

House Bill 3256

Sponsored by Representative KOTEK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Changes membership of State Commission on Children and Families. Charges state commission with promoting best practices at state and local level to prevent child abuse and neglect and juvenile crime. Directs state commission to develop and administer competitive grants to local commissions. Directs state commission to develop performance measures and outcomes. Requires Governor to appoint Director of State Commission on Children and Families, subject to Senate confirmation. Limits state commission personnel budget to 10 percent of total budget. Requires report to Governor and Legislative Assembly on or before October 1 of each odd-numbered year.

A BILL FOR AN ACT

1
2 Relating to commissions on children and families; amending ORS 181.725, 417.730, 417.735, 417.775,
3 417.797 and 417.845.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 417.730 is amended to read:

6 417.730. (1) There is established a State Commission on Children and Families consisting of:

7 *[(a) The Director of Human Services;]*

8 *[(b) The Superintendent of Public Instruction;]*

9 *[(c) The Director of the Employment Department or, at the Governor's direction, the chairperson*
10 *of the Commission for Child Care;]*

11 *[(d) The Director of the Oregon Health Authority;]*

12 *[(e) One member appointed by the President of the Senate, who shall be a member of the Senate*
13 *and who shall be a nonvoting, advisory member;]*

14 *[(f) One member appointed by the Speaker of the House of Representatives, who shall be a member*
15 *of the House of Representatives and who shall be a nonvoting, advisory member; and]*

16 *[(g)] (a) [Twelve] **Thirteen** members appointed by the Governor.*

17 **(b) Five ex officio, nonvoting members as follows:**

18 **(A) The Director of Human Services;**

19 **(B) The Superintendent of Public Instruction;**

20 **(C) The Director of the Oregon Health Authority;**

21 **(D) One member appointed by the President of the Senate, who shall be a member of the**
22 **Senate and who shall be an advisory member; and**

23 **(E) One member appointed by the Speaker of the House of Representatives, who shall be**
24 **a member of the House of Representatives and who shall be an advisory member.**

25 (2) The appointments made by the Governor shall reflect the state's diverse populations [*and*
26 *regions and shall include representatives with expertise along the full developmental continuum of a*
27 *child from the prenatal stage through 18 years of age*]. The members appointed by the Governor shall
28 include:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 *[(a) One representative from the Oregon Juvenile Department Directors' Association, from which*
 2 *the Governor may solicit suggestions for appointment;]*

3 *[(b)] (a) Six public members who have demonstrated interest in children, with consideration*
 4 *given to a youth member and persons from the education community;*

5 **(b) Five public members:**

6 **(A) One of whom shall demonstrate expertise in prevention of child abuse and neglect;**

7 **(B) One of whom shall demonstrate expertise in child development for children ages birth**
 8 **to five years of age;**

9 **(C) One of whom shall demonstrate expertise in high-risk youth and their families;**

10 **(D) One of whom shall demonstrate expertise in involvement with the education com-**
 11 **munity and improvement of high school graduation rates; and**

12 **(E) One of whom shall demonstrate expertise in improvement in the financial stability**
 13 **of families; and**

14 *[(c) Two members from local commissions on children and families, one from a rural area and one*
 15 *from an urban area;]*

16 *[(d) One social service professional; and]*

17 *[(e)] (c) Two members from the business community [who have demonstrated interest in*
 18 *children].*

19 (3) The term of office of each member appointed by the Governor, **the President of the Senate**
 20 **or the Speaker of the House of Representatives** is four years. Before the expiration of the term
 21 of an appointed member, the *[Governor]* **appointing authority** shall appoint a successor whose term
 22 begins on October 1. An appointed member is eligible for reappointment **for another four-year**
 23 **term**. If there is a vacancy in an appointed position for any cause, the *[Governor]* **appointing au-**
 24 **thority** shall make an appointment to become immediately effective for the unexpired term.

25 (4) The appointments by the Governor to the state commission are subject to confirmation by
 26 the Senate in the manner prescribed in ORS 171.562 and 171.565.

27 (5) An appointed member of the state commission who is not a member of the Legislative As-
 28 sembly is entitled to compensation and expenses as provided in ORS 292.495. Members who are
 29 members of the Legislative Assembly shall be paid compensation and expense reimbursement as
 30 provided in ORS 171.072, payable from funds appropriated to the Legislative Assembly.

31 (6)(a) The *[majority of the]* members of the state commission **appointed by the Governor** shall
 32 be laypersons.

33 (b) As used in this subsection, "layperson" means a person whose primary income is not derived
 34 from either offering direct service to children and youth or being an administrator for a program for
 35 children and youth.

36 **SECTION 2.** ORS 417.735 is amended to read:

37 417.735. (1) The State Commission on Children and Families shall promote *[the wellness of chil-*
 38 *dren and families at the state level and shall act in accordance with the principles, characteristics and*
 39 *values identified in ORS 417.708 to 417.725]* **best practices at the state and local level to prevent**
 40 **child abuse and neglect and juvenile crime**. The state commission shall provide no direct services.

41 (2)(a) Funds for local commissions shall consist of payments from moneys appropriated for local
 42 commissions to the State Commission on Children and Families by the Legislative Assembly. The
 43 state commission shall develop *[an equitable formula for the distribution of funds to counties or re-*
 44 *gions for services for children and families, and a minimum annual grant shall be provided to each*
 45 *county or region]* **and administer competitive grants to local commissions to prevent child**

1 **abuse and neglect and juvenile crime. A minimum annual grant may be provided to each**
 2 **county or region for basic administrative costs in an amount not to exceed 15 percent of**
 3 **funds awarded to each county or region.**

4 (b) The state commission shall provide technical assistance and research-based information to
 5 local commissions to support the [*development of county goals,*] **efforts of local commissions to**
 6 **achieve** performance measures and outcomes for services and programs.

7 (c) The state commission [*may*] **shall** withhold funds from a local commission if services and
 8 programs funded through the local commission do not meet appropriate performance measures and
 9 outcomes.

10 **(3) The state commission shall develop performance measures and outcomes for evalu-**
 11 **ating programs and services implemented by the local commissions.**

12 [*(3) The state commission shall:*]

13 [*(a) Set guidelines for the planning, coordination and delivery of services by local commissions in*
 14 *partnership with other planning bodies and agencies providing services for children and families. The*
 15 *guidelines shall be consistent with the key elements of the service system developed and implemented*
 16 *under ORS 417.705 to 417.801. In conjunction with other planning bodies and agencies providing social*
 17 *supports, the state commission shall use the local coordinated comprehensive plans to advise agencies,*
 18 *the Legislative Assembly and the Governor;*]

19 [*(b) Advise the Legislative Assembly and the Governor concerning possible solutions to problems*
 20 *facing children and families;*]

21 [*(c) In consultation with other agencies, identify high-level and intermediate outcomes relating to*
 22 *children and families and monitor the progress of local coordinated comprehensive plans in meeting*
 23 *intermediate outcome targets;*]

24 [*(d) Encourage the development of innovative projects, based on proven practices of effectiveness,*
 25 *that benefit children and families;*]

26 [*(e) Ensure that all services for children and families are integrated and evaluated according to*
 27 *their outcomes;*]

28 [*(f) Compile, analyze and distribute information that informs and supports statewide coordinated*
 29 *planning;*]

30 [*(g) Establish a uniform system of reporting and collecting statistical data from counties and other*
 31 *agencies serving children and families;*]

32 [*(h) Provide a process whereby the Department of Human Services, Oregon Health Authority, Ju-*
 33 *venile Crime Prevention Advisory Committee, Oregon Youth Authority, Department of Education, De-*
 34 *partment of Community Colleges and Workforce Development, Employment Department, Housing and*
 35 *Community Services Department and Oregon Business Development Department review all findings*
 36 *from data collected by the local commissions through the local coordinated comprehensive plans. The*
 37 *information gathered in this review shall be considered by those agencies in designing future economic*
 38 *resources and services and in the coordination of services;*]

39 [*(i) Make recommendations to the Commission for Child Care for the development of the state's*
 40 *biennial child care plan; and*]

41 [*(j) Communicate information and policy advice on current research and proven practices of effec-*
 42 *tiveness, from both inside and outside the state, including successful local strategies, to local commis-*
 43 *sions, the Governor, the Legislative Assembly, state agencies and the public. The information shall*
 44 *include progress in meeting intermediate outcome targets identified in the local coordinated compre-*
 45 *hensive plans.*]

1 [(4)(a) *The state commission shall develop a review and approval process for local coordinated*
 2 *comprehensive plans that includes:]*

3 [(A) *A requirement that the local plan has been approved by the board or boards of county com-*
 4 *missioners;]*

5 [(B) *Assurance that the local plan meets essential criteria and approval required by appropriate*
 6 *entities and meets appropriate systems and planning connections; and]*

7 [(C) *Review of state expenditures of resources allocated to the local commissions on children and*
 8 *families.]*

9 [(b) *The state commission shall develop the process under this subsection in consultation with other*
 10 *entities involved in the review and approval process.]*

11 [(c) *The state commission shall act on any waiver request from a local commission within 90 days*
 12 *after receipt of the request.]*

13 [(d) *The state commission may disapprove a local plan for failure to address the elements described*
 14 *in paragraph (a) of this subsection within 90 days after receipt of the request.]*

15 [(5) *The state commission, in coordination with the local commissions on children and families,*
 16 *shall:]*

17 [(a) *Assist the local commissions in the development and implementation of performance measures*
 18 *and outcomes for evaluating services at the local level;]*

19 [(b) *Monitor the progress in meeting intermediate outcome targets in the local coordinated com-*
 20 *prehensive plans;]*

21 [(c) *In conjunction with the Department of Human Services and using the staff resources and other*
 22 *resources of the state commission, educate, inform and provide technical assistance to local commis-*
 23 *sions, including but not limited to technical assistance with:]*

24 [(A) *Federal and state laws, regulations and rules, and changes therein, governing the use of fed-*
 25 *eral and state funds;]*

26 [(B) *Facilitation;]*

27 [(C) *Planning;]*

28 [(D) *Policy development;]*

29 [(E) *Proven practices of effectiveness;]*

30 [(F) *Local systems development;]*

31 [(G) *Community problem solving and mobilization; and]*

32 [(H) *Other services, as appropriate;]*

33 [(d) *Conduct research and disseminate information to local commissions on children and*
 34 *families;]*

35 [(e) *Negotiate federal waivers in consultation with the Department of Human Services; and]*

36 [(f) *Develop a process for reviewing requests for waivers from requirements of the state commission.*
 37 *Requests for waivers shall be granted or denied as a part of the approval process for a local coordi-*
 38 *nated comprehensive plan. The state commission shall not grant a request for waiver that allows funds*
 39 *to be used for any purpose other than early childhood prevention, intervention and treatment*
 40 *programs.]*

41 [(6)] **(4)** *[The state commission shall employ a staff director who]* **The state commission shall**
 42 **be under the supervision and control of the Director of the State Commission on Children**
 43 **and Families. The Governor shall appoint the director, subject to confirmation by the Senate**
 44 **in the manner provided in ORS 171.562 and 171.565. The director may be removed at any time**
 45 **at the pleasure of the Governor. The director shall be responsible for hiring and supervising any**

1 additional personnel necessary to assist the state commission in performing its duties. The [staff]
 2 director shall be responsible for management functions of the state commission subject to policy
 3 direction by the state commission. **The state commission's personnel budget may not exceed 10**
 4 **percent of the state commission's total budget unless otherwise approved by the state com-**
 5 **mission.**

6 [(7)] (5) To the extent that federal funding is not jeopardized, the State Commission on Children
 7 and Families shall enter into an interagency agreement with the Department of Human Services in
 8 which they agree on a system to:

9 (a) Distribute all Title XX Social Services Block Grant funds;

10 (b) Ensure that federal and state requirements are met for federal funds administered by the
 11 state commission; and

12 (c) Carry out the necessary auditing, monitoring and information requirements for federal funds
 13 distributed by the state commission.

14 [(8)] (6) [*In addition to the authority under subsection (5)(e) of this section,*] The state commission
 15 may direct the Department of Human Services or the appropriate state department providing ser-
 16 vices for children and families to negotiate federal waivers. If the Department of Human Services
 17 or any other state agency does not pursue a federal waiver recommended by the state commission,
 18 the state commission may ask the Governor to direct the Department of Human Services or other
 19 state agency to apply for and negotiate the waiver.

20 [(9)] (7) If the Department of Human Services or any other state agency refuses to distribute
 21 state or federal funds as requested by the state commission, the state commission may ask the
 22 Governor to direct the Department of Human Services or other state agency to distribute the funds.

23 [(10)] *The programs shall be funded as fully as possible by Title XX of the federal Social Security*
 24 *Act, consistent with the terms and conditions of the block grant program and the local coordinated*
 25 *comprehensive plans that reflect community priorities established by the local planning process.]*

26 [(11)] *In conjunction with the Department of Human Services, the state commission, as soon as*
 27 *possible, shall develop a plan to re-engineer and integrate the data processing systems related to*
 28 *children's programs with the objective of making management information more accessible. The state*
 29 *commission shall make regular presentations to the Joint Legislative Committee on Information Man-*
 30 *agement and Technology on its progress in developing and implementing the plan.]*

31 [(12)] (8) [*Before each regular session of the Legislative Assembly,*] The state commission shall
 32 report[,] to the Governor and to the appropriate joint interim committee as determined by the
 33 Speaker of the House of Representatives and the President of the Senate, **on or before October 1**
 34 **of each odd-numbered year, regarding** the following:

35 [(a)] *Any additional proposals contained in "A Positive Future for Oregon's Children and*
 36 *Families" by the 1991-1992 Oregon Children's Care Team Interim Task Force that should be under-*
 37 *taken;]*

38 [(b)] *The status in all counties of local service systems related to the health and wellness of children*
 39 *and the adequacy of financial resources to deliver services;]*

40 [(c)] *The progress in achieving desired outcomes, including but not limited to the statewide guide-*
 41 *lines set by the state commission under ORS 417.710 (1);]*

42 [(d)] *Barriers to achieving intermediate and high-level outcome targets as identified in local coor-*
 43 *ordinated comprehensive plans;]*

44 [(e)] *Proposed solutions to barriers identified under paragraph (d) of this subsection, including*
 45 *proven, effective and innovative strategies; and]*

1 *[(f) County and community mobilization to increase public awareness and involvement and funding*
 2 *of community determined priorities.]*

3 **(a) The progress in achieving the performance measures and outcomes developed under**
 4 **subsection (3) of this section;**

5 **(b) Barriers to achieving the performance measures and outcomes developed under sub-**
 6 **section (3) of this section;**

7 **(c) Proposed solutions to barriers identified under paragraph (b) of this subsection, in-**
 8 **cluding proven, effective and innovative strategies; and**

9 **(d) Proposed prioritization of federal and state resources to implement solutions identi-**
 10 **fied under paragraph (c) of this subsection, including the adequacy of existing financial re-**
 11 **sources to implement the solutions.**

12 *[(13)(a)]* **(9)(a)** The state commission may solicit, accept and receive federal moneys or moneys
 13 or other property from persons or corporations, public or private, for the purpose of carrying out
 14 the provisions of ORS 417.705 to 417.801 and 419A.170.

15 (b) All federal moneys collected or received under paragraph (a) of this subsection shall be ac-
 16 cepted and transferred or expended by the state commission upon such terms and conditions as are
 17 prescribed by the federal government.

18 (c) All moneys and other property accepted by the state commission under this subsection shall
 19 be transferred, expended or used upon such terms and conditions as are prescribed by the donor in
 20 a manner consistent with applicable law.

21 *[(14)]* **(10)** The state commission shall:

22 (a) Implement the recommendations of the Juvenile Crime Prevention Advisory Committee, as
 23 approved by the Governor; and

24 (b) In cooperation with other state and federal agencies, coordinate technical assistance efforts
 25 on a statewide and county-specific basis relating to juvenile crime prevention programs and services.

26 *[(15)]* **(11)** The state commission may contract with local governments or other entities to ad-
 27 minister juvenile crime prevention programs and services. In accordance with the applicable pro-
 28 visions of ORS chapter 183, the state commission may adopt rules necessary for the administration
 29 of juvenile crime prevention programs and services.

30 **SECTION 3.** ORS 417.845 is amended to read:

31 417.845. (1) The Juvenile Crime Prevention Advisory Committee is created within the State
 32 Commission on Children and Families.

33 (2) The committee shall have the following members:

34 (a) The Director of the Oregon Youth Authority or a designee of the director;

35 (b) The *[staff]* Director of the State Commission on Children and Families or a designee of the
 36 *[staff]* director;

37 (c) The Director of the Oregon Health Authority or one or more designees of the director, one
 38 of whom has expertise in treatment and prevention of substance abuse;

39 (d) The executive director of the Oregon Criminal Justice Commission or a designee of the
 40 executive director;

41 (e) The Superintendent of Public Instruction or a designee of the superintendent;

42 (f) The Superintendent of State Police or a designee of the superintendent;

43 (g) The Director of the Department of Corrections or a designee of the director;

44 (h) One designee of the Governor;

45 (i) One member appointed by the President of the Senate, who shall be a member of the Senate

1 and who shall be a nonvoting, advisory member;

2 (j) One member appointed by the Speaker of the House of Representatives, who shall be a
3 member of the House of Representatives and who shall be a nonvoting, advisory member; and

4 (k) One designee of the Chief Justice of the Supreme Court from the Judicial Department who
5 serves as a nonvoting member to provide information and support the partnership role of the courts
6 in an effective comprehensive statewide approach to high-risk youth and their families.

7 (3) In addition to the members listed in subsection (2) of this section, the Governor shall appoint
8 the following members who shall be representative of the geographic and cultural diversity of the
9 state:

10 (a) To represent local public and private entities:

11 (A) A county commissioner;

12 (B) A local juvenile director;

13 (C) A director of a local commission on children and families;

14 (D) Two law enforcement officials;

15 (E) A county mental health director;

16 (F) An alcohol and drug abuse professional;

17 (G) A school superintendent;

18 (H) A private youth service provider; and

19 (I) An elected city official;

20 (b) A researcher;

21 (c) A citizen member; and

22 (d) Other members as determined by the Governor.

23 (4) Each member of the committee appointed by the Governor under subsection (3) of this sec-
24 tion shall serve a term of four years. Members appointed by the Governor shall serve at the pleasure
25 of the Governor. A vacancy in the office of any member appointed by the Governor under subsection
26 (3) of this section shall be filled by the Governor by appointment for the unexpired term.

27 (5) The Governor shall select one of the members of the committee as chairperson and one of
28 its members as vice chairperson.

29 (6) The committee shall meet at times, places and intervals deemed advisable by a majority of
30 the members.

31 (7) The State Commission on Children and Families shall provide staff support to the committee.

32 **SECTION 4.** ORS 181.725 is amended to read:

33 181.725. (1) There is established a Criminal Justice Information Standards Advisory Board to
34 advise the Department of State Police or the criminal justice agency designated by the Director of
35 the Oregon Department of Administrative Services under ORS 181.715 (1) about the department's
36 or the agency's duties under ORS 181.715. The board consists of the following members:

37 (a) The State Court Administrator or the administrator's designee;

38 (b) The Director of the Department of Corrections or the director's designee;

39 (c) The Superintendent of State Police or the superintendent's designee;

40 (d) The executive director of the Oregon Criminal Justice Commission or the executive
41 director's designee;

42 (e) The Director of Transportation or the director's designee;

43 (f) The chairperson of the State Board of Parole and Post-Prison Supervision or the
44 chairperson's designee;

45 (g) The Director of the Department of Public Safety Standards and Training or the director's

- 1 designee;
- 2 (h) A chief of police designated by the Oregon Association Chiefs of Police;
- 3 (i) A sheriff designated by the Oregon Sheriffs' Association;
- 4 (j) A jail manager designated by the Oregon Jail Managers' Association;
- 5 (k) A county juvenile department director designated by the Oregon Juvenile Department
- 6 Directors' Association;
- 7 (L) A community corrections agency director designated by the Oregon Association of Commu-
- 8 nity Corrections Directors;
- 9 (m) A district attorney designated by the Oregon District Attorneys Association;
- 10 (n) The administrator of the Enterprise Information Strategy and Policy Division of the Oregon
- 11 Department of Administrative Services or the administrator's designee;
- 12 (o) The Director of the Oregon Youth Authority or the director's designee;
- 13 (p) The State Fish and Wildlife Director or the director's designee;
- 14 (q) The administrator of the Oregon Liquor Control Commission or the administrator's designee;
- 15 and
- 16 (r) The *[staff]* Director of the State Commission on Children and Families or the *[staff]* director's
- 17 designee.
- 18 (2) The board shall meet at such times and places as the board deems necessary.
- 19 (3) The members of the board are not entitled to compensation but are entitled to expenses as
- 20 provided in ORS 292.495.
- 21 **SECTION 5.** ORS 417.775 is amended to read:
- 22 417.775. (1) Under the direction of the board or boards of county commissioners, and in con-
- 23 junction with the guidelines set by the State Commission on Children and Families, the local com-
- 24 mission on children and families shall promote wellness for children of all ages and their families
- 25 in the county or region, if the families have given their express written consent, mobilize commu-
- 26 nities and develop policy and oversee the implementation of a local coordinated comprehensive plan
- 27 described in this section. A local commission shall:
- 28 (a) Inform and involve citizens;
- 29 (b) Identify and map the range of resources in the community;
- 30 (c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or
- 31 younger, including prenatal, and their families;
- 32 (d) Develop local policies, priorities, outcomes and targets;
- 33 (e) Prioritize activities identified in the local plan and mobilize the community to take action;
- 34 (f) Prioritize the use of nondedicated resources;
- 35 (g) Monitor implementation of the local plan; and
- 36 (h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are
- 37 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-
- 38 comes.
- 39 (2)(a) A local commission may not provide direct services for children and their families.
- 40 (b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct
- 41 services for children and their families for a period not to exceed six months if:
- 42 (A)(i) The local commission determines that there is an emergency;
- 43 (ii) A provider of services discontinues providing the services in the county or region; or
- 44 (iii) No provider is able to offer the services in the county or region; and
- 45 (B) The family has given its express written consent.

1 (3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,
2 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall
3 be in conjunction with other coordinating bodies for services for children and their families and
4 shall include representatives of education, mental health services, developmental disability services,
5 alcohol and drug treatment programs, public health programs, local child care resource and referral
6 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,
7 local governments, faith-based organizations, businesses, families, youth and the local community.
8 The process shall include populations representing the diversity of the county or region.

9 (4) Through the process described in subsection (3) of this section, the local commission shall
10 coordinate the development of a single local plan for coordinating community programs, strategies
11 and services for children who are 18 years of age or younger, including prenatal, and their families
12 among community groups, government agencies, private providers and other parties. The local plan
13 shall be a comprehensive area-wide service delivery plan for all services to be provided for children
14 and their families in the county or region, if the families have given their express written consent.
15 The local plan shall be designed to achieve state and county or regional outcomes based on state
16 policies and guidelines and to maintain a level of services consistent with state and federal re-
17 quirements.

18 (5) The local commission shall prepare the local coordinated comprehensive plan and applica-
19 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-
20 posed service delivery systems shall be submitted to the board or boards of county commissioners
21 for approval prior to submission to the state commission. The local plan shall be based on identify-
22 ing the most effective service delivery system allowing for the continuation of current public and
23 private programs where appropriate. The local plan shall address needs, strengths and assets of all
24 children, their families and communities, including those children and their families at highest risk.

25 (6) Subject to the availability of funds:

26 (a) The local coordinated comprehensive plan shall include:

27 (A) Identification of ways to connect all state and local planning processes related to services
28 for children and their families into the local coordinated comprehensive plan to create positive
29 outcomes for children and their families; and

30 (B) Provisions for a continuum of social supports at the community level for children from the
31 prenatal stage through 18 years of age, and their families, that takes into account areas of need,
32 service overlap, asset building and community strengths as outlined in ORS 417.305 (2).

33 (b) The local coordinated comprehensive plan shall reference:

34 (A) A voluntary local early childhood system plan created pursuant to ORS 417.777;

35 (B) Local alcohol and other drug prevention and treatment plans developed pursuant to section
36 1, chapter 856, Oregon Laws 2009;

37 (C) Local service plans, developed pursuant to ORS 430.630, for the delivery of mental health
38 services for children and their families;

39 (D) Local public health plans, developed pursuant to ORS 431.385, that include public health
40 issues such as prenatal care, immunizations, well-child checkups, tobacco use, nutrition, teen preg-
41 nancy, maternal and child health care and suicide prevention; and

42 (E) The local high-risk juvenile crime prevention plan developed pursuant to ORS 417.855.

43 (7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to
44 support the local commission on children and families. The list shall indicate the status of each po-
45 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-

1 nated comprehensive plan. The county board or boards of commissioners shall be responsible for
2 providing the level of staff support detailed in the local plan and shall ensure that funds provided
3 for these purposes are used to carry out the local plan.

4 (8) The local coordinated comprehensive plan shall:

5 (a) Improve results by addressing the needs, strengths and assets of all children, their families
6 and communities in the county or region, including those children and their families at highest risk;

7 (b) Improve results by identifying the methods that work best at the state and local levels to
8 coordinate resources, reduce paperwork and simplify processes, including data gathering and plan-
9 ning;

10 (c) Be based on local, state and federal resources;

11 (d) Be based on proven practices of effectiveness for the specific community;

12 (e) Contribute to a voluntary statewide system of formal and informal services and supports that
13 is provided at the community level, that is integrated in local communities and that promotes im-
14 proved outcomes for Oregon's children;

15 (f) Be presented to the citizens in each county for public review, comment and adjustment;

16 (g) Be designed to achieve outcomes based on research-identified proven practices of effective-
17 ness; and

18 (h) Address other issues, local needs or children and family support areas as determined by the
19 local commission pursuant to ORS 417.735.

20 (9) In developing the local coordinated comprehensive plan, the local commission shall:

21 (a) Secure active participation pursuant to subsection (3) of this section;

22 (b) Provide for community participation in the planning process, including media notification;

23 (c) Conduct an assessment of the community that identifies needs and strengths;

24 (d) Identify opportunities for service integration; and

25 (e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of a
26 county or region.

27 (10) The state commission may disapprove the part of the local coordinated comprehensive plan
28 relating to the planning process required by this section and the voluntary local early childhood
29 system plan.

30 (11)(a) The state commission may disapprove the planning process and the voluntary local early
31 childhood system plan only upon making specific findings that the local plan substantially fails to
32 conform to the principles, characteristics and values identified in ORS 417.708 to 417.725 and 417.735
33 [(4)] or that the local plan fails to conform with the planning process requirements of this section.
34 The staff of the state commission shall assist the local commission in remedying the deficiencies in
35 the planning process or the voluntary local early childhood system plan. The state commission shall
36 set a date by which any deficient portions of the planning process or the voluntary local early
37 childhood system plan must be revised and resubmitted to the state commission by the local com-
38 mission.

39 (b) The state commission does not have approval authority over the following service plans
40 referenced in the local coordinated comprehensive plan:

41 (A) The local alcohol and other drug prevention and treatment plans developed pursuant to
42 section 1, chapter 856, Oregon Laws 2009;

43 (B) Local service plans, developed pursuant to ORS 430.630, relating to the delivery of mental
44 health services;

45 (C) Local public health plans developed pursuant to ORS 431.385; and

1 (D) Local high-risk juvenile crime prevention plans developed pursuant to ORS 417.855.

2 (12) The state commission, the Alcohol and Drug Policy Commission, the Department of Human
 3 Services and the Juvenile Crime Prevention Advisory Committee may jointly approve the community
 4 plan that is part of the local coordinated comprehensive plan, but may not jointly approve the ser-
 5 vice plans that are referenced in the local plan. If the community plan is disapproved in whole, the
 6 agencies shall identify with particularity the manner in which the community plan is deficient and
 7 the service plans may be implemented. If only part of the community plan is disapproved, the re-
 8 mainder of the community plan and the service plans may be implemented. The staff of the agencies
 9 shall assist the local commission in remedying the disapproved portions of the community plan. The
 10 agencies shall jointly set a date by which the deficient portions of the community plan shall be re-
 11 vised and resubmitted to the agencies by the local commission. In reviewing the community plan,
 12 the agencies shall consider the impact of state and local budget reductions on the community plan.

13 (13) If a local commission determines that the needs of the county or region it serves differ from
 14 those identified by the state commission, it may ask the state commission to waive specific re-
 15 quirements in its list of children’s support areas. The process for granting waivers shall be devel-
 16 oped by the state commission prior to the start of the review and approval process for the local
 17 coordinated comprehensive plan described in ORS 417.735 [(4)] and shall be based primarily on a
 18 determination of whether the absence of a waiver would prevent the local commission from best
 19 meeting the needs of the county or region.

20 (14) From time to time, the local commission may amend the local coordinated comprehensive
 21 plan and applications for funds to implement ORS 417.705 to 417.801 and 419A.170. The local com-
 22 mission must amend the local plan to reflect current community needs, strengths, goals, priorities
 23 and strategies. Amendments become effective upon approval of the board or boards of county com-
 24 missioners and the state commission.

25 (15) The local commission shall keep an official record of any amendments to the local coordi-
 26 nated comprehensive plan under subsection (14) of this section.

27 (16) The local commission shall provide an opportunity for public and private contractors to
 28 review the components of the local coordinated comprehensive plan and any amendments to the lo-
 29 cal plan, to receive notice of any component that the county or counties intend to provide through
 30 a county agency and to comment publicly to the board or boards of county commissioners if they
 31 disagree with the proposed service delivery plan.

32 **SECTION 6.** ORS 417.775, as amended by section 17, chapter 856, Oregon Laws 2009, is
 33 amended to read:

34 417.775. (1) Under the direction of the board or boards of county commissioners, and in con-
 35 junction with the guidelines set by the State Commission on Children and Families, the local com-
 36 mission on children and families shall promote wellness for children of all ages and their families
 37 in the county or region, if the families have given their express written consent, mobilize commu-
 38 nities and develop policy and oversee the implementation of a local coordinated comprehensive plan
 39 described in this section. A local commission shall:

- 40 (a) Inform and involve citizens;
- 41 (b) Identify and map the range of resources in the community;
- 42 (c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or
 43 younger, including prenatal, and their families;
- 44 (d) Develop local policies, priorities, outcomes and targets;
- 45 (e) Prioritize activities identified in the local plan and mobilize the community to take action;

- 1 (f) Prioritize the use of nondedicated resources;
- 2 (g) Monitor implementation of the local plan; and
- 3 (h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are
 4 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-
 5 comes.
- 6 (2)(a) A local commission may not provide direct services for children and their families.
- 7 (b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct
 8 services for children and their families for a period not to exceed six months if:
- 9 (A)(i) The local commission determines that there is an emergency;
- 10 (ii) A provider of services discontinues providing the services in the county or region; or
- 11 (iii) No provider is able to offer the services in the county or region; and
- 12 (B) The family has given its express written consent.
- 13 (3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,
 14 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall
 15 be in conjunction with other coordinating bodies for services for children and their families and
 16 shall include representatives of education, mental health services, developmental disability services,
 17 alcohol and drug treatment programs, public health programs, local child care resource and referral
 18 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,
 19 local governments, faith-based organizations, businesses, families, youth and the local community.
 20 The process shall include populations representing the diversity of the county or region.
- 21 (4) Through the process described in subsection (3) of this section, the local commission shall
 22 coordinate the development of a single local plan for coordinating community programs, strategies
 23 and services for children who are 18 years of age or younger, including prenatal, and their families
 24 among community groups, government agencies, private providers and other parties. The local plan
 25 shall be a comprehensive area-wide service delivery plan for all services to be provided for children
 26 and their families in the county or region, if the families have given their express written consent.
 27 The local plan shall be designed to achieve state and county or regional outcomes based on state
 28 policies and guidelines and to maintain a level of services consistent with state and federal re-
 29 quirements.
- 30 (5) The local commission shall prepare the local coordinated comprehensive plan and applica-
 31 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-
 32 posed service delivery systems shall be submitted to the board or boards of county commissioners
 33 for approval prior to submission to the state commission. The local plan shall be based on identify-
 34 ing the most effective service delivery system allowing for the continuation of current public and
 35 private programs where appropriate. The local plan shall address needs, strengths and assets of all
 36 children, their families and communities, including those children and their families at highest risk.
- 37 (6) Subject to the availability of funds:
- 38 (a) The local coordinated comprehensive plan shall include:
- 39 (A) Identification of ways to connect all state and local planning processes related to services
 40 for children and their families into the local coordinated comprehensive plan to create positive
 41 outcomes for children and their families; and
- 42 (B) Provisions for a continuum of social supports at the community level for children from the
 43 prenatal stage through 18 years of age, and their families, that takes into account areas of need,
 44 service overlap, asset building and community strengths as outlined in ORS 417.305 (2).
- 45 (b) The local coordinated comprehensive plan shall reference:

- 1 (A) A voluntary local early childhood system plan created pursuant to ORS 417.777;
- 2 (B) Local alcohol and other drug prevention and treatment plans developed pursuant to section
3 1, chapter 856, Oregon Laws 2009;
- 4 (C) Local service plans, developed pursuant to ORS 430.630, for the delivery of mental health
5 services for children and their families;
- 6 (D) Local public health plans, developed pursuant to ORS 431.385, that include public health
7 issues such as prenatal care, immunizations, well-child checkups, tobacco use, nutrition, teen preg-
8 nancy, maternal and child health care and suicide prevention; and
- 9 (E) The local high-risk juvenile crime prevention plan developed pursuant to ORS 417.855.
- 10 (7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to
11 support the local commission on children and families. The list shall indicate the status of each po-
12 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-
13 nated comprehensive plan. The county board or boards of commissioners shall be responsible for
14 providing the level of staff support detailed in the local plan and shall ensure that funds provided
15 for these purposes are used to carry out the local plan.
- 16 (8) The local coordinated comprehensive plan shall:
- 17 (a) Improve results by addressing the needs, strengths and assets of all children, their families
18 and communities in the county or region, including those children and their families at highest risk;
- 19 (b) Improve results by identifying the methods that work best at the state and local levels to
20 coordinate resources, reduce paperwork and simplify processes, including data gathering and plan-
21 ning;
- 22 (c) Be based on local, state and federal resources;
- 23 (d) Be based on proven practices of effectiveness for the specific community;
- 24 (e) Contribute to a voluntary statewide system of formal and informal services and supports that
25 is provided at the community level, that is integrated in local communities and that promotes im-
26 proved outcomes for Oregon's children;
- 27 (f) Be presented to the citizens in each county for public review, comment and adjustment;
- 28 (g) Be designed to achieve outcomes based on research-identified proven practices of effective-
29 ness; and
- 30 (h) Address other issues, local needs or children and family support areas as determined by the
31 local commission pursuant to ORS 417.735.
- 32 (9) In developing the local coordinated comprehensive plan, the local commission shall:
- 33 (a) Secure active participation pursuant to subsection (3) of this section;
- 34 (b) Provide for community participation in the planning process, including media notification;
- 35 (c) Conduct an assessment of the community that identifies needs and strengths;
- 36 (d) Identify opportunities for service integration; and
- 37 (e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of a
38 county or region.
- 39 (10) The state commission may disapprove the part of the local coordinated comprehensive plan
40 relating to the planning process required by this section and the voluntary local early childhood
41 system plan.
- 42 (11)(a) The state commission may disapprove the planning process and the voluntary local early
43 childhood system plan only upon making specific findings that the local plan substantially fails to
44 conform to the principles, characteristics and values identified in ORS 417.708 to 417.725 and 417.735
45 [(4)] or that the local plan fails to conform with the planning process requirements of this section.

1 The staff of the state commission shall assist the local commission in remedying the deficiencies in
2 the planning process or the voluntary local early childhood system plan. The state commission shall
3 set a date by which any deficient portions of the planning process or the voluntary local early
4 childhood system plan must be revised and resubmitted to the state commission by the local com-
5 mission.

6 (b) The state commission does not have approval authority over the following service plans
7 referenced in the local coordinated comprehensive plan:

8 (A) The local alcohol and other drug prevention and treatment plans developed pursuant to
9 section 1, chapter 856, Oregon Laws 2009;

10 (B) Local service plans, developed pursuant to ORS 430.630, relating to the delivery of mental
11 health services;

12 (C) Local public health plans developed pursuant to ORS 431.385; and

13 (D) Local high-risk juvenile crime prevention plans developed pursuant to ORS 417.855.

14 (12) The state commission, the Department of Human Services and the Juvenile Crime Pre-
15 vention Advisory Committee may jointly approve the community plan that is part of the local coor-
16 dinated comprehensive plan, but may not jointly approve the service plans that are referenced in the
17 local plan. If the community plan is disapproved in whole, the agencies shall identify with
18 particularity the manner in which the community plan is deficient and the service plans may be
19 implemented. If only part of the community plan is disapproved, the remainder of the community
20 plan and the service plans may be implemented. The staff of the agencies shall assist the local
21 commission in remedying the disapproved portions of the community plan. The agencies shall jointly
22 set a date by which the deficient portions of the community plan shall be revised and resubmitted
23 to the agencies by the local commission. In reviewing the community plan, the agencies shall con-
24 sider the impact of state and local budget reductions on the community plan.

25 (13) If a local commission determines that the needs of the county or region it serves differ from
26 those identified by the state commission, it may ask the state commission to waive specific re-
27 quirements in its list of children's support areas. The process for granting waivers shall be devel-
28 oped by the state commission prior to the start of the review and approval process for the local
29 coordinated comprehensive plan described in ORS 417.735 [(4)] and shall be based primarily on a
30 determination of whether the absence of a waiver would prevent the local commission from best
31 meeting the needs of the county or region.

32 (14) From time to time, the local commission may amend the local coordinated comprehensive
33 plan and applications for funds to implement ORS 417.705 to 417.801 and 419A.170. The local com-
34 mission must amend the local plan to reflect current community needs, strengths, goals, priorities
35 and strategies. Amendments become effective upon approval of the board or boards of county com-
36 missioners and the state commission.

37 (15) The local commission shall keep an official record of any amendments to the local coordi-
38 nated comprehensive plan under subsection (14) of this section.

39 (16) The local commission shall provide an opportunity for public and private contractors to
40 review the components of the local coordinated comprehensive plan and any amendments to the lo-
41 cal plan, to receive notice of any component that the county or counties intend to provide through
42 a county agency and to comment publicly to the board or boards of county commissioners if they
43 disagree with the proposed service delivery plan.

44 **SECTION 7.** ORS 417.797 is amended to read:

45 417.797. (1) Each state agency or other entity that is responsible for a component of the local

1 coordinated comprehensive plan shall ensure that a biennial evaluation of the plan component is
2 conducted according to a consistent framework. The program evaluation shall include:

3 (a) An identified goal and associated Oregon benchmarks;

4 (b) Proven practices of effectiveness and related Oregon data;

5 (c) A target population and a description of local service systems that may be used in identify-
6 ing, screening, recruiting and serving the target population;

7 (d) Specific intermediate outcomes that measure progress in addressing risk contributors or de-
8 veloping core supports and competencies and specific tools and data sources to measure the inter-
9 mediate outcomes;

10 (e) Baseline data about the incidence of risk and asset and support factors with the goal of
11 measuring change over time, including an assessment of local need;

12 (f) Measures of fiscal accountability;

13 (g) Identified roles and responsibilities for state agencies and local partners and performance
14 measures to evaluate effectiveness in agreed-upon roles; and

15 (h) Measures of the change in coordination among service providers and programs as a result
16 of the local plan, including increases in access to services.

17 (2) The State Commission on Children and Families shall disclose the results of the evaluations
18 to any person upon request.

19 (3) The Oregon Progress Board shall conduct a review of the intermediate outcome targets
20 achieved by local coordinated comprehensive plans [*in accordance with ORS 417.735 (3)(c)*] for the
21 purpose of identifying progress in achieving outcomes specified in local plans. The Oregon Progress
22 Board shall coordinate the review with the evaluations conducted according to subsection (1) of this
23 section.

24
