



# NOOKSACK TRIBAL COUNCIL

4979 Mt. Baker Hwy, Suite G.  
PO Box 157  
Deming, WA 98244

RESOLUTION #16-62  
May 5<sup>th</sup>, 2016

**TITLE:** REAFFIRMING THE NOOKSACK CHILD PROTECTION TEAM, DEFINING ITS COMPOSITION AND EXPOUNDING ITS MISSION

**WHEREAS,** the Nooksack Indian Tribe is a party to the Treaty of Point Elliot dated January 22, 1855, 12 Stat. 927, and is a sovereign, federally-recognized Indian Tribe; and

**WHEREAS,** the Nooksack Tribal Council is the governing body of the Nooksack Indian Tribe in accordance with Article III, Section 1 of its Constitution and Bylaws approved by the Deputy Assistant Secretary of Indian Affairs on September 24, 1973, as amended; and

**WHEREAS,** the health, safety, welfare, education, economic security, employment and preservation of cultural and natural resources are primary goals and objectives of the Nooksack Indian Tribe; and

**WHEREAS,** the Nooksack Tribal Council declares that its children are its highest priority; and

**WHEREAS,** the Nooksack Tribal Council has a compelling interest in safeguarding, protecting and securing for each child in the Nooksack Community such care and guidance as will serve the emotional, mental, and physical welfare of the child and the best interests of the Nooksack Indian Tribe; and


**WHEREAS,** the Nooksack Child Protection Team (CPT) is a multidisciplinary team of professionals which was previously created and tasked with ensuring the best interests of the Nooksack children in need of protection.

**NOW THEREFORE BE IT RESOLVED,** that the Nooksack Tribal Council reaffirms the formation of the Nooksack CPT and the following language shall govern the CPT in its work:

## Composition

- 1) The CPT shall consist of representatives from the following Nooksack Departments and Programs which work with children and families:
  - a. Family Services;
    - i. ICW; and
    - ii. Child Support
  - b. Tribal Police Department;
  - c. Office of the Reservation Attorney;

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- d. Health Department;
    - i. Behavioral Health;
    - ii. Genesis II/SAMHSA; and
    - iii. Clinic
  - e. Culture;
  - f. Education;
  - g. Youth Department;
  - h. Housing;
  - ~~i. Enrollment, and~~ 
  - j. Social Services.
- 2) No Representative of CPT shall have a closed or open CPS case. CPS investigation cases that were concluded with “unfounded”, are acceptable.
  - 3) The Director of the Departments listed above shall designate at least one representative from the enumerated departments/programs
    - a. Consistent and regular attendance by the representatives of the programs listed above is necessary for optimum functioning of the CPT.
  - 4) The CPT shall also welcome liaisons from neighboring school districts who regularly work with Nooksack families, such as, the Family Resource Coordinator from the Nooksack and Mt. Baker school districts.
  - 5) When cases involving Nooksack children in need of protection are being co-managed by social workers from other state and/or Tribal jurisdiction, those workers shall be welcomed to present information to the CPT.
  - 6) The Manager of the Nooksack ICW Program shall chair the CPT and coordinate meetings.
  - 7) The CPT shall make decisions based on decision of the majority of persons attending a meeting for which there has been notice.
  - 8) CPT members shall excuse themselves prior to discussion of cases involving family members as defined in the Nooksack Personnel Policy Manual § 5.11.
 

• Spouse	• Spouse’s Mother/Father
• Mother/Father	• Spouse’s Sister
• Child	• Spouse’s Brother
• Sister/Brother	• Spouse’s Child
• Step-Mother/Father	• Spouse’s Grandmother/Grandfather
• Step-Sister/Brother	• Spouse’s Grandchild
• Grandmother/Grandfather	• Spouse’s Aunt/Uncle
• Aunt/Uncle	• Spouse’s Niece/Nephew
• Niece/Nephew	• Brother/Sister-In law

### **Mission**

The CPT shall meet regularly to:

- 1) Provide a forum for debating what actions would best promote the well-being of Nooksack Children;
- 2) Advise and consult in matters related to Nooksack children in need of protection, such as, but not limited to:



- a. Whether a Nooksack child is in danger of harm;
  - b. Whether a Child in Need of Protection, Youth at Risk, or Dependency Petition should be filed in Tribal or State Court;
  - c. Whether a child should be removed from the child's home either temporarily or on a longer basis;
  - d. Where a child should be placed if the child cannot be placed with a parent, with a preference to recommending the child be placed with a family member in the child's own community;
    - i. Extended family is particularly important to children in need of protection. A preference shall be given to placing a child with a family member, should the parents not be willing or able to care for the child.
    - ii. The CPT shall have the authority to determine whether a prospective placement is an "extended family member" pursuant to NCL § 15.02.010(7) , RCW § 74.15.020(2)(a)(vi), and 25 USC § 1903(2) .
  - e. Whether the Tribe should request transfer jurisdiction over a child dependency court proceeding from another jurisdiction to Tribal Court;
  - f. Whether the Tribe shall seek to legally intervene in a foreign case involving a Nooksack child;
  - g. Whether a legally free Nooksack child should be adopted;
    - i. Pursuant to Resolution #11-14, the CPT will not support the involuntary terminations of parental rights in dependencies
  - h. Whether or not to support a prospective adoptive home for a legally free Nooksack child;
  - i. Identification of available community resources, programs, and services;
- 3) Recommend actions to social workers to promote the care of children;
  - 4) Promote cooperation, communication, and consistency between agencies working with Nooksack children; and
  - 5) Assist in the development and implementation of plans to promote the long-term wellbeing of children and their families.


**BE IT FURTHER RESOLVED**, that the Chairman (or other councilperson in his/her absence) is hereby authorized and directed to execute this resolution and any documents connected here within, and the Vice-Chairman (or other councilperson in his/her absence) are authorized and directed to execute the following certification.

### CERTIFICATION


I, the undersigned do hereby certify that the Nooksack Tribal Council is composed of eight (8) members, of which 7 were present, constituting a quorum of a duly called meeting thereof held on this 5<sup>th</sup> day of May 2016, and that the above Resolution #16-62 approving the **mission and composition of Nooksack Indian Tribe's CPT** was duly enacted by the Council

Members vote of: 6 FOR, 0 OPPOSED, and 0 ABSTENTIONS, and since its approval this resolution has not been altered, rescinded, or amended in any way.

Dated this 5<sup>th</sup> day of may 2016.

  
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Robert Kelly, Jr., Chairman  
Nooksack Tribal Council

**ATTEST:**

  
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Rick D. George, Vice Chairman  
Nooksack Tribal Council