

---

HOUSE BILL 1472

---

State of Washington

60th Legislature

2007 Regular Session

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 01/19/2007. Referred to Committee on Early Learning & Children's Services.

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 the child welfare and juvenile justice systems  
36 of Washington. The department shall collaborate with the Washington  
37 institute for public policy and private sector entities to develop a

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

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

19 (3) The committee shall consist of experts in social work, law,  
20 child welfare, psychology, or related fields, and at least two tribal  
21 representatives, a representative of a community-based organization  
22 involved with child welfare or juvenile justice issues, a  
23 representative of the department of social and health services, a  
24 current or former foster care youth, a current or former foster care  
25 parent, and a parent previously involved with Washington's child  
26 welfare or juvenile justice systems. Committee members shall be  
27 selected as follows: (a) Three members selected by the senate majority  
28 leader; (b) three members selected by the speaker of the house of  
29 representatives; and (c) five members selected by the governor.

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

32 (5) Not later than September 1, 2007, the advisory committee  
33 created in subsection (1) of this section shall report to the secretary  
34 of the department of social and health services on the results of the  
35 analysis. If the results of the analysis indicate disproportionality  
36 or disparity exists for any racial or ethnic group in any region of the  
37 state, the committee, in conjunction with the secretary of the  
38 department of social and health services, shall develop a plan for

1 remedying the disproportionality or disparity. The remediation plan  
2 shall include: (a) Recommendations for administrative and legislative  
3 actions related to appropriate programs and services to reduce and  
4 eliminate disparities in the systems and improve the long-term outcomes  
5 for children of color who are served by the systems; (b) a  
6 recommendation for ongoing evaluation of current and prospective  
7 policies and procedures for their contribution to or effect on racial  
8 disproportionality or disparity; and (c) performance measures for  
9 implementing the remediation plan. To the extent possible and  
10 appropriate, the remediation plan shall be developed to integrate the  
11 recommendations required in this subsection with the department's  
12 existing compliance plans, training efforts, and other practice  
13 improvement and reform initiatives in progress.

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

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

--- END ---