

SENATE BILL REPORT

SB 5435

As Passed Senate, February 25, 2019

Title: An act relating to expanding membership of the department of children, youth, and families oversight board to include two youth under the age of twenty-five.

Brief Description: Expanding membership of the department of children, youth, and families oversight board to include two youth under the age of twenty-five.

Sponsors: Senators Wilson, C., Darneille, Keiser, Kuderer and Saldaña.

Brief History:

Committee Activity: Human Services, Reentry & Rehabilitation: 1/22/19, 1/23/19 [DP].

Floor Activity:

Passed Senate: 2/25/19, 49-0.

Brief Summary of Bill

- Expands the membership of the Department of Children, Youth and Families Oversight Board to include two youth under the age of twenty-five.

SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

Majority Report: Do pass.

Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland, O'Ban, Wilson, C. and Zeiger.

Staff: Alison Mendiola (786-7488)

Background: In 2017, the Oversight Board for the Department of Children, Youth and Families (DCYF) was created with the purpose of monitoring and ensuring that DCYF achieves the stated Legislative outcomes and complies with administrative acts, relevant statutes, rules and policies pertaining to early learning, juvenile rehabilitation, juvenile justice, and children and family services.

Powers of the Oversight Board. The Oversight Board has the following powers:

- receiving reports for the Office of Family and Children's Ombuds (OFCO);

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- obtaining records from the OFCO;
- selecting its officers and adopting rules;
- requesting investigations by the OFCO;
- requesting and receiving information from DCYF;
- determining whether DCYF meets its performance measures;
- conducting an annual review of a sampling of provider contracts to ensure that they are performance-based;
- conducting periodic surveys of providers, customers, parent groups, and external services; and
- issuing an annual report.

The Oversight Board has the authority to review decisions made by the internal review process for reviewing child care facility licensing compliance agreements developed by DCYF that do not involve violations of health and safety standards nor overturn, change, or uphold those decisions.

The Oversight Board is required to issue an annual report to the Governor and Legislature by December 1st of each year, with an initial report delivered by December 1, 2019. The report must review DCYF's progress towards meeting stated performance measures and desired performance outcomes, and must also include a review of the department's strategic plan, policies, and rules.

Board Membership. The Senate members of the board are appointed by the leaders of the two major caucuses of the Senate. The House of Representative members of the board are appointed by the leaders of the two major caucuses of the House of Representatives. The remaining board members are nominated by the Governor, subject to the approval of the appointed legislators by majority vote, and serve four-year terms.

The Oversight Board is comprised of members with the following expertise or affiliations:

- one child welfare caseworker;
- one child welfare subject matter expert;
- one early learning subject matter expert;
- one Eastern Washington tribal representative;
- one Western Washington tribal representative;
- one foster parent representative;
- one judicial representative over child welfare proceedings or other children's matters;
- one juvenile rehabilitation and justice subject matter expert;
- one law enforcement representative;
- four legislators, two from the House of Representatives and two from the Senate;
- one parent stakeholder;
- one from an organization that represents the best interest of the child;
- one expert in reducing disparities in child outcomes by income, race, and ethnicity;
- and
- one non-voting Governor's Office representative.

Summary of Bill: Two members are added to the Oversight Board: (1) one current or former foster youth representative, and (2) one person with current or former involvement in

the juvenile rehabilitation administration. Both members must be under the age of twenty-five.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: The Oversight Board is unique both to DCYF and to state government. It is great to have biological/birth parent representation so it make sense to add foster youth. There is really no better person to oversee the performance of DCYF than one who has experienced the system first hand. It is imperative to add a youth perspective, someone with lived experience who really understands the disparities in the system. There will likely be a House bill that includes these provisions. One suggestion is to ensure that the youth experienced foster care in Washington.

Persons Testifying: PRO: Senator Claire Wilson, Prime Sponsor; Laurie Lippold, Partners for Our Children; Johnathan Hemphill, The Mockingbird Society; Ryan Murrey, Executive Director, Washington State CASA.

Persons Signed In To Testify But Not Testifying: No one.