

FINAL BILL REPORT

SHB 2568

C 208 L 02

Synopsis as Enacted

Brief Description: Formalizing the relationship between the department of social and health services and the state school for the deaf.

Sponsors: By House Committee on Children & Family Services (originally sponsored by Representatives Dickerson, Tokuda, Kagi, Fromhold, Ogden, Chase, Jackley and McDermott).

House Committee on Children & Family Services
Senate Committee on Human Services & Corrections

Background:

The Legislature established the Washington School for the Deaf (WSD) in 1886. The primary purpose of the school is to educate and train hearing-impaired children ages three through 21. The WSD is located in Vancouver and students who are not from the area may live on-campus in a cottage or dorm during the week.

During the past few years, a series of physical and sexual assaults have allegedly occurred at the WSD and over a half-dozen lawsuits have been filed against Washington for alleged physical and sexual abuse that occurred at the school. In 2000 legislation was enacted to address some of the concerns by providing training and allowing the school to refuse to enroll adjudicated Level III sex offenders. Another alleged sexual assault of a student occurred at the WSD in February 2001.

In June 2001 the Governor directed the superintendent of the WSD to implement certain safety initiatives. One of the initiatives directed the school to work with the DSHS Children's Administration's Division of Licensed Resources (DLR) to strengthen the residential program staffing model. Another initiative directed the WSD to convene a work group from the Attorney General's Office, the DLR, and the Child Abuse Intervention Center to ensure the school's reporting procedures and incident documentation comply with best practices models.

At the Governor's direction, the DLR conducted a comprehensive health and safety review of the WSD. An on-site review by a DLR audit team occurred in December 2001, and the report was delivered to the Governor on January 11, 2002. The DLR made recommendations regarding the staffing level, supervision of students, self-protection training of students, the expulsion policy, and the completion of criminal history checks on staff. Quarterly health and safety reviews will be performed by the

DLR and other Children's Administration staff. A comprehensive review will occur every three years.

In November 2001 the Office of the Family & Children's Ombudsman (OFCO) completed a review of the WSD and the reported sex-related incidents using confidential records not available to other reviewers. The OFCO made several significant findings, including inadequate incident documentation and record keeping and an inability of Child Protective Services (CPS) to adequately intervene to protect students at the WSD because the school is not a licensed facility. The OFCO recommended that the Governor or Legislature formalize and strengthen the relationship between CPS and the WSD. This includes authorization to investigate incidents at the WSD involving allegations of abuse or neglect. Also, the OFCO recommended that the DLR should have the authority to follow-up regarding the implementation of safety improvements by the school. Finally, the OFCO recommended that the annual review of the WSD by the DLR be embodied in statute or executive order.

Summary:

The DSHS is required to investigate incidents at the WSD involving alleged child abuse or neglect, including incidents involving students victimizing other students. The DSHS must determine whether the alleged abuse or neglect occurred and if a referral to CPS or law enforcement is appropriate. Safety improvement recommendations developed by the DSHS as the result of an incident investigation will be sent to the WSD Superintendent and the Board of Trustees.

The DSHS will conduct periodic health and safety inspections of the residential program at the WSD. The inspections will be at least quarterly through 2006. A comprehensive child health and safety review by the DSHS must occur every three years, beginning in 2004. Upon the department request, the WSD must give the DSHS staff conducting the reviews full and complete access to all records, documents, students, and staff.

Votes on Final Passage:

House 95 0
Senate 49 0 (Senate amended)
House 94 0 (House concurred)

Effective: June 13, 2002