitted by: Dennis Olson, Executive Director**

**MIAC Quarterly Board meeting: June 14, 2018**

**MIAC budget and staffing report: FY 2018**

**See attachment: Manager's Financial Reports**

**Current MIAC Staff:**

Melanie Franks, Executive Assistant/Education Liaison; Jim Jones, Cultural Resources Director; Shannon Geshick, Legislative and Grants Director; Melissa Cerda, Cultural Resources Specialist.

**MIAC Agency and Director Activities:**

- In early March, MIAC director provided a staff training for Department of Human Services (DHS) staff, in addition to the agency hosting the "Why Treaties Matter" exhibit banner exhibit provided by MIAC.
- MIAC director accompanied the grants director to a meeting of the Dakota and Ojibwe Language Revitalization Work Group, hosted by the Mille Lacs Band, to discuss sustainability of the work group as well as solidify the 25-year strategic plan.
- MIAC director accompanied cultural resources staff four times this quarter to attend Highway 23 burial recovery project leadership/facilitated discussions to develop communication protocols and continued management of the project site.
- MIAC director co-presented with the Director of American Indian Health to offer a staff training for Minnesota Department of Health staff as a follow up to the Tribal-State Relations Training.
- MIAC director met with the Minnesota Revisor of Statutes three times to develop and refine the proposed policy changes to the Private Cemeteries Act (307.08).
- MIAC director met with the Minnesota House People of Color and Indigenous (POCI) caucus to provide an agency overview, and shared key legislative priorities.
- MIAC director supported the Governor's Office in convening two youth steering committee meetings to plan for the upcoming Minnesota Tribal Youth Gathering in July.
- MIAC director and staff, acting as the fiscal agent, assisted the Governor's office in processing donations received from state agencies and other community organizations in support of the Minnesota Tribal Youth Gathering.
- MIAC director attended the Minnesota Chippewa Tribe quarterly meetings in Hinckley, and presented information to the Education/Human Services subcommittee regarding proposed legislation that impacts Indian education programs in Minnesota.
- MIAC director participated in a teleconference of the Governor's Interstate Indian Council (GIIC) to plan for the upcoming GIIC conference in October, 2018 in Rapid City, SD.
- Following attendance at the "Tribal Community Perspectives on Higher Education" conference, hosted by the Center on Indian Country Development of the Federal Reserve Bank in late 2017, MIAC director has continued to participate in small-group follow-up teleconferences related to the identification of American Indian students in both higher education and E-12.
- MIAC director attended a meeting of state agency tribal liaisons, working in close collaboration with the Governor's Office and their tribal affairs policy advisors.



- In late May, MIAC director provided a staff training for Minnesota Housing which accompanied the “Why Treaties Matter” exhibit, hosted by the agency.

**Community Meetings:**

- MIAC director attended the final two meetings in a series of Learning Leaders cohort gatherings organized by the Bush Foundation, including participating on a panel of native education leaders.
- MIAC director attended a planning meeting with the Minnesota Humanities Center (MHC) to discuss new opportunities for expansion of the Why Treaties Matter exhibit and experience, including development of new resources. MHC convened a group of educators that are familiar with the development of Why Treaties Matter educator resources and supplemental materials. This group will continue to meet as a large group in addition to subcommittees working on specific areas of need.

**State Agency Contacts:**

- MIAC director and cultural resources staff met with MnDOT numerous times throughout the quarter to develop mutually-beneficial contract agreements related to the Highway 23 cemetery recovery project.
- MIAC director and staff met with newly-hired MnDOT Tribal Liaison to discuss current priorities and shared initiatives.
- MIAC director met with executive directors of the three ethnic councils to discuss plans for community outreach and coordination related to the 2020 census.
- MIAC director attended a meeting of the Department of Corrections Equity Offender Intervention Committee, and committed to continuing discussions to address disparities in the corrections system along with tribal, community, and agency leaders. Data discussed during the Equity Offender Intervention Committee meetings helps highlight American Indian offender disparities within the corrections system, and helps inform recommendations to address these disparities at the local level. During the quarter, DOC held a follow-up meeting with the White Earth Nation, and is planning to schedule new meetings with other tribal nations in the near future.
- MIAC director accompanied the MnDOT Tribal Liaison to a meeting with the Environmental Quality Board (EQB) to discuss coordination and consultation with Minnesota Tribal Nations.
- MIAC director attended the MnDOT Advisory Council on Tribal Transportation (ACTT) meeting hosted by the Prairie Island Indian Community.
- MIAC director has been working closely with the Department of Administration and the Office of State Archeologist to propose amendments to the Private Cemeteries Act (MN Stat. 307.08).
- MIAC director met multiple times with legislative staff of the Minnesota Council on Latino Affairs regarding shared legislative priorities, opportunities for collaboration, and continuing the advocacy on behalf of the Coalition to Increase Teachers of Color and American Indian teachers in Minnesota in this current legislative session.
- MIAC director attended the Minnesota Historical Society Indian Advisory Committee (IAC) meeting hosted by the Mille Lacs Band of Ojibwe in Onamia, MN.
- MIAC director attended the Governor’s Workforce Development Board’s (GWDB) monthly racial equity committee meeting, sponsored by the Department of Employment and Economic Development. MIAC director was appointed as a member of the GWDB through an amendment to the statute during the last legislative session.

**Miigwech,**  
Dennis

# Cultural Resources Report



**Cultural Resources Report**

**Submitted by: Melissa Cerda, Cultural Resources Specialist**

**MIAC Quarterly Board meeting: June 14, 2018**

**Project Updates:**

**Fond du Lac Cemetery Disturbance**

- Since the last quarterly update, MnDOT has terminated the contract with the contractor they hired to complete the burial recovery work on this site. MIAC staff is working closely with all involved parties to ensure the transition and continuation of work are completed in a culturally respectful and efficient manner.

**Shaver Mound Group (21-HE-27) – Highway 101 Recovery Completed.**

- Reseeding and fencing of the site has not been scheduled yet, but coordination is underway to ensure this is completed before the end of the season. This is the final phase of the project.

**307.08 and NAGPRA Updates:**

**Plan Review**

- MIAC cultural resources staff reviewed nearly 60 EAW's, construction plans, and requests from private citizens for plan review, as well over 20 project reviews for MnDOT related work.

**NAGPRA Updates**

- Work on the digitization of the cultural resources archives is ongoing.
- MIAC staff and osteology laboratory staff at Hamline University are working on requesting a no-cost extension to finish the work required on the current NAGPRA grant.

# Grants Director Report



**Legislative and Grants Director Report**  
**Submitted by: Shannon Geshick**  
**MIAC Quarterly Board meeting: June 14, 2018**

**FY2017 and FY 2018 Amendments**

The projects granted time extensions for fiscal year 2017 have to spend all Arts and Cultural Heritage funds by June 30, 2018. Although I won't have exact totals until after the last of the invoices come in July, I am confident that only a tiny fraction of funds will return to the general fund. Two of the largest allocations, Red Lake and Prairie Island will have spent 100% of their funds by the deadline. All ten of the projects that were granted time extension amendments retained funds for the almost the entire year. This presented a bit of a challenge, as there were almost twice as many grants to manage than if a time extension not been granted. In an effort to continue to accommodate time extensions but avoid hardship, the grants director drafted amendments for current projects that are not able utilize their funds or have not accomplished the objectives of their grant before June 30, 2018. These grants have been given new deadlines according to the revised work plan rather than the end of the fiscal year (June 30, 2019). The grantees will have to spend down their funds and complete project goals in the time they prearranged and proposed themselves, according to their amendment. Four time extension amendments have been granted so far, with two already executed. All amendments must be executed by June 30, 2018.

**FY2018 Awards**

Fiscal year 2019 grants were also awarded this quarter. A request for proposals was published late March for proposed projects under \$125,000, for a total of \$800,000 in total funds. Eligible applicants must be either 1) an office, agency, or division administered under the authority of a Federally recognized Minnesota tribe; 2) a recognized educational entity in Minnesota or 3) a 501(c)(3) non-profit, currently registered with the Secretary of State's office. We were able to utilize the same six (3 Dakota, 3 Ojibwe) grant reviewers as we did last year. As per Minnesota Statutes 2017 13.599 Grants. Subd. 4. Evaluation data policy, I cannot discuss who received the awards at this time since not all awards have been accepted or contracts executed. The goal is to execute contracts for projects as soon as possible for a July 1, 2018 start date. Over two million in grant funds were requested. Non-specific demographic information on awards are below:

- There are a total of 8 awards:
  - Four tribes
  - Four educational
  - One non-profit
  - One statewide grant
  - Three urban
  - Four rural
  - Six Ojibwe language programs/projects

- Five Dakota language programs/projects

In order to be fiscally responsible and to award as many projects as possible, eight projects were awarded but funding was reduced to a uniform 11.68% cut. Those awarded were asked to submit a revised budget and work plan if applicable. The fiscal year 2019 Dakota and Ojibwe language grant award information will be available after all of the contracts are executed. As with every year, we receive twice as many requests for funds than we are able to grant out. Two immersion programs, Niigaane (Leech Lake) and Wicoie Nandagikendan (South Minneapolis) continue to receive legislatively named allocations.

**Dakota and Ojibwe Language Work Group Meetings:**

- A language work group meeting is planned for June 21<sup>st</sup> and June 22<sup>nd</sup> in Bois Forte. The working group will participate in a sweat hosted by Bois Forte Vermillion side the evening before the meeting. Charles Wagner (Bois Forte) is helping to coordinate the sweat as well as a joint meeting between a newly formed Ojibwe language work group at Bois Forte and the Dakota and Ojibwe Language Work Group. Leslie Harper (Leech Lake) chair, will be leading conversations on wrapping up our strategic plan as well as to discuss the language repository plan in further detail. MIAC is hosting this meeting as the funding from the legislature has been expended.

# Urban Indian Advisory Board

The entire board has met with Beck LaPlant (strategic planning facilitator from the Blandin Foundation). We are having a board meeting in July, then following up with the strategic planning session in July.

TNEC Resolution June 2018



**MINNESOTA**  
INDIAN AFFAIRS COUNCIL

**RESOLUTION 06142018\_01**

**WHEREAS**, the Minnesota Indian Affairs Council Membership consists of representatives of the eleven federally-recognized Indian Tribes located within the State of Minnesota, members of the legislature, commissioners from the state departments, and

**WHEREAS**, the Minnesota Indian Affairs Council is a liaison between the state and local units of government in the delivery of services to the American Indians in the State of Minnesota, and

**WHEREAS**, the Tribal Nations Education Committee (TNEC) was established by tribal directive; endorsed by the Minnesota Chippewa Tribal Executive Committee and the Minnesota Indian Affairs Council and is recognized by the State of Minnesota as the entity to be consulted in all matters pertaining to the education of Minnesota American Indian students and communities; and

**WHEREAS**, TNEC wishes to increase tribal members' and all Minnesota students' understanding of the governance structure, history, culture, language, and sovereign status of Tribal Nations; and

**WHEREAS**, the eleven Tribal Nations located in Minnesota have identified a critical need to gather, develop, and distribute accurate, ready-to-use Minnesota Tribal history, curriculum, and lessons for the state of Minnesota; and **WHEREAS**, Minnesota currently has 70 state-required academic standards and benchmarks with American Indian content and knowledge across all K-12 grades in: Arts, English Language Arts, Science, and Social Studies; and

**WHEREAS**, the number of standards and benchmarks will continue to increase as current Minnesota statute requires that all standards review processes include contributions of Minnesota's Tribal Nations; and

**WHEREAS**, Minnesota teachers do not have adequate access to materials and lessons to teach these standards, nor the proper professional development opportunities necessary to develop a deeper understanding of the importance of this learning; and;

**WHEREAS**, there have been multiple, independent curriculum materials developed over the last fifty years; these materials need to be authenticated, aligned with standards, and adapted for the current technological needs of today's educational environment; and

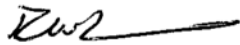
**WHEREAS**, the Minnesota Department of Education is tasked with developing standards; but is prohibited by law from developing specific curriculum; and

**WHEREAS**, the scope of this project is beyond the resources of any one school district or Tribal Nation to accomplish, and potentially too small a market to attract a commercial publisher; and

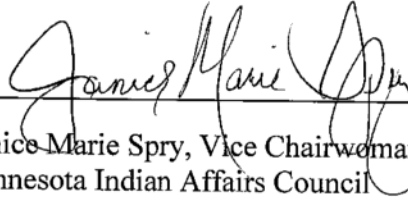
**WHEREAS**, numerous educational advocacy organizations, American Indian community-serving organizations, and non-profit entities have offered to partner in this curriculum development effort; now

**THEREFORE BE IT RESOLVED**, that the Minnesota Indian Affairs Council endorses and supports the collaborative efforts led by TNEC, to seek necessary funding and implementation avenues to accomplish a multi-year, multi-partner curriculum and resource development project.

**CERTIFICATION:** We do hereby certify that the foregoing resolution was duly presented and acted upon by a vote of 7 For, 0 Against, 0 Silent at Regular Meeting of the Minnesota Indian Affairs Council, a quorum present, held on June 14, 2018, at Welch, Minnesota.



Robert L. Larsen, Chairman  
Minnesota Indian Affairs Council



Janice Marie Spry, Vice Chairwoman  
Minnesota Indian Affairs Council

# WILD RICE Resolution June 2018

WILD RICE Resolution

**MINNESOTA**  
INDIAN AFFAIRS COUNCIL

**RESOLUTION 06142018\_02**

**WHEREAS**, the Minnesota Indian Affairs Council Membership consists of representatives of the eleven federally-recognized Indian Tribes located within the State of Minnesota, members of the legislature, commissioners from the state departments, and

**WHEREAS**, the Minnesota Indian Affairs Council is a liaison between the state and local units of government in the delivery of services to American Indians in the State of Minnesota, and


**WHEREAS**, our people have lived along the lakes, rivers, and streams of Minnesota since time immemorial and Mother Earth has blessed our homelands with an abundance of clean water where our sacred wild rice flourishes; and

**WHEREAS**, wild rice holds a unique and sacred place in the lives and traditions of the eleven federally-recognized tribes and their members; and

**WHEREAS**, the Minnesota Indian Affairs Council appreciates Governor Mark Dayton's recent efforts to protect wild rice by ensuring that water quality standards are not undermined, and supports the creation of a wild rice task force provided that each of the Tribal Nations represented by the Minnesota Indian Affairs Council be provided a separate seat on the task force;

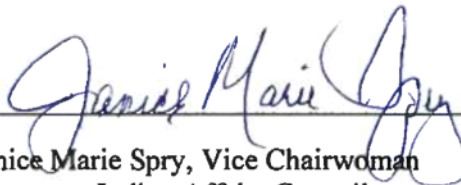
**THEREFORE BE IT RESOLVED**, that the Minnesota Indian Affairs Council does authorize each Tribal Nation represented by the Minnesota Indian Affairs Council to appoint an individual to sit on the wild rice task force recently created by Governor Mark Dayton.

**CERTIFICATION:** We do hereby certify that the foregoing resolution was duly presented and acted upon by a vote of   8   For,   0   Against,   0   Silent at Regular Meeting of the Minnesota Indian Affairs Council, a quorum present, held on June 14, 2018, at Welch, Minnesota.



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Robert L. Larsen, Chairman  
Minnesota Indian Affairs Council



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Janice Marie Spry, Vice Chairwoman  
Minnesota Indian Affairs Council

Cultural Service Providers Resolution June 2018

**MINNESOTA**  
INDIAN AFFAIRS COUNCIL

**RESOLUTION 06142018\_03**

**WHEREAS**, the Minnesota Indian Affairs Council Membership consists of representatives of the eleven federally-recognized Indian Tribes located within the State of Minnesota, members of the legislature, commissioners from the state departments, and

**WHEREAS**, the Minnesota Indian Affairs Council is a liaison between the state and local units of government in the delivery of services to American Indians in the State of Minnesota, and

**WHEREAS**, each of the 11 Tribal Governments in the state of Minnesota are sovereign nations with the intent to serve their tribal members in a manner that will provide culturally appropriate, responsive and timely services; and

**WHEREAS**, there are profound health inequities, disparities and intergenerational trauma experienced by American Indians and the biomedical model and human services system alone, has proven ineffective to address the root cause of these health inequities, disparities and intergenerational trauma; and

**WHEREAS**, Minnesota's behavioral health continuum of care lacks culturally-appropriate services/supports; and

**WHEREAS**, Minnesota's behavioral health continuum of care must support and grow culturally-specific providers, make the entire system more trauma-informed, and supplement the existing medical model with culturally-informed practices<sup>[1]</sup> while upholding the sacredness and privacy of our traditional ceremonies; and

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<sup>[1]</sup> Retrieved from The Governor's Task Force on Mental Health Final Report. (Accessed on December 10, 2017).



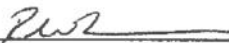
**WHEREAS**, the Minnesota Indian Affairs Council reminds the Department of Human Services of the Governor's Executive Order regarding Government-to-Government relationships with Tribal Nations, which requires consultation, coordination, and cooperation prior to any legislative or policy changes being implemented<sup>12</sup>;

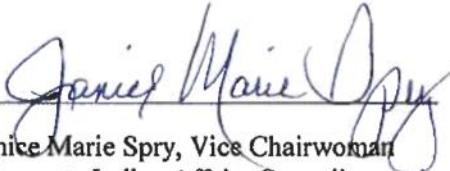
**THEREFORE BE IT RESOLVED**, that the Minnesota Indian Affairs Council commits to working in partnership with the eleven Tribal Nations and the Department of Human Services; and

**BE IT FURTHER RESOLVED**, that the Minnesota Indian Affairs Council requests dedicated funding specifically allocated for reimbursement of expenses incurred by traditional healers and cultural service providers; and

**BE IT FINALLY RESOLVED**, that the Minnesota Indian Affairs Council supports the development of a feasibility study to design and implement traditional healing and cultural services by American Indians for American Indians.

**CERTIFICATION:** We do hereby certify that the foregoing resolution was duly presented and acted upon by a vote of   8   For,   0   Against,   0   Silent at Regular Meeting of the Minnesota Indian Affairs Council, a quorum present, held on June 14, 2018, at Welch, Minnesota.

  
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Robert L. Larsen, Chairman  
Minnesota Indian Affairs Council

  
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Janice Marie Spry, Vice Chairwoman  
Minnesota Indian Affairs Council

<sup>12</sup> State of Minnesota, Executive Order 13-10, Affirming the Government-to-Government Relationship between the State of Minnesota and the Minnesota Tribal Nations: Providing for Consultation, Coordination and Cooperation; Rescinding Executive Order 03-05.

# Ombudsperson for AI Families Update

Everything is going really well. Of course the office is busy and I continue to advocate obo of our American Indian Families. See my report for details on recent activities.

**Report from Jill Kehaulani Esch, Esq.**  
Ombudsperson for American Indian Families  
**May 21, 2018**

Report for the Period: 2/27/2018 through 5/21/2018

**Duties of the Ombudsperson for American Indian Families**

The Ombudsperson for American Indian Families investigates complaints for non-compliance of the Indian Child Welfare Act (ICWA) and the Minnesota Indian Family Preservation Act (MIFPA), Minnesota Statutes, Rules and DHS Policies that involve child protection cases. The Ombudsperson also collaborates with tribes, agencies, counties, community organizations, courts, schools and other organizations to develop policies, rules and laws to improve outcomes for American Indian Families involved in the child protection system, as well as collaborating on prevention programs. The Ombudsperson is advised and reports to the Community Specific Board, who are all appointed by the Minnesota Indian Affairs Council.

**Geographical locations of phone calls**

Becker, Beltrami, Bemidji, Carlton, Carver, Cass, Chippewa, Chisago, Cloquet, Detroit Lakes, Duluth, Fond du Lac Reservation, Goodhue, Grand Rapids, Hastings, Hubbard, Itasca, Leech Lake Reservation, Mahnomon, Mille Lacs, Minneapolis, Morton, Red Lake Nation, St. Paul, Scott, Shakopee, Shakopee Women's Correctional Facility, Steele County, White Earth Nation, and States of Alaska, Montana, Nebraska, North Dakota, Oregon, South Dakota, Washington and Wisconsin.

**Tribes**

Akiak Native Community, Bad River Band of Lake Superior Tribe of Chippewa Indians, Bois Forte Band of Chippewa, Cherokee Nation, Cheyenne River Sioux, Fond du Lac Band of Lake Superior Chippewa, Hannahville Indian Community, Lac Courte Oreilles Tribe, Leech Lake Band of Ojibwe, Lower Sioux Indian Community, Menominee Indian Tribe of Wisconsin, Mille Lacs Band of Ojibwe, Northern Cheyenne, Oglala Sioux, Ponca Tribe of Nebraska, Prairie Island Indian Community, Red Lake Band of Chippewa Indians, Rosebud Sioux, Saginaw Chippewa Indian Tribe of Michigan, Shakopee Mdewakanton Sioux Community, Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, Standing Rock Sioux, Turtle Mountain Band of Chippewa Indians, and White Earth Nation.

**Investigations:** 56 Open Investigations.

**Some Issues from Cases for the Period of This Report**

- Grandmother not being considered for permanent placement because of grandmother's "history from 30 years ago".
- Mother was trying to have visits with son while he was in out-of-home placement; mother was not the custodial parent.
- Grandparents, who were awarded custody of grandchildren, were refusing to allow mother to visit children when the agreement between mother, grandparents and tribe (which was filed with the court) allowed for visits and cultural activities.
- Social worker "threatened" mother that if she did not provide sufficient testimony to terminate father's rights, that the social worker would proceed with child abuse allegations against mother. Mother advised the court that father's rights should not be terminated; guardian ad litem was able to provide the court with sufficient information that the case should be dismissed and father's rights should not be terminated. Mother is requesting investigation into social worker's threats against her.
- Foster parents are contacting mother to try to get her to allow foster parents to be a permanency option; father has custody.
- Grandmother can no longer care for grandchildren whose custody was transferred to her.
- Non-relative foster parents were granted legal custody of baby; within one week of being granted custody, foster parents petitioned court to change baby's last name. Mother objected and contacted office. Case is open for investigation because according to mother, native grandmother wanted the baby. However, when the baby was removed from the home, grandmother had a wrist issue and could not care for baby, so she agreed to have baby temporarily remain with non-relative foster parents, intended to have baby placed with her during permanency phase, when her wrist healed. Grandmother was awarded custody of two older grandchildren, but not baby. Grandmother's wrist has healed.
- Courts are denying requests from tribal attorneys to continue the Admit Deny hearings for 20 days and are also denying tribal attorneys to appear by telephone, which are both allowed under ICWA. Courts are not contacting tribes as required.
- Social workers are not providing active efforts to help parents locate housing resources.
- Mother signed a Durable Power of Attorney to grandmother; grandmother is refusing to allow father to visit with children.
- Mother concerned that children have not been assigned a guardian ad litem.
- Tribal order clearly stated that the child was a ward of tribal court, but county is insisting child protection case be filed by the county. Same county is not recognizing tribal jurisdiction when child, living on tribal lands, was removed from home due to drugs and criminal activity by parent.
- Parents are frustrated that their attorneys do not understand ICWA and therefore not adequately advocating for them.

### **Policy Changes/Initiatives**

- Attended Tribal Consultation on Native American Children's Safety Act and provided testimony, 2/27/18.
- Attended Opioid Presentation hosted by Legislature and provided testimony, 2/28/18.
- Attended ICWA Meeting, St. Louis County-Duluth on ICWA Court, 3/2/18.
- Provided testimony to staff of the National Council of Family and Juvenile Court Judges, 3/5/18.
- Attended Juvenile Rules Committee, ICWA Sub-Committee Meeting, 3/7/18.
- Provided testimony at Senate Human Service Committee on Child Protection Issues, 3/7/18.
- Attended CJA Task Force Meeting, 3/15/18.
- Attended Opioid Epidemic CLE Video Presentation by MSBA, 3/21/18.
- Attended Legislative Auditor GAL Audit Report Presentation, 3/23/18.
- Attended Family Law Institute, 3/26/18 and 3/27/18 and discussions with parent attorneys on ICWA cases.
- Attended Juvenile Rules Committee Meeting, 4/9/18.
- Attended CJ Dakota County Meeting, 4/25/18.
- Attended Ramsey County ICWA Advisory Board Meeting, 5/7/18.
- Attended the ICWA: Minnesota DHS Pilot Training, spoke with presenters and provided feedback, 5/8/18.
- Met with Korina Barry, Guardian Ad Litem Board Member, to discuss policy changes and initiatives, 5/15/18.
- Attended Juvenile Protection Rules ICWA Sub-Committee re: my recommendation made to the Supreme Court.
- Attended Senate Human Services Reform Finance & Policy Committee Hearings on Child Protection.
- Attended monthly board meetings, United States Ombudsman Association and continued discussions re: having an ICWA Training at the Annual USOA Conference in Portland in September.
- Continued discussions with the State and Counties on importance of ICWA Training [BIA regs effective December 2016.]
- Continued discussions with the State, Counties and DHS to ensure that the tribes and the American Indian Community are at the planning and discussion table for rule changes, legislation, trainings, conferences, seminars, and collaborations regarding child protection and placement.
- Attended and observed court proceedings in the Metro Counties as well as Duluth and Itasca.

### **ICWA Education and Continued Community Outreach**

- ICWA and MIFPA Presentation to ICWA Advocates, 3/2/18.
- Shakopee Correctional Facility Presentation to 13 women/mothers and Parenting Coordinator, 3/12/18
- Telephone conferences with Shakopee Correctional Facility mothers, 4/3/18.
- Attended American Indian Magnet School Cultural Presentation, 4/4/18.
- Met with grandmother to discuss ICWA issues since mother of the child (her daughter) died in accident, 4/11/18.
- Meet and Greet and presentation with community and advocates in Duluth re: ICWA and MIFPA, 4/12/18.
- Meeting with attorney to ask about providing *pro bono* services for grandmother, 4/12/18.
- Attended Duluth CJ ICWA Training; discussions with judges, social workers, tribal workers and parent attorneys, 4/13/18.
- Meeting with Duluth Self-Help Attorney re: ICWA and MIFPA, 4/13/18.
- Attended Annual NICWA Conference and Post Conference ICWA Training, 4/17/18 through 4/20/18.
- Attended Youth Honoring Night at Washington School, 4/26/18.
- Meetings with Shakopee Correctional Facility mothers, 5/3/18, 5/7/18, 5/14/18,
- Attended Indian Law CLE, to include sessions on Opioid Addiction and ICWA, 5/4/18.
- Meet and Greet, Mille Lacs Community, 5/9/18.
- Attended ICWA Education Day Meeting, 5/11/18.
- Attended ADYC WAIF Meeting, 5/16/18.
- Attended Itasca CJ ICWA Training; discussion with judges, social workers, tribal workers and parent attorneys, 5/18/18.
- Attended monthly meetings: Ramsey County CJ, ICWA Work Group and Ramsey County ICWA Advisory Board.
- Continued discussions with counties on the importance of complying with ICWA and MIFPA; provided resources.

### **Result from Community**

Grandmother called the Office because she was contacted by the social worker who informed her that her newborn grandchild was born addicted to heroin and meth. Grandmother did not understand how could her grandchild be addicted to these illegal drugs because pregnant mother was in an inpatient residential treatment facility. Provided grandmother with resources and suggested that she speak with the doctor to find out if newborn was addicted and if not, could newborn go home with mother if there was a Safety Plan in place. Grandmother spoke with the doctor who said that baby was not addicted and he agreed that baby could remain with mother who had a Safety Plan in place. When mother and baby were leaving the hospital, social worker contacted law enforcement to place a hold on the baby. Grandmother immediately called the doctor who told law enforcement that the baby could remain with mother. Grandmother was also provided resources in case baby was removed and she needed to be emergency relative care provider.

# Joint Council

Presented by **Virgil S ,Joni Cabrera and Ariel A.**

Support for traditional healers & culture. Though it's been a long hard road, we feel like there has been a break in the glass ceiling. We are here for your advice and hopefully support too. We represent 9 of the 11 tribes. We have been looking at other states - specially NM and AZ - for how they are approaching treatment. Included in your packet you'll find the resolution that Bois Forte recently passed, Fond du Lac and Lower Sioux are drafting resolutions.

Comments: Fond du Lac 110% supports this. Bois Forte strongly encourages tribes who haven't supported yet to do so. The Dakota tribes have been working on a joint treatment facility with a cultural component for mental health.

Resolution 06142018\_03 - Cultural Service Providers

Key Stakeholders Communication:

## Traditional Healing & Minnesota's Behavioral Health Care Continuum

### Purpose

Under the direction of the Minnesota American Indian Mental Health Advisory Council,<sup>1</sup> the Minnesota Department of Human Services, through its Behavioral Health Division is working closely to identify and develop a sustainable funding stream for traditional healing<sup>2</sup>. The Minnesota American Indian Mental Health Advisory Council is made up of representatives of 9 Tribal Nations and Urban Indian representation. Together, we intend to integrate traditional healing into Minnesota's behavioral health continuum of care.



### Why now?

American Indians experience the highest mental health, substance use and suicide rates of any racial/ethnic group in the United States today.<sup>3</sup> Multiple departments at the state have hosted engagement sessions, written legislative reports,<sup>4</sup> convened meetings, analyzed policies and uncovered research that consistently points to designing and implementing a traditional healing benefit by American Indians, for American Indians.<sup>5</sup> Therefore traditional healing is a viable, policy alternative<sup>6</sup> to advance with Urban Indian communities, Tribal Nations and their descendants.

#### Traditional healing is proven to:

- 1) Address whole health and the root cause of inter-generational trauma
- 2) Promote self-esteem and resiliency
- 3) Keep families intact
- 4) Help with identity formation and/or reclamation
- 5) Be utilized as a coping skill(s) and in prevention and postvention



<sup>1</sup> The Minnesota American Indian Mental Health Advisory Council (presently) represents the interests of 9 of the 11 Tribal Governments and Urban Indian Organizations Board of Directors. The Tribal Governments and Urban Indian Organizations accept Federal Block Grant (FBG) funding from the State of Minnesota. Representatives are appointed by their respective Chairs/Council Members and Boards. There are seats for all, 11 Tribal Nations and 4 Urban Indian community organizations.

<sup>2</sup> A traditional person seeks to live through culture, spirituality, and life-ways of his/her own tribal tradition much as ancestors have and modified by contemporary life. Traditional healing is holistic and goes beyond the absence of disease. This form of healing looks at all aspects of living: emotional, physical, spiritual. Healing uses natural elements and ancestral wisdom to promote health/healing. (Adapted from Coyhis, D., & Simonelli, R. (2008). The Native American healing experience. *Substance Use & Misuse*, 43(12-13), 1927-1949).

<sup>3</sup> Retrieved from the [Department of Health and Human Services, Office of the Inspector General, Access to Mental Health Services at Indian Health Service and Tribal Facilities \(September 2011\)](#). (Accessed on November 4, 2017).

<sup>4</sup> [Department of Health's Advancing Health Equity Report to the Legislature](#) (February 2014); [The Governor's Task Force on Mental Health Final Report](#) (November 15, 2016); [Drug and Alcohol Abuse in Minnesota - A Biennial Report to the Legislature](#) (January 2016).

<sup>5</sup> This effort honors Tribal sovereignty and Service Delivery Transition(s) through supporting the tribal provision of human services to tribal members.

<sup>6</sup> Bardach, E., & Patashnik, E. M. (2015). A practical guide for policy analysis: The eightfold path to more effective problem solving. CQ press.

- 6) Connect children, adults and elders and promote positive community integration and presence
- 7) Helps assign meaning and purpose to life

### Where we are now

We've examined local, national and international traditional healing models. We've explored and interviewed consultants and experts in the field of indigenous data collection methodology and health promotion.

Presently we're in the engagement and planning phase of this project. The Minnesota American Indian Mental Health Advisory Council and Behavioral Health Division will co-design a traditional healing model of care which will be implemented and analyzed during the demonstration pilot. It's our intent that the design and implementation be a developmental and iterative process. The traditional healing service model designed will identify access, coordination and referral processes for enrolled members and their descendants while upholding the sacredness of traditional ceremonies.

### Scope and scale

We intend to include all Native children, youth, adults and families in Minnesota that wish to practice and/or reclaim their traditional ways in the context of behavioral health services/supports. The future traditional healing model of care will be *exclusively* for American Indians however we intend to share learnings and scale these across other communities and target populations.

### How can you get involved and help?

We invite allies and supporters to join us in this effort and lend their knowledge, skills and abilities in the context of this effort. For more information please contact [amanda.calmbacher@state.mn.us](mailto:amanda.calmbacher@state.mn.us), 651-503-4050.



## Commissioner / Tribal Liaison Reports

### MIAC Board:

#### Department of Education:

- Commissioner Dr. Brenda Cassellius - not present
- Tribal Liaison Jane Harstad

#### Follow-Up Items:

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#### Update:

- ★ MDE had four pieces of legislation but none passed this past session.
- ★ Teacher training funding grants, an RFP will be out later this year.
- ★ Indian Education Superintendents Conference - August 7th
- ★ MDE wants to hear your thoughts on consultation

#### Department of Human Services:

- Commissioner Emily Johnson Piper - not present
- Deputy Commissioner Wendy Underwood
- Tribal Liaison Vern LaPlante - not present

#### Follow-Up Items:

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#### Update:

- ★ Begin with legislation that DID pass!  
Legislation to extend until June 30, 2033 (the expiring) ICWA, mental health, and chemical advisory board passed
- ★ Fri June 22nd, the annual ICWA tribal state agreement meeting will be at Red Lake
- ★ We are looking at ways to modernize our service delivery technology, and also looking at improving our service delivery  
Vern LaPlante will be reaching out to tribes for representation  
Vern & Alicia are working on Tribal Workforce Development; currently working with 5 Tribal Nations (Leech Lake, Fond du Lac, White Earth, Mille Lacs, and Red Lake). Will be reaching out to other Nations to see if partnership makes sense and can be pursued

Q: We are having MnSURE 3rd party payment issues.

Regarding MnSURE - tribes were not programmed in as an option. This is a problem we are aware of and looking for a way to resolve.

#### Department of Natural Resources:

- Commissioner Thomas Landwehr - not present
- Assistant Commissioner / Tribal Liaison Bob Meier

#### Follow-Up Items:

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#### Update:

- ★ Lake Vermillion state park ribbon cutting, thank you to Bois Forte for the partnership

#### Department of Human Rights:

- Commissioner Kevin Lindsey

#### Follow-Up Items:

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#### Update:



#### Department of Employment and Economic Development:

- Commissioner Shawntera Hardy - not present

#### Follow-Up Items:

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**Department of Employment and Economic Development:**

**Follow-Up Items:**

- 👤 Commissioner Shawntera Hardy - not present
- 👤 Tribal Liaison Gerry Wenner - not present

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**Update:**

**Department of Corrections:**

**Follow-Up Items:**

- 👤 Commissioner Tom Roy
- 👤 Tribal Liaison Gino Anselmo

**Update:**

- ★ American Indians continue to be over represented in the corrections system (includes more than jail/prison). While we are 2% of the general population, 10% of the male in the MN prison system (and that grows to roughly 20% in Shakopee). We have a task force that is looking at some ways we can address the issues on a local level. Workforce development, diversity and inclusion. How can DOC's workforce represent their inmate population?

**Minnesota Housing Finance Agency:**

**Follow-Up Items:**

- 👤 Commissioner Mary Tingerthal
- 👤 Deputy Commissioner Barb Sporlien
- 👤 Tribal Liaison Rick Smith

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**Update:**

- ★ Thank you to everyone who participates in and supports the Tribal State Relations training program. MHFA sees the value and will continue to send employees to the program and hopes that it will continue as it is.
- ★ Our housing RFP process is open and we expect to begin reviewing applications later this summer.

**Iron Range Resources and Rehabilitation:**

**Follow-Up Items:**

- 👤 Commissioner Mark Phillips

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**Update:**

**Department of Health:**

**Follow-Up Items:**

- 👤 Deputy Commissioner Dan Pollock
- 👤 Tribal Liaison Jackie Dionne

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**Update:**

- ★ Tribal access to vital records will come up again next year (since it did not pass last year)
- ★ Jan (new Commissioner) has been focused on elder abuse issues since being appointed
- ★ MN Dept of Health is a sponsor of the Bring Her Home conference
- ★ We also hold quarterly Tribal Health Director meetings - please see me if you would like information (we encourage tribal participants)
- ★ Miigwetch to Lower Sioux for the conversation on environmental public health issues
- ★ Our home visiting program will be expanding - an estm. 16m will be available soon




**Department of Transportation:**

**Follow-Up Items:**

- 👤 Commissioner Charlie Zelle - not present
- 👤 Tribal Liaison Ed Fairbanks

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**Department of Transportation:**

-  Commissioner Charlie Zelle - not present
-  Tribal Liaison Ed Fairbanks
-  Tribal Liaison Levi Brown


**Follow-Up Items:**

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**Update:**

- ★ MndOT staff are working aggressively to reimburse MIAC for the staff time spent on the HWY 23 project.
- ★ MndOT and MIAC staff are also working on updating the process for getting MndOT projects reviewed in a timely manner.
- ★ MndOT generates a ton of data, how do we get that data to the people who need to see it?
- ★ Looking at ways to increase transparency.

**Department of Veterans Affairs:**

-  Commissioner Larry Shellito - not present

**Follow-Up Items:**

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**Department of Administration:**

-  Commissioner Matt Massman
-  Assistant Curt Yokum
-  Deputy Preservation Officer Amy

**Follow-Up Items:**

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★ Here to let you know that the SHPO office has moved to Administration. We look forward to being able to streamline processes and continue good relationships with the Tribes. Our goal by moving SHPO to an executive branch (Admin) is to increase transparency and have increased accountability. We have plans to digitize projects and bring data systems up to date.

**Governor's Office Designee:**

-  Kate Perushek, Senior Policy Advisor - not present

**Follow-Up Items:**

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**Update:**


**House Member:**

-  Representative Peggy Flanagan - not present

**Update:**



**House Member:**

 Representative Dean Urdahl - not present


**Update:**

**Senator:**

 Senator Gary Dahms - not present.

**Update:**


**Senator:**

 Senator Lourey - not present

**Update:**

***Other Agencies Present:***

Department of Public Safety

 Deputy Commissioner - Bob Hawkins

**Follow-Up Items:**

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- ★ We are conducting interviews next week for our DPS Tribal Liaison position.
- ★ Anti-Heroin Task Force - 27 JPA's to be signed soon
- ★ BCA and the Fox Valley Police will be holding a training opportunity for tribal police

**Update:**

