S-3661.1

SENATE BILL 5942

State of Washington 69th Legislature 2026 Regular Session

By Senators C. Wilson, Frame, Nobles, and Wellman

Prefiled 12/26/25. Read first time 01/12/26. Referred to Committee on Human Services.

AN ACT Relating to the department of children, youth, and families accountability board; amending RCW 43.216.015; adding a new section to chapter 43.216 RCW; and creating a new section.

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

NEW SECTION. **Sec. 1.** (1) The legislature recognizes that, when it established the department of children, youth, and families, it also created an independent oversight board to ensure transparency, accountability, and public confidence in the department's operations and decision making. The legislature further recognizes that, since the department's inception, both the agency and the oversight structure have evolved, and that the existing statutory framework no longer reflects the present scope, functions, or operations of either entity.

(2) The legislature finds that a modernized oversight structure is necessary to promote effective collaboration between the department and its oversight body, ensure accountability for outcomes, and provide clear statutory direction consistent with the department's current stage of development.

(3) Therefore, it is the intent of the legislature to reconstitute the existing oversight board as the department of children, youth, and families accountability board. The legislature

intends that this new board retain its independent accountability role while operating under clarified authority, streamlined statutory provisions, and updated responsibilities that focus on policy review, performance monitoring, and public transparency. The legislature further intends to remove obsolete or duplicative provisions, align oversight activities with current departmental priorities, and strengthen the mechanisms through which the department and the oversight body coordinate to advance the well-being of Washington's children, youth, and families.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.216 RCW to read as follows:

(1) The department of children, youth, and families accountability board is established and shall reside in the office of financial management for administrative purposes only. The board is created to provide independent accountability over the department's operations, policies, and outcomes. The purpose of the board is to monitor the department's progress toward achieving its stated goals and performance outcomes; ensure accountability in the department's decision-making and policy implementation; and promote transparency and public trust in the department's work on behalf of children, youth, and families.

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

(i) Two members of the Washington state senate, one member from each major caucus;

(ii) Two members of the Washington state house of representatives, one member from each major caucus;

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

(iv) One subject matter expert in early learning;

(v) One subject matter expert in child welfare;

(vi) One subject matter expert in juvenile rehabilitation and justice;

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

(viii) One tribal representative from west of the crest of the Cascade mountains;

(ix) One tribal representative from east of the crest of the Cascade mountains;

(x) One current or former foster parent or kinship care provider representative;

(xi) One representative of an organization that advocates for the best interest of children;

(xii) One parent stakeholder group representative;

(xiii) One law enforcement representative;

(xiv) One child welfare caseworker representative;

(xv) One early childhood learning program implementation practitioner;

(xvi) One current or former foster youth under age 25;

(xvii) One individual under age 25 with current or previous experience with the juvenile justice system;

(xviii) One physician or advanced practice clinician with experience working with children or youth; and

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

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

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

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

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

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

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

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

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

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

(f) To determine whether the department is achieving the performance measures.

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

(5) At least twice per year, the board shall convene or otherwise meet with individuals, groups, community representatives, and organizations engaged with or affected by the department's programs and services.

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

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

(8) Unless specified otherwise, board members shall receive no compensation for their service on the board, but shall be reimbursed for travel expenses incurred while conducting business of the board when authorized by the board and within resources allocated for this purpose. Appointed legislators shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060. Board members with direct lived experience may receive compensation as provided in RCW 43.03.220 and 43.03.270 and are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

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

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

(11) Starting in 2027, the board shall submit a biennial report to the governor and the appropriate committees of the legislature by

July 1st of each odd-numbered year. The report will assess the department's progress toward meeting priority performance measures that are selected biennially by the board to maintain flexibility and data relevancy.

Sec. 3. RCW 43.216.015 and 2025 c 179 s 1 are each amended to read as follows:

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

(b) The department, in partnership with state and local agencies, tribes, and communities, shall protect children and youth from harm and promote healthy development with effective, high quality prevention, intervention, and early education services delivered in an equitable manner. An important role for the department shall be to provide preventative services to help secure and preserve families in crisis. The department shall partner with the federally recognized Indian tribes to develop effective services for youth and families while respecting the sovereignty of those tribes and the government-to-government relationship. Nothing in chapter 6, Laws of 2017 3rd sp. sess. alters the duties, requirements, and policies of the federal Indian child welfare act, 25 U.S.C. Secs. 1901 through 1963, as amended, or the Indian child welfare act, chapter 13.38 RCW.

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

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

(b) In addition to transparent, frequent reporting of the outcome measures in (c)(i) through (viii) of this subsection, the department must report to the legislature an examination of engagement, resource

utilization, and outcomes for clients receiving department services and youth participating in juvenile court alternative programs funded by the department, no less than annually ((~~and beginning September 1, 2020~~)). The data in this report must be disaggregated by race, ethnicity, and geography. This report must identify areas of focus to advance equity that will inform department strategies so that all children, youth, and families are thriving. Metrics detailing progress towards eliminating disparities and disproportionality over time must also be included. The report must also include information on department outcome measures, actions taken, progress toward these goals, and plans for the future year.

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

(i) Improving child development and school readiness through voluntary, high quality early learning opportunities as measured by: (A) Increasing the number and proportion of children kindergarten-ready as measured by the Washington kindergarten inventory of developing skills (WAKids) assessment including mathematics; (B) increasing the proportion of children in early learning programs that have achieved the level 3 or higher early achievers quality standard; and (C) increasing the available supply of licensed child care in child care centers, outdoor nature-based child care, and family homes, including providers not receiving state subsidy;

(ii) Preventing child abuse and neglect;

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

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

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

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

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

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

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

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

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

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

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

(e) Create and annually update a list of the rights and responsibilities of foster parents in partnership with foster parent representatives. The list of foster parent rights and responsibilities must be posted on the department's website, provided to individuals participating in a foster parent orientation before

licensure, provided to foster parents in writing at the time of licensure, and provided to foster parents applying for license renewal.

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

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

(7) The department must execute all new and renewed contracts for services in accordance with this section and consistent with RCW 74.13B.020. When contracted services are managed through a network administrator or other third party, the department must execute data-sharing agreements with the entities managing the contracts to track provider performance measures. Contracts with network administrators or other third parties must provide the contract administrator the ability to shift resources from one provider to another, to evaluate individual provider performance, to add or delete services in consultation with the department, and to reinvest savings from increased efficiencies into new or improved services in their catchment area. Whenever possible, contractor performance data must be made available to the public, consistent with confidentiality laws and individual rights to privacy.

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(xi) One parent stakeholder group representative;~~

~~(xii) One law enforcement representative;~~

~~(xiii) One child welfare caseworker representative;~~

~~(xiv) One early childhood learning program implementation practitioner;~~

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

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

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

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

~~(b) The senate members of the board shall be appointed by the leaders of the two major caucuses of the senate. The house of representatives members of the board shall be appointed by the leaders of the two major caucuses of the house of representatives.~~

~~Members shall be appointed before the close of each regular session of the legislature during an odd-numbered year.~~

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

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

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

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

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

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

~~(e) To request and receive information, outcome data, documents, materials, and records from the department relating to children and family welfare, juvenile rehabilitation, juvenile justice, and early learning;~~

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

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

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

~~(i) Upon receipt of records or data from the office of the family and children's ombuds or the department, the board is subject to the same confidentiality restrictions as the office of the family and~~

~~children's ombuds is under RCW 43.06A.050. The provisions of RCW 43.06A.060 also apply to the board.~~

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

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

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

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

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

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

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

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

~~(19) The board shall 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 the department'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.~~

~~(20)~~)) The definitions in this subsection apply throughout this section and sections 1 and 2 of this act unless the context clearly requires otherwise.

(a) "Board" means the ((~~oversight board for children, youth, and families established in subsection (8) of this section~~)) department of children, youth, and families accountability board established in section 2 of this act.

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

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

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

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