

House Bill 3570

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 **as introduced**.

Renames State Commission on Children and Families to State Children and Families Commission. Changes number of members appointed to state commission 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. Redefines main purposes of local commissions.

A BILL FOR AN ACT

1
2 Relating to commissions serving children; amending ORS 417.705, 417.710, 417.728, 417.730, 417.733,
3 417.735, 417.740, 417.745, 417.750, 417.760 and 417.775.

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

5 **SECTION 1.** ORS 417.705 is amended to read:

6 417.705. As used in ORS 417.705 to 417.801:

7 (1) "Community mobilization" means government and private efforts to increase community
8 awareness and facilitate the active participation of citizens and organizations in projects and issues
9 that will have positive impact on the well-being of children, families and communities.

10 (2) "Efficiency" means a measurable indicator of the amount of resources required to produce
11 an output.

12 (3) "High-level outcome" means the Oregon benchmarks adopted by the Oregon Progress Board
13 and any other measurable indicators of societal well-being.

14 (4) "Intermediate outcome" means a measurable indicator of the effort by an agency or other
15 entity toward achieving a high-level outcome target.

16 (5) "Local commission" means a local commission on children and families established pursuant
17 to ORS 417.760.

18 (6) "Local coordinated comprehensive plan" or "local plan" means a local coordinated compre-
19 hensive plan for children and families that is developed pursuant to ORS 417.775 through a process
20 coordinated and led by a local commission and that consists of:

21 (a) A community plan that identifies the community's needs, strengths, goals, priorities and
22 strategies for:

23 (A) Creating positive outcomes for children and families;

24 (B) Community mobilization;

25 (C) Coordinating programs, strategies and services for children who are 0 through 18 years of
26 age and their families among community groups, government agencies, private providers and other
27 parties; and

28 (D) Addressing the needs of target populations; and

29 (b) The service plans listed in ORS 417.775 (6) that designate specific services for the target
30 populations identified in the community plan.

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 (7) "Outcome" means the measure of a desired result.

2 (8) "Output" means the amount or frequency of products or services delivered by an agency or
3 other entity.

4 (9) "Performance measure" includes outcomes, outputs and efficiencies that indicate how well
5 an agency or other entity is carrying out its mission and achieving its goals.

6 (10) "Services for children and families" does not include services provided by the Department
7 of Education or school districts that are related to curriculum or instructional programs.

8 (11) "State commission" means the State [*Commission on*] Children and Families **Commission**
9 established under ORS 417.730.

10 (12) "Target" means a specific level of achievement desired for a specific time, expressed nu-
11 merically.

12 **SECTION 2.** ORS 417.710 is amended to read:

13 417.710. Subject to the availability of funds therefor and the specific provisions of ORS 417.705
14 to 417.801 and 419A.170, it is the purpose of ORS 417.705 to 417.801 and 419A.170 to:

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

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

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

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

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

29 **SECTION 3.** ORS 417.728 is amended to read:

30 417.728. (1) The State [*Commission on*] Children and Families **Commission**, the Department of
31 Education, the Employment Department, the Department of Human Services and the Oregon Health
32 Authority shall lead a joint effort with other state and local early childhood partners to establish
33 the policies necessary for a voluntary statewide early childhood system that shall be incorporated
34 into the local coordinated comprehensive plan.

35 (2) The voluntary statewide early childhood system shall be designed to achieve:

36 (a) The appropriate early childhood benchmarks jointly identified by the State [*Commission on*]
37 Children and Families **Commission**, the Department of Education, the Employment Department, the
38 Department of Human Services and the Oregon Health Authority, with input from early childhood
39 partners, as the appropriate benchmarks; and

40 (b) Any other early childhood benchmark or intermediate outcome jointly identified by the State
41 [*Commission on*] Children and Families **Commission**, the Department of Education, the Employment
42 Department, the Department of Human Services and the Oregon Health Authority, with input from
43 early childhood partners, as an appropriate benchmark or outcome.

44 (3) The voluntary statewide early childhood system shall include the following components:

45 (a) A process to identify as early as possible children and families who would benefit from early

1 childhood services;

2 (b) A plan to support the identified needs of the child and family that coordinates case man-
3 agement personnel and the delivery of services to the child and family; and

4 (c) Services to support children who are zero through eight years of age and their families who
5 give their express written consent, including:

6 (A) Screening, assessment and home visiting services pursuant to ORS 417.795;

7 (B) Specialized or targeted home visiting services;

8 (C) Community-based services such as relief nurseries, family support programs and parent ed-
9 ucation programs;

10 (D) High quality child care, as defined by the Commission for Child Care;

11 (E) Preschool and other early education services;

12 (F) Health services for children and pregnant women;

13 (G) Mental health services;

14 (H) Alcohol and drug treatment programs that meet the standards promulgated by the Oregon
15 Health Authority pursuant to ORS 430.357;

16 (I) Developmental disability services; and

17 (J) Other state and local services.

18 (4) The State [*Commission on*] Children and Families **Commission**, the Department of Education,
19 the Employment Department, the Department of Human Services and the Oregon Health Authority
20 shall jointly:

21 (a) Consolidate administrative functions relating to the voluntary statewide early childhood
22 system, to the extent practicable, including but not limited to training and technical assistance,
23 planning and budgeting. This paragraph does not apply to the administrative functions of the De-
24 partment of Education relating to education programs;

25 (b) Adopt policies to establish training and technical assistance programs to ensure that per-
26 sonnel have skills in appropriate areas, including screening, family assessment, competency-based
27 home visiting skills, cultural and gender differences and other areas as needed;

28 (c) Identify research-based age-appropriate and culturally and gender appropriate screening and
29 assessment tools that would be used as appropriate in programs and services of the voluntary
30 statewide early childhood system;

31 (d) Develop a plan for the implementation of a common data system for voluntary early child-
32 hood programs as provided in section 7, chapter 831, Oregon Laws 2001;

33 (e) Coordinate existing and new early childhood programs to provide a range of community-
34 based supports;

35 (f) Establish a common set of quality assurance standards to guide local implementation of all
36 elements of the voluntary statewide early childhood system, including voluntary universal screening
37 and assessment, home visiting, staffing, evaluation and community-based services;

38 (g) Ensure that all plans for voluntary early childhood services are coordinated and consistent
39 with federal and state law, including but not limited to plans for Oregon prekindergarten programs,
40 federal Head Start programs, early childhood special education services, early intervention services
41 and public health services;

42 (h) Identify how the voluntary statewide early childhood system for children who are zero
43 through eight years of age will link with systems of support for older children and their families;

44 (i) Contract for an evaluation of the outcomes of the voluntary statewide early childhood system;
45 and

1 (j) During January of each odd-numbered year, report to the Governor and the Legislative As-
 2 sembly on the voluntary statewide early childhood system. The report shall include the evaluation
 3 described in paragraph (i) of this subsection.

4 (5) The State [*Commission on*] Children and Families **Commission**, the State Board of Education,
 5 the Employment Department, the Department of Human Services and the Oregon Health Authority
 6 when adopting rules to administer voluntary early childhood programs under their individual au-
 7 thority shall adopt rules that are consistent with the requirements of the voluntary statewide early
 8 childhood system created under this section.

9 (6) Information gathered in conjunction with the voluntary comprehensive screening and as-
 10 sessment of children and their families may be used only for the following purposes:

- 11 (a) Providing services to children and families who give their express written consent;
- 12 (b) Providing statistical data that are not personally identifiable;
- 13 (c) Accomplishing other purposes for which the family has given express written consent; and
- 14 (d) Meeting the requirements of mandatory state and federal disclosure laws.

15 **SECTION 4.** ORS 417.730 is amended to read:

16 417.730. (1) There is established a State [*Commission on*] Children and Families **Commission**
 17 consisting of:

- 18 (a) The Director of Human Services;
- 19 (b) The Superintendent of Public Instruction;
- 20 (c) The Director of the Employment Department or, at the Governor's direction, the chairperson
 21 of the Commission for Child Care;
- 22 (d) The Director of the Oregon Health Authority;
- 23 (e) One member appointed by the President of the Senate, who shall be a member of the Senate
 24 and who shall be a nonvoting, advisory member;
- 25 (f) One member appointed by the Speaker of the House of Representatives, who shall be a
 26 member of the House of Representatives and who shall be a nonvoting, advisory member; and
- 27 (g) [*Twelve*] **Nine** members appointed by the Governor.

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

- 32 (a) One representative from the Oregon Juvenile Department Directors' Association, from which
 33 the Governor may solicit suggestions for appointment;
- 34 (b) [*Six*] **Two** public members who have demonstrated interest in children, with consideration
 35 given to a youth member and persons from the education community;
- 36 (c) [*Two*] **Three** members from local commissions on children and families, [*one from a rural area*
 37 *and one from an urban area*] **representing small, medium and large counties**;
- 38 (d) One social service professional; and
- 39 (e) Two members from the business community who have demonstrated interest in children.

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

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

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

7 (6)(a) The majority of the members of the state commission shall be laypersons.

8 (b) As used in this subsection, “layperson” means a person whose primary income is not derived
 9 from either offering direct service to children and youth or being an administrator for a program for
 10 children and youth.

11 **SECTION 5.** ORS 417.733 is amended to read:

12 417.733. The State [*Commission on*] Children and Families **Commission** Account is established
 13 separate and distinct from the General Fund. All moneys received by the State [*Commission on*]
 14 Children and Families **Commission**, other than appropriations from the General Fund, shall be de-
 15 posited into the account and are continuously appropriated to the **state** commission to carry out the
 16 duties, functions and powers of the **state** commission.

17 **SECTION 6.** ORS 417.735 is amended to read:

18 417.735. (1) The State [*Commission on*] Children and Families **Commission** shall promote the
 19 wellness of children and families at the state level and shall act in accordance with the principles,
 20 characteristics and values identified in ORS 417.708 to 417.725. The state commission shall provide
 21 no direct services.

22 (2)(a) Funds for local commissions shall consist of payments from moneys appropriated for local
 23 commissions to the State [*Commission on*] Children and Families **Commission** by the Legislative
 24 Assembly. The state commission shall develop an equitable formula for the distribution of funds to
 25 counties or regions for services for children and families, and a minimum annual grant shall be
 26 provided to each county or region.

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

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

32 (3) The state commission shall **advocate for improved outcomes for Oregon’s children and**
 33 **families by facilitating collaboration between state agencies and other partners to remove**
 34 **barriers to outcomes. The state commission shall support local commissions by facilitating**
 35 **collaboration between local agencies and other partners to improve outcomes and remove**
 36 **barriers at the local level and by addressing locally identified needs. In performing the duties**
 37 **under this subsection, the state commission may:**

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

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

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

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

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

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

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

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

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

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

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

28 (A) A requirement that the local plan has been approved by the board or boards of county
29 commissioners;

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

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

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

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

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

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

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

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

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

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

6 (B) Facilitation;

7 (C) Planning;

8 (D) Policy development;

9 (E) Proven practices of effectiveness;

10 (F) Local systems development;

11 (G) Community problem solving and mobilization; and

12 (H) Other services, as appropriate;

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

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

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

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

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

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

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

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

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

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

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

44 (11) In conjunction with the Department of Human Services, the state commission, as soon as
 45 possible, shall develop a plan to re-engineer and integrate the data processing systems related to

1 children's programs with the objective of making management information more accessible. The
2 state commission shall make regular presentations to the Joint Legislative Committee on Informa-
3 tion Management and Technology on its progress in developing and implementing the plan.

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

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

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

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

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

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

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

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

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

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

29 (14) The state commission shall:

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

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

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

38 **SECTION 7.** ORS 417.740 is amended to read:

39 417.740. (1) The Governor shall select a chairperson for the State [*Commission on*] Children and
40 Families **Commission** who shall be a layperson as defined in ORS 417.730 (6)(b). The state commis-
41 sion shall select one of its members as vice chairperson. The chairperson and vice chairperson shall
42 serve for such terms and with such duties and powers as the state commission determines to be
43 necessary to perform the functions of their offices.

44 (2) A majority of the members of the state commission constitutes a quorum for the transaction
45 of business. The affirmative vote of a majority of the members of the state commission is required

1 for action by the state commission.

2 (3) The state commission shall meet once a month for the first year and then at least once every
3 three months at a place, day and hour determined by the state commission. The state commission
4 also shall meet at other times and places specified by the call of the chairperson or of a majority
5 of the members of the commission.

6 **SECTION 8.** ORS 417.745 is amended to read:

7 417.745. In accordance with applicable provisions of ORS chapter 183, the State [*Commission*
8 *on*] Children and Families **Commission** may adopt rules necessary to administer the duties of the
9 state commission.

10 **SECTION 9.** ORS 417.750 is amended to read:

11 417.750. (1) To aid and advise the State [*Commission on*] Children and Families **Commission** in
12 the performance of its functions, the state commission may establish such advisory and technical
13 committees as it considers necessary. The state commission shall determine the representation,
14 membership, terms and organization of the committees and shall appoint the members. The advisory
15 and technical committees shall include members of local commissions on children and families.

16 (2) Members of committees are not entitled to compensation, but at the discretion of the state
17 commission may be reimbursed from funds available to the state commission for actual and neces-
18 sary travel and other expenses incurred in the performance of their official duties, subject to ORS
19 292.495.

20 **SECTION 10.** ORS 417.760 is amended to read:

21 417.760. (1) The board of county commissioners of a county or the boards of county commis-
22 sioners of contiguous counties that agree to appoint a regional commission:

23 (a) Shall appoint a chairperson and a minimum of eight members to a local commission on chil-
24 dren and families in the manner described in ORS 417.765.

25 (b) Shall appoint a local staff director. The staff director shall hire and supervise any other
26 support staff necessary for operation of the local commission. The staff director and staff are subject
27 to county personnel policies and other administration policies and ordinances. The staff director
28 shall be responsible for all management functions of the local commission.

29 (c) Must approve the local coordinated comprehensive plan before it may be submitted to the
30 State [*Commission on*] Children and Families **Commission**. If the local plan has been revised or is
31 amended, the revised or amended local plan must be submitted to the board or boards for approval
32 before it is submitted to the state commission.

33 (2) The board or boards of county commissioners must approve any transfer of responsibility for
34 a state service and its funding to a local commission.

35 (3) Funds payable to implement local coordinated comprehensive plans shall be paid to the
36 county. The board or boards of county commissioners are responsible for the expenditure of such
37 funds subject to county budget and fiscal operating procedures.

38 **SECTION 11.** ORS 417.775 is amended to read:

39 417.775. (1) [*Under the direction of*] **As directed by** the board or boards of county commissioners,
40 and [*in conjunction with*] **as provided in** the guidelines set by the [*State Commission on Children and*
41 *Families, the local commission on children and families*] **State Children and Families Commission,**
42 **the main purposes of local commissions on children and families** [*shall promote wellness for*
43 *children of all ages and their families in the county or region, if the families have given their express*
44 *written consent, mobilize communities and develop policy and oversee the implementation of a local*
45 *coordinated comprehensive plan described in this section*] **include preventing child abuse and neg-**

1 **lect by helping communities stabilize and strengthen families, reducing risk factors for fail-**
 2 **ure in school and responding to locally identified needs of children and families. Local**
 3 **commissions shall accomplish this work through planning collaboratively with community**
 4 **partners and agencies and mobilizing all sectors of the community. Local commissions may**
 5 **prioritize problems that have multiple causes and require multiple community-based partners**
 6 **to resolve.** A local commission shall:

7 (a) Inform and involve citizens;

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

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

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

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

13 (f) Prioritize the use of nondedicated resources;

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

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

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

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

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

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

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

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

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

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

43 (5) The local commission shall prepare the local coordinated comprehensive plan and applica-
 44 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-
 45 posed service delivery systems shall be submitted to the board or boards of county commissioners

1 for approval prior to submission to the state commission. The local plan shall be based on identify-
2 ing the most effective service delivery system allowing for the continuation of current public and
3 private programs where appropriate. The local plan shall address needs, strengths and assets of all
4 children, their families and communities, including those children and their families at highest risk.

5 (6) Subject to the availability of funds:

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

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

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

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

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

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

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

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

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

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

29 (8) The local coordinated comprehensive plan shall:

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

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

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

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

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

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

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

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

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

- 1 (a) Secure active participation pursuant to subsection (3) of this section;
- 2 (b) Provide for community participation in the planning process, including media notification;
- 3 (c) Conduct an assessment of the community that identifies needs and strengths;
- 4 (d) Identify opportunities for service integration; and
- 5 (e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of a
- 6 county or region.

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

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

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

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

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

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

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

27 (12) The state commission, the Alcohol and Drug Policy Commission, the Department of Human
 28 Services and the Juvenile Crime Prevention Advisory Committee may jointly approve the community
 29 plan that is part of the local coordinated comprehensive plan, but may not jointly approve the ser-
 30 vice plans that are referenced in the local plan. If the community plan is disapproved in whole, the
 31 agencies shall identify with particularity the manner in which the community plan is deficient and
 32 the service plans may be implemented. If only part of the community plan is disapproved, the re-
 33 mainder of the community plan and the service plans may be implemented. The staff of the agencies
 34 shall assist the local commission in remedying the disapproved portions of the community plan. The
 35 agencies shall jointly set a date by which the deficient portions of the community plan shall be re-
 36 vised and resubmitted to the agencies by the local commission. In reviewing the community plan,
 37 the agencies shall consider the impact of state and local budget reductions on the community plan.

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

45 (14) From time to time, the local commission may amend the local coordinated comprehensive

1 plan and applications for funds to implement ORS 417.705 to 417.801 and 419A.170. The local com-
 2 mission must amend the local plan to reflect current community needs, strengths, goals, priorities
 3 and strategies. Amendments become effective upon approval of the board or boards of county com-
 4 missioners and the state commission.

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

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

12 **SECTION 12.** ORS 417.775, as amended by section 17, chapter 856, Oregon Laws 2009, is
 13 amended to read:

14 417.775. (1) *[Under the direction of]* **As directed by** the board or boards of county commissioners,
 15 and *[in conjunction with]* **as provided in** the guidelines set by the *[State Commission on Children and*
 16 *Families, the local commission on children and families]* **State Children and Families Commission,**
 17 **the main purposes of local commissions on children and families** *[shall promote wellness for*
 18 *children of all ages and their families in the county or region, if the families have given their express*
 19 *written consent, mobilize communities and develop policy and oversee the implementation of a local*
 20 *coordinated comprehensive plan described in this section]* **include preventing child abuse and neg-**
 21 **lect by helping communities stabilize and strengthen families, reducing risk factors for fail-**
 22 **ure in school and responding to locally identified needs of children and families. Local**
 23 **commissions shall accomplish this work through planning collaboratively with community**
 24 **partners and agencies and mobilizing all sectors of the community. Local commissions may**
 25 **prioritize problems that have multiple causes and require multiple community-based partners**
 26 **to resolve.** A local commission shall:

27 (a) Inform and involve citizens;

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

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

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

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

33 (f) Prioritize the use of nondedicated resources;

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

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

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

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

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 Department of Human Services and the Juvenile Crime Pre-
 3 vention Advisory Committee may jointly approve the community plan that is part of the local coor-
 4 dinated comprehensive plan, but may not jointly approve the service plans that are referenced in the
 5 local plan. If the community plan is disapproved in whole, the agencies shall identify with
 6 particularity the manner in which the community plan is deficient and the service plans may be
 7 implemented. If only part of the community plan is disapproved, the remainder of the community
 8 plan and the service plans may be implemented. The staff of the agencies shall assist the local
 9 commission in remedying the disapproved portions of the community plan. The agencies shall jointly
 10 set a date by which the deficient portions of the community plan shall be revised and resubmitted
 11 to the agencies by the local commission. In reviewing the community plan, the agencies shall con-
 12 sider 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 de-
 18 termination 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