

1.1 Senator moves to amend S.F. No. 1013 as follows:

1.2 Page 1, after line 5, insert:

1.3 "Section 1. Minnesota Statutes 2016, section 260.771, subdivision 4, is amended to read:

1.4 Subd. 4. **Effect of tribal court placement orders.** (a) To the extent that any child subject
1.5 to sections 260.755 to 260.835 is otherwise eligible for social services, orders of a tribal
1.6 court concerning placement of such child shall have the same force and effect as orders of
1.7 a court of this state. In any case where the tribal court orders placement through a local
1.8 social services agency, the court shall provide to the local agency notice and an opportunity
1.9 to be heard regarding the placement. Determination of county of financial responsibility
1.10 for the placement shall be determined by the local social services agency in accordance
1.11 with section 256G.02, subdivision 4. Disputes concerning the county of financial
1.12 responsibility shall be settled in the manner prescribed in section 256G.09.

1.13 (b) In the case of a child who is a resident of Minnesota and subject to sections 260.755
1.14 to 260.835, involved in a proceeding under chapter 260C, which has been transferred from
1.15 state court to tribal court within Minnesota and where the tribal court continues or orders
1.16 placement of the child with a relative of the child's extend family, as defined in United
1.17 States Code, title 25, section 1915, the state of Minnesota shall be financially responsible
1.18 for any nonfederal share of the child's placement upon transfer to tribal court when the
1.19 county of financial responsibility certifies that, at the time the matter is transferred to tribal
1.20 court:

1.21 (1) the child is placed with a relative of the child's extended family under United States
1.22 Code, title 25, section 1915;

1.23 (2) the child's placement is not fully licensed under chapter 245A after active efforts on
1.24 the part of the county to license the home; and

1.25 (3) payments for foster care or adoption are not barred under United States Code, title
1.26 42, section 671.

1.27 (c) The commissioner shall establish administrative procedures and working agreements
1.28 with Minnesota tribes in order to implement the requirements of paragraph (b).

1.29 Sec. 2. Minnesota Statutes 2016, section 260C.215, subdivision 4, is amended to read:

1.30 Subd. 4. **Duties of commissioner.** The commissioner of human services shall:

2.1 (1) provide practice guidance to responsible social services agencies and licensed
2.2 child-placing agencies that reflect federal and state laws and policy direction on placement
2.3 of children;

2.4 (2) develop criteria for determining whether a prospective adoptive or foster family has
2.5 the ability to understand and validate the child's cultural background;

2.6 (3) provide a standardized training curriculum for adoption and foster care workers and
2.7 administrators who work with children. Training must address the following objectives:

2.8 (i) developing and maintaining sensitivity to all cultures;

2.9 (ii) assessing values and their cultural implications;

2.10 (iii) making individualized placement decisions that advance the best interests of a
2.11 particular child under section 260C.212, subdivision 2; and

2.12 (iv) issues related to cross-cultural placement;

2.13 (4) provide a training curriculum for all prospective adoptive and foster families that
2.14 prepares them to care for the needs of adoptive and foster children taking into consideration
2.15 the needs of children outlined in section 260C.212, subdivision 2, paragraph (b), and, as
2.16 necessary, preparation is continued after placement of the child and includes the knowledge
2.17 and skills related to reasonable and prudent parenting standards for the participation of the
2.18 child in age or developmentally appropriate activities, according to section 260C.212,
2.19 subdivision 14;

2.20 (5) develop and provide to responsible social services agencies and licensed child-placing
2.21 agencies a home study format to assess the capacities and needs of prospective adoptive
2.22 and foster families. The format must address problem-solving skills; parenting skills; evaluate
2.23 the degree to which the prospective family has the ability to understand and validate the
2.24 child's cultural background, and other issues needed to provide sufficient information for
2.25 agencies to make an individualized placement decision consistent with section 260C.212,
2.26 subdivision 2. For a study of a prospective foster parent, the format must also address the
2.27 capacity of the prospective foster parent to provide a safe, healthy, smoke-free home
2.28 environment. If a prospective adoptive parent has also been a foster parent, any update
2.29 necessary to a home study for the purpose of adoption may be completed by the licensing
2.30 authority responsible for the foster parent's license. If a prospective adoptive parent with
2.31 an approved adoptive home study also applies for a foster care license, the license application
2.32 may be made with the same agency which provided the adoptive home study; ~~and~~

3.1 (6) consult with representatives reflecting diverse populations from the councils
3.2 established under sections 3.922 and 15.0145, and other state, local, and community
3.3 organizations; and

3.4 (7) work with Minnesota tribes and counties to develop and implement strategies to
3.5 meet these goals for Indian children:

3.6 (i) reduce the number of Indian children in foster care;

3.7 (ii) decrease the length of time Indian children spend in foster care;

3.8 (iii) increase the number of relatives of Indian children who can be licensed to provide
3.9 foster care in order to increase compliance with preference for placement with the child's
3.10 extended family under United States Code, title 25, section 1915; and

3.11 (iv) expedite transfer of cases from state court jurisdiction to tribal jurisdiction for
3.12 children subject to sections 260.755 to 260.835.

3.13 Sec. 3. Minnesota Statutes 2016, section 260C.215, is amended by adding a subdivision
3.14 to read:

3.15 Subd. 4a. **Report to legislature.** The commissioner shall annually report strategies
3.16 implemented and resulting outcomes under subdivision 4, clause (7), to the chairs and
3.17 ranking minority members of the senate and house of representatives committees having
3.18 jurisdiction over issues related to children placed in foster care."

3.19 Renumber the sections in sequence and correct the internal references

3.20 Amend the title accordingly