
**Early Learning & Human Services
Committee**

SB 6287

Brief Description: Making technical changes regarding the department of children, youth, and families.

Sponsors: Senators Darneille, O'Ban, Carlyle, Zeiger and Saldaña; by request of Department of Children, Youth and Families.

Brief Summary of Bill

- Makes technical changes regarding the Department of Children, Youth, and Families (DCYF).
- Limits the extent to which the Oversight Board for the DCYF is subject to the Open Public Meetings Act when disclosure or information is otherwise confidential under state or federal law.

Hearing Date: 2/23/18

Staff: Luke Wickham (786-7146).

Background:

The Department of Children, Youth, and Families.

A new state agency, called the Department of Children, Youth, and Families (DCYF), was created last summer. The Secretary of the DCYF (Secretary) has the responsibility to work with the Governor's Office, the Office of Financial Management, the Department of Social and Health Services (DSHS), the Department of Early Learning (DEL), and other impacted agencies to plan for the implementation of the DCYF and oversee the Office of Innovation, Alignment, and Accountability (OIAA) until the early learning and child welfare functions are transferred to the DCYF on July 1, 2018; on that date, the Secretary will appoint a separate Director of the OIAA.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The stated intent of creating this new agency is to improve the delivery of services and the outcomes for children and families through delivery of these services by housing early learning, child welfare, and juvenile justice services in the same agency. The DCYF must establish outcome measure goals and report to the Legislature on these outcome measures and progress toward these goals no less than annually. The outcome measures include:

- improving child development and school readiness;
- preventing child abuse and neglect;
- improving child and youth safety, permanency, and well-being;
- improving reconciliation of children and youth with their families;
- improving adolescent outcomes;
- reducing future demand for mental health and substance use disorder treatment;
- reducing criminal justice involvement and recidivism; and
- reducing racial and ethnic disproportionality and disparities.

The DCYF must lead ongoing work to minimize or eliminate systemic barriers to effective, integrated services across state agencies serving children, youth, and families and help the state create a data-focused environment in which there are aligned outcomes and shared accountability for those outcomes. Performance data for the DCYF must be available to the public beginning December 30, 2018. No funds may be expended by the DCYF on renewed or new contracted programs unless using performance-based contracts. The DCYF must report on outcome measures, actions taken, progress toward these goals, and plans for the future year no less than annually.

On July 1, 2018, the DEL is eliminated, and the functions performed by that agency are moved to the DCYF. On July 1, 2018, the child welfare functions of the DSHS move from the DSHS to the DCYF. On July 1, 2019, the juvenile justice functions of the DSHS Juvenile Rehabilitation (JR) division move from the DSHS to the DCYF.

Office of Innovation, Alignment, and Accountability.

An OIAA is created within the DCYF with the primary duty of developing and presenting a plan for the establishment of the DCYF. The OIAA developed this plan in December 2017.

The OIAA also developed a report on how to incorporate the staff determining eligibility for the Working Connections Child Care program and other elements of that program into the DCYF.

Beginning July 1, 2018, the functions of the OIAA will include:

- recommending implementation of advancements based on research;
- alignment and measurement of outcomes;
- quality assurance and evaluation of programs and services;
- leading partnerships with the community, research and teaching institutions, philanthropic organizations, and nonprofit organizations;
- leading collaboration with courts;
- producing an annual work plan that includes priorities for ongoing policy, practice, and system reform, tracking, and reporting on the performance of DCYF reforms;
- appointing members of an external stakeholder committee;
- providing quarterly updates on the implementation of the DCYF to the Oversight Board for the DCYF (Oversight Board), between July 1, 2018, and July 1, 2019;

- providing a report to the Governor and the Legislature by November 1, 2019, that includes recommendations regarding whether the JR division of the DSHS should be integrated into the DCYF, and if so, what the appropriate timing and process is for integration of the JR division into the DCYF;
- providing a report to the Governor and the Legislature by November 1, 2018, that includes: (1) a review of the current process for addressing foster parent complaints and concerns through the DCYF and through the Office of the Family and Children's Ombuds (OFCO) that includes an examination of any deficiencies of the current system; and (2) recommendations for expanding, modifying, and enhancing the current system for addressing individual foster parent complaints to improve child welfare, the experience of foster parents, and the overall functioning of the child welfare system; and
- providing a report to the Governor and the Legislature by November 1, 2018, that includes recommendations regarding whether the Office of Homeless Youth within the Department of Commerce should be integrated into the DCYF.

Oversight Board for the Department of Children, Youth, and Families.

The OFCO must establish the Oversight Board for the DCYF (Oversight Board) for the purpose of monitoring and ensuring that the DCYF achieves its stated outcomes. The Oversight Board assumes the duties of the Legislative Children's Oversight Committee from July 1, 2018, to July 1, 2019, and assumes its full duties beginning July 1, 2019. The Oversight Board includes:

- four legislators;
- one nonvoting representative from the Governor's Office;
- four subject matter experts;
- one foster parent representative;
- one representative from an organization that represents the best interest of the child;
- one parent group representative;
- one law enforcement representative;
- one child welfare caseworker representative;
- one early childhood learning program implementation practitioner;
- two tribal representatives; and
- one judicial representative.

The nonlegislative members of the Oversight Board are nominated by the Governor, subject to approval of the appointed legislators by majority vote, and serve four-year terms.

The Oversight Board has the following powers:

- receiving OFCO reports;
- obtaining records from the OFCO;
- selecting its officers and adopting rules;
- requesting investigations by the OFCO;
- requesting and receiving information from the DCYF;
- determining whether the 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 must maintain a staff not to exceed one full-time employee and a board-selected executive director. The Legislative Children's Oversight Committee is eliminated on July 1, 2019.

The Oversight Board may review decisions made by the internal review process for reviewing child care facility licensing compliance agreements developed by the DCYF that do not involve violations of health and safety standards and overturn, change, or uphold those decisions.

Summary of Bill:

The bill makes technical corrections relating to the creation of the Department of Children, Youth, and Families (DCYF) including the following:

- replaces references to the Department of Early Learning (DEL) with the DCYF following the transfer of that agency's responsibilities to the DCYF;
- corrects statutory references following the recodification of those statutes pursuant to the creation of the DCYF;
- replaces references to the Director of the DEL with the Secretary of the DCYF following the transfer of DEL responsibilities to the DCYF;
- replaces references to the defunct Department of Community, Trade, and Economic Development with the Department of Commerce;
- replaces a reference to the Achievement Gap Oversight Committee with the Educational Opportunity Gap Oversight and Accountability Committee;
- replaces references to the Children's Administration of the Department of Social and Health Services with the DCYF following the transfer of that agency's responsibilities to the DCYF;
- clarifies that licensing for children in care means children in child care for purposes of child care licensing;
- replaces a reference to the Children's Legislative Oversight Committee (CLOC) with the Oversight Board for the DCYF (Oversight Board) after the duties of the CLOC transfer to the Oversight Board; and
- makes grammatical corrections.

The extent to which the Oversight Board is subject to the Open Public Meetings Act is limited when disclosure of records or information is otherwise confidential under state or federal law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect July 1, 2018.