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**SUBSTITUTE HOUSE BILL 2665**

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**State of Washington**

**63rd Legislature**

**2014 Regular Session**

**By** House Early Learning & Human Services (originally sponsored by Representatives Pettigrew, Kagi, Sawyer, Gregerson, Freeman, and Ortiz-Self; by request of Department of Social and Health Services)

READ FIRST TIME 02/05/14.

1           AN ACT Relating to the advisory committee on the disproportionate  
2 representation of children of color in Washington's child welfare  
3 system; amending RCW 74.13.096; adding new sections to chapter 43.131  
4 RCW; repealing 2009 c 520 s 96 (uncodified); repealing 2007 c 465 s 3  
5 (uncodified); and providing an effective date.

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

7           **Sec. 1.** RCW 74.13.096 and 2009 c 520 s 63 are each amended to read  
8 as follows:

9           (1) The secretary shall convene an advisory committee to analyze  
10 and make recommendations on the disproportionate representation of  
11 children of color in Washington's child welfare system. The department  
12 shall collaborate with the Washington institute for public policy and  
13 private sector entities to develop a methodology for the advisory  
14 committee to follow in conducting a baseline analysis of data from the  
15 child welfare system to determine whether racial disproportionality and  
16 racial disparity exist in this system. The Washington institute for  
17 public policy shall serve as technical staff for the advisory  
18 committee. In determining whether racial disproportionality or racial  
19 disparity exists, the committee shall utilize existing research and

1 evaluations conducted within Washington state, nationally, and in other  
2 states and localities that have similarly analyzed the prevalence of  
3 racial disproportionality and disparity in child welfare.

4 (2) At a minimum, the advisory committee shall examine and analyze:

5 (a) The level of involvement of children of color at each stage in the  
6 state's child welfare system, including the points of entry and exit,  
7 and each point at which a treatment decision is made; (b) the number of  
8 children of color in low-income or single-parent families involved in  
9 the state's child welfare system; (c) the family structures of families  
10 involved in the state's child welfare system; and (d) the outcomes for  
11 children in the existing child welfare system. This analysis shall be  
12 disaggregated by racial and ethnic group, and by geographic region.

13 (3) The committee of not more than fifteen individuals shall  
14 consist of experts in social work, law, child welfare, psychology, or  
15 related fields, at least two tribal representatives, a representative  
16 of the governor's juvenile justice advisory committee, a representative  
17 of a community-based organization involved with child welfare issues,  
18 a representative of the department, a current or former foster care  
19 youth, a current or former foster care parent, and a parent previously  
20 involved with Washington's child welfare system. Committee members  
21 shall be selected as follows: (a) Five members selected by the senate  
22 majority leader; (b) five members selected by the speaker of the house  
23 of representatives; and (c) five members selected by the secretary of  
24 the department. The secretary, the senate majority leader, and the  
25 speaker of the house of representatives shall coordinate appointments  
26 to ensure the representation specified in this subsection is achieved.  
27 After the advisory committee appointments are finalized, the committee  
28 shall select two individuals to serve as cochairs of the committee, one  
29 of whom shall be a representative from a nongovernmental entity. The  
30 advisory committee shall consult with the governor's office of Indian  
31 affairs, the Washington state commission on African-American affairs,  
32 the Washington state commission on Asian Pacific American affairs, and  
33 the Washington state commission on Hispanic affairs to develop  
34 membership rules by August 1, 2014. The membership rules must be  
35 included in the annual secretary's report required under subsection (7)  
36 of this section.

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

1 (5) Not later than June 1, 2008, the advisory committee created in  
2 subsection (1) of this section shall report to the secretary of the  
3 department on the results of the analysis. If the results of the  
4 analysis indicate disproportionality or disparity exists for any racial  
5 or ethnic group in any region of the state, the committee, in  
6 conjunction with the secretary of the department, shall develop a plan  
7 for remedying the disproportionality or disparity. The remediation  
8 plan shall include: (a) Recommendations for administrative and  
9 legislative actions related to appropriate programs and services to  
10 reduce and eliminate disparities in the system and improve the long-  
11 term outcomes for children of color who are served by the system; and  
12 (b) performance measures for implementing the remediation plan. To the  
13 extent possible and appropriate, the remediation plan shall be  
14 developed to integrate the recommendations required in this subsection  
15 with the department's existing compliance plans, training efforts, and  
16 other practice improvement and reform initiatives in progress. The  
17 advisory committee shall be responsible for ongoing evaluation of  
18 current and prospective policies and procedures for their contribution  
19 to or effect on racial disproportionality and disparity.

20 (6) The advisory committee shall conduct an analysis examining the  
21 number of children who have incarcerated parents at any time during  
22 their involvement with the child welfare system. This analysis shall  
23 be disaggregated by racial and ethnic group, and by geographic  
24 location.

25 (7) Not later than December 1, 2008, the secretary shall report the  
26 results of the analysis conducted under subsection (2) of this section  
27 and shall describe the remediation plan required under subsection (5)  
28 of this section to the appropriate committees of the legislature with  
29 jurisdiction over policy and fiscal matters relating to children,  
30 families, and human services. Beginning January 1, 2010, the secretary  
31 shall report annually to the appropriate committees of the legislature  
32 on the implementation of the remediation plan, including any measurable  
33 progress made in reducing and eliminating racial disproportionality and  
34 disparity in the state's child welfare system and findings from the  
35 analysis conducted under subsection (6) of this section.

36 NEW SECTION. Sec. 2. The following acts or parts of acts are each  
37 repealed:

- 1 (1) 2009 c 520 s 96 (uncodified); and  
2 (2) 2007 c 465 s 3 (uncodified).

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.131 RCW  
4 to read as follows:

5 The advisory committee shall be terminated on July 1, 2017, as  
6 provided in section 4 of this act.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.131 RCW  
8 to read as follows:

9 RCW 74.13.096 and 2014 c . . . s 1 (section 1 of this act), 2009 c  
10 520 s 63, & 2007 c 465 s 2, as now existing or hereafter amended, are  
11 each repealed, effective July 1, 2018.

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