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**SENATE BILL 5199**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator C. Wilson

Prefiled 01/09/25.

1 AN ACT Relating to providing compensation to members of the  
2 department of children, youth, and families oversight board with  
3 direct lived experience; and amending RCW 43.216.015.

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

5 **Sec. 1.** RCW 43.216.015 and 2021 c 304 s 4 are each amended to  
6 read as follows:

7 (1)(a) The department of children, youth, and families is created  
8 as an executive branch agency. The department is vested with all  
9 powers and duties transferred to it under chapter 6, Laws of 2017 3rd  
10 sp. sess. and such other powers and duties as may be authorized by  
11 law. The vision for the department is that Washington state's  
12 children and youth grow up safe and healthy—thriving physically,  
13 emotionally, and academically, nurtured by family and community.

14 (b) The department, in partnership with state and local agencies,  
15 tribes, and communities, shall protect children and youth from harm  
16 and promote healthy development with effective, high quality  
17 prevention, intervention, and early education services delivered in  
18 an equitable manner. An important role for the department shall be to  
19 provide preventative services to help secure and preserve families in  
20 crisis. The department shall partner with the federally recognized  
21 Indian tribes to develop effective services for youth and families

1 while respecting the sovereignty of those tribes and the government-  
2 to-government relationship. Nothing in chapter 6, Laws of 2017 3rd  
3 sp. sess. alters the duties, requirements, and policies of the  
4 federal Indian child welfare act, 25 U.S.C. Secs. 1901 through 1963,  
5 as amended, or the Indian child welfare act, chapter 13.38 RCW.

6 (2) Beginning July 1, 2018, the department must develop  
7 definitions for, work plans to address, and metrics to measure the  
8 outcomes for children, youth, and families served by the department  
9 and must work with state agencies to ensure services for children,  
10 youth, and families are science-based, outcome-driven, data-informed,  
11 and collaborative.

12 (3)(a) Beginning July 1, 2018, the department must establish  
13 short and long-term population level outcome measure goals, including  
14 metrics regarding reducing disparities by family income, race, and  
15 ethnicity in each outcome.

16 (b) In addition to transparent, frequent reporting of the outcome  
17 measures in (c)(i) through (viii) of this subsection, the department  
18 must report to the legislature an examination of engagement, resource  
19 utilization, and outcomes for clients receiving department services  
20 and youth participating in juvenile court alternative programs funded  
21 by the department, no less than annually and beginning September 1,  
22 2020. The data in this report must be disaggregated by race,  
23 ethnicity, and geography. This report must identify areas of focus to  
24 advance equity that will inform department strategies so that all  
25 children, youth, and families are thriving. Metrics detailing  
26 progress towards eliminating disparities and disproportionality over  
27 time must also be included. The report must also include information  
28 on department outcome measures, actions taken, progress toward these  
29 goals, and plans for the future year.

30 (c) The outcome measures must include, but are not limited to:

31 (i) Improving child development and school readiness through  
32 voluntary, high quality early learning opportunities as measured by:

33 (A) Increasing the number and proportion of children kindergarten-  
34 ready as measured by the Washington kindergarten inventory of  
35 developing skills (WAKids) assessment including mathematics; (B)  
36 increasing the proportion of children in early learning programs that  
37 have achieved the level 3 or higher early achievers quality standard;  
38 and (C) increasing the available supply of licensed child care in  
39 child care centers, outdoor nature-based child care, and family  
40 homes, including providers not receiving state subsidy;

1 (ii) Preventing child abuse and neglect;  
2 (iii) Improving child and youth safety, permanency, and well-  
3 being as measured by: (A) Reducing the number of children entering  
4 out-of-home care; (B) reducing a child's length of stay in out-of-  
5 home care; (C) reducing maltreatment of youth while in out-of-home  
6 care; (D) licensing more foster homes than there are children in  
7 foster care; (E) reducing the number of children that reenter out-of-  
8 home care within twelve months; (F) increasing the stability of  
9 placements for children in out-of-home care; and (G) developing  
10 strategies to demonstrate to foster families that their service and  
11 involvement is highly valued by the department, as demonstrated by  
12 the development of strategies to consult with foster families  
13 regarding future placement of a foster child currently placed with a  
14 foster family;

15 (iv) Improving reconciliation of children and youth with their  
16 families as measured by: (A) Increasing family reunification; and (B)  
17 increasing the number of youth who are reunified with their family of  
18 origin;

19 (v) In collaboration with county juvenile justice programs,  
20 improving adolescent outcomes including reducing multisystem  
21 involvement and homelessness; and increasing school graduation rates  
22 and successful transitions to adulthood for youth involved in the  
23 child welfare and juvenile justice systems;

24 (vi) Reducing future demand for mental health and substance use  
25 disorder treatment for youth involved in the child welfare and  
26 juvenile justice systems;

27 (vii) In collaboration with county juvenile justice programs,  
28 reducing criminal justice involvement and recidivism as measured by:  
29 (A) An increase in the number of youth who successfully complete the  
30 terms of diversion or alternative sentencing options; (B) a decrease  
31 in the number of youth who commit subsequent crimes; and (C)  
32 eliminating the discharge of youth from institutional settings into  
33 homelessness; and

34 (viii) Eliminating racial and ethnic disproportionality and  
35 disparities in system involvement and across child and youth outcomes  
36 in collaboration with other state agencies.

37 (4) Beginning July 1, 2018, the department must:

38 (a) Lead ongoing collaborative work to minimize or eliminate  
39 systemic barriers to effective, integrated services in collaboration  
40 with state agencies serving children, youth, and families;

1 (b) Identify necessary improvements and updates to statutes  
2 relevant to their responsibilities and proposing legislative changes  
3 to the governor no less than biennially;

4 (c) Help create a data-focused environment in which there are  
5 aligned outcomes and shared accountability for achieving those  
6 outcomes, with shared, real-time data that is accessible to  
7 authorized persons interacting with the family, child, or youth to  
8 identify what is needed and which services would be effective;

9 (d) Lead the provision of state services to adolescents, focusing  
10 on key transition points for youth, including exiting foster care and  
11 institutions, and coordinating with the office of homeless youth  
12 prevention and protection programs to address the unique needs of  
13 homeless youth; and

14 (e) Create and annually update a list of the rights and  
15 responsibilities of foster parents in partnership with foster parent  
16 representatives. The list of foster parent rights and  
17 responsibilities must be posted on the department's website, provided  
18 to individuals participating in a foster parent orientation before  
19 licensure, provided to foster parents in writing at the time of  
20 licensure, and provided to foster parents applying for license  
21 renewal.

22 (5) The department is accountable to the public. To ensure  
23 transparency, beginning December 30, 2018, agency performance data  
24 for the services provided by the department, including outcome data  
25 for contracted services, must be available to the public, consistent  
26 with confidentiality laws, federal protections, and individual rights  
27 to privacy. Publicly available data must include budget and funding  
28 decisions, performance-based contracting data, including data for  
29 contracted services, and performance data on metrics identified in  
30 this section. The board must work with the secretary and director to  
31 develop the most effective and cost-efficient ways to make department  
32 data available to the public, including making this data readily  
33 available on the department's website.

34 (6) The department shall ensure that all new and renewed  
35 contracts for services are performance-based.

36 (7) The department must execute all new and renewed contracts for  
37 services in accordance with this section and consistent with RCW  
38 74.13B.020. When contracted services are managed through a network  
39 administrator or other third party, the department must execute data-  
40 sharing agreements with the entities managing the contracts to track

1 provider performance measures. Contracts with network administrators  
2 or other third parties must provide the contract administrator the  
3 ability to shift resources from one provider to another, to evaluate  
4 individual provider performance, to add or delete services in  
5 consultation with the department, and to reinvest savings from  
6 increased efficiencies into new or improved services in their  
7 catchment area. Whenever possible, contractor performance data must  
8 be made available to the public, consistent with confidentiality laws  
9 and individual rights to privacy.

10 (8) (a) The board shall begin its work and call the first meeting  
11 of the board on or after July 1, 2018. The board shall immediately  
12 assume the duties of the legislative children's oversight committee,  
13 as provided for in RCW 74.13.570 and assume the full functions of the  
14 board as provided for in this section by July 1, 2019. The office of  
15 innovation, alignment, and accountability shall provide quarterly  
16 updates regarding the implementation of the department to the board  
17 between July 1, 2018, and July 1, 2019.

18 (b) The office of the family and children's ombuds shall  
19 establish the board. The board is authorized for the purpose of  
20 monitoring and ensuring that the department achieves the stated  
21 outcomes of chapter 6, Laws of 2017 3rd sp. sess., and complies with  
22 administrative acts, relevant statutes, rules, and policies  
23 pertaining to early learning, juvenile rehabilitation, juvenile  
24 justice, and children and family services.

25 (9) (a) The board shall consist of the following members:

26 (i) Two senators and two representatives from the legislature  
27 with one member from each major caucus;

28 (ii) One nonvoting representative from the governor's office;

29 (iii) One subject matter expert in early learning;

30 (iv) One subject matter expert in child welfare;

31 (v) One subject matter expert in juvenile rehabilitation and  
32 justice;

33 (vi) One subject matter expert in eliminating disparities in  
34 child outcomes by family income and race and ethnicity;

35 (vii) One tribal representative from west of the crest of the  
36 Cascade mountains;

37 (viii) One tribal representative from east of the crest of the  
38 Cascade mountains;

39 (ix) One current or former foster parent representative;

1 (x) One representative of an organization that advocates for the  
2 best interest of the child;

3 (xi) One parent stakeholder group representative;

4 (xii) One law enforcement representative;

5 (xiii) One child welfare caseworker representative;

6 (xiv) One early childhood learning program implementation  
7 practitioner;

8 (xv) One current or former foster youth under age twenty-five;

9 (xvi) One individual under age twenty-five with current or  
10 previous experience with the juvenile justice system;

11 (xvii) One physician with experience working with children or  
12 youth; and

13 (xviii) One judicial representative presiding over child welfare  
14 court proceedings or other children's matters.

15 (b) The senate members of the board shall be appointed by the  
16 leaders of the two major caucuses of the senate. The house of  
17 representatives members of the board shall be appointed by the  
18 leaders of the two major caucuses of the house of representatives.  
19 Members shall be appointed before the close of each regular session  
20 of the legislature during an odd-numbered year.

21 (c) The remaining board members shall be nominated by the  
22 governor, subject to the approval of the appointed legislators by  
23 majority vote, and serve four-year terms. When nominating and  
24 approving members after July 28, 2019, the governor and appointed  
25 legislators must ensure that at least five of the board members  
26 reside east of the crest of the Cascade mountains.

27 (10) The board has the following powers, which may be exercised  
28 by majority vote of the board:

29 (a) To receive reports of the office of the family and children's  
30 ombuds;

31 (b) To obtain access to all relevant records in the possession of  
32 the office of the family and children's ombuds, except as prohibited  
33 by law;

34 (c) To select its officers and adoption of rules for orderly  
35 procedure;

36 (d) To request investigations by the office of the family and  
37 children's ombuds of administrative acts;

38 (e) To request and receive information, outcome data, documents,  
39 materials, and records from the department relating to children and

1 family welfare, juvenile rehabilitation, juvenile justice, and early  
2 learning;

3 (f) To determine whether the department is achieving the  
4 performance measures;

5 (g) If final review is requested by a licensee, to review whether  
6 department licensors appropriately and consistently applied agency  
7 rules in inspection reports that do not involve a violation of health  
8 and safety standards as defined in RCW 43.216.395 in cases that have  
9 already been reviewed by the internal review process described in RCW  
10 43.216.395 with the authority to overturn, change, or uphold such  
11 decisions;

12 (h) To conduct annual reviews of a sample of department contracts  
13 for services from a variety of program and service areas to ensure  
14 that those contracts are performance-based and to assess the measures  
15 included in each contract; and

16 (i) Upon receipt of records or data from the office of the family  
17 and children's ombuds or the department, the board is subject to the  
18 same confidentiality restrictions as the office of the family and  
19 children's ombuds is under RCW 43.06A.050. The provisions of RCW  
20 43.06A.060 also apply to the board.

21 (11) The board has general oversight over the performance and  
22 policies of the department and shall provide advice and input to the  
23 department and the governor.

24 (12) The board must no less than twice per year convene  
25 stakeholder meetings to allow feedback to the board regarding  
26 contracting with the department, departmental use of local, state,  
27 private, and federal funds, and other matters as relating to carrying  
28 out the duties of the department.

29 (13) The board shall review existing surveys of providers,  
30 customers, parent groups, and external services to assess whether the  
31 department is effectively delivering services, and shall conduct  
32 additional surveys as needed to assess whether the department is  
33 effectively delivering services.

34 (14) The board is subject to the open public meetings act,  
35 chapter 42.30 RCW, except to the extent disclosure of records or  
36 information is otherwise confidential under state or federal law.

37 (15) Records or information received by the board is confidential  
38 to the extent permitted by state or federal law. This subsection does  
39 not create an exception for records covered by RCW 13.50.100.

1           (16) (~~The~~) Unless specified otherwise, board members shall  
2 receive no compensation for their service on the board, but shall be  
3 reimbursed for travel expenses incurred while conducting business of  
4 the board when authorized by the board and within resources allocated  
5 for this purpose(~~, except appointed~~). Appointed legislators (~~who~~)  
6 shall be reimbursed for travel expenses in accordance with RCW  
7 43.03.050 and 43.03.060. Board members with direct lived experience  
8 may receive compensation as provided in RCW 43.03.220 and 43.03.270  
9 and are entitled to be reimbursed for travel expenses as provided in  
10 43.03.050 and 43.03.060.

11           (17) The board shall select, by majority vote, an executive  
12 director who shall be the chief administrative officer of the board  
13 and shall be responsible for carrying out the policies adopted by the  
14 board. The executive director is exempt from the provisions of the  
15 state civil service law, chapter 41.06 RCW, and shall serve at the  
16 pleasure of the board established in this section.

17           (18) The board shall maintain a staff not to exceed one full-time  
18 equivalent employee. The board-selected executive director of the  
19 board is responsible for coordinating staff appointments.

20           (19) The board shall issue an annual report to the governor and  
21 legislature by December 1st of each year with an initial report  
22 delivered by December 1, 2019. The report must review the  
23 department's progress towards meeting stated performance measures and  
24 desired performance outcomes, and must also include a review of the  
25 department's strategic plan, policies, and rules.

26           (20) The definitions in this subsection apply throughout this  
27 section unless the context clearly requires otherwise.

28           (a) "Board" means the oversight board for children, youth, and  
29 families established in subsection (8) of this section.

30           (b) "Direct lived experience" has the same meaning as provided in  
31 RCW 43.03.220.

32           (c) "Director" means the director of the office of innovation,  
33 alignment, and accountability.

34           (~~(e)~~) (d) "Performance-based contract" means results-oriented  
35 contracting that focuses on the quality or outcomes that tie at least  
36 a portion of the contractor's payment, contract extensions, or  
37 contract renewals to the achievement of specific measurable  
38 performance standards and requirements.

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