



Stillaguamish Tribe of Indians

PO Box 277 . 3322 236th St. NE
Arlington, WA 98223

BOARD OF DIRECTORS

Resolution 2017/037

RESCINDING RESOLUTION 2014/171 AND APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE STILLAGUAMISH TRIBE OF INDIANS AND WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICE (“DSHS”) CHILDREN’S ADMINISTRATION

WHEREAS, the Stillaguamish Tribe of Indians is a party to the Treaty of Point Elliott of January 22, 1855, 12 Stat. 927; and is a sovereign, Federally Recognized tribe, which the U.S. Government acknowledged on October 27, 1976; and

WHEREAS, the Stillaguamish Tribe of Indians Board of Directors is the duly constituted Governing Body of the Stillaguamish Tribe of Indians, in accordance with Articles III, IV and V of the Stillaguamish Constitution; and

WHEREAS, the Stillaguamish Tribe of Indians Board of Directors, acting in the best interest of their people is embarked on a course of self-determination; and

WHEREAS, the authority to protect the Tribe as a sovereign political entity is vested in the Stillaguamish Tribe of Indians Board of Directors (“Board of Directors” or “Board”) under Article III and Article V, Sec. 1 of the Constitution, which Board has enumerated authority under Article V, Sec. 1 (b) to administer the affairs and assets of the Tribe, develop appropriate contracts, leases, permits, loan documents, sale agreements and, under Article V, Sec. 1(h), to exercise other necessary powers to fulfill the Board’s obligations, responsibilities and purposes as the governing body of the Tribe; and

WHEREAS, pursuant to *Board Resolution 2010/59*, the Board approved the execution of a *Memorandum of Agreement between the Tribe and Washington State Department of Social and Health Service Children’s Administration*; and

WHEREAS, pursuant to *Board Resolution 2014/171*, a certified copy which is attached herein and incorporated by reference, the Board approved the execution of the *2014 Memorandum of Agreement between the Tribe and Washington State Department of Social and Health Service Children’s Administration* and rescinded *Board Resolution 2010/59*; and

WHEREAS, protecting the physical, emotional, and spiritual well-being of its children is of the utmost importance to the Tribe; and

WHEREAS, the Stillaguamish Tribe Board of Directors wishes to approve and execute a new *Memorandum of Agreement with the State of Washington Department of Social and Health Services Children's Administration* (hereinafter "2017 Memorandum of Agreement", also attached and incorporated by reference); and

WHEREAS, in the process of entering into the *2017 Memorandum of Agreement*, the Board finds it would be in the best interest of the Tribe to rescind *Board Resolution 2014/171* and execute the *2017 Memorandum of Agreement* in its place; now

THEREFORE BE IT RESOLVED, that the Stillaguamish Tribe Board of Directors hereby approves the *2017 Memorandum of Agreement with the State of Washington Department of Social and Health Services Children's Administration* and rescinds *Board Resolution 2014/171*.

BE IT FURTHER RESOLVED, that the Stillaguamish Tribe Board of Directors hereby authorizes the Chairman, or in his absence the Vice-Chairperson or Secretary, to execute the *2017 Memorandum of Agreement with DSHS Children's Administration* and to take all steps necessary to carry this Resolution into effect.

CERTIFICATION

As Chairman and Secretary of the Stillaguamish Tribal Board of Directors, we hereby certify that the above resolution was duly adopted at a meeting of the Stillaguamish Tribal Board of Directors held on the 18 day of May, 2017 at which time a quorum was present and a vote of 5 for 0 opposed and 0 abstain was cast.



SHAWN YANITY, Chairman



VIRGINIA SMITH, Secretary

**MEMORANDUM OF AGREEMENT BETWEEN THE STILLAGUAMISH TRIBE OF
INDIANS AND DSHS CHILDREN'S ADMINISTRATION FOR SHARING
RESPONSIBILITY IN DELIVERING CHILD WELFARE SERVICES TO CHILDREN
OF THE STILLAGUAMISH TRIBE OF INDIANS**

I. INTRODUCTION

This memorandum of agreement (MOA or Agreement) is entered into between the Stillaguamish Tribe of Indians (Tribe), a federally recognized tribe and signatory to the 1855 Treaty of Point Elliot, and the Washington State Department of Social and Health Services Children's Administration (CA), each acting pursuant to their respective governmental authorities.

This Agreement is to be liberally construed in the full spirit of cooperation with the goal of carrying out the Indian Child Welfare Act of 1978, 25 U.S.C. § 1901 *et seq.* (hereinafter called ICWA) as well as the Washington State Indian Child Welfare Act, RCW 13.38 *et seq.* (herein called WICWA). This Agreement is consistent with the policies, procedures, and protections of the federal and state Indian Child Welfare Acts.

This Agreement is based on the fundamental principles of the government-to-government relationship acknowledged in the 1989 Centennial Accord. This MOA will supersede the existing MOA between the Stillaguamish Tribe and the Children's Administration.

This Agreement recognizes the sovereignty of the Tribe and of the State of Washington and each respective sovereign's interests.

The Tribe and CA acknowledge that a court of either the Tribe or State of Washington may have jurisdiction over a child welfare proceeding. Each acknowledges that the law of the jurisdiction in which a child welfare judicial proceeding is initiated and maintained is sovereign within that jurisdiction and governs the proceeding.

II. PURPOSE

The overarching purpose of this Agreement is the safety and well-being of Stillaguamish Tribal children. Washington State law authorizes CA to provide for the care of Indian children who are in the custody of an Indian tribe, pursuant to a tribal court order, subject to the same eligibility standards and rates of support applicable to children in the custody of the CA, pursuant to a state juvenile court order. This Agreement is intended to clarify the roles and responsibilities of the Tribe and CA, to clarify the responsibilities of the Tribe and CA when Child Protective Services are provided to tribal children, to enhance coordination and cooperation between the Tribe and CA in providing appropriate child welfare services to Indian children who are under the jurisdiction of the tribal court, and to coordinate with the Tribe when its children are in the custody of CA and under the jurisdiction of a state juvenile court.

III. AUTHORITY

The Stillaguamish Tribe of Indians, acting through its Board of Directors, enters into this Agreement pursuant to its inherent sovereign authority over its people and territorial jurisdiction. The Board of Directors is authorized to enter into this Agreement pursuant to Article V of the Constitution of the Stillaguamish Tribe of Indians in Washington. CA is specifically authorized to enter into this agreement by chapter 39.34 RCW, the Interlocal Cooperation Act, which permits a State agency to enter into a cooperative agreement with Indian tribes. Furthermore, Section 1919 of the Indian Child Welfare Act (ICWA), 25 U.S.C. § 1901 *et seq.*, authorizes states to enter into agreements for the care and custody of Indian children and chapter 13.38 RCW outlines the State's role in child welfare proceedings involving Indian children. Nothing in this Agreement constitutes or shall be construed as a waiver of the Tribe's sovereign immunity.

IV. DEFINITIONS

For the purpose of this Agreement, all terms shall be defined as set forth in ICWA unless otherwise indicated.

“Jurisdiction” as used in this agreement means the legal authority of a state or tribal court to hear a juvenile dependency action or other related juvenile matter. The Tribe and CA acknowledge that either or both of their child welfare programs may be involved in providing services, including Child Protective Services and Child Welfare Services, to Tribal children regardless of whether a court action has been initiated, or which court has jurisdiction over a child's case.

“Indian child” for purposes of this Agreement means an unmarried and unemancipated Indian person who is under eighteen years of age and is either: (a) A member of an Indian tribe; or (b) eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe. The Tribe has sole authority to determine whether a child is a member or eligible for membership in the Tribe.

“Qualified Expert Witness” means a person who provides testimony in a child custody proceeding as required under ch. 13.38 RCW and ICWA to assist a court in the determination of whether the continued custody of the child by, or return of the child to, the parent, parents, or Indian custodian, is likely to result in serious emotional or physical damage to the child.

“Stillaguamish Tribal Lands” or **“Tribal Lands”** for purposes of this agreement means (a) all lands within the limits of the Stillaguamish Indian Reservation, and (b) any lands title to which is either held in trust by the United States for the benefit of the Tribe or individual member of the Tribe or held by the Tribe or individual member of the Tribe subject to restriction by the United States against alienation over which the Tribe exercises governmental power.

“tixdx bodbada?” means the Stillaguamish Tribe's social service agency charged with protecting Tribal children and serving their families.

“Tribal Child” or **“Stillaguamish Tribal Child”** means any unmarried person under the age of 18 who is either a member of the Stillaguamish Tribe of Indians or who is eligible for enrollment in the Stillaguamish Tribe, or whose parent is a Stillaguamish Tribal member.

“Tribal payment only worker” means the CA staff person tasked with assisting the Stillaguamish Tribe in accessing services for children served by the Stillaguamish Tribe.

V. CHILD PROTECTIVE SERVICES

Introduction

1. Upon initial receipt by CA of a CPS referral, if there is any reason to know that the child(ren) identified in the referral is a Tribal child or is a child residing on Stillaguamish Lands, CA will contact *tíx̣dx̣ʷ bədbədaʔ* for assistance in determining the child’s membership status and residence.
2. In every case in which an allegation of abuse or neglect of a child who resides on Stillaguamish Tribal Lands is received by CA, the Tribe will be notified of the allegation. Notification will be in writing, or by phone, fax, or email, within 1 business day for emergent referrals or within 72 hours for all other referrals, including cases that are not screened in by CA for investigation. The method and time of notification will be documented by CA. The method preferred by the Tribe is by phone, fax and email. See Attachments A and B for Tribal and CA Points of Contact. See also <https://www.dshs.wa.gov/sites/default/files/CA/icw/documents/TribalIntake.pdf>
3. If an allegation involves apparent criminal activity, Tribal/State/Local law enforcement in the jurisdiction where the alleged abuse or neglect occurred will be notified.
4. The Tribe and CA each agrees to inform the other of the outcome of CPS investigations that result in a “founded” finding for abandonment, child abuse, or child neglect involving Indian children.
5. If a child who is the victim of a CPS allegation does not live on Stillaguamish Tribal Lands, but the child is a Stillaguamish Tribal child subject to the jurisdiction of the Stillaguamish Tribal Court, and the allegation is founded or if CA determines the child is in danger in the home of the parent or other caregiver, CA will notify the Tribe of its intent to provide services or to file a dependency petition and give the Tribe an opportunity to file the petition in Tribal Court or to take primary responsibility for providing services.
6. CA has implemented a two-path response to allegations of child abuse and neglect. Allegations that are screened-in for a response will be assigned by CA to either (1) the traditional investigative pathway or (2) to the new alternative Family Assessment Response (FAR) pathway.

CPS Investigations

CPS Investigative or FAR Services On Tribal Lands

For all new cases, CA shall be the primary investigator, and the following procedures shall apply:

CPS Investigation Pathway

1. For emergent referrals, the Tribes and CA will contact each other immediately to coordinate the investigation and see the child within 24 hours. For 72-hour referrals, the Tribe and CA will contact each other as soon as possible and see the child in 72 hours or less.
2. The Tribe is responsible for protecting the child while the child is on Stillaguamish Tribal Lands before and during the investigation or Family Assessment Response, if necessary. The Tribe and CA will collaborate on the response and concurrently serve the child and family during the response. The investigation shall not be hindered by CA or the Tribe's unavailability.
3. CA will determine whether the allegation of child abuse or neglect should be screened in and will determine the type of CPS response (investigation or FAR). CA is required to follow state law and its own policies in responding to child abuse or neglect actions.
4. CA's CPS investigator directs the investigation, deciding which social workers will interview which individuals and which social workers will gather information.
5. During a CA investigation, a *ti'ixdx^w bədbəda?* social worker will be present during interviews and investigations of child abuse/neglect allegations unless their presence will hinder the investigation from occurring in a timely fashion, or the Tribe declines to attend.
6. CA will consult with the Tribe in making the determination whether the allegation is founded or unfounded. Ultimate responsibility for making the decision is CA's, but efforts will be made to reach a joint determination consistent with the law.
7. CPS investigations should be completed within the timeframes permitted by CA policies and procedures, and the Tribe will be given the investigative report (no matter what the finding) and any documentation needed to file a dependency action in Tribal Court.
8. If the allegation is founded for abuse or neglect, under ch. 26.44 RCW and WAC 388-15, the subject of the investigation has a right to challenge that finding under state law. The State shall notify the Tribe that the investigation is concluded.

CPS FAR Pathway

1. CA's FAR worker has ultimate responsibility for assessing the family's needs and strengths and for arranging for or providing services and supports.
2. The CA worker will contact the identified Tribal worker and will give that worker an opportunity to participate in the assessment and be present at family and community meetings to determine safety and service plans.
3. CA and the Tribe will collaborate to identify and develop community supports and services for the family.
4. The Tribe may determine that it will continue, at its own expense, to provide community or Tribal supports and services to the family after the FAR assessment and services are concluded. The Tribe acknowledges that FAR is time limited.

CA CPS Investigation or FAR Services off Tribal Land

The Stillaguamish Tribe and CA agree to collaborate in providing CPS investigative or FAR services and supports to Stillaguamish Indian Children who are alleged to be abused or neglected off Tribal lands.

CA's CPS Intake will notify the Tribe within 24 hours for an emergent referral, or within 72 hours for all other referrals, if a child abuse or neglect referral has been received by CA, alleging abuse or neglect occurred off Tribal Lands and will give the Tribe an opportunity to participate in the CPS response, either an investigation or FAR. Based on state law and its policies and screening tools, CA will decide whether the response will be an investigation or FAR.

CPS Investigation Pathway

1. CA's CPS investigator directs all aspects of the investigation, including but not limited to deciding which social workers will interview which individuals and which social workers will gather other information.
2. A Tribal social worker will have the opportunity to be present during interviews and investigations of child abuse/neglect allegations.
3. CA will consult with the Tribe in making the determination whether the allegation is founded or unfounded. Ultimate responsibility for making the decision is CA's.
4. CPS investigations should be completed within 60 days and the Tribe will be given the investigative report (no matter what the finding) and any documentation needed to file a dependency action in Tribal court.
5. If the allegation is founded for abuse or neglect, the subject of the investigation has a right to challenge that finding under state law.

CPS FAR Pathway

5. CA's FAR worker has ultimate responsibility for assessing the family's needs and strengths and for arranging for or providing services and supports.
6. The CA worker will contact the identified Tribal worker and will give that worker an opportunity to participate in the assessment and be present at family and community meetings to determine safety and service plans.
7. CA and the Tribe will collaborate to identify and develop community supports and services for the family.
8. The Tribe may determine that it will continue, at its own expense, to provide community or Tribal supports and services to the family after the FAR assessment and services are concluded. The Tribe acknowledges that FAR is time limited.

VI. SERVICES FOR CHILDREN UNDER THE JURISDICTION OF THE TRIBAL COURT

1. The Tribal court has exclusive jurisdiction over any child custody proceeding involving an Indian child who resides on or is domiciled on the Tribe's reservation.
2. Children served by the Tribe are eligible for services funded and contracted by CA. Eligibility for these services must be consistent with the eligibility criteria used for children served by CA.
3. A description of the services currently available to families and children, including a limited description of the eligibility criteria for those services, is attached to this Agreement as Attachment C.
4. When the Tribe requests child welfare services for children and youth being served by the Tribe, CA will:
 - i) Assign the case to a specific tribal payment only worker, selected by CA, but who recognizes that the Tribe has custody of and decision making authority over the child, and who is willing to accept the customs and traditions of the Tribe. The CA tribal payment only worker will not be responsible for case management, but instead will assist the Tribal social worker in accessing services.
 - ii) Maintain a child file consisting of the referral information, the Tribal case plan, Tribal court documents, and payment information.
 - iii) Work with the Tribal social worker to determine what services would best meet the needs of the child and, at the request of the Tribe, pursue intensive services for

the child, using established CA procedures. The CA tribal payment only worker will help make the Tribe aware of appropriate services available through CA, as well as how to access those services.

5. Information regarding eligibility will be provided by the Tribal social worker and supplemented by the Tribal social worker when requested. The Tribal social worker has responsibility for recommending and overseeing the administration of services.
6. The Tribal payment only worker shall assist the Tribe in accessing support services and will work with the Tribe to clarify eligibility for services, to expedite services, and to verify payment. The Tribal payment only worker will be available to assist, or arrange for another worker to assist the Tribe in preparing the necessary documentation to request adolescent services and will invite the Tribal social worker to attend staffings to approve intensive services, such as Behavior Rehabilitation Services, specialized teen mother programs, and services for sexually aggressive youths.
7. The Tribe will provide a point of contact to work with CA on service issues. See Attachment A.
8. The CA contacts are listed in Attachment B.

VII. SERVICES FOR STILLAGUAMISH TRIBAL CHILDREN UNDER THE JURISDICTION OF THE STATE COURT

1. If a Stillaguamish Tribal child is an Indian child and is the subject of a dependency action filed by CA in the juvenile court of the State of Washington, CA will timely notify the Tribe of its right to intervene in the action. The Tribe has the right to intervene at any point in a State Juvenile Court proceeding involving a child who is an Indian child of the Stillaguamish Tribe. CA agrees to assist the Tribe in achieving intervention in such cases.
2. The Tribe has the right to request at any time transfer of jurisdiction of a state juvenile court proceeding involving a Stillaguamish Child who is an Indian child as defined by state and federal ICWAs. CA shall timely notify the Tribe of the filing of any such proceeding, and assist and support the Tribe in seeking transfer to the Stillaguamish Tribal Court. Within two weeks of the transfer, the CA shall provide the case file to the Tribe.
3. If jurisdiction of the action is not transferred to Tribal court, then the Tribe will designate a specific person or position to work with the CA social worker to assist in locating an appropriate placement and to consult with the CA social worker in developing an appropriate case plan.
4. If CA has placement authority for an Indian child, placement shall be within reasonable proximity to the child's home when possible and appropriate. Placement decisions shall be consistent with the following Tribal preferences, listed in order of preference:
 - Relatives or family members;

- A Stillaguamish home on/near Stillaguamish lands licensed or approved by tíŕdx^w bədbəda?
 - A Stillaguamish home in Washington State licensed or approved by tíŕdx^w bədbəda?
 - Other Native home on/near Stillaguamish lands, licensed or approved by tíŕdx^w bədbəda?
 - Non-Native home, licensed or approved by tíŕdx^w bədbəda?
5. Unless otherwise specified, the tíŕdx^w bədbəda? social worker or the tíŕdx^w bədbəda? department head shall identify a “qualified expert witness” to appear on behalf of the Tribe’s children in child custody proceedings, as defined by ICWA, in state court. The Tribe has an interest in providing a qualified expert witness in state court child custody proceedings, as defined by ICWA, which involve Stillaguamish Indian children, and the Tribe agrees to provide a qualified expert witness for these cases upon sufficient notice.
 6. The Tribe and CA will work together to develop a plan for any Stillaguamish Indian child who is placed in a non-Tribal foster home to assist the child in developing or maintaining an understanding of the Tribe’s customs, traditions and history.
 7. The Tribe and CA will work together to develop a plan for any Stillaguamish Indian child who is placed in out-of-home care to ensure the child’s connection with family and culture is preserved.
 8. Upon request from the Tribe, CA shall staff cases involving Stillaguamish children who meet the federal and state law definition of Indian child with the Tribe’s Child Protection Team.

VIII. INFORMATION SHARING AND CONFIDENTIALITY

1. It is the policy of both the Tribe and CA to share with each other full information about a Stillaguamish Indian child that will assist the other in protecting the child and in assessing the child’s need and eligibility for and receipt of services. CA is required to follow state and federal laws governing confidentiality of children’s records. The Tribe agrees that it will follow state and federal law, or tribal law, if the Tribal Code meets or exceeds state and federal law requirements to protect the records of children receiving services from CA.
2. Pursuant to a separate agreement the Tribe has access to the Statewide Automated Child Welfare Information System (SACWIS), known as FamLink.

IX. COLLABORATIVE ACTIONS

1. CA, through the Alliance for Child Welfare Excellence will provide Tribal tíŕdx^w bədbəda? staff with the opportunity to take advantage of relevant trainings that are available to CA staff. A catalog of courses will be sent to the Tribe electronically by the Alliance or CA on a quarterly basis.

2. The Tribe may designate at least one candidate from the Tribe for representation on the Local Indian Child Welfare Advisory Committee.
3. CA shall work with tixdxw bədbəda? to assist in guardianship cases to the extent possible under CA's policy and state and federal law. Currently, CA does not have services available to children or families in guardianships beyond those services that are available to all Washington families. Should this change, CA shall work with tixdxw bədbəda? to access available services. CA shall make relative guardianship assistance program (RGAP) determinations for Stillaguamish Indian children by applying applicable state and federal laws. Under current law, among other criteria, RGAP is only available if the child is in the care, custody, and control of a child placing agency that has an agreement with the federal government pursuant Title IV, Section E, of the Social Security Act. CA shall be a resource to tixdxw bədbəda? for questions regarding RGAP."

X. CONFLICT RESOLUTION

The Tribe and CA agree that if a dispute arises under this agreement, the process set forth in the 7.01 Policy or in the General Terms and Conditions of the Intergovernmental Agreement will apply. A copy of the applicable process is set forth in Attachment D.

XI. EFFECT AND MODIFICATION

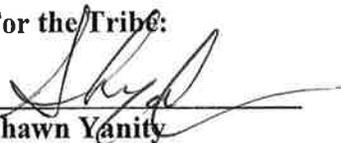
This is a working document to guide the Tribe and CA in supporting Indian children in need of services. Its description of services may be changed as programs are added or eligibility requirements are changed. Contact persons, services and other subjects set forth in the Attachments may be updated at any time at the request of either party.

This Agreement will be reviewed every two years and will continue in effect until modified or terminated. However, this Agreement may be modified at any time by mutual agreement of the Tribe and CA. Any modification may be reflected in an addendum and attached to the Agreement and must be approved by the Stillaguamish Tribal Board of Directors by Resolution.

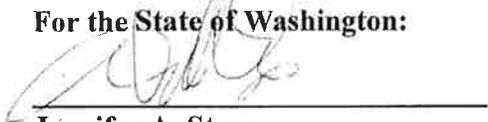
This Agreement is subject to state and federal law and Tribal code, as they exist and as amended during the course of this agreement.

IN WITNESS HEREOF, and by means of the signatures below, the Tribe and CA, hereby agree to abide by this agreement, effective upon the date of the signatures of both parties.

For the Tribe:


Shawn Yanity
Stillaguamish Tribal Chairman

For the State of Washington:


Jennifer A. Strus
Assistant Secretary, Children's Administration

Date: 5/18/2017

Date: 4/19/17

Patricia Lashway

Pat Lashway
Secretary,
Department of Social and Health Services

Date: 5.4.17

ATTACHMENTS

ATTACHMENT A – Tribal Points of Contact

ATTACHMENT B– Children Administration Services Points of Contact

ATTACHMENT C – CA Services

ATTACHMENT D - Dispute resolution process

ATTACHMENT E – Tribal Resolution

ATTACHMENT A – Tribal Point of Contact

Up to date contact information is available online at:

<https://www.dshs.wa.gov/sites/default/files/CA/icw/documents/TribalIntake.pdf>

Notice related to CPS issues will be provided to Tribe by contacting:

Name: Candy Hamilton

Address: 17014 59th Ave NE, Arlington, WA 98223

Phone: (360) 631-3381 (Cell) or (360) 572-3460 (Office)

Email: chamilton@stillaguamish.com

Or

Name: Shannon Finn

Address: 17014 59th Ave NE, Arlington, WA 98223

Phone: (360) 391-2491 (Cell) or (360) 572-3462 (Office)

Email: sfinn@stillaguamish.com

If emergency or after-hours services are needed by a child in Tribal care, the contact is:

Daytime (8AM – 4PM hours): (360) 572-3460

After hours: (360) 631-3381 or (360) 391-2491

The Tribal point of contact is:

ṭiṣḏx^w bədbəda? Social Worker is:

Name: Shannon Finn

Address: 17014 59th Ave NE, Arlington, WA 98223

Phone: (360) 391-2491 (Cell) or (360) 572-3462 (Office)

Email: sfinn@stillaguamish.com

Or

ṭiṣḏx^w bədbəda? Director:

Name: Candy Hamilton

Address: 17014 59th Ave NE, Arlington, WA 98223

Phone: (360) 631-3381 (Cell) or (360) 572-3460 (Office)

Email: chamilton@stillaguamish.com

ATTACHMENT B – CA Point of Contact

DSHS-Children's Administration:
Region 2 North-

Natalie Green, Regional Administrator
840 N. Broadway, Bldg. B, Ste. 540, Everett, WA. 98201
206-639-6201/425-339-4776

Yen Lawlor, Deputy Regional Administrator for Programs, Region 2 North
840 N. Broadway, Bldg. B, Ste. 540, Everett, WA. 98201
425-339-4782

Patty Turner, Deputy Regional Administrator Everett, Region 2 North
840 N. Broadway, Bldg. B, Ste. 540, Everett, WA. 98201
425-229-5069

Bolesha Johnson, Deputy Regional Administrator, Region 2 South
500 1st Avenue S., Ste. 300, Seattle, WA. 98104
206-629-6202

Area Administrators:

Smokey Point - Ida Keeley
3906 172nd St. NE, Ste. 200, Arlington, WA. 98223
360-651-6954

Mount Vernon – Forest Jacobson
900 E. College Way, Mount Vernon, WA. 98273
360-770-3621 Bellingham - Silvia Johnson
1720 Ellis St., Ste. 100, Bellingham, WA. 98225
360-647-6106

Tribal Liaison – Carmelita Adkins
840 N. Broadway, Bldg. B, Ste. 540
Everett, WA. 98201
425-339-2914

ATTACHMENT C: Children's Administration Services Region 2

Placement Prevention, Reunification and Support Services

Early Intervention Program:

Description of Services:

Early Intervention Program (EIP) contractors provide direct services to families and link families to community resources to accomplish the following goals:

- Reduce risk of abuse or neglect of children in the home;
- Enhance parenting skills, family and person self-sufficiency, and family functioning;
- Reduce stress on the family;
- Reduce the likelihood of additional referrals to CPS; and
- Enhance the health status of families and linkages to health services.

Families are eligible for EIP services if item numbers 1 through 3 (below) have occurred or if item number 4 has occurred:

1. Abuse or neglect allegations have been reported to CPS; AND
2. CPS has designated the case to be a (1) low or (2) moderately low risk case using the guidelines set forth in RCW 74.14D.020; AND
3. DCFS refers the case to the Contractors; OR
4. The Department has completed a CPS investigation of the family and risk has been reduced to (1) low or (2) moderately low. The family is referred to EIP contractor using the agency protocol for transferring a case from CPA to EIP.

Additionally, EIP Contractors can serve the following clients:

1. Pregnant or parenting substance abusing women with children currently living in the home;
2. Cases referred to DCFS that do not meet intake sufficiency screening but would benefit from public health intervention.

Daycare:

Child Daycare Services for Child Protective, Family Voluntary Services and Child and Family Welfare Services.

Description of Services: To provide daycare for children in their home or when placed with relatives or in foster care.

Eligibility: Child care must be part of the CA case plan and the child is either in their own home, placed with unlicensed relatives or placed in licensed foster care. The child care provider cannot be a relative when the child is in their own home or in foster care.

Intensive Family Preservation (Homebuilders)

Description of Service:

Intensive Family Preservation Services (IFPS), as defined in RCW 74.14C.050, is a family focused, behavior-oriented, in-home counseling and support program. Services must be available 24 hours a day, and include both clinical assistance (counseling, case management, parent education) and concrete help (financial, housing, utilities, clothing, and food). The intent is to connect the family with natural supports in their community to meet their ongoing needs. Services must be provided in accordance with the HOMEBUILDERS ® model, which includes using “motivational interviewing” techniques.

Eligibility

The family must have an open case with Children’s Administration. (This can include foster & kinship families if they are the child’s proposed permanent home.) Children must currently be in out-of-home placement and can be reunited within 7 days of the first appointment. Referrals can also be made when the social worker has determined that, without intervention, the child is at imminent likelihood of being placed out-of-home due to at least one of the following:

1. Child abuse or neglect.
2. A serious threat of substantial harm to the child's health, safety, or welfare.
3. Family conflict.
4. (“Imminent placement” means that the social worker is planning to ask the parents to sign a VPA, or plans to file a Dependency petition to remove the child within the next 72 hours.)

IFPS would NOT be appropriate in the following situations:

- The family is in need of in-home crisis resolution or therapeutic services to avoid possible family disruption or foster care placement *at some unspecified time in the future*.
- When a decision has been made to move a child, but interim measures are needed in the current home until that is found.
- The social worker or the service provider determines that the safety of a child, a family member, or the staff providing services would be threatened.
- The family explicitly refuses to participate in IFPS after it was thoroughly explained to them.

How to Access:

- CA social worker must call the provider to discuss the case and obtain approval for the service.

Family Preservation Services (FPS)

Description of Services:

Family Preservation Services (FPS), authorized and described in RCW 74.14C.050, are family-focused, behavior-oriented, in-home counseling and support programs. FPS may be used when youth are at substantial risk of placement or for children returning to the home from out-of-home care.

FPS begins within 48 hours of referral, is available 24 hours a day, and can be up to six (6) months in duration. FPS is designed to be less intensive than IFPS/Homebuilders and

interventions are focused on improving family functioning and assisting with getting connected to local community resources. FPS is provided by contracted vendors.

Eligibility:

Families and children are eligible for FPS when a child is in out-of-home placement and can be reunited within 30 days or the social worker determined that, without intervention, the child, is at substantial likelihood of being placed out-of-home due to at least one of the following:

1. Child abuse or neglect;
2. A serious threat of substantial harm to the child's health, safety, or welfare or
3. Family conflict

The family must have a case open for service with CPS, FRS or CWS. The child must be either residing in the family home or be able to return home immediately, within 30 days.

Note: There is up to \$500 available for concrete goods with this contract. The CA social worker can provide information about what kind of items may be paid for using these funds.

How to Access: Social worker must make request.

Family Reconciliation Services (FRS)

Description of Services:

The goal of Family Reconciliation Services (FRS) is to preserve, strengthen, and reconcile families in conflict. The range of services provided is designed to help families find solutions to their conflicts by developing skills and supports to maintain the family unit. Service delivery begins with the least intensive, least intrusive intervention appropriate in the individual case circumstance. Services are voluntary, family-focused, and rely on the family's participation. FRS is available at no cost to the family.

FRS is comprised of two service categories:

Assessment & Brief Intervention: Which are short-term interactions between Children's Administration (CA) staff and the family requesting FRS. The services are directed towards deescalating the immediate crisis, defining the goals of the family seeking services, and exploring options to meet those goals. When possible, the family's kinship and community support systems should be utilized.

Contracted Counseling: When it is determined the family would benefit from services from CA beyond assessment and brief intervention, the social worker may offer the family contracted services based on unique needs of the family. Contracted counseling for FRS primarily consists of **Crisis Family Invention** and **Functional Family Therapy**.

Eligibility: CA intake staff must accept referrals for FRS Services:

From a youth age 12-17, caregivers (to include biological, custodial and noncustodial parents, guardians, and informal relative placements), law enforcement, CA staff, HOPE centers,

crisis residential centers or a Tribal social worker when at least one of the following two occurs:.

- At least one person in the family is voluntarily requesting services and he or she is requesting:
 - A family assessment for a Child in Need of Services (CHINS) or At Risk Youth (ARY) petition
 - Assistance for a family experiencing immediate family crisis due to conflict, or
 - Assistance for a family with a youth who is exhibiting high risk behaviors
- A child is identified as a sexually exploited youth as defined in the Children's Administration, Practice and Procedure Manual, Appendix A.

How to Access: Caregivers/youth to contact 1-800-609-8764.

Foster Care

Crisis Family Intervention Services (CFI):

Description of Services:

Crisis Family Intervention (CFI) is a brief in-home crisis intervention service available to adolescents and their families who are experiencing brief conflict. CFI is not solely for Family Reconciliation cases, but is also an option for families involved in CPS, FVS or CFWS.

Services are limited to 12 hours over 45 days. The referring social worker maintains all case management responsibilities through the conclusion of service.

Eligibility: CFI is available for youth and families who have an open FRS, CPS, FVS or CFWS case if they meet the following criteria:

- The youth is 12 to 17 years of age.
- The reason for referral is brief family conflict and not ongoing chronic issues.
- The youth is exhibiting high-risk behaviors such as drug use, missing from care, or running away from the family home.

Foster parents and relative caregivers who are experiencing conflict with a youth in their care may access CFI by contacting the youth's social worker and requesting the service.

CFI is **NOT** appropriate for:

- Families who require monitoring to maintain child safety.

Goals of CFI -- This service is designed to strengthen, preserve, and restore family functioning by meeting the following goals:

- Working with families to resolve the immediate crisis within 45 days.
- Identifying community resources to support family functioning after the conclusion of CFI.
- Developing protective supports for the youth.

Access to service:-- CA social worker needs to make a request for this service through their supervisor CFI gatekeeper.

Evidenced Based Practices for Placement Prevention and Reunification

Evidence Base practice is a published practice back by multiple randomized studies by an outside party. These are services that are researched and deemed to be effective consistently when delivered as the practice is designed. This practice also ensures a level of clinical knowledge and skill by the provider. EBP also measures outcome and skill level

EBP Services currently available:

Incredible Years (IY)

The intent of this service is to safely prevent out of home placement of children who are considered at risk of placement due to child abuse or neglect. The services are also designed to facilitate the earlier safe return of a child from out of home care.

Incredible Years Parenting Program is delivered in a Group setting. Some of the expected Outcomes include; Increased appropriate parenting skills, increased appropriate parental discipline, increased in family communication and relationship and Increase placement stability

Description of Services

Families must have an identified need to learn appropriate parenting skills, methods of appropriate discipline, or a need to improve the bond between the child and the parent or caregiver.

Parents are instructed in elements of child development and how to engage a child in playful and rewarding activities. Once the child shows enthusiasm and pleasure in the play, the parent learns how to shape desired behaviors and discourage unwanted behaviors. Children often respond well once a positive playful bond is established. Parents practice and respond to each other during the group sessions and are encouraged to connect with each other outside of the class for additional support.

OUTCOMES EXPECTED TO BE IMPACTED BY SERVICES PROVIDED INCLUDE:

- A. Increased appropriate parenting skills.**
- B. Increased appropriate parental disciplining.**
- C. Increase in supportive family communication and relationship.**
- D. Increased placement stability.**

CLIENTS SERVED

- 1. Families who have come to the attention of CA because of neglect may be referred to Incredible Years to facilitate a child's return home, or to maintain a child in a placement. Families may also have a history of referrals for abuse.**
- 2. Children must be between the ages of 0 and 7 years.**

SafeCare

SafeCare is a parent training curriculum for Parents who are at risk of or have been reported for child maltreatment. This is one of our services for Neglect. This service is delivered in the parents' home to improve parenting skills in several domains. To be eligible for this service, parents with at least one child birth to 5 and the Department is trying to prevent out of home placement or help reunify a child.

Description of Services

Project Safe Care is an evidenced based program which provides home-based training designed to improve parenting skills and the home environment. Using a three-pronged approach for families with chronic neglect situations, Safe Care targets health, home safety, and parent-child interactions. Information is specific and concrete; and a variety of handouts and teaching aids are used to help the parents learn. The intent is to prevent removal of a child who is considered at risk of placement, or to facilitate the return of a child from out of home care.

OUTCOMES EXPECTED TO BE IMPACTED BY SERVICES PROVIDED INCLUDE:

- 1. Improved home environment, especially around immediate safety threats.**
- 2. Increased health outcomes for the child.**
- 3. Improvement in parent's ability to make good health care decisions for their child.**
- 4. Improved interactions between the parent and their child.**

CLIENTS SERVED

- 1. Families are identified by CA to need help learning appropriate child care skill, home safety information, or skills to manage the child's or infant's behavior.**
- 2. Children are between birth and five years of age.**

Parent Child Interaction (PCIT) The Intent of PCIT is to prevent Out of Home placement of a minor child who is considered at risk of placement due to abuse, neglect or severe family conflict. The service is also designed to facilitate the earlier return home of a child from Out of Home care or to avoid placement disruption

Outcome Expected:

Decrease in Child disruptive behavior, increased appropriate parenting, increased appropriate parenting disciplining, increased in supportive family communication and relationship, increased placement stability, and improved parent child bond accomplished through increased positive interactions between the parent and child.

This service can be delivered in home or in clinic.

Positive Parenting Program (Triple P)

Triple P is a parent education services using the Positive Parenting Program with parents who have an open case with CA due to physical abuse or neglect or to a Caregiver who are caring for a dependent child who has behavior issues.

The children who are the focus of services must be between the ages 1 through 12 years.

Parents referred to Triple P must have identified needs that require improvement of appropriate parenting skills, methods of appropriate discipline, skills to manage child behavior or the bond between parent and child.

Functional Family Therapy (FFT)

The intent of the service is to provide in home counseling to parents to improve parenting and supervision. The service is also appropriate for high conflict Families, youth with history of delinquency.

What is FFT?

- FFT is a family-based intervention for acting out youth
- Effective with youth and their families in various multi-ethnic, multicultural contexts.
- It is provided in home or a clinical setting
- Services averages 12 family sessions lasting about 3 - 4 months

What are the referral criteria?

- Youth in the family are between 11-17 years of age
- Common family problems include:
 - Family conflict and/or violence
 - Youth behavior problems or delinquency
 - Verbal or physical aggression between family members
 - Need for improved communication skills
 - Inadequate connection to community supports and services
- FFT can be used to decrease youth behavior problems that could result in foster care placement or incarceration.
- FFT can also be used as part of a reunification plan, as long as the parent(s) and youth have daily contact or are already living together.

What outcomes can be expected from FFT?

- Increased appropriate parental disciplining
- Increased supportive family communication and relationship
- Increased placement stability
- Decreased youth disruptive behaviors
- Increased positive peer relationships
- Reduction in substance use

Promoting First Relationships.

Common things PFR can help parents with:

- Building a lasting, healthy, positive attachment relationship with your infant or toddler.
- Understanding your child's difficult behaviors, and looking at the feelings and needs behind these behaviors.
- Understanding how to support your infant or toddler's social and emotional health.
- Discussing strategies for coping with difficult times as a parent.

- Understanding ways you can help your child following an out of home placement and other emotionally difficult experiences.

Program offers 10 to 14 week in-home program for parents and their young children, ages birth to 3 years.

What is PFR: PFR is an evidence-based program that supports parents to experience joy and confidence in their relationships with their infants and toddlers.

What happens during home visits? Your counselor will:

- Videotape you and your child to provide insight into real-life situations.
- Give positive feedback that builds your enjoyment, confidence, and connection with your child.
- Help you examine the deeper emotional feelings and needs underlying your own and your child's distress and behaviors.
- Use handouts to share and discuss information about your child's social and emotional health.

Out of Home Placement Services

Relative Care-

Relatives play an essential role in helping to meet the needs of children who are unable to live with their parents. When a child is placed with a person recognized as a relative by the court or Tribes, they can access financial and medical assistance through their local DSHS, Community Service Office. Relatives also have the option to become licensed foster parents.

Foster Care

Foster Care is temporary out-of-home care in a family home that is licensed to provide this service. Foster parents are part of the professional team working to complete the permanency plan for the child and his/her family. Foster parents provide the day-to-day care for children and receive monthly reimbursement payments to help cover the cost of caring for the child. The child and the foster parent are supervised by the assigned social worker as long as the child is in placement.

Behavioral Rehabilitation Services

Purpose: Behavior Rehabilitation Services (BRS) is a temporary intensive wraparound support and treatment program for children between the ages of six and seventeen who present with complex and high level service needs. Through the implementation of a structured and individualistic care and support plan, the primary objective is the stabilization of behavioral concerns which interfere with the child's ability to progress and maintain stability and continuity in multiple life domains. Simultaneously, BRS is to assist in the identification and achievement of the permanency planning goal. Services within BRS include the provision of intensive in home supports or through out of home placement in facility based or therapeutic foster care and are provided by contracted agencies.

Eligibility Criteria: Through case consultation/staffing and the submission of specific supporting documentation to the Regional BRS Program Consultant, eligibility is assessed. Regular reviews of progress determine continued justification of BRS service. Children/youth must present with a severe emotional behavioral disorder and a

demonstrated inability to be successful in a less supported living situation. They have often experienced multiple failed placements and have challenges in multiple life domains. Alternatively, eligibility may be based on significant developmental delays or a medically fragile determination.

Access to Services: *tiłdxw bədbəda?* social worker may directly contact the tribal BRS program manager to access BRS placements. As of the entry of this MOA, the tribal BRS program manager is Carol Bailey, who can be reached at (425) 339-4775 or Bailecg@dshs.wa.gov.

Additional Services for Adolescents and their Families:

Crisis Residential Centers (CRCs) are no longer under DSHS CA and are managed by the Department of Commerce Office of Homeless Youth. Therefore, CA is not able to refer to or assist with accessing CRCs and requests should be made to the Department of Commerce.

Responsible Living Skills Program:

Description of Services:

The Responsible Living Skills Program (RLSP) provides a supervised residential program that encourages positive youth development and teaches youth independent living skills. The program structure, philosophy, service planning and delivery shall emphasize the following:

- a. Youth achieves competency in independent living skills.
- b. Youth participation in personal decision making.
- c. Youth participation in program planning, implementation and evaluation.
- d. Youths' contribution of time, talent and skills to the community.

Eligibility

Adolescents are eligible for RLSP placements if they meet the following criteria:

1. Teen must meet the definition of a "street youth" in that they are under 18 years of age, and are living outdoors or in another unsafe location not intended for occupancy by the minor; and one who is not residing with his or her parent, or at his or her legally authorized residence.
2. YOUTH MUST HAVE RESIDED IN A HOPE CENTER OR IN A SECURE CRISIS RESIDENTIAL CENTER PRIOR TO ADMITTANCE INTO A RLSP. – NOTE: THIS REQUIREMENT MAY BE WAIVED BY SOCIAL WORKER IF HE/SHE FEELS THAT GIVEN THE MINOR'S CURRENT CIRCUMSTANCES RLSP IS THE MOST APPROPRIATE PLACEMENT FOR THE YOUTH.
3. Youth must already be dependent under Chapter 13.34 RCW.
4. Youth's primary and alternate permanency planning goals are not to return home.

Priority for entrance into the RLSP program shall be as follows:

1. First priority for RLSP beds shall be for youth age 16 to 17 years old whose primary permanency planning goals are not to return home, and for whom placement in an RLSP will enable the youth to make a transition from a street living situation to an independent living situation.
2. Second priority shall be for youth age 14 to 15 years old who are not succeeding in

family based foster care, and for whom placement in an RLSP would enable the youth to make a transition from a street living situation to a more stable supervised living environment.

Independent Living/Transitional Living Services

Description Services -- The contractor shall provide services, as required, to help clients prepare to live independently by increasing their skills, knowledge and competency in the following areas:

- Achievement in the following areas shall be considered as performance goals:
- Educational Stability and Achievement
- Post secondary education preparation
- Income Maintenance
- Employment/Vocational Readiness and Placement
- Housing
- Daily Living Skills
- Interpersonal Skills
- Youth Self Advocacy
- Bridging of healthy connections to biological and extended family
- ILS funds, up to \$500, may be available to provide support for the youth to meet their IL goals.

Eligibility for the Independent Living Program (including Transitional Living services)

- Youth must be 15 years old or older (through their 21st birthday), is/was in foster care in an open dependency action through DSHS or a tribal child welfare agency for at least 30 days after their 15th birthday.
- Youth may not be in a Dependency Guardianship that was established prior to the age 15. Once initial eligibility is determined the youth will continue to be eligible until age 21 regardless of any permanent plan achieved after the age of 15 (return home, guardianship, adoption)

Note: Transitional \$ may be available to assist eligible youth to obtain concrete items to assist in achieving their IL goals from ages 18 up to 21 years of age.

Sexually Aggressive Youth Services

The Division of Children and Family Services (DCFS) receives annual funding to contract the services of therapists that specialize in this area of evaluation and treatment.

As defined by the Revised Code of Washington (RCW) 74.13.075, sexually aggressive youth are described as having the following characteristics and circumstances:

- Have been abused and have committed a sexually aggressive act or other violent act that is sexual in nature; and
- Are in the care and custody of the state or a federally recognized tribe located within the state; or
- Are the subject of a proceeding under chapter 13.34 RCW or a child welfare proceeding held before a trial court located within the state; or
- Cannot be detained under the juvenile justice system due to being under age twelve and incompetent to stand trial for acts that could be prosecuted as sex offenses as defined by RCW 9.94A.030 if the juvenile was over twelve years of age, or competent to stand trial if under twelve years of age.

EDUCATION AND TRAINING VOUCHER (ETV) PROGRAM

Service/\$\$

- Provides financial assistance based on unmet need up to \$5000 annually toward the cost of attendance for an accredited university, college, vocational or trade school
- Students in Running Start or a Dual Credit Program are eligible to receive \$2000 per academic year Individualized awards are unique to each student

Eligibility

The ETV program provides financial assistance for current and former foster youth for post-secondary education. You may be eligible if you are enrolled in or accepted for a post-secondary degree or certificate program and any one of the following applies:

- You are 16 years old or older, are currently involved in dependency action in a Washington state or tribal court, are in the custody of the Department of Social and Health Services or a tribal child welfare agency, and are in foster care.*
- You are age 18 to 20 and exited state or tribal foster care because you reached the age of majority at age 18. Youth who exited foster care in a state other than Washington may be eligible for the Washington ETV program.
- You are age 16 to 20 and left Washington state or tribal foster care at age 16 or older for an adoptive or relative guardianship placement.
- You are age 21 to 23 and received ETV funds before your 21st birthday.

Once you are qualified to receive ETV, you can receive funds each year as long as you are enrolled in school at least half time, are maintaining a 2.0 grade point average, and are under 23 years old.

*"Foster care" means 24-hour per day temporary substitute care for a child placed away from the child's parents and for whom the Department of Social of Health Services, a licensed or certified child placing agency, or a tribe has placement and care responsibility. This includes but is not limited to placements in foster family homes, foster homes of relatives, licensed group homes, emergency shelters, staffed residential facilities, and pre-adoptive homes, regardless of whether the Department licenses the home or facility and/or makes payments for care of the child.

January 1, 2014 – Updates to Service Array:

- **Promoting First Relationships (PFR) Enhanced** – New Evidence Based Practice
 - For caregivers and children ages birth to 3 years of age
 - Outcome – caregiver develops responsive and nurturing caregiver-child relationships
 - Provided in the family home and last 10 to 14 weeks
 - Allows the PFR counselor up to 12 additional hours to support the family with other service related goals (e.g. support family with household safety issues, attend staffings as invited)
 - Access to \$500 in concrete funds

- **Family Support Services (FSS) – New In-home Service**
 - For caregivers and children birth to 18 years of age
 - Outcome - crisis de-escalation, increasing safety in the home, and connecting families with community supports (formal and informal)
 - Delivered in the family home and last up to 30 hours within 30 days
 - Access to \$500 in concrete funds

- **SafeCare Enhanced** – Modified Evidence Based Practice
 As of January 1, 2014 the SafeCare service will be modified to include up to:
 - For caregivers and children ages birth to 5 years of age
 - Outcomes – increase parenting skills and safety in the home
 - \$500 in concrete funds
 - Allows the SafeCare counselor up to 12 additional hours to support the family with other service related goals (e.g. support family with household safety issues, attend staffings as invited)

If you have questions please contact your regional In-home Service Leads below:

Regional Program Leads		
Region 1	Annie Kurtz	Annie.Kurtz@dshs.wa.gov
Region 1	Rebecca Wilson	Rebecca.Wilson@dshs.wa.gov
Region 2	Bill Barrett	William.Barrett@dshs.wa.gov
Region 3	Veronica Hinojosa	Veronica.Hinojosa@dshs.wa.gov

ATTACHMENT D – Dispute resolution

In light of the sovereign government status of Tribes, when consultation alone has not been successful in resolving issues at the regional level, Tribes have the authority to raise the issues to the Assistant Secretary, Secretary, or the Governor.

Nothing herein shall be deemed to waive the sovereign immunity of the Stillaguamish Tribe of Indians, or its enterprises, agents, or employees.

ATTACHMENT E: Tribal Resolution

