

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2711

66th Legislature
2020 Regular Session

Passed by the House March 11, 2020
Yeas 97 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate March 10, 2020
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2711** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2711

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By House Education (originally sponsored by Representatives J. Johnson, Corry, Stonier, Ormsby, Appleton, Caldier, Davis, Leavitt, Lekanoff, Ramel, Senn, Chopp, Goodman, Fey, Pollet, Callan, and Chambers)

READ FIRST TIME 02/07/20.

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; repealing RCW 28A.300.8001; and
5 providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that students in
8 foster care, experiencing homelessness, or both, have the lowest high
9 school graduation and postsecondary completion outcomes compared to
10 other student populations. The legislature also finds that these
11 students change schools at significantly higher rates than their
12 general student population peers, and that these changes can disrupt
13 academic progress. The legislature further finds that these students
14 have disproportionate suspension and expulsion rates, and require
15 special education services at much higher rates than other students.

16 (2) The legislature acknowledges that, as a result, only forty-
17 six percent of Washington students who experienced foster care during
18 high school, and fifty-five percent of students experiencing
19 homelessness, graduated from high school on time in 2018. By
20 comparison, the statewide four-year graduation rate for the class of
21 2019 was nearly eighty-one percent. Furthermore, students of color

1 are disproportionately represented in the foster care system and in
2 homeless student populations, and their academic outcomes are
3 significantly lower than their white peers. Additionally, students
4 who do not achieve positive education outcomes experience high rates
5 of unemployment, poverty, adult homelessness, and incarceration.

6 (3) The legislature, therefore, intends to provide the
7 opportunity for an equitable education for students in foster care,
8 experiencing homelessness, or both. In accomplishing this goal, the
9 legislature intends to achieve parity in education outcomes for these
10 students, both in comparison to their general student population
11 peers and throughout the education continuum of prekindergarten to
12 postsecondary education.

13 (4) In 2018 the legislature directed the department of children,
14 youth, and families and other entities in chapter 299, Laws of 2018,
15 to convene a work group focused on students in foster care and
16 students experiencing homelessness. The legislature resolves to
17 continue this work group to improve education outcomes for these
18 students.

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

21 (1) The office of the superintendent of public instruction, in
22 collaboration with the department of children, youth, and families,
23 the office of homeless youth prevention and protection programs of
24 the department of commerce, and the student achievement council,
25 shall convene a work group to address the needs of students in foster
26 care, experiencing homelessness, or both. Nothing in this section
27 prevents the office of the superintendent of public instruction from
28 using an existing work group created under the authority of section
29 223(1)(bb), chapter 299, Laws of 2018, with modifications to the
30 membership and duties, to meet the requirements of this section. The
31 work group, which shall seek to promote continuity with efforts
32 resulting from section 223(1)(bb), chapter 299, Laws of 2018, must
33 include representatives of nongovernmental agencies and
34 representation from the educational opportunity gap oversight and
35 accountability committee. The work group must also include four
36 legislative members who possess experience in issues of education,
37 the foster care system, and homeless youth, appointed as follows:

38 (a) The president of the senate shall appoint one member from
39 each of the two largest caucuses of the senate.

1 (b) The speaker of the house of representatives shall appoint one
2 member from each of the two largest caucuses of the house of
3 representatives.

4 (2) The work group shall develop recommendations to promote the
5 following for students who are in foster care, experiencing
6 homelessness, or both:

7 (a) The achievement of parity in education outcomes with the
8 general student population; and

9 (b) The elimination of racial and ethnic disparities for
10 education outcomes in comparison to the general student population.

11 (3) In developing the recommendations required by subsection (2)
12 of this section, the work group shall:

13 (a) Review the education outcomes of students in foster care,
14 experiencing homelessness, or both, by examining data, disaggregated
15 by race and ethnicity, on:

16 (i) Kindergarten readiness, early grade reading and math, eighth
17 and ninth grade students on track to graduate, high school
18 completion, postsecondary enrollment, and postsecondary completion;
19 and

20 (ii) School attendance, school mobility, special education
21 status, and school discipline;

22 (b) Evaluate the outcomes, needs, and service array for students
23 in foster care, experiencing homelessness, or both, and the specific
24 needs of students of color and students with special education needs;

25 (c) Engage stakeholders, including students in foster care,
26 experiencing homelessness, or both, foster parents and relative
27 caregivers, birth parents, caseworkers, school districts and
28 educators, early learning providers, postsecondary institutions, and
29 federally recognized tribes, to provide input on the development of
30 recommendations; and

31 (d) (i) Submit annual reports to the governor, the appropriate
32 committees of the legislature, and the educational opportunity gap
33 oversight and accountability committee by October 31, 2021, 2022, and
34 2023 that identify:

35 (A) Progress the state has made toward achieving education parity
36 for students in foster care, experiencing homelessness, or both; and

37 (B) Recommendations that can be implemented using existing
38 resources, rules, and regulations, and those that would require
39 policy, administrative, and resource allocation changes prior to
40 implementation.

1 (ii) Reports required by (d) of this subsection may include
2 findings and recommendations regarding the feasibility of developing
3 a case study to examine or implement recommendations of the work
4 group.

5 (4) The work group, in accordance with RCW 43.01.036, must submit
6 a final report to the governor, the appropriate committees of the
7 legislature, and the educational opportunity gap oversight and
8 accountability committee by July 1, 2024. The final report must
9 include the recommendations required by subsection (2) of this
10 section and may include a plan for achieving the recommendations
11 specified in subsection (2) of this section.

12 (5) To assist the work group in the completion of its duties, the
13 following apply:

14 (a) The office of the superintendent of public instruction,
15 department of children, youth, and families, the student achievement
16 council, and the office of homeless youth prevention and protection
17 programs of the department of commerce shall provide updated
18 education data and other necessary data to the education data center
19 established under RCW 43.41.400; and

20 (b) The education data center shall provide annual reports to the
21 work group regarding education outcomes specified in subsection
22 (3)(a)(i) and (ii) of this section by March 31, 2021, 2022, and 2023.
23 If state funds are not available to produce the reports, the work
24 group may pursue supplemental private funds to fulfill the
25 requirements of this subsection (5)(b).

26 (6) Nothing in this section permits disclosure of confidential
27 information protected from disclosure under federal or state law,
28 including but not limited to information protected under chapter
29 13.50 RCW. Confidential information received by the work group
30 retains its confidentiality and may not be further disseminated
31 except as permitted by federal and state law.

32 (7) For the purposes of this section, "students in foster care,
33 experiencing homelessness, or both" includes students who are in
34 foster care or experiencing homelessness, and students who have been
35 homeless or in foster care, or both.

36 (8) This section expires December 31, 2024.

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

1 (1) In order to proactively support foster youth to complete high
2 school, enroll and complete postsecondary education, and successfully
3 implement their own plans for their futures, the department, the
4 student achievement council, and the office of the superintendent of
5 public instruction shall enter into, or revise existing, memoranda of
6 understanding that:

7 (a) Facilitate student referral, data and information exchange,
8 agency roles and responsibilities, and cooperation and collaboration
9 among state agencies and nongovernmental entities; and

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

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

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

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

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

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

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

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

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