
SENATE BILL 5909

State of Washington

60th Legislature

2007 Regular Session

By Senators Rasmussen, Roach, Regala, Eide, McAuliffe, Kilmer, Hargrove, Kastama, Tom, Shin, Kohl-Welles, Stevens, Carrell, Franklin and Kline

Read first time 02/06/2007. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to supporting the needs of children who have been
2 in foster care; amending RCW 43.31.465; reenacting and amending RCW
3 74.13.031; and adding a new section to chapter 74.13 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
6 to read as follows:

7 (1) The department shall create a pilot program to establish a
8 foster youth community coordinator in three regional office locations
9 within the state. The purpose of the pilot program is to provide
10 assistance to foster youth who are reaching eighteen years of age to
11 facilitate their ability to live independently upon leaving state care.

12 (2) The program shall include two sites selected by the department
13 not later than September 1, 2007.

14 (3) The responsibilities of the foster youth community coordinator
15 include the following:

16 (a) To facilitate collaboration among organizations providing
17 services to foster youth who are reaching their eighteenth birthday and
18 leaving foster care, as well as collaboration between the department
19 and these organizations;

1 (b) To facilitate training of those providing services to youth who
2 are preparing to leave foster care regarding the following:

3 (i) The educational needs of foster youth, particularly
4 interventions for older youth;

5 (ii) The foster care system;

6 (iii) The educational rights of children;

7 (iv) The role of education in the development and adjustment of
8 children;

9 (v) Improving the education outcomes of youth in foster care;

10 (vi) Building communities that support the needs of youth in out-
11 of-home care; and

12 (vii) Education support for foster youth in transition; and

13 (c) Improving communication to foster youth regarding the services
14 and programs available to them as they prepare to leave foster care and
15 live independently.

16 (4) The program shall include measurable objectives for the purpose
17 of evaluation.

18 (5) The department shall evaluate the program to determine whether
19 the objectives of the program have been met and shall inform the
20 legislature not later than January 1, 2009, of the results of the pilot
21 program.

22 **Sec. 2.** RCW 43.31.465 and 2005 c 402 s 5 are each amended to read
23 as follows:

24 (1) A foster youth individual development account program is hereby
25 established within the individual development account program
26 established pursuant to RCW 43.31.460 for the purpose of facilitating
27 the creation by the department and by sponsoring organizations of
28 individual development accounts for foster youth.

29 (2) The department shall select sponsoring organizations to
30 establish and monitor individual development accounts for foster youth
31 from those entities with whom the department of social and health
32 services contracts for independent living services for youth who are or
33 have been dependents of the department of social and health services.

34 (3) ~~((An))~~ Within funding provided, the department shall establish
35 an individual development account for each child who has been in an
36 out-of-home placement under chapter 13.34 RCW for a period of six or
37 more months. Beginning July 1, 2007, the department shall deposit not

1 less than three hundred dollars to the individual development account
2 of each child who was in an out-of-home placement for six or more
3 months during the previous fiscal year.

4 (4) The department shall continue making annual contributions of
5 not less than one hundred dollars to be deposited at the beginning of
6 each fiscal year to the individual development accounts of children for
7 whom an account was established pursuant to subsection (3) of this
8 section.

9 (5) Individual development accounts (~~may be~~) established by or on
10 behalf of a foster youth are intended to enable the individual to
11 accumulate funds for the following purposes:

12 (a) The acquisition of postsecondary education or job training;

13 (b) Housing needs, including rent, security deposit, and utilities
14 costs;

15 (c) The purchase of a computer if necessary for postsecondary
16 education or job training;

17 (d) The purchase of a car if necessary for employment; and

18 (e) Payment of health insurance premiums.

19 (~~(4)~~) (6) A foster youth participating in the program (~~must~~)
20 may contribute to an individual development account. The contributions
21 may be derived from earned income or other income, as provided by the
22 department. Other income shall include financial incentives for
23 educational achievement provided by entities contracted with the
24 department of social and health services for independent living
25 services for youth who are or have been dependents of the department of
26 social and health services.

27 **Sec. 3.** RCW 74.13.031 and 2006 c 266 s 1 and 2006 c 221 s 3 are
28 each reenacted and amended to read as follows:

29 The department shall have the duty to provide child welfare
30 services and shall:

31 (1) Develop, administer, supervise, and monitor a coordinated and
32 comprehensive plan that establishes, aids, and strengthens services for
33 the protection and care of runaway, dependent, or neglected children.

34 (2) Within available resources, recruit an adequate number of
35 prospective adoptive and foster homes, both regular and specialized,
36 i.e. homes for children of ethnic minority, including Indian homes for
37 Indian children, sibling groups, handicapped and emotionally disturbed,

1 teens, pregnant and parenting teens, and annually report to the
2 governor and the legislature concerning the department's success in:
3 (a) Meeting the need for adoptive and foster home placements; (b)
4 reducing the foster parent turnover rate; (c) completing home studies
5 for legally free children; and (d) implementing and operating the
6 passport program required by RCW 74.13.285. The report shall include
7 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

8 (3) Investigate complaints of any recent act or failure to act on
9 the part of a parent or caretaker that results in death, serious
10 physical or emotional harm, or sexual abuse or exploitation, or that
11 presents an imminent risk of serious harm, and on the basis of the
12 findings of such investigation, offer child welfare services in
13 relation to the problem to such parents, legal custodians, or persons
14 serving in loco parentis, and/or bring the situation to the attention
15 of an appropriate court, or another community agency: PROVIDED, That
16 an investigation is not required of nonaccidental injuries which are
17 clearly not the result of a lack of care or supervision by the child's
18 parents, legal custodians, or persons serving in loco parentis. If the
19 investigation reveals that a crime against a child may have been
20 committed, the department shall notify the appropriate law enforcement
21 agency.

22 (4) Offer, on a voluntary basis, family reconciliation services to
23 families who are in conflict.

24 (5) Monitor out-of-home placements, on a timely and routine basis,
25 to assure the safety, well-being, and quality of care being provided is
26 within the scope of the intent of the legislature as defined in RCW
27 74.13.010 and 74.15.010, and annually submit a report measuring the
28 extent to which the department achieved the specified goals to the
29 governor and the legislature.

30 (6) Have authority to accept custody of children from parents and
31 to accept custody of children from juvenile courts, where authorized to
32 do so under law, to provide child welfare services including placement
33 for adoption, to provide for the routine and necessary medical, dental,
34 and mental health care, or necessary emergency care of the children,
35 and to provide for the physical care of such children and make payment
36 of maintenance costs if needed. Except where required by Public Law
37 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives

1 children for adoption from the department shall discriminate on the
2 basis of race, creed, or color when considering applications in their
3 placement for adoption.

4 (7) Have authority to provide temporary shelter to children who
5 have run away from home and who are admitted to crisis residential
6 centers.

7 (8) Have authority to purchase care for children; and shall follow
8 in general the policy of using properly approved private agency
9 services for the actual care and supervision of such children insofar
10 as they are available, paying for care of such children as are accepted
11 by the department as eligible for support at reasonable rates
12 established by the department.

13 (9) Establish a children's services advisory committee which shall
14 assist the secretary in the development of a partnership plan for
15 utilizing resources of the public and private sectors, and advise on
16 all matters pertaining to child welfare, licensing of child care
17 agencies, adoption, and services related thereto. At least one member
18 shall represent the adoption community.

19 (10)(a) Have authority to provide continued foster care or group
20 care as needed to participate in or complete a high school or
21 vocational school program.

22 (b)(i) Beginning in 2006, the department has the authority to allow
23 up to fifty youth reaching age eighteen to continue in foster care or
24 group care as needed to participate in or complete a posthigh school
25 academic or vocational program, and to receive necessary support and
26 transition services.

27 (ii) In 2007 and 2008, the department has the authority to allow up
28 to fifty additional youth per year reaching age eighteen to remain in
29 foster care or group care as provided in (b)(i) of this subsection.

30 (iii) A youth who remains eligible for such placement and services
31 pursuant to department rules may continue in foster care or group care
32 until the youth reaches his or her twenty-first birthday. Eligibility
33 requirements shall include active enrollment in a posthigh school
34 academic or vocational program and maintenance of a 2.0 grade point
35 average.

36 (11) Refer cases to the division of child support whenever state or
37 federal funds are expended for the care and maintenance of a child,
38 including a child with a developmental disability who is placed as a

1 result of an action under chapter 13.34 RCW, unless the department
2 finds that there is good cause not to pursue collection of child
3 support against the parent or parents of the child. Cases involving
4 individuals age eighteen through twenty shall not be referred to the
5 division of child support unless required by federal law.

6 (12) Have authority within funds appropriated for foster care
7 services to purchase care for Indian children who are in the custody of
8 a federally recognized Indian tribe or tribally licensed child-placing
9 agency pursuant to parental consent, tribal court order, or state
10 juvenile court order; and the purchase of such care shall be subject to
11 the same eligibility standards and rates of support applicable to other
12 children for whom the department purchases care.

13 Notwithstanding any other provision of RCW 13.32A.170 through
14 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
15 services to be provided by the department of social and health services
16 under subsections (4), (6), and (7) of this section, subject to the
17 limitations of these subsections, may be provided by any program
18 offering such services funded pursuant to Titles II and III of the
19 federal juvenile justice and delinquency prevention act of 1974.

20 (13) Within amounts appropriated for this specific purpose, provide
21 preventive services to families with children that prevent or shorten
22 the duration of an out-of-home placement.

23 (14) Have authority to provide independent living services to
24 youths, including individuals who have attained eighteen years of age,
25 and have not attained twenty-one years of age who are or have been in
26 foster care.

27 (15) Youth under the age of twenty-one years may enter into a
28 voluntary placement agreement with the department to return to foster
29 care for a period of up to six months following the youth's eighteenth
30 birthday for the purpose of receiving independent living skills while
31 residing in a foster care placement, including a transitional living
32 placement.

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