

BILL ANALYSIS

Senate Research Center
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S.B. 501
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Children who are members of racial or ethnic minority groups are disproportionately involved in the foster care, special education, juvenile justice, and criminal justice systems. Past state efforts to address this concern have been largely targeted at specific issue areas (e.g., reporting requirements for public school discipline; creation of regional disproportionality specialist positions within Child Protective Services). A more comprehensive approach would allow the state to maximize resources and produce better results through the development of recommendations for strategies that cut across every system that contributes to disproportionality and disparities for the same populations.

S.B. 501 creates the Interagency Council for Addressing Disproportionality (council). The council will be composed of representatives from relevant agencies and the public, and will meet quarterly. It will examine best practices and training, review the availability of funding, consider both entry into the juvenile justice, child welfare, education, mental health systems, and ultimate outcomes and make recommendations to the legislature to address disproportionality over the long term. Upon the conclusion of its duties, the council will expire in 2013.

As proposed, S.B. 501 amends current law relating to the establishment of an interagency council for addressing disproportionality.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 1, Human Resources Code, by adding Chapter 2, as follows:

CHAPTER 2. INTERAGENCY COUNCIL FOR ADDRESSING DISPROPORTIONALITY

Sec. 2.001. INTERAGENCY COUNCIL FOR ADDRESSING DISPROPORTIONALITY. Provides that the Interagency Council for Addressing Disproportionality (council) is established to:

- (1) examine the level of disproportionate involvement of children who are members of a racial or ethnic minority group at each stage in the juvenile justice, child welfare, education, and mental health systems, including the points of entry, each point at which a treatment decision is made, and the outcomes for the children exiting the systems; and
- (2) make recommendations to reduce the involvement of the children in the systems.

Sec. 2.002. COMPOSITION OF COUNCIL; MEETINGS. (a) Provides that the council consists of:

- (1) one representative from each of certain agencies appointed by the executive director or commissioner of each agency; and
- (2) one representative of the office of the attorney general appointed by the attorney general.

(b) Requires a representative of an agency appointed to the council to have an overall understanding of the agency's mission and purpose and substantial experience and expertise relating to the administration of the agency's policies, programs, and activities.

(c) Provides that the representative from the Center for Elimination of Disproportionality and Disparities within the Health and Human Services Commission serves as the presiding officer of the council.

(d) Requires the council to meet at least quarterly.

Sec. 2.003. COUNCIL DUTIES. Provides that the council's duties include:

(1) reviewing the delivery of public and private child welfare, juvenile justice, mental health, and education services to evaluate the disproportionate rates of use of the services by children who are members of a racial or ethnic minority group;

(2) reviewing federal, state, and local funds appropriated to address the disproportionate use of children's services by children who are members of a racial or ethnic minority group;

(3) reviewing current best practice standards addressing the disproportionate use of children's services by children who are members of a racial or ethnic minority group;

(4) examining the qualifications and training of children's service providers and making recommendations for training curriculum and other necessary changes;

(5) recommending methods to improve use of available public and private funds to address the disproportionate use of children's services by children who are members of a racial or ethnic minority group;

(6) providing information concerning identified unmet children's service needs and providing recommendations concerning the development of resources to meet the identified needs;

(7) examining outcomes for children who are members of a racial or ethnic minority group who have exited or will exit the public and private child welfare, juvenile justice, mental health, and education systems;

(8) recommending administrative and legislative actions related to appropriate programs and services to reduce and eliminate disparities in the systems and improve the long-term outcomes for children who are members of a racial or ethnic minority group who are served by the systems; and

(9) preparing a report consisting of the council's findings and recommendations, and the presentation of an implementation plan to address disproportionate representation of children who are members of a racial or ethnic minority group in the use of children's services.

Sec. 2.004. COUNCIL REPORT. Requires the council, not later than December 1, 2012, to prepare and submit to the lieutenant governor, the speaker of the house of representatives, and the legislature a report containing the council's findings and recommendations for addressing the disproportionate representation of children who are

members of a racial or ethnic minority group in the use of children's services and the council's recommendation as to whether to continue the council.

Sec. 2.005. EXPIRATION OF CHAPTER. Provides that this chapter expires December 1, 2013.

SECTION 2. Effective date: upon passage or September 1, 2011.