

SHB 1472 - S COMM AMD

By Committee on Human Services & Corrections

ADOPTED 04/05/2007

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that one in five of  
4 Washington's one and one-half million children are children of color.  
5 Broken out by racial groups, approximately six percent of children are  
6 Asian/Pacific Islander, six percent are multiracial, four and one-half  
7 percent are African American, and two percent are Native American.  
8 Thirteen percent of Washington children are of Hispanic origin, but  
9 representation of this group increases in the lower age ranges. For  
10 example, seventeen percent of children birth to four years of age are  
11 Hispanic.

12 The legislature also finds that in counties such as Adams,  
13 Franklin, Yakima, and Grant, more than half of the births are of  
14 Hispanic origin. Three-quarters of the state's African American  
15 children and two-thirds of Asian/Pacific Islander children live in King  
16 and Pierce counties. The legislature finds further that despite some  
17 progress closing the achievement gap in recent years, children of color  
18 continue to lag behind their classmates on the Washington assessment of  
19 student learning. In 2005 children of color trailed in every category  
20 of the fourth-grade reading, writing, and math assessments. On the  
21 reading test alone, sixty-nine percent of African American students,  
22 sixty-four percent of native American students, and sixty-one percent  
23 of Hispanic students met the standards, compared with eighty-five  
24 percent of caucasian students. And, since 1993, the number of  
25 Washington students for which English is not their first language has  
26 doubled to more than seven percent of students statewide.

27 The legislature finds further that according to national research,  
28 African American children enter the child welfare system at far higher  
29 rates than caucasian children, despite no greater incidence of  
30 maltreatment in African American families compared to caucasian

1 families. This trend holds true for Washington state, where African  
2 American children represent approximately nine and one-half percent of  
3 the children in out-of-home care even though they represent slightly  
4 more than four percent of the state's total child population. Native  
5 American children represent slightly over ten percent of the children  
6 in out-of-home care although they represent only two percent of the  
7 children in the state. In King county, African American and Native  
8 American children are over represented at nearly every decision point  
9 in the child welfare system. Although these two groups of children  
10 represent only eight percent of the child population in King county,  
11 they account for one-third of all children removed from their homes and  
12 one-half of children in foster care for more than four years.

13 The legislature finds also that children of immigrants are the  
14 fastest growing component of the United States' child population.  
15 While immigrants are eleven percent of the nation's total population,  
16 the children of immigrants make up twenty-two percent of the nation's  
17 children under six years of age. These immigrant children are twice as  
18 likely as native-born children to be poor.

19 NEW SECTION. **Sec. 2.** (1) The secretary of the department of  
20 social and health services shall convene an advisory committee to  
21 analyze and make recommendations on the disproportionate representation  
22 of children of color in Washington's child welfare system. The  
23 department shall collaborate with the Washington institute for public  
24 policy and private sector entities to develop a methodology for the  
25 advisory committee to follow in conducting a baseline analysis of data  
26 from the child welfare system to determine whether racial  
27 disproportionality and racial disparity exist in this system. The  
28 Washington institute for public policy shall serve as technical staff  
29 for the advisory committee. In determining whether racial  
30 disproportionality or racial disparity exists, the committee shall  
31 utilize existing research and evaluations conducted within Washington  
32 state, nationally, and in other states and localities that have  
33 similarly analyzed the prevalence of racial disproportionality and  
34 disparity in child welfare.

35 (2) At a minimum, the advisory committee shall examine and analyze:  
36 (a) The level of involvement of children of color at each stage in the  
37 state's child welfare system, including the points of entry and exit,

1 and each point at which a treatment decision is made; (b) the number of  
2 children of color in low-income or single-parent families involved in  
3 the state's child welfare system; (c) the family structures of families  
4 involved in the state's child welfare system; and (d) the outcomes for  
5 children in the existing child welfare system. This analysis shall be  
6 disaggregated by racial and ethnic group, and by geographic region.

7 (3) The committee of not more than fifteen individuals shall  
8 consist of experts in social work, law, child welfare, psychology, or  
9 related fields, at least two tribal representatives, a representative  
10 of the governor's juvenile justice advisory committee, a representative  
11 of a community-based organization involved with child welfare issues,  
12 a representative of the department of social and health services, a  
13 current or former foster care youth, a current or former foster care  
14 parent, and a parent previously involved with Washington's child  
15 welfare system. Committee members shall be selected as follows: (a)  
16 Five members selected by the senate majority leader; (b) five members  
17 selected by the speaker of the house of representatives; and (c) five  
18 members selected by the secretary of the department of social and  
19 health services. The secretary, the senate majority leader, and the  
20 speaker of the house of representatives shall coordinate appointments  
21 to ensure the representation specified in this subsection is achieved.  
22 After the advisory committee appointments are finalized, the committee  
23 shall select two individuals to serve as cochairs of the committee, one  
24 of whom shall be a representative from a nongovernmental entity.

25 (4) The secretary shall make reasonable efforts to seek public and  
26 private funding for the advisory committee.

27 (5) Not later than June 1, 2008, the advisory committee created in  
28 subsection (1) of this section shall report to the secretary of the  
29 department of social and health services on the results of the  
30 analysis. If the results of the analysis indicate disproportionality  
31 or disparity exists for any racial or ethnic group in any region of the  
32 state, the committee, in conjunction with the secretary of the  
33 department of social and health services, shall develop a plan for  
34 remedying the disproportionality or disparity. The remediation plan  
35 shall include: (a) Recommendations for administrative and legislative  
36 actions related to appropriate programs and services to reduce and  
37 eliminate disparities in the system and improve the long-term outcomes  
38 for children of color who are served by the system; and (b) performance

1 measures for implementing the remediation plan. To the extent possible  
2 and appropriate, the remediation plan shall be developed to integrate  
3 the recommendations required in this subsection with the department's  
4 existing compliance plans, training efforts, and other practice  
5 improvement and reform initiatives in progress. The advisory committee  
6 shall be responsible for ongoing evaluation of current and prospective  
7 policies and procedures for their contribution to or effect on racial  
8 disproportionality and disparity.

9 (6) Not later than December 1, 2008, the secretary shall report the  
10 results of the analysis conducted under subsection (2) of this section  
11 and shall describe the remediation plan required under subsection (5)  
12 of this section to the appropriate committees of the legislature with  
13 jurisdiction over policy and fiscal matters relating to children,  
14 families, and human services. Beginning January 1, 2010, the secretary  
15 shall report annually to the appropriate committees of the legislature  
16 on the implementation of the remediation plan, including any measurable  
17 progress made in reducing and eliminating racial disproportionality and  
18 disparity in the state's child welfare system.

19 NEW SECTION. **Sec. 3.** This act expires June 30, 2014."

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20 On page 1, line 2 of the title, after "welfare;" strike the  
21 remainder of the title and insert "creating new sections; and providing  
22 an expiration date."

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