
SUBSTITUTE HOUSE BILL 1472

State of Washington

60th Legislature

2007 Regular Session

By House Committee on Early Learning & Children's Services (originally sponsored by Representatives Pettigrew, Haler, Kagi, P. Sullivan, Walsh, Lovick, Barlow, Kenney, McCoy, Darneille, Hasegawa, Roberts, Hinkle, Santos, Appleton, Upthegrove, Williams, Moeller, Ormsby, VanDeWege, Schual-Berke and Dickerson)

READ FIRST TIME 02/06/07.

1 AN ACT Relating to analyzing and remedying racial
2 disproportionality and racial disparity in child welfare; creating new
3 sections; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

14 The legislature also finds that in counties such as Adams,
15 Franklin, Yakima, and Grant, more than half of the births are of
16 Hispanic origin. Three-quarters of the state's African American
17 children and two-thirds of Asian/Pacific Islander children live in King
18 and Pierce counties. The legislature finds further that despite some
19 progress closing the achievement gap in recent years, children of color

1 continue to lag behind their classmates on the Washington assessment of
2 student learning. In 2005 children of color trailed in every category
3 of the fourth-grade reading, writing, and math assessments. On the
4 reading test alone, sixty-nine percent of African American students,
5 sixty-four percent of native American students, and sixty-one percent
6 of Hispanic students met the standards, compared with eighty-five
7 percent of caucasian students. And, since 1993, the number of
8 Washington students for which English is not their first language has
9 doubled to more than seven percent of students statewide.

10 The legislature finds further that according to national research,
11 African American children enter the child welfare system at far higher
12 rates than caucasian children, despite no greater incidence of
13 maltreatment in African American families compared to caucasian
14 families. This trend holds true for Washington state, where African
15 American children represent approximately nine and one-half percent of
16 the children in out-of-home care even though they represent slightly
17 more than four percent of the state's total child population. Native
18 American children represent slightly over ten percent of the children
19 in out-of-home care although they represent only two percent of the
20 children in the state. In King county, African American and Native
21 American children are over represented at nearly every decision point
22 in the child welfare system. Although these two groups of children
23 represent only eight percent of the child population in King county,
24 they account for one-third of all children removed from their homes and
25 one-half of children in foster care for more than four years.

26 The legislature finds also that children of immigrants are the
27 fastest growing component of the United States' child population.
28 While immigrants are eleven percent of the nation's total population,
29 the children of immigrants make up twenty-two percent of the nation's
30 children under six years of age. These immigrant children are twice as
31 likely as native-born children to be poor.

32 NEW SECTION. **Sec. 2.** (1) The secretary of the department of
33 social and health services shall convene an advisory committee to
34 analyze and make recommendations on the disproportionate representation
35 of children of color in Washington's child welfare system. The
36 department shall collaborate with the Washington institute for public
37 policy and private sector entities to develop a methodology for the

1 advisory committee to follow in conducting a baseline analysis of data
2 from the child welfare system to determine whether racial
3 disproportionality and racial disparity exist in this system. The
4 Washington institute for public policy shall serve as technical staff
5 for the advisory committee. In determining whether racial
6 disproportionality or racial disparity exists, the committee shall
7 utilize existing research and evaluations conducted within Washington
8 state, nationally, and in other states and localities that have
9 similarly analyzed the prevalence of racial disproportionality and
10 disparity in child welfare.

11 (2) At a minimum, the advisory committee shall examine and analyze:
12 (a) The level of involvement of children of color at each stage in the
13 state's child welfare system, including the points of entry and exit,
14 and each point at which a treatment decision is made; and (b) the
15 outcomes for children in the existing systems. This analysis shall be
16 disaggregated by racial and ethnic group, and by geographic region.

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

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

37 (5) Not later than September 1, 2007, the advisory committee
38 created in subsection (1) of this section shall report to the secretary

1 of the department of social and health services on the results of the
2 analysis. If the results of the analysis indicate disproportionality
3 or disparity exists for any racial or ethnic group in any region of the
4 state, the committee, in conjunction with the secretary of the
5 department of social and health services, shall develop a plan for
6 remedying the disproportionality or disparity. The remediation plan
7 shall include: (a) Recommendations for administrative and legislative
8 actions related to appropriate programs and services to reduce and
9 eliminate disparities in the system and improve the long-term outcomes
10 for children of color who are served by the system; and (b) performance
11 measures for implementing the remediation plan. To the extent possible
12 and appropriate, the remediation plan shall be developed to integrate
13 the recommendations required in this subsection with the department's
14 existing compliance plans, training efforts, and other practice
15 improvement and reform initiatives in progress. The advisory committee
16 shall be responsible for ongoing evaluation of current and prospective
17 policies and procedures for their contribution to or effect on racial
18 disproportionality and disparity.

19 (6) Not later than January 1, 2008, the secretary shall report the
20 results of the analysis conducted under subsection (2) of this section
21 and shall describe the remediation plan required under subsection (5)
22 of this section to the appropriate committees of the legislature with
23 jurisdiction over policy and fiscal matters relating to children,
24 families, and human services. Beginning January 1, 2009, the secretary
25 shall report annually to the appropriate committees of the legislature
26 on the implementation of the remediation plan, including any measurable
27 progress made in reducing and eliminating racial disproportionality and
28 disparity in the state's child welfare system.

29 NEW SECTION. **Sec. 3.** This act expires June 30, 2013.

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