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Authorized Signature

**Number:** CW\_PT\_07\_003  
**Issue Date:** 03/26/2007

**Topic:** Adoptions

**Transmitting (check the box that best applies):**

New Policy   
  Policy Change   
  Policy Clarification   
  Executive Letter  
 Administrative Rule   
  Manual Update   
  Other: \_\_\_\_\_

**Applies to (check all that apply):**

All DHS employees                     
  County Mental Health Directors  
 Area Agencies on Aging                     
  Health Services  
 Children, Adults and Families                     
  Seniors and People with Disabilities  
 County DD Program Managers                     
  Other (please specify): \_\_\_\_\_

Policy/Rule Title:	Adoption Placement Selection and Designation of Placement for the Purpose of Adoption		
Policy/Rule Number(s):	I-G.1.5/ OAR 413-120-0020, 413-120-0040, 413-120-0075 and I-G.1.9	Release No:	
Effective Date:	02/26/07	Expiration:	08/24/07
References:			
Web Address:	<a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g15.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g15.pdf</a> <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g19.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g19.pdf</a>		

**Discussion/Interpretation:** OAR 413-120-0020, 413-120-0040 and 413-120-0075 have been amended to clarify Department practice when selecting an adoptive placement for a child for whom the Indian Child Welfare Act (ICWA) placement preferences apply. The Department practice was developed to follow the placement preference requirements of ICWA. The amendments to these rules make it clear that the Department will follow the tribe's placement preference (i.e. member of the child's extended family, other members of the Indian child's tribe, other Indian families) as required by federal law. These amendments clarify that no adoption committee is required when the ICWA placement preferences apply and there is written documentation of the tribe's adoptive placement choice (i.e. written statement or letter from the tribe, documentation in a court order of the tribe's verbal statements in court).

The amendment to Policy I-G.1.9, F. (1) (e) clarifies that, in the cases described above, written documentation specifying the tribe's adoptive placement choice shall be used in place of the Current Caretaker Report (form CF 251), (both preliminary and final reports), or the Adoption Selection Report (form CF 250), in order for the placement to be designated a placement for the purpose of adoption. Again, this has been the practice of the Department in order to comply with ICWA placement preferences.

**Implementation/Transition Instructions:** This is current practice in order to comply with ICWA.

**Training/Communication Plan:** This is current practice in order to comply with ICWA; therefore, no major training will occur. Information that the practice has been clarified in rule will be disseminated through this Policy Transmittal, DHS Permanency and Adoption Councils, and already established DHS adoption trainings such as the Freeing and Placing Children for Adoption training.

**Local/Branch Action Required:** Continue adoption selection practice as outlined in the amended rules/policies.

**Central Office Action Required:** Continue adoption selection and designation practice as outlined in the amended rules/policies.

**Field/Stakeholder review:**  Yes  No

**If yes, reviewed by:** These amendments were filed as temporary rules. Field and stakeholder review will occur in the upcoming months.

**Filing Instructions:**

*If you have any questions about this policy, contact:*

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