

SENATE BILL REPORT

SHB 2568

As Reported By Senate Committee On:
Human Services & Corrections, February 27, 2002

Title: An act relating to formalizing the relationship between the department of social and health services and the state school for the deaf.

Brief Description: Formalizing the relationship between the department of social and health services and the state school for the deaf.

Sponsors: House Committee on Children & Family Services (originally sponsored by Representatives Dickerson, Tokuda, Kagi, Fromhold, Ogden, Chase, Jackley and McDermott).

Brief History:

Committee Activity: Human Services & Corrections: 2/20/02, 2/27/02 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

Staff: Edith Rice (786-7444)

Background: In November, 2001 the Office of the Family and Children's Ombudsman (OFCO) issued a review of the Washington State School for the Deaf (WSD). WSD is a state agency that serves deaf and hard-of-hearing children, ages three to 21. WSD has a residential and academic program. OFCO's review was prompted by student safety concerns raised by WSD parents after several alleged sexual assaults had been reported during the 1998-99 school year. WSD's superintendent established a Blue Ribbon Committee to review WSD's operations, including student safety. A final report was issued in March 2000.

In February 2001, following a student-on-student sexual incident at WSD, Governor Locke directed the WSD superintendent to commission two external reviews. One was to review student safety in WSD's residential program and the other was to examine the school's governance structure. The OFCO review differed from these other reviews in the following manner. OFCO sought to develop an accurate understanding of the nature and extent of sex-related incidents that were reported at WSD. It also sought to examine the response to these incidents by WSD, Child Protective Services (CPS) and law enforcement.

The OFCO review made a number of recommendations in the following areas: Incident Documentation and Record Keeping, Behaviorally Disturbed Students, Expert Consultation on Sexual Aggression and Victimization, and Child Protective Services and Department of Licensed Resources. In this last topic area, OFCO recommended that CPS be formally authorized to investigate incidents at WSD involving alleged child abuse or neglect. OFCO

also recommended that the Department of Licensed Resources (DLR) be given authority to follow up on safety-related deficiencies and concerns at WSD and to take action if school administrators do not act to address them.

Summary of Amended Bill: The Department of Social and Health Services (DSHS) is authorized to investigate all incidents involving child abuse and neglect at the Washington State School for the Deaf. DSHS must make recommendations for safety improvements following such an investigation. On a quarterly basis, DSHS must inspect and make recommendations to WSD for child health and safety improvements. DSHS must conduct a comprehensive child health and safety review of the WSD residential program every three years and must make the first report to the Governor and Legislature by December 2, 2004.

The WSD must provide full records access to DSHS in order to carry out its duties under this law.

Amended Bill Compared to Substitute Bill: References to department investigation are properly placed in the code section relating to child abuse. The department is to monitor only the residential program at the Washington School for the Deaf. The department reviews will address child health and safety. WSD will provide full records access to the department when it performs investigative or monitoring functions. The safety standards to be used by the department are those which apply to the WSD under RCW 72.40.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: We support the bill.

Testimony Against: None.

Testified: Nancy Zahn, Department of Social and Health Services.