
HOUSE BILL 2711

State of Washington

66th Legislature

2020 Regular Session

By Representatives J. Johnson, Corry, Stonier, and Ormsby

1 AN ACT Relating to equitable educational outcomes for foster care
2 and homeless children and youth from prekindergarten to postsecondary
3 education; amending RCW 74.13.1051; adding a new section to chapter
4 28A.300 RCW; creating a new section; and repealing RCW 28A.300.8001.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that youth
7 impacted by the foster care system, homelessness, or both experience
8 the lowest high school graduation and postsecondary completion
9 outcomes compared to any other population of youth statewide. The
10 legislature finds that youth impacted by foster care, homelessness,
11 or both experience school changes at significantly higher rates than
12 their peers, which can disrupt academic progress. The legislature
13 further finds that this population of youth experience
14 disproportionate suspension and expulsion rates and require special
15 education services at much higher rates than their peers.

16 (2) The legislature acknowledges that, as a result, only forty-
17 six percent of Washington students in foster care and fifty-five
18 percent of students experiencing homelessness graduated from high
19 school on time in 2018 as compared to eighty percent of their peers.
20 The legislature acknowledges that children and youth of color are
21 disproportionately represented in the foster care and homeless

1 student populations and have significantly worse academic outcomes
2 than their white peers. The legislature further finds that students
3 who do not achieve positive educational outcomes experience high
4 rates of unemployment, poverty, adult homelessness, and
5 incarceration.

6 (3) The legislature intends to provide the opportunity for an
7 equitable education to all youth impacted by the foster care system,
8 homelessness, or both. The legislature intends to meet the goal of
9 educational parity for children and youth in foster care and children
10 and youth experiencing homelessness by 2027. The legislature intends
11 to achieve parity in educational outcomes for children and youth in
12 foster care and children and youth experiencing homelessness at the
13 same rate as their general student population peers throughout the
14 educational continuum from prekindergarten to postsecondary
15 education.

16 (4) The legislature acknowledges it directed the department of
17 children, youth, and families and other entities to convene a work
18 group in the 2018 supplemental budget focusing on students in foster
19 care and students experiencing homelessness. The legislature resolves
20 to continue this work group to improve education outcomes for these
21 students throughout the educational continuum.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
23 RCW to read as follows:

24 (1) The office of the superintendent of public instruction, in
25 collaboration with the department of children, youth, and families,
26 the office of homeless youth prevention and protection programs, and
27 the student achievement council, must convene the project education
28 impact work group. The work group must include aligned
29 nongovernmental agencies and a statewide nonprofit coalition that is
30 representative of communities of color and people living in low-
31 income communities.

32 (2) The work group must focus on students in foster care and
33 students experiencing homelessness throughout the educational
34 continuum from prekindergarten through postsecondary. The work group
35 must implement a plan for children and youth in foster care,
36 experiencing homelessness, or both, to achieve parity in educational
37 outcomes and to eliminate racial and ethnic disparities in
38 educational outcomes with their general student population peers by
39 2027.

1 (3) (a) The work group must annually review the educational
2 outcomes of children and youth in foster care, experiencing
3 homelessness, or both including:

4 (i) Kindergarten readiness, early grade reading and math, eighth
5 and ninth grade students on track to graduate, high school
6 completion, postsecondary enrollment, and postsecondary completion;
7 and

8 (ii) School attendance, school mobility, special education
9 status, and school discipline.

10 (b) All data must be disaggregated by race and ethnicity.

11 (c) To enable this analysis:

12 (i) The office of the superintendent of public instruction, the
13 department of children, youth, and families, the student achievement
14 council, and the office of homeless youth prevention and protection
15 programs must provide updated education and other necessary data to
16 the education data center established under RCW 43.41.400; and

17 (ii) The education data center must provide an updated report to
18 the work group on these educational outcomes by March 31, 2021, and
19 annually thereafter. If state funds are not made available, the work
20 group may pursue private funding to ensure the completion of this
21 report.

22 (4) The work group must also:

23 (a) Evaluate the outcomes, needs, and service array for children
24 and youth in foster care, experiencing homelessness, or both, and the
25 specific needs of children and youth of color and those with special
26 education needs;

27 (b) Engage stakeholders to provide input on the development of
28 biannual recommendations, including youth experiencing foster care,
29 homelessness, or both, foster parents and relative caregivers, birth
30 parents, caseworkers, school districts and educators, early learning
31 providers, postsecondary institutions, and federally recognized
32 tribes.

33 (5) (a) By October 31, 2020, and biannually thereafter, the work
34 group shall submit a report to the governor and the appropriate
35 committees of the legislature regarding the collective progress the
36 state has made toward educational parity for children and youth in
37 foster care, experiencing homelessness, or both.

38 (b) (i) The report must include progress made toward the following
39 goals for students experiencing foster care, homelessness, or both:

40 (A) Parity in kindergarten readiness rates;

1 (B) Parity in high school graduation rates;
2 (C) Parity in postsecondary education and state-approved
3 apprenticeship enrollment;
4 (D) Parity in postsecondary education and state-approved
5 apprenticeship completion; and
6 (ii) The report must also include updates on individual agency
7 and aligned nongovernmental agency actions and collective actions
8 toward these goals and the effectiveness of support services for
9 students experiencing foster care, homelessness, or both.
10 (c)(i) The report must make recommendations to further align and
11 improve policy, programs, agency practice, and supports for students
12 and provide for shared and sustainable accountability to reach the
13 goal of educational parity, including recommendations to:
14 (A) Address systems barriers and improve educational stability;
15 (B) Enforce existing state law that require that educational
16 records, educational needs, individualized education programs,
17 credits, and other records follow children and youth when they
18 transition from district to district or another educational program
19 or facility;
20 (C) Improve racial equity in educational outcomes;
21 (D) Ensure access to consistent and accurate annual educational
22 outcomes data; and
23 (E) Outline which recommendations can be implemented using
24 existing resources, rules, and regulations and which require policy,
25 administrative, and resource adjustments.
26 (ii) The report must also address the progress made toward
27 meaningful engagement of stakeholders in informing recommendations.
28 (6) Nothing in this section permits disclosure of confidential
29 information protected from disclosure under federal or state law,
30 including but not limited to information protected under chapter
31 13.50 RCW. Confidential information received by the work group
32 retains its confidentiality and may not be further disseminated
33 except as allowed under federal and state law.

34 **Sec. 3.** RCW 74.13.1051 and 2017 3rd sp.s. c 6 s 405 are each
35 amended to read as follows:

36 (1) In order to proactively support foster youth to complete high
37 school, enroll and complete postsecondary education, and successfully
38 implement their own plans for their futures, the department, the
39 student achievement council, and the office of the superintendent of

1 public instruction shall enter into, or revise existing, memoranda of
2 understanding that:

3 (a) Facilitate student referral, data and information exchange,
4 agency roles and responsibilities, and cooperation and collaboration
5 among state agencies and nongovernmental entities; and

6 (b) Effectuate the transfer of responsibilities from the
7 department to the office of the superintendent of public instruction
8 with respect to the programs in RCW 28A.300.592, and from the
9 department to the student achievement council with respect to the
10 program in RCW 28B.77.250 in a smooth, expedient, and coordinated
11 fashion.

12 (2) The student achievement council and the office of the
13 superintendent of public instruction shall establish a set of
14 indicators relating to the outcomes provided in RCW 28A.300.590 and
15 28A.300.592 to provide consistent services for youth, facilitate
16 transitions among contractors, and support outcome-driven contracts.
17 The student achievement council and the superintendent of public
18 instruction shall collaborate with nongovernmental contractors and
19 the department to develop a list of the most critical indicators,
20 establishing a common set of indicators to be used in the outcome-
21 driven contracts in RCW 28A.300.590 and 28A.300.592. (~~A list of~~
22 ~~these indicators must be included in the report provided in~~
23 ~~subsection (3) of this section.~~

24 ~~(3) By November 1, 2017, and biannually thereafter, the~~
25 ~~department, the student achievement council, and the office of the~~
26 ~~superintendent of public instruction, in consultation with the~~
27 ~~nongovernmental entities engaged in public-private partnerships shall~~
28 ~~submit a joint report to the governor and the appropriate education~~
29 ~~and human services committees of the legislature regarding each of~~
30 ~~these programs, individually, as well as the collective progress the~~
31 ~~state has made toward the following goals:~~

32 ~~(a) To make Washington number one in the nation for foster care~~
33 ~~graduation rates;~~

34 ~~(b) To make Washington number one in the nation for foster care~~
35 ~~enrollment in postsecondary education; and~~

36 ~~(c) To make Washington number one in the nation for foster care~~
37 ~~postsecondary completion.~~

38 ~~(4) The department, the student achievement council, and the~~
39 ~~office of the superintendent of public instruction, in consultation~~
40 ~~with the nongovernmental entities engaged in public-private~~

1 ~~partnerships, shall also submit one report by November 1, 2018, to~~
2 ~~the governor and the appropriate education and human service~~
3 ~~committees of the legislature regarding the transfer of~~
4 ~~responsibilities from the department to the office of the~~
5 ~~superintendent of public instruction with respect to the programs in~~
6 ~~RCW 28A.300.592, and from the department to the student achievement~~
7 ~~council with respect to the program in RCW 28B.77.250 and whether~~
8 ~~these transfers have resulted in better coordinated services for~~
9 ~~youth.))~~

10 NEW SECTION. **Sec. 4.** RCW 28A.300.8001 (Plan for cross-system
11 collaboration to promote educational stability and improve
12 educational outcomes for foster children—Reports) and 2012 c 163 s 10
13 are each repealed.

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