

WAC 110-110-0050 Adoptive planning for Indian children by department staff. (1) In planning adoptive or preadoptive placements for Indian children under WAC 110-110-0010, the department will follow the federal and state Indian child welfare acts with regard to placement preference.

(2) An adoptive family must be considered Indian if one or both parents is:

(a) A member of a federally recognized tribe; or

(b) An Alaska Native and a member of a Regional Corporation as defined in Title 43 U.S.C. Sec. 1606.

(3) In adoptive planning for Indian children, the unique cultural, religious, and sovereignty of federally recognized tribes and communities must be recognized. The adoption of Indian children by Indian families is the primary goal.

(4) As a part of the total evaluation for approving a foster parent adoption of an Indian child, department staff will document the foster family's past performance and future commitment in exposing the child to their Indian heritage.

(5) When an Indian child, in the custody of an out-of-state agency, is referred for potential adoptive parents residing in Washington, the department will follow the interstate compact and placement of Indian children policy of Washington state.

(6) When an Indian child, in the care and custody of the department, is referred for adoption out of Washington, the department will follow the interstate compact and placement of Indian children policy of Washington state.

(7) In the event of an international adoption, the department will follow policy and ensure that placement preferences are followed per the federal and state Indian child welfare acts.

(8) The department staff may consult with LICWAC in planning for adoptive placement of Indian children when a federally recognized tribe has chosen not to be involved.

[Statutory Authority: 2017 c 6. WSR 20-04-019, § 110-110-0050, filed 1/27/20, effective 2/27/20. WSR 18-14-078, recodified as § 110-110-0050, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.08.090, chapter 13.38 RCW, and 25 U.S.C. chapter 21. WSR 16-13-151, § 388-70-450, filed 6/22/16, effective 7/23/16; Order 1167, § 388-70-450, filed 10/27/76.]