

1                   **FAMILIES, AGENCIES, AND COMMUNITIES**  
2                   **TOGETHER FOR CHILDREN AMENDMENTS**

3                                   1999 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Duane E. Bourdeaux**

6 AN ACT RELATING TO STATE AFFAIRS IN GENERAL; ADDING TWO PARENTS AND  
7 A REPRESENTATIVE OF COMMUNITY-BASED SERVICE ORGANIZATIONS TO THE  
8 STATE COUNCIL; CLARIFYING THE ROLE OF COMMUNITY-BASED SERVICE  
9 ORGANIZATIONS IN THE FACT PROGRAM; REQUIRING THE STATE COUNCIL TO  
10 REVIEW AND MAKE RECOMMENDATIONS REGARDING THE STEERING COMMITTEE;  
11 AND MAKING TECHNICAL AND CONFORMING AMENDMENTS.

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 AMENDS:

14                   **63-75-2**, as last amended by Chapter 27, Laws of Utah 1997

15                   **63-75-3**, as last amended by Chapter 136, Laws of Utah 1996

16                   **63-75-4**, as last amended by Chapter 27, Laws of Utah 1997

17 *Be it enacted by the Legislature of the state of Utah:*

18                   Section 1. Section **63-75-2** is amended to read:

19                   **63-75-2. Purpose of chapter.**

20                   (1) It is declared that the policy of the state is to unite the Department of Human Services,  
21 the State Office of Education, the Department of Health, the Office of the Court Administrator,  
22 and the Department of Workforce Services, community-based service organizations, and parents  
23 to develop and implement comprehensive systems of services and supports for children and youth  
24 at risk and their families.

25                   (2) It is the intent of the Legislature that service delivery systems developed under this  
26 chapter shall require collaboration between existing state and local agencies and between public,  
27 private, and voluntary agencies to enhance their capacity to meet community needs.

28 Section 2. Section **63-75-3** is amended to read:

29 **63-75-3. Definitions.**

30 As used in this chapter:

31 (1) "Children and youth at risk" means:

32 (a) all persons from birth to age 18;

33 (b) disabled persons age 18 to 22; or

34 (c) persons in the custody of the Division of Youth Corrections within the Department of  
35 Human Services age 18 to 21; and

36 (d) persons who may at times require appropriate and uniquely designed intervention to:

37 (i) achieve literacy;

38 (ii) advance through the schools;

39 (iii) achieve commensurate with their ability; and

40 (iv) participate in society in a meaningful way as competent, productive, caring, and  
41 responsible citizens.

42 (2) "Council" means the Families, Agencies, and Communities Together Council  
43 established under Section 63-75-4.

44 (3) "Local interagency council" means a council established under Section 63-75-5.7.

45 (4) "Steering committee" means the Families, Agencies, and Communities Together  
46 Steering Committee established under Section 63-75-5.

47 (5) (a) "Child and family centered service delivery system" means services provided to  
48 children and youth at risk and their families that may be delivered by teams and within a  
49 supportive community environment.

50 (b) "Community" includes, when available, parents of children and youth at risk; directors  
51 of geographical service delivery areas designated by state agencies; local government elected  
52 officials; appointed county officials who are responsible for providing substance abuse, mental  
53 health, or public health services; educators; school districts; parent-teacher organizations; child and  
54 family advocacy groups; religious and community-based service organizations; individuals; and  
55 private sector entities who come together to develop, adopt, and administer a plan for a  
56 collaborative service delivery system for children and youth at risk.

57 (c) "Community resources" means time, money, services, and other contributions provided  
58 by individuals, private sector entities, religious organizations, community-based service

59 organizations, school districts, municipal governments, and county governments.

60 (d) "Individualized and coordinated service plan" means a plan for services and supports  
61 that is comprehensive in its scope, is the product of a collaborative process between public and  
62 private service providers, and is specifically tailored to the unique needs of each child or youth  
63 served under this chapter.

64 (e) "Performance monitoring system" means a process to regularly collect and analyze  
65 performance information including performance indicators and performance goals:

66 (i) "performance indicators" means actual performance information regarding a program  
67 or activity; and

68 (ii) "performance goals" means a target level of performance or an expected level of  
69 performance against which actual performance is measured.

70 (f) "Plan for a collaborative service delivery system," "plan," or "plans" means a written  
71 document describing how a community proposes to deliver services and supports to children and  
72 youth at risk that effectively bring to bear all needed resources, including community resources,  
73 to enable them to achieve the outcomes described in Subsections 63-75-3(1)(a) through (d).

74 Section 3. Section **63-75-4** is amended to read:

75 **63-75-4. Families, Agencies, and Communities Together State Council --**  
76 **Composition -- Duties -- Interagency case management team.**

77 (1) (a) There is created within state government the Families, Agencies, and Communities  
78 Together State Council composed of:

79 [(a)] (i) the state superintendent of public instruction;

80 [(b)] (ii) the executive director of the Department of Health;

81 [(c)] (iii) the executive director of the Department of Human Services;

82 [(d)] (iv) the state court administrator; and

83 [(e)] (v) the executive director of the Department of Workforce Services.

84 (b) The council members listed in Subsection (1)(a) shall appoint to a four-year term the  
85 following nonvoting members:

86 (i) a representative of community-based service organizations appointed to a four-year  
87 term;

88 (ii) a parent representative from a rural community; and

89 (iii) a parent representative from an urban community.

90 (c) If a vacancy occurs with respect to a council member appointed under Subsection  
91 (1)(b), council members listed in Subsection (1)(a) shall appoint a replacement for the unexpired  
92 term.

93 (d) Appointments and reappointments under Subsection (1)(b) and (c) shall be made  
94 within 60 days of a vacancy.

95 (2) (a) The council shall annually elect a chair from its membership.

96 (b) All voting members of the council are necessary to constitute a quorum at any meeting.

97 (c) The action of a majority of a quorum is the action of the council, except that a  
98 unanimous vote is required to appoint or remove a nonvoting council member.

99 (d) The council shall meet quarterly or more frequently as determined by the chair.

100 (3) (a) State government officer and employee members who do not receive salary, per  
101 diem, or expenses from their agency for their service may receive per diem and expenses incurred  
102 in the performance of their official duties from the council at the rates established by the Division  
103 of Finance under Sections 63A-3-106 and 63A-3-107.

104 (b) Members who are not government employees may not receive compensation or  
105 benefits for their services, but may receive per diem and expenses incurred in the performance of  
106 the member's official duties from the council at rates established by the Division of Finance under  
107 Sections 63A-3-106 and 63A-3-107.

108 ~~[(b)]~~ (c) ~~[State government officer and employee]~~ Council members may decline to receive  
109 per diem and expenses for their service.

110 (4) The council shall:

111 (a) provide leadership to increase and enhance efficient and effective services to Utah's  
112 children and youth at risk by:

113 (i) cooperatively planning, funding, monitoring, evaluating, and marketing innovative and  
114 individualized service delivery and funding strategies;

115 (ii) recommending legislative, executive, and judicial policy and procedural changes,  
116 including joint budget proposals as described in Section 63-38-2;

117 (iii) developing incentives and strategies to increase family involvement, collaboration,  
118 and public-private partnerships in the planning and delivery of services at the state and local level;

119 (iv) promoting prevention and early intervention services;

120 (v) increasing public understanding of and advocating for the needs of Utah's children and

121 youth who are at risk; and

122 (vi) establishing policies to remove administrative barriers to collaboration in

123 communities;

124 (b) compile and disseminate information regarding effective service delivery and funding

125 strategies for replication;

126 (c) receive and act upon recommendations of the steering committee;

127 (d) approve the establishment of collaborative service delivery systems under Section

128 63-75-6.5 and adopt performance goals for those systems;

129 (e) recommend to the governor for each fiscal year funds contained in an agency's base

130 budget and building block request that can be identified for collaborative service delivery systems

131 established under Section 63-75-6.5; [and]

132 (f) (i) develop model administrative and governance structures to be established by

133 communities that at least:

134 (A) ensure accountability for public funds;

135 (B) are voluntarily adopted and modified by communities, based on community needs;

136 (C) ensure collaboration on matters of policy and administrative processes in operating

137 programs under this chapter between the state, school districts, and counties;

138 (D) establish a board consisting of heads of state and local government agencies, private

139 agencies, and school districts that provide services under this chapter; and

140 (E) ensure equity in the scope, duration, and level of services throughout a prescribed

141 geographical area;

142 (ii) the council may, through contracts that provide funding for programs under this

143 chapter, give incentives to communities to establish an administrative and governance structure

144 that meets the requirements of Subsection (4)(f)(i) and to designate the geographical area within

145 which that administrative and governance structure will operate; [and]

146 (g) review the structure and function of the steering committee before December 1, 1999,

147 to determine the effectiveness of the steering committee in:

148 (i) achieving the purposes and carrying out the responsibilities of the committee; and

149 (ii) assisting communities to establish collaborative service delivery systems;

150 (h) forward to the Legislature for the 2000 General Session recommendations for

151 restructuring the size, membership, and function of the steering committee based on the review

152 conducted under Subsection (4)(g); and

153 [(g)] (i) report to the governor and the Legislature on an annual basis.

154 (5) The council shall ensure that projects selected under Section 63-75-6 have outcomes  
155 that:

156 (a) focus all project activities on the prevention of academic failure and social  
157 misbehaviors;

158 (b) involve parents in planning, implementation, and evaluation of services;

159 (c) allow frequent opportunities for planning between teachers, parents, school  
160 administrators, and representatives of agencies and community-based service organizations that  
161 provide services; and

162 (d) provide frequent monitoring and assessment of each child's and youth's progress.

163 (6) (a) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
164 council shall make rules to ensure cooperative development of individualized and coordinated  
165 service plans by local interagency councils and case management teams for children or youth at  
166 risk and their families who receive services under this chapter.

167 (b) For purposes of developing and implementing individualized and coordinated plans,  
168 the members of the local interagency councils and case management teams shall be considered to  
169 be employees of each agency represented on the team and entitled to review and discuss agency  
170 records as necessary in planning and providing services under a plan.

171 (c) Records shared by the teams remain the property of the supplying agency and may not  
172 be incorporated in the records of another agency unless transferred in accordance with standard  
173 procedures for transfer of records of the type in question.

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**Legislative Review Note**  
**as of 1-26-99 8:32 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**