

HOUSE BILL REPORT

HB 2001

*As Reported By House Committee on:
Education*

Title: An act relating to educational programs and funding for juveniles in detention facilities.

Brief Description: Changing educational programs and funding for juveniles in detention facilities.

Sponsor(s): Representatives Holland, Peery, Forner, Winsley, Broback, Brough, Miller, Mitchell, Brumsickle and Rasmussen.

Brief History:

Reported by House Committee on:
Education, March 6, 1991, DPS.

**HOUSE COMMITTEE ON
EDUCATION**

Majority Report: *That Substitute House Bill No. 2001 be substituted therefor, and the substitute bill do pass.*

Signed by 19 members: Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Staff: Susan Kirkpatrick (786-7291).

Background: Under current law, educational programs at the juvenile institutions are provided by the Department of Social and Health Services (DSHS) and the school district in which the juvenile institution is located. Funding for educational programs at the juvenile institutions is made by separate budget appropriation instead of through the basic education formula.

In 1989, the Legislature mandated the superintendent of public instruction (SPI) to conduct a study of institutional education programs, with emphasis on the division of administrative and budgetary responsibilities between DSHS, school districts, and juvenile courts. An interagency committee representing residential and educational staff from each type of institution was formed to conduct a study and provide recommendations to SPI. The committee found

severe problems with the current administrative and funding methods for educational programs and made several recommendations regarding administration and funding.

Summary of Substitute Bill:

Management Advisory Committee

SPI and the Secretary of DSHS are required to jointly appoint and maintain a Juvenile Corrections Education Management Advisory Committee, consisting of nine representatives of school districts conducting correctional education programs in juvenile institutions. The costs of maintaining the committee will be split evenly between SPI and DSHS.

The committee is responsible for developing recommendations regarding a variety of issues relating to institutional education, including the division and coordination of corrections education and support service responsibilities at and between the state and local levels, funding standards and processes, and program standards.

Joint State WAC Rules

SPI and DSHS, with the advice and assistance of the Management Advisory Committee, are required to jointly adopt rules regarding the areas of responsibility given to the Management Advisory Committee.

Handicapped Program Excess Cost Funding

In addition to the allocation of monies otherwise appropriated for institutional education purposes, SPI is required to allocate to school districts conducting juvenile institutions education programs supplemental excess cost funding in support of the special education students. Such supplemental funding is to be allocated on a reimbursement basis for documented handicapped program direct excess costs from monies appropriated for the support of school district handicapped education programs. The maximum amount allocable to each school shall be calculated by applying the formula authorized in the state operating appropriations act separately to a school district's juvenile corrections program handicapped student population, and shall not exceed the excess cost portion of the calculation.

Report to the Legislature

On or before December 15, 1992, SPI and DSHS are required to jointly develop and submit to the Senate Ways and Means and Education committees, and the House of Representatives

Appropriations and Education committees, a report of the progress regarding implementation of the act and recommendations respecting revisions in the funding of juvenile institutions education and special needs programs which are supported by program and cost data.

Substitute Bill Compared to Original Bill: The substitute bill completely supersedes the original bill which: 1) gave SPI and DSHS joint authority to contract with the school districts they chose to provide educational services to juvenile institutions; 2) provided for a minimum school year of 240 days; 3) changed the funding for institutional education to be equal to 2.15 times greater than the teacher-student ratio for other students in grades four through 12; 4) required SPI to contribute tax levy money to the institutional education programs; and 5) required participating school districts to obtain special education funding and any other specialized funding available.

Fiscal Note: Requested on Substitute March 6, 1991.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The study of institutional education mandated by the Legislature revealed a number of problems regarding the stability, adequacy, and timing of funding coordination between SPI and DSHS, and lack of attention to institutional education by SPI. The substitute bill addresses the needs identified in the study without creating a new school district which would have administrative problems. The substitute bill creates a permanent management advisory committee which has specific responsibilities set forth. SPI is given authorization to allocate excess cost funding in support of the special education of students. The method of handling the excess cost funding allocation is not prescribed.

Testimony Against: None.

Witnesses: Perry Keithley, Superintendent of Public Instruction (in favor of substitute bill); and Jerry Wasson, Department of Social and Health Services (in favor of substitute bill).