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April 12, 1999

Lyle Quasim, Secretary
Washington State Department of Social and Health Services
1115 Washington Street S.E.
OB-44
Olympia, WA 98504

Re: Compliance Review of Adoption and Placement Agencies
Department of Social and Health Services/Division of Children
and Families/Region 4
Docket Number 10987005

Dear Mr Quasim:

On January 21, 1998, the Office for civil Rights (OCR), U.S. Department of Health and Human Services (HHS), notified you of a compliance review of DSHS Division of Children and Family Services (DCFS), Region 4. The review pertained to the DSHS adoption programs and their compliance with the interethnic adoption provisions of the Small Business Job Protection Act of 1996 at Section 1808. You were notified that the issue presented in this review was:

Whether DSHS/DCFS/Region 4 delays or denies the placement of a child for adoption on the basis of race, color, or national origin of the adoptive parent or the child involved, in violation of Section 1808(c)(1) of the Small Business Job Protection Act of 1996.

On April 23, 1998, DSHS/DCFS officials responded to our initial data request. OCR asked for clarification of certain definitions used by the DCFS officials in July of 1998 for purposes of data collection.

During the weeks of August 17 and 24, 1998, the OCR compliance review team of Dolores Braun, Bennett Prows and Gloria Silas Webster conducted interviews, and reviewed case files at the Region 4 DCFS Offices in King County. Based on the data submitted and the information gathered during the on-site activities, OCR scheduled a meeting with DCFS officials to discuss remedies to problem areas revealed by the investigation.

On September 29, 1998, the team members, along with Susan Sanders of the Administration For Children and Families, HHS, met with DSHS staff in Olympia to discuss the preliminary findings in the review,

and to work with the officials to identify possible remedies to problem areas. The DSHS officials consented to present an action plan to OCR setting forth certain steps to be taken to ensure compliance with the provisions of Section 1808 and to develop training materials to be presented to all DCFS staff with the cooperation and participation of OCR. This agreement would obviate the need for a formal letter of findings.

Based on subsequent correspondence and discussion with DSHS/DCFS officials, OCR and DSHS reached a final compliance plan which was signed by you on March 19, 1999 and by me on April 8, 1999. This agreement sets forth the steps that have been taken to date demonstrating the good faith efforts of DSHS to comply with Section 1808, and to provide the vehicle for ongoing efforts to train DCFS staff on the requirements of Section 1808 in adoption decisions. Additionally, as a result of a follow up meeting with DCFS officials in Seattle on January 19, 1999, DSHS issued a statement to its staff strongly affirming the obligations of DSHS to comply with the interethnic provisions of the Small Business Job Protection Act, and to affirm that delay or denial of adoption of children based on considerations of race, color or national origin is prohibited. The DSHS manuals concerning the practices and procedures used by caseworkers and other officials concerning adoption were reviewed and revised as necessary to reflect the updated requirements of the Section 1808 provisions relating to removal of barriers to interethnic adoption and foster care.

Therefore, based on the agreement and steps taken to date by DSHS, we find the DSHS in compliance with Section 1808(c)(1)(A)(B) with respect to the issue in this review. The finding of compliance applies only to the issue raised in this review, and does not apply to any other matter of compliance which may be pending or filed with OCR.

This letter is written to notify you that we are closing the compliance review of DSHS/DCFS Region 4 as of this date. We will, of course, continue to work with the DCFS in ongoing activities to train staff and engage in other compliance activities outlined in the agreement.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event OCR receives such a request, we will seek to protect, to the extent provided by law, personal information which, if released, would constitute an unwarranted invasion of privacy.

I want to thank you and your staff for the excellent cooperation shown by all involved in this activity to date. If you have any questions or wish to discuss our continuing efforts to ensure compliance with Section 1808, please feel free to contact this Office.

Sincerely,

Carmen Palomera Rockwell
Regional Manager
Office for civil Rights
Region X

cc: Steve Henigson, Administration For Children and Families
Enclosure: Signed Compliance Plan