

Amend CSSB 6 by striking SECTION 1.43 of the bill (committee printing page ____, lines ____-____), and substituting the following:

SECTION 1.43. (a) Subchapter C, Chapter 264, Family Code, is amended by adding Section 264.2041 to read as follows:

Sec. 264.2041. CULTURAL AWARENESS. The department shall:

(1) develop and deliver cultural competency training to all service delivery staff;

(2) increase targeted recruitment efforts for foster and adoptive families who can meet the needs of children and youth who are waiting for permanent homes;

(3) target recruitment efforts to ensure diversity among department staff; and

(4) develop collaborative partnerships with community groups, agencies, faith-based organizations, and other community organizations to provide culturally competent services to children and families of every race and ethnicity.

(b) The Health and Human Services Commission and the Department of Family and Protective Services shall analyze data regarding child removals and other enforcement actions taken by the department during state fiscal years 2004 and 2005. Based on the analysis, the commission and the department shall determine whether enforcement actions were disproportionately initiated against any racial or ethnic group, in any area of the state, taking into account other relevant factors, including poverty, single-parent families, young-parent families, and any additional factor determined by other research to be statistically correlated with child abuse or child neglect.

(c) The rate of enforcement actions shall be deemed disproportionate for a given racial or ethnic group if it is significantly different from the rate of enforcement actions against the population as a whole, taking into account other relevant factors.

(d) Not later than January 1, 2006, the Health and Human Services Commission shall report the results of the analysis to the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each house and senate standing committee having jurisdiction over child protective services.

(e) If the results of the analysis indicate that enforcement actions are initiated disproportionately against any racial or ethnic group, in any area of the state, taking into account other relevant factors, the Health and Human Services Commission and Department of Family and Protective Services shall:

(1) evaluate the policies and procedures the department uses in deciding to take enforcement actions to determine why racial or ethnic disparities exist;

(2) develop and implement a remediation plan to prevent racial or ethnic disparities not justified by other external factors from affecting the decision to initiate enforcement actions; and

(3) not later than July 1, 2006, submit a report to the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each house and senate standing committee having jurisdiction over child protective services that explains:

(A) the evaluation of policies and procedures;
and

(B) the remediation plan.