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CHEROKEE NATION

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**EXECUTIVE ORDER ESTABLISHING OVERSIGHT FOR SHELTERS
OPERATED BY ENTITIES WHOLLY OWNED BY THE CHEROKEE NATION
AND PROVIDING CARE FOR MINORS**

2022-04- CTH

1. **Authority:** The Constitution and laws of the Cherokee Nation.
2. **Policy:** The executive authority to administer the operations and programs of the Cherokee Nation are authorized by law in accordance with the terms of the Constitution. The Principal Chief has the responsibility to provide minimum standards of character and suitability for individuals whose duties and responsibilities allow them regular contact with or control over children who are seeking temporary refuge within the Cherokee Nation Reservation.
3. **Purpose:** This Executive Order creates standards for shelters that are owned and operated by an entity that is wholly owned by the Cherokee Nation (hereinafter “Reservation Influx Shelter”). These standards are created in accordance with the Cherokee Nation Child Protection and Family Violence Prevention Act (LA-08-08 *eff.* March 19, 2008) (hereinafter the “Child Protection Act”).
4. **Requirements for Reservation Influx Shelters Operated by Entities Wholly Owned by the Cherokee Nation:**

A. Direct Care and Supervision of Children

Direct care and supervision services are required for children seeking temporary refuge at a Reservation Influx Shelter at all times.

The entity operating a Reservation Influx Shelter shall provide the required capabilities to maintain a cadre of qualified staff to provide direct care and supervision services; support recruiting, screening, credentialing, training, and data systems including necessary background checks to provide services to children.

The Reservation Influx Shelter shall attempt to ensure most staff assigned to shelter are bilingual in English and the children’s respective language if it is other than English and

shall have access to language line use/translation services as required to provide care and services.

The Reservation Influx Shelter shall ensure that staff always maintain line-of-sight supervision of assigned children and create and update a staffing and supervision plan.

The Reservation Influx Shelter shall train staff in behavioral management and supervision including non-violent restraint and de-escalation techniques. The facility set up and design specifications shall provide line of sight for staff to monitor children.

The Reservation Influx Shelter shall have sufficient care staffing to provide the necessary programs and services. The Reservation Influx Shelter shall adhere to minimum staffing ratios appropriate to the age group of the children and work shift, as required by the applicable program. To the extent possible, staffing ratios for a Reservation Influx Shelter shall be no less than one (1) on-duty Youth Care Worker for every eight (8) children up to age 13 or one (1) on-duty Youth Care Worker for every fifteen (15) youth between the ages of 13-17 during waking hours; and one (1) on-duty Youth Care Worker for every sixteen (16) children or youth during sleeping hours. The Reservation Influx Shelter shall provide medical and bio-hazard waste management and removal, medical services, medical janitorial services, case management, and bed management.

Youth Care Workers

The Reservation Influx Shelter shall provide Youth Care Workers (YCW) who will provide direct supervision of children in-care and maintain line-of-sight at all times. YCW assist minors in activities and programming as well as cultivate a safe, healthy, therapeutic, nurturing and caring environment that is supportive of minors' individualized needs, social, emotional, and academic development.

YCW must have a high school diploma or equivalent degree and a minimum of 1-year employment experience in the child welfare field working with children and/or adolescents in a social service setting.

B. Standards of Care

Children housed in Reservation Influx Shelters will be afforded the following minimum services or standards of care:

- Maintain facilities that are safe and sanitary; Provide access to toilets, sinks, and showers; Provide drinking water and food;
- Maintain adequate temperature control and ventilation; Provide adequate supervision;
- Provide same gender supervision for any area where children regularly undress, including restrooms and showers;
- Provide children with appropriate clothing and personal grooming items;
- Separate children who are subsequently found to have past criminal/juvenile history and/or who exhibit behavior that presents a danger to themselves or to others from other children;
- Adhere to a zero-tolerance policy towards sexual abuse and assault;
- Establish reporting on significant incident and sexual abuse allegations and follow-up procedures;
- Allow reasonable access to legal services providers, the child's attorneys of record, and child advocates that have provided proper documentation, subject to time and place restrictions;
- Providing legal services information, including the availability of free legal assistance;
- Allow access to religious services, if available; Provide emergency clinical services;
- Provide children the right to be free from discrimination on the basis of gender, race, religion, national origin or sexual orientation; and
- Keep children free from any cruel, harsh, unnecessary, demeaning or humiliating punishment.

C. Training

The Reservation Influx Shelter shall train staff in the following: behavioral management and non-violent restraint techniques; cultural competence training; and child-welfare best

practices. The Reservation Influx Shelter shall submit all training material developed for use to the Cherokee Nation Reservation Influx Shelter Oversight Committee.

D. Oversight

The Cherokee Nation shall establish a Reservation Influx Shelter Oversight Committee that will oversee Reservation Influx Shelters and ensure that they are operating consistent with Cherokee Nation law, executive orders, and any applicable federal rules and regulations.

The Reservation Oversight Committee will consist of five individuals with relevant experience in child care, child welfare, medicine, behavioral health, and the law. They shall provide reports to the Principal Chief on a quarterly basis.

6. **Order:** Effective as of the date undersigned, Reservation Influx Shelters operated by the Cherokee Nation or entities wholly owned by the Cherokee Nation must be operated consistent with this Executive Order and in accordance with Cherokee Nation law.

7. **Effective Date:** This Order is effective immediately on this 3rd day of May, 2022.



Chuck Hoskin, Jr.
Principal Chief
Cherokee Nation