

# HOUSE BILL REPORT

## HB 2685

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*As Reported By House Committee on:  
Education*

**Title:** An act relating to institution education programs.

**Brief Description:** Changing provisions relating to institution education programs.

**Sponsor(s):** Representatives Peery, Brumsickle and Orr; by request of Superintendent of Public Instruction.

**Brief History:**

Reported by House Committee on:  
Education, February 3, 1992, DPS.

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**HOUSE COMMITTEE ON  
EDUCATION**

**Majority Report:** *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 17 members: Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Broback; Brumsickle; Carlson; G. Cole; Dorn; P. Johnson; Jones; J. Kohl; Neher; Orr; Rasmussen; H. Sommers; and Valle.

**Staff:** Margaret Allen (786-7191).

**Background:** The 1991 Legislature required the Superintendent of Public Instruction (SPI) to convene meetings of the parties responsible for the well-being of children in institutional education programs and report back by January 10, 1992. The purpose of the meetings was to identify and resolve problems associated with service delivery to this population of students.

The advisory committee was established, and met several times after the conclusion of the 1991 legislative session.

The SPI's recommendations, based on advisory committee activities, included a recommendation that the Legislature adopt proposed amendments to existing statutes concerning residential education programs. Those amendments were intended to define and clarify SPI and Department of Social and Health Services (DSHS) responsibilities for the

provision of services to children in institutional education programs.

**Summary of Substitute Bill:** The terms "residential school" and "school" are changed to "institution" to reflect the fact that parole learning center programs are not residential. Current statutory language referring to students of institutional education programs as "residents" is left unchanged.

The school year for institutional education programs is required to be not less than 220 days, to conform to budgetary language.

Educational services are expanded to include programs that school districts are otherwise required by law to provide to students, such as bilingual education and learning assistance programs.

With the exception of parole learning center programs, the Department of Social and Health Services is required to provide on-site security for school district employees.

Each school district and DSHS annually must enter into an interlocal cooperation agreement. The agreement must delineate each agency's respective duties and authority, and how disputes will be resolved. The agreement must address, at a minimum, program content, budget, facilities, personnel matters, and student conduct.

The act strengthens the responsibility of DSHS to provide notice of enrollment changes for the next year to each school district conducting an institutional education program. If DSHS provides notice of an enrollment higher than that which actually occurs, DSHS is liable for resulting employment-related costs incurred by the school district.

A permanent advisory council is established to review available data on students and programs annually, and to provide a forum for communications and technical assistance regarding the provision of coordinated services to students in institutional education programs.

The SPI, DSHS, and/or juvenile court administrators must enter into an interlocal cooperation agreement that addresses numerous matters specified in the act. Local agreements required by the act must conform to the state agreement in content, and must specify procedures to be undertaken to accomplish matters assented to in the state agreement.

**Substitute Bill Compared to Original Bill:** The original bill changed the reference to students in institutional education programs from "residents" to "clients". The original bill also required DSHS to provide on-site security at parole learning centers. Finally, the original bill contained a technical error in that it referred to special education twice in a subsection.

**Fiscal Note:** Available.

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

**Testimony For:** The bill will make it possible more adequately to provide the types of educational services these students need, including smaller class sizes.

**Testimony Against:** None.

**Witnesses:** Wayne Johnson and Ken Kanikeberg, SPI (support); Robin Cummings, DSHS; and Pat Hanson, DJR (support with two amendments, one of which was not adopted).