

# SENATE BILL REPORT

## HB 2276

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 26, 2014

**Title:** An act relating to the operation by educational service districts of educational programs for residents of residential schools.

**Brief Description:** Concerning the operation by educational service districts of educational programs for residents of residential schools.

**Sponsors:** Representatives Robinson, Lytton, Magendanz, Santos, Fagan, Lias, Reykdal and Ryu.

**Brief History:** Passed House: 2/11/14, 98-0.

**Committee Activity:** Early Learning & K-12 Education: 2/19/14, 2/26/14 [DPA].

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass as amended.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Rolfes, Assistant Ranking Member; Billig, Brown, Cleveland, Fain, Hill, Mullet and Rivers.

**Staff:** Susan Mielke (786-7422)

**Background:** Under current law, certain school districts must provide a program of education to juveniles committed by the courts and confined in residential facilities operated by the Department of Social and Health Services (DSHS). The residential facilities are Echo Glen Children's Center, Green Hill School, Naselle Youth Camp, and Camp Outlook. A school district may contract with an educational service district (ESD) to provide the educational program. The governing statutes are located in Chapter 28A.190 RCW, which addresses residential education programs.

Additionally, under current law certain school districts must provide a program of education to juveniles at county detention facilities operated by certain counties. There are 22 such county detention facilities. The governing statute is located in RCW 13.04.145, in the chapter known as the Basic Juvenile Court Act. The education program must be provided in the same manner as provided at the juvenile residential facilities operated by DSHS. A school district may contract with an ESD to provide the educational program.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The governing statutes in the education chapter do not cross reference the statute in the Basic Juvenile Court Act.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Recommended Amendments):** An ESD may enter into an agreement to provide a program of education for residential school residents or detention facilities on behalf of a school district as a cooperative service program. The statute addressing provision of an educational program at county detention facilities applies throughout the residential education chapter. Technical changes are made to internal references.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments as Passed Committee):** The phrase "or detention facility residents" is added to clarify that ESDs may enter into an agreement with a school district to provide a program of education for detention facility residents as well as residential facilities residents.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony as Heard in Committee:** PRO: This clarification is needed to assure that the youth at our juvenile detention centers can receive their education from an ESD. Last winter the Northwest ESD (NWESD) was asked by the Everett and other Snohomish County school districts to assume operation of the Denney Detention Center program, beginning with the 2013-14 school year. ESDs have been providing educational programs for juveniles housed in juvenile detention centers for more than 20 years at the request of school districts where the detention centers are sited. The NWESD provides educational programs for the detention centers located in Skagit, Island, and Whatcom counties. Other ESDs provide the programs in 11 additional counties. However, Snohomish County judges held that the local school districts could not enter an agreement with the NWESD to provide the educational program at the Denny Detention Center. In order to move forward for the 2014-15 year, three-way agreements have been executed between Snohomish County and the Everett school district, the Everett school district and the NWESD, and the NWESD and Snohomish County. This method results in several communication and operational challenges. Passage of this bill would permit the NWESD to provide the juvenile detention program requested by the Everett school district in a more economical manner than is currently in place and without creating an unfunded expectation for ESDs. Further, any underfunded costs would be shared across the Snohomish County school districts, based upon residency, rather than solely borne by the Everett school district. In addition, this bill would enhance accountability as the county would contract directly with the NWESD, the entity providing the educational services. We would request that the phrase, "or detention facility residents" be added to section one, subsection 1.

**Persons Testifying:** PRO: Representative Robinson, prime sponsor; Jerry Jenkins, Everett School District, NWESD.