

A-Engrossed
House Bill 3570

Ordered by the House April 20
Including House Amendments dated April 20

Sponsored by Representative CLEM; Representatives CAMERON, GILLIAM, KOMP, SPRENGER, THOMPSON

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.

[Renames State Commission on Children and Families to State Children and Families Commission.] Changes number of members appointed to State Commission **on Children and Families** by Governor. *[Directs state commission and local commissions on children and families to facilitate collaboration between agencies and partners to improve outcomes and remove barriers.]* **Requires state commission to distribute 95 percent of all funds appropriated to and received by state commission to local commissions on children and families.** Redefines main purposes of local commissions.

A BILL FOR AN ACT

1
2 Relating to commissions serving children; amending ORS 417.710, 417.730, 417.735 and 417.775.

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

4 **SECTION 1.** ORS 417.710 is amended to read:

5 417.710. Subject to the availability of funds therefor and the specific provisions of ORS 417.705
6 to 417.801 and 419A.170, it is the purpose of ORS 417.705 to 417.801 and 419A.170 to:

7 (1) Authorize the State Commission on Children and Families to set statewide guidelines for the
8 **local** planning, coordination and delivery of services for children and families in conjunction with
9 other state agencies and other planning bodies;

10 (2) Vest in local commissions on children and families the authority to distribute state and fed-
11 eral funds allocated to the local commissions to supervise services or to purchase services for chil-
12 dren and families in the local area and to supervise the development of the local coordinated
13 comprehensive plan;

14 (3) Provide a process for comprehensive local planning for services for children and families to
15 provide local services that are consistent with statewide guidelines;

16 (4) Retain in the state the responsibility for funding of services for children and families through
17 a combination of local, state and federal funding, including the leveraging of public and private
18 funds available under ORS 417.705 to 417.801 and 419A.170; and

19 (5) Retain state supervision of child protection and other services that should be uniform
20 throughout the state and that are necessarily the state's responsibility.

21 **SECTION 2.** ORS 417.730 is amended to read:

22 417.730. (1) There is established a State Commission on Children and Families consisting of:

23 (a) The Director of Human Services;

24 (b) The Superintendent of Public Instruction;

25 (c) The Director of the Employment Department or, at the Governor's direction, the chairperson

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 of the Commission for Child Care;

2 (d) The Director of the Oregon Health Authority;

3 (e) One member appointed by the President of the Senate, who shall be a member of the Senate
4 and who shall be a nonvoting, advisory member;

5 (f) One member appointed by the Speaker of the House of Representatives, who shall be a
6 member of the House of Representatives and who shall be a nonvoting, advisory member; and

7 (g) [Twelve] **Nine** members appointed by the Governor.

8 (2) The appointments made by the Governor shall reflect the state's diverse populations and
9 regions and shall include representatives with expertise along the full developmental continuum of
10 a child from the prenatal stage through 18 years of age. The members appointed by the Governor
11 shall include:

12 (a) One representative from the Oregon Juvenile Department Directors' Association, from which
13 the Governor may solicit suggestions for appointment;

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

16 (c) [Two] **Three** members from local commissions on children and families, [*one from a rural area*
17 *and one from an urban area*] **representing small, medium and large counties**;

18 (d) One social service professional; and

19 (e) Two members from the business community who have demonstrated interest in children.

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

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

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

32 (6)(a) The majority of the members of the state commission shall 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 3.** 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
39 and values identified in ORS 417.708 to 417.725. The state commission shall provide no direct ser-
40 vices.

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. **The state commission shall distribute a minimum of 95 percent of all funds**

1 **appropriated to and received by the state commission to local commissions.**

2 (b) The state commission shall provide technical assistance and research-based information to
3 local commissions to support the development of county goals, performance measures and outcomes
4 for services and programs.

5 (c) The state commission may withhold funds from a local commission if services and programs
6 funded through the local commission do not meet appropriate performance measures and outcomes.

7 (3) The state commission shall **support local commissions in their responsibilities under**
8 **ORS 417.760 and 417.775. In performing the duties under this subsection, the state commis-**
9 **sion may:**

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

16 (b) Advise the Legislative Assembly and the Governor concerning possible solutions to problems
17 facing children and families;

18 (c) In consultation with other agencies, identify high-level and intermediate outcomes relating
19 to children and families and monitor the progress of local coordinated comprehensive plans in
20 meeting intermediate outcome targets;

21 (d) Encourage the development of innovative projects, based on proven practices of effective-
22 ness, that benefit children and families;

23 (e) Ensure that all services for children and families are integrated and evaluated according to
24 their outcomes;

25 (f) Compile, analyze and distribute information that informs and supports statewide coordinated
26 planning;

27 (g) Establish a uniform system of reporting and collecting statistical data from counties and
28 other agencies serving children and families;

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

36 (i) Make recommendations to the Commission for Child Care for the development of the state's
37 biennial child care plan; and

38 (j) Communicate information and policy advice on current research and proven practices of ef-
39 fectiveness, from both inside and outside the state, including successful local strategies, to local
40 commissions, the Governor, the Legislative Assembly, state agencies and the public. The information
41 shall include progress in meeting intermediate outcome targets identified in the local coordinated
42 comprehensive plans.

43 (4)(a) The state commission [*shall*] **may** develop a review and approval process for local coor-
44 dinated comprehensive plans that includes:

45 (A) A requirement that the local plan has been approved by the board or boards of county

1 commissioners;

2 (B) Assurance that the local plan meets essential criteria and approval required by appropriate
3 entities and meets appropriate systems and planning connections; and

4 (C) Review of state expenditures of resources allocated to the local commissions on children and
5 families.

6 (b) The state commission shall develop the process under this subsection in consultation with
7 other entities involved in the review and approval process.

8 (c) The state commission shall act on any waiver request from a local commission within 90 days
9 after receipt of the request.

10 (d) The state commission may disapprove a local plan for failure to address the elements de-
11 scribed in paragraph (a) of this subsection within 90 days after receipt of the request.

12 (5) The state commission, in coordination with the local commissions on children and families,
13 shall:

14 (a) Assist the local commissions in the development and implementation of performance meas-
15 ures and outcomes for evaluating services at the local level;

16 (b) Monitor the progress in meeting intermediate outcome targets in the local coordinated
17 comprehensive plans;

18 (c) In conjunction with the Department of Human Services and using the staff resources and
19 other resources of the state commission, educate, inform and provide technical assistance to local
20 commissions, including but not limited to technical assistance with:

21 (A) Federal and state laws, regulations and rules, and changes therein, governing the use of
22 federal and state funds;

23 (B) Facilitation;

24 (C) Planning;

25 (D) Policy development;

26 (E) Proven practices of effectiveness;

27 (F) Local systems development;

28 (G) Community problem solving and mobilization; and

29 (H) Other services, as appropriate;

30 (d) Conduct research and disseminate information to local commissions on children and families;

31 (e) Negotiate federal waivers in consultation with the Department of Human Services; and

32 (f) Develop a process for reviewing requests for waivers from requirements of the state com-
33 mission. Requests for waivers shall be granted or denied as a part of the approval process for a local
34 coordinated comprehensive plan. The state commission shall not grant a request for waiver that al-
35 lows funds to be used for any purpose other than early childhood prevention, intervention and
36 treatment programs.

37 (6) The state commission shall employ a staff director who shall be responsible for hiring and
38 supervising any additional personnel necessary to assist the state commission in performing its du-
39 ties. The staff director shall be responsible for management functions of the state commission sub-
40 ject to policy direction by the state commission.

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

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

45 (b) Ensure that federal and state requirements are met for federal funds administered by the

1 state commission; and

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

4 (8) In addition to the authority under subsection (5)(e) of this section, the state commission may
5 direct the Department of Human Services or the appropriate state department providing services for
6 children and families to negotiate federal waivers. If the Department of Human Services or any
7 other state agency does not pursue a federal waiver recommended by the state commission, the state
8 commission may ask the Governor to direct the Department of Human Services or other state
9 agency to apply for and negotiate the waiver.

10 (9) If the Department of Human Services or any other state agency refuses to distribute state
11 or federal funds as requested by the state commission, the state commission may ask the Governor
12 to direct the Department of Human Services or other state agency to distribute the funds.

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

16 (11) In conjunction with the Department of Human Services, the state commission, as soon as
17 possible, shall develop a plan to re-engineer and integrate the data processing systems related to
18 children's programs with the objective of making management information more accessible. The
19 state commission shall make regular presentations to the Joint Legislative Committee on Informa-
20 tion Management and Technology on its progress in developing and implementing the plan.

21 (12) Before each regular session of the Legislative Assembly, the state commission shall report,
22 to the Governor and to the appropriate joint interim committee as determined by the Speaker of the
23 House of Representatives and the President of the Senate, the following:

24 (a) Any additional proposals contained in "A Positive Future for Oregon's Children and
25 Families" by the 1991-1992 Oregon Children's Care Team Interim Task Force that should be under-
26 taken;

27 (b) The status in all counties of local service systems related to the health and wellness of
28 children and the adequacy of financial resources to deliver services;

29 (c) The progress in achieving desired outcomes, including but not limited to the statewide
30 guidelines set by the state commission under ORS 417.710 (1);

31 (d) Barriers to achieving intermediate and high-level outcome targets as identified in local co-
32 ordinated comprehensive plans;

33 (e) Proposed solutions to barriers identified under paragraph (d) of this subsection, including
34 proven, effective and innovative strategies; and

35 (f) County and community mobilization to increase public awareness and involvement and fund-
36 ing of community determined priorities.

37 (13)(a) The state commission may solicit, accept and receive federal moneys or moneys or other
38 property from persons or corporations, public or private, for the purpose of carrying out the pro-
39 visions of ORS 417.705 to 417.801 and 419A.170.

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

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

1 (14) The state commission shall:

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

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

6 (15) The state commission may contract with local governments or other entities to administer
7 juvenile crime prevention programs and services. In accordance with the applicable provisions of
8 ORS chapter 183, the state commission may adopt rules necessary for the administration of juvenile
9 crime prevention programs and services.

10 **SECTION 4.** ORS 417.775 is amended to read:

11 417.775. (1) [*Under the direction of*] **As directed by** the board or boards of county commissioners,
12 and [*in conjunction with*] **as provided in** the guidelines set by the State Commission on Children and
13 Families, [*the local commission on children and families shall promote wellness for children of all ages*
14 *and their families in the county or region, if the families have given their express written consent,*
15 *mobilize communities and develop policy and oversee the implementation of a local coordinated com-*
16 *prehensive plan described in this section*] **the main purposes of local commissions on children and**
17 **families include preventing child abuse and neglect by helping communities stabilize and**
18 **strengthen families, reducing risk factors for failure in school and responding to locally**
19 **identified needs of children and families. Local commissions shall accomplish this work**
20 **through coordinating with relevant state and community agencies and organizations and**
21 **mobilizing all sectors of the community. Local commissions may prioritize problems that**
22 **have multiple causes and that require multiple community-based partners to resolve. The**
23 **efforts of local commissions must achieve measurable outcomes that can be measured in a**
24 **consistent manner statewide.** A local commission shall:

25 (a) Inform and involve citizens;

26 (b) Identify and map the range of resources in the community;

27 (c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or
28 younger, including prenatal, and their families;

29 (d) Develop local policies, priorities, outcomes and targets;

30 (e) Prioritize activities identified in the local plan and mobilize the community to take action;

31 (f) Prioritize the use of nondedicated resources;

32 (g) Monitor implementation of the local plan; and

33 (h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are
34 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-
35 comes.

36 (2)(a) A local commission may not provide direct services for children and their families **unless**
37 **directed to do so by the board or boards of county commissioners.**

38 (b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct
39 services for children and their families for a period not to exceed six months if:

40 (A)(i) The local commission determines that there is an emergency;

41 (ii) A provider of services discontinues providing the services in the county or region; or

42 (iii) No provider is able to offer the services in the county or region; and

43 (B) The family has given its express written consent.

44 (3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,
45 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall

1 be in conjunction with other coordinating bodies for services for children and their families and
 2 shall include representatives of education, mental health services, developmental disability services,
 3 alcohol and drug treatment programs, public health programs, local child care resource and referral
 4 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,
 5 local governments, faith-based organizations, businesses, families, youth and the local community.
 6 The process shall include populations representing the diversity of the county or region.

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

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

23 (6) Subject to the availability of funds:

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

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

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

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

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

33 (B) Local alcohol and other drug prevention and treatment plans developed pursuant to section
 34 1, chapter 856, Oregon Laws 2009;

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

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

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

41 (7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to
 42 support the local commission on children and families. The list shall indicate the status of each po-
 43 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-
 44 nated comprehensive plan. The county board or boards of commissioners shall be responsible for
 45 providing the level of staff support detailed in the local plan and shall ensure that funds provided

1 for these purposes are used to carry out the local plan.

2 (8) The local coordinated comprehensive plan shall:

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

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

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

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

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

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

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

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

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

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

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

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

22 (d) Identify opportunities for service integration; and

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

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

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

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

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

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

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

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

45 (12) The state commission, the Alcohol and Drug Policy Commission, the Department of Human

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

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

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

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

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

30 **SECTION 5.** ORS 417.775, as amended by section 17, chapter 856, Oregon Laws 2009, is
 31 amended to read:

32 417.775. (1) *[Under the direction of]* **As directed by** the board or boards of county commissioners,
 33 and *[in conjunction with]* **as provided in** the guidelines set by the State Commission on Children and
 34 Families, *[the local commission on children and families shall promote wellness for children of all ages*
 35 *and their families in the county or region, if the families have given their express written consent,*
 36 *mobilize communities and develop policy and oversee the implementation of a local coordinated com-*
 37 *prehensive plan described in this section]* **the main purposes of local commissions on children and**
 38 **families include preventing child abuse and neglect by helping communities stabilize and**
 39 **strengthen families, reducing risk factors for failure in school and responding to locally**
 40 **identified needs of children and families. Local commissions shall accomplish this work**
 41 **through coordinating with relevant state and community agencies and organizations and**
 42 **mobilizing all sectors of the community. Local commissions may prioritize problems that**
 43 **have multiple causes and that require multiple community-based partners to resolve. The**
 44 **efforts of local commissions must achieve measurable outcomes that can be measured in a**
 45 **consistent manner statewide.** A local commission shall:

- 1 (a) Inform and involve citizens;
- 2 (b) Identify and map the range of resources in the community;
- 3 (c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or
- 4 younger, including prenatal, and their families;
- 5 (d) Develop local policies, priorities, outcomes and targets;
- 6 (e) Prioritize activities identified in the local plan and mobilize the community to take action;
- 7 (f) Prioritize the use of nondedicated resources;
- 8 (g) Monitor implementation of the local plan; and
- 9 (h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are
- 10 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-
- 11 comes.

12 (2)(a) A local commission may not provide direct services for children and their families **unless**

13 **directed to do so by the board or boards of county commissioners.**

14 (b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct

15 services for children and their families for a period not to exceed six months if:

- 16 (A)(i) The local commission determines that there is an emergency;
- 17 (ii) A provider of services discontinues providing the services in the county or region; or
- 18 (iii) No provider is able to offer the services in the county or region; and
- 19 (B) The family has given its express written consent.

20 (3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,

21 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall

22 be in conjunction with other coordinating bodies for services for children and their families and

23 shall include representatives of education, mental health services, developmental disability services,

24 alcohol and drug treatment programs, public health programs, local child care resource and referral

25 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,

26 local governments, faith-based organizations, businesses, families, youth and the local community.

27 The process shall include populations representing the diversity of the county or region.

28 (4) Through the process described in subsection (3) of this section, the local commission *[shall]*

29 **may** coordinate the development of a single local plan for coordinating community programs, strat-

30 egies and services for children *[who are]* **from the prenatal stage through** 18 years of age *[or*

31 *younger, including prenatal]*, and their families, among community groups, government agencies,

32 private providers and other parties. The local plan shall be a comprehensive area-wide service de-

33 livery plan for all services to be provided for children and their families in the county or region, if

34 the families have given their express written consent. The local plan shall be designed to achieve

35 state and county or regional outcomes based on state policies and guidelines and to maintain a level

36 of services consistent with state and federal requirements.

37 (5) The local commission shall prepare the local coordinated comprehensive plan and applica-

38 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-

39 posed service delivery systems shall be submitted to the board or boards of county commissioners

40 for approval prior to submission to the state commission. The local plan shall be based on identify-

41 ing the most effective service delivery system allowing for the continuation of current public and

42 private programs where appropriate. The local plan shall address needs, strengths and assets of all

43 children, their families and communities, including those children and their families at highest risk.

44 (6) Subject to the availability of funds:

- 45 (a) The local coordinated comprehensive plan shall include:

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

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

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

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

9 (B) Local alcohol and other drug prevention and treatment plans developed pursuant to section
10 1, chapter 856, Oregon Laws 2009;

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

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

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

17 (7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to
18 support the local commission on children and families. The list shall indicate the status of each po-
19 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-
20 nated comprehensive plan. The county board or boards of commissioners shall be responsible for
21 providing the level of staff support detailed in the local plan and shall ensure that funds provided
22 for these purposes are used to carry out the local plan.

23 (8) The local coordinated comprehensive plan shall:

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

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

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

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

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

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

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

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

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

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

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

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

43 (d) Identify opportunities for service integration; and

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

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

4 (11)(a) The state commission may disapprove the planning process and the voluntary local early
5 childhood system plan only upon making specific findings that the local plan substantially fails to
6 conform to the principles, characteristics and values identified in ORS 417.708 to 417.725 and 417.735
7 (4) or that the local plan fails to conform with the planning process requirements of this section.
8 The staff of the state commission shall assist the local commission in remedying the deficiencies in
9 the planning process or the voluntary local early childhood system plan. The state commission shall
10 set a date by which any deficient portions of the planning process or the voluntary local early
11 childhood system plan must be revised and resubmitted to the state commission by the local com-
12 mission.

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

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

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

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

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

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

32 (13) If a local commission determines that the needs of the county or region it serves differ from
33 those identified by the state commission, it may ask the state commission to waive specific re-
34 quirements in its list of children's support areas. The process for granting waivers shall be devel-
35 oped by the state commission prior to the start of the review and approval process for the local
36 coordinated comprehensive plan described in ORS 417.735 (4) and shall be based primarily on a de-
37 termination of whether the absence of a waiver would prevent the local commission from best
38 meeting the needs of the county or region.

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

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

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