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## **State officials pleased with new regulations to protect Native children**

*55 percent of children in out-of-home placements are Alaska Native*

ANCHORAGE — Last week the Bureau of Indian Affairs released new regulations on the implementation of the Indian Child Welfare Act (ICWA). The regulations provide more clarity and guidance for areas of the law that have historically been left up to broad interpretation.

Congress passed the ICWA in 1978 to address the policies and practices that resulted in an alarmingly high percentage of American Indian/Alaska Native children being separated from their families after allegations of abuse or neglect. While the State of Alaska has made many efforts over the years to embed the ICWA standards into state laws, policy and practice, it has yet to achieve the breadth of the desired effects of this important federal law. Alaska Native children make up just under 20% of Alaska's child population, yet 55% of children in out-of-home foster care placements are Alaska Native.

“These new regulations provide greater clarity and clear direction to ensure increased compliance and better outcomes for Alaska Native children and their families,” said Department of Health and Social Services Commissioner Valerie Davidson.

The regulations address ambiguities in the ICWA which have led to inconsistent application and a lack of compliance with the spirit of ICWA, which is to preserve

American Indian/Alaska Native families. Among the many areas addressed, the final rule promotes early identification of when the ICWA applies, emphasizes placement with relatives or children in foster care and adoptive placements and establishes parameters for what is “good cause” to depart from placement preferences. It also clarifies when cases should be transferred to tribal jurisdiction.

“The new rules will go a long way in helping us to collaboratively enforce and apply the intent of the ICWA in Alaska’s child welfare program,” said Office of Children’s Services Director Christy Lawton.

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