

2SSB 6497 - H COMM AMD

By Committee on Judiciary

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature recognizes that school
4 attendance really matters, and that poor school attendance can have
5 far-reaching effects on academic performance and achievement,
6 development of social skills and school engagement, dropout rates,
7 and even college completion rates. According to an August 2014 report
8 by Attendance Works titled "Absences Add Up: How School Attendance
9 Influences Student Success," students who missed more school than
10 their peers scored lower on the 2013 national assessment for
11 educational progress (NAEP). This was true at every age, in every
12 racial and ethnic group, and in every state and city examined in the
13 state-by-state analysis, and reinforced other research that has shown
14 that: Poor attendance in the first month of school can predict
15 chronic absence for the entire year; absenteeism in kindergarten can
16 affect whether a child develops necessary grit and perseverance;
17 absenteeism in preschool and kindergarten can influence whether a
18 child will master reading by the end of third grade or be held back;
19 absenteeism in middle and high school can predict dropout rates;
20 absenteeism influences not just chances for graduating but also for
21 completing college; improving attendance is important for reducing
22 educational opportunity gaps; and when students reduce absences, they
23 can make academic gains.

24 The legislature further finds that these effects occur regardless
25 of whether excessive absenteeism is considered excused or unexcused
26 or the specific reason or reasons for excessive absenteeism. By
27 taking a three-pronged approach, focusing not just on truancy but on
28 school attendance in general, and providing additional tools to
29 schools, courts, communities, and families, the legislature hopes to
30 reduce excessive absenteeism, strengthen family engagement with
31 schools, involve communities, promote academic achievement, reduce

1 educational opportunity gaps, and increase high school graduation
2 rates.

3 First, with respect to absenteeism in general, the legislature
4 intends to put in place consistent practices and procedures,
5 beginning in kindergarten, pursuant to which schools share
6 information with families about the importance of consistent
7 attendance and the consequences of excessive absences, involve
8 families early, and provide families with information, services, and
9 tools that they may access to improve and maintain their children's
10 school attendance.

11 Second, the legislature recognizes the success that has been had
12 by school districts and county juvenile courts around the state that
13 have worked in tandem with one another to establish truancy boards
14 capable of therapeutic prevention and intervention and that regularly
15 stay truancy petitions in order to first allow these boards to
16 identify barriers to school attendance, cooperatively solve problems,
17 and connect students and their families with needed academic supports
18 and community-based services, and that turn to court orders only as a
19 last resort. While keeping petition filing requirements in place, the
20 legislature intends to require an initial stay of truancy petitions
21 in order to allow for appropriate intervention and prevention before
22 using a court order to enforce attendance laws. The legislature also
23 intends to encourage efforts by county juvenile courts and school
24 districts to: Establish and maintain therapeutic truancy boards; and
25 to employ other best practices, including the provision of training
26 for board members and other school and court personnel on trauma-
27 informed approaches to discipline, the research regarding adverse
28 childhood experiences, the use of the Washington assessment of the
29 risks and needs of students (WARNS) or other assessment tools to
30 identify the specific needs of individual children, and the provision
31 of evidence-based treatments that have been found to be effective in
32 supporting at-risk youth and their families as well as those that
33 have been shown to be culturally appropriate promising practices.

34 Third, the legislature recognizes that there are instances in
35 which individual barriers to school attendance that have led to a
36 student's absences may be best addressed by providing access to a bed
37 in a HOPE center. The legislature further recognizes that even when a
38 student is found in contempt of a court order to attend school, it is
39 best practice that the student not be placed in juvenile detention
40 but, where feasible and available, instead be placed in a crisis

1 residential center. The legislature intends to increase the number of
2 beds in HOPE centers and crisis residential centers in order to
3 facilitate their use for these students.

4 **Sec. 2.** RCW 28A.225.005 and 2009 c 556 s 5 are each amended to
5 read as follows:

6 (1) Each school within a school district shall inform the
7 students and the parents of the students enrolled in the school
8 about: The benefits of regular school attendance; the potential
9 effects of excessive absenteeism, whether excused or unexcused, on
10 academic achievement, and graduation and dropout rates; the school's
11 expectations of the parents and guardians to ensure regular school
12 attendance by the child; the resources available to assist the child
13 and the parents and guardians; the role and responsibilities of the
14 school; and the consequences of truancy, including the compulsory
15 education requirements under this chapter. The school shall provide
16 access to the information ((at least annually.)) before or at the
17 time of enrollment of the child at a new school and at the beginning
18 of each school year. If the school regularly and ordinarily
19 communicates most other information to parents online, providing
20 online access to the information required by this section satisfies
21 the requirements of this section unless a parent or guardian
22 specifically requests information to be provided in written form.
23 Provision must be made to enable parents to request and receive the
24 information in a language in which they are fluent. A parent must
25 date and acknowledge review of this information online or in writing
26 before or at the time of enrollment of the child at a new school and
27 at the beginning of each school year.

28 (2) The office of the superintendent of public instruction shall
29 develop a template that schools may use to satisfy the requirements
30 of subsection (1) of this section and shall post the information on
31 its web site.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.225
33 RCW to read as follows:

34 (1) Except as provided in subsection (2) of this section, in the
35 event that a child in elementary school is required to attend school
36 under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused
37 absences in a single month during the current school year, or ten or
38 more excused absences in the current school year, the school district

1 shall schedule a conference or conferences with the parent and child
2 at a time reasonably convenient for all persons included for the
3 purpose of identifying the barriers to the child's regular
4 attendance, and the supports and resources that may be made available
5 to the family so that the child is able to regularly attend school.
6 If a regularly scheduled parent-teacher conference day is to take
7 place within thirty days of the absences, the school district may
8 schedule this conference on that day. To satisfy the requirements of
9 this section, the conference must include at least one school
10 district employee such as a nurse, counselor, social worker, or
11 teacher, except in those instances regarding the attendance of a
12 child who has an individualized education program or a plan developed
13 under section 504 of the rehabilitation act of 1973, in which case
14 the reconvening of the team that created the program or plan is
15 required.

16 (2) A conference pursuant to subsection (1) of this section is
17 not required in the event of excused absences for which prior notice
18 has been given to the school or a doctor's note has been provided and
19 an academic plan is put in place so that the child does not fall
20 behind.

21 **Sec. 4.** RCW 28A.225.025 and 2009 c 266 s 2 are each amended to
22 read as follows:

23 (1) For purposes of this chapter, "community truancy board" means
24 a board composed of members of the local community in which the child
25 attends school. Juvenile courts may establish and operate community
26 truancy boards. If the juvenile court and the school district agree,
27 a school district may establish and operate a community truancy board
28 under the jurisdiction of the juvenile court. Juvenile courts may
29 create a community truancy board or may use other entities that exist
30 or are created, such as diversion units. However, a diversion unit or
31 other existing entity must agree before it is used as a truancy
32 board. Duties of a community truancy board shall include, but not be
33 limited to, recommending methods for improving school attendance such
34 as assisting the parent or the child to obtain supplementary services
35 that might eliminate or ameliorate the causes for the absences or
36 suggesting to the school district that the child enroll in another
37 school, an alternative education program, an education center, a
38 skill center, a dropout prevention program, or another public or
39 private educational program.

1 (2) The legislature finds that utilization of community truancy
2 boards, or other diversion units that fulfill a similar function, is
3 the preferred means of intervention when preliminary methods of
4 notice and parent conferences and taking appropriate steps to
5 eliminate or reduce unexcused absences have not been effective in
6 securing the child's attendance at school. The legislature intends to
7 encourage and support the development and expansion of community
8 truancy boards and other diversion programs which are effective in
9 promoting school attendance and preventing the need for more
10 intrusive intervention by the court. Operation of a school truancy
11 board does not excuse a district from the obligation of filing a
12 petition within the requirements of RCW 28A.225.015(3).

13 (3) For purposes of this chapter, "therapeutic truancy board"
14 means a community truancy board operated within existing resources
15 pursuant to a memorandum of understanding between a school district
16 and a juvenile court. All members of a therapeutic truancy board
17 receive training with respect to the identification of barriers to
18 school attendance, the use of the Washington assessment of the risks
19 and needs of students (WARNS) or other assessment tools to identify
20 the specific needs of individual children, trauma-informed approaches
21 to discipline, the research regarding adverse childhood experiences,
22 evidence-based treatments that have been found to be effective in
23 supporting at-risk youth and their families as well as those that
24 have been shown to be culturally appropriate promising practices, and
25 the specific academic supports, services, and treatments available in
26 the particular school, court, community, and elsewhere. A therapeutic
27 truancy board identifies barriers to school attendance, cooperatively
28 solves problems, connects students and their families with academic
29 supports, community services, evidence-based services such as
30 functional family therapy, and culturally appropriate promising
31 practices, and may refer children to a HOPE center.

32 **Sec. 5.** RCW 28A.225.035 and 2012 c 157 s 2 are each amended to
33 read as follows:

34 (1) A petition for a civil action under RCW 28A.225.030 or
35 28A.225.015 shall consist of a written notification to the court
36 alleging that:

37 (a) The child has unexcused absences during the current school
38 year;

1 (b) Actions taken by the school district have not been successful
2 in substantially reducing the child's absences from school; and

3 (c) Court intervention and supervision are necessary to assist
4 the school district or parent to reduce the child's absences from
5 school.

6 (2) The petition shall set forth the name, date of birth, school,
7 address, gender, race, and ethnicity of the child and the names and
8 addresses of the child's parents, and shall set forth whether the
9 child and parent are fluent in English, whether there is an existing
10 individualized education program, and the child's current academic
11 status in school.

12 (3) The petition shall set forth facts that support the
13 allegations in this section and shall generally request relief
14 available under this chapter and provide information about what the
15 court might order under RCW 28A.225.090.

16 (4)(a) When a petition is filed under RCW 28A.225.030 or
17 28A.225.015, it shall initially be stayed and intervention and
18 prevention efforts employed in order to substantially reduce the
19 child's unexcused absences. Intervention and prevention efforts under
20 this subsection may include referral to a community truancy board,
21 preferably a therapeutic truancy board, use of the Washington
22 assessment of the risks and needs of students (WARNS) or other
23 assessment tools to identify the specific needs of individual
24 children, the provision of academic services such as tutoring, credit
25 retrieval and school reengagement supports, and community-based
26 services, and the provision of evidence-based treatments that have
27 been found to be effective in supporting at-risk youth and their
28 families and those that have been shown to be culturally appropriate
29 promising practices.

30 (b) If intervention and prevention efforts under (a) of this
31 subsection are unsuccessful at substantially reducing the child's
32 unexcused absences, the stay shall be lifted and the juvenile court
33 shall schedule a hearing at which the court shall consider the
34 petition, or if the court determines that ((a)) an initial or
35 subsequent referral to an available community truancy board would
36 substantially reduce the child's unexcused absences, the court may
37 refer the case to a community truancy board under the jurisdiction of
38 the juvenile court.

39 (5) If a referral is made to a community truancy board, the
40 truancy board must meet with the child, a parent, and the school

1 district representative and enter into an agreement with the
2 petitioner and respondent regarding expectations and any actions
3 necessary to address the child's truancy within twenty days of the
4 referral. If the petition is based on RCW 28A.225.015, the child
5 shall not be required to attend and the agreement under this
6 subsection shall be between the truancy board, the school district,
7 and the child's parent. The court may permit the truancy board or
8 truancy prevention counselor to provide continued supervision over
9 the student, or parent if the petition is based on RCW 28A.225.015.

10 (6) If the truancy board fails to reach an agreement, or the
11 parent or student does not comply with the agreement, the truancy
12 board shall return the case to the juvenile court for a hearing.

13 (7)(a) Notwithstanding the provisions in subsection (4)(a) of
14 this section, a hearing shall not be required if other actions by the
15 court would substantially reduce the child's unexcused absences. When
16 a juvenile court hearing is held, the court shall:

17 (i) Separately notify the child, the parent of the child, and the
18 school district of the hearing. If the parent is not fluent in
19 English, the preferred practice is for notice to be provided in a
20 language in which the parent is fluent;

21 (ii) Notify the parent and the child of their rights to present
22 evidence at the hearing; and

23 (iii) Notify the parent and the child of the options and rights
24 available under chapter 13.32A RCW.

25 (b) If the child is not provided with counsel, the advisement of
26 rights must take place in court by means of a colloquy between the
27 court, the child if eight years old or older, and the parent.

28 (8)(a) The court may require the attendance of the child if eight
29 years old or older, the parents, and the school district at any
30 hearing on a petition filed under RCW 28A.225.030.

31 (b) The court may not issue a bench warrant for a child for
32 failure to appear at a hearing on an initial truancy petition filed
33 under RCW 28A.225.030. If there has been proper service, the court
34 may instead enter a default order assuming jurisdiction under the
35 terms specified in subsection (12) of this section.

36 (9) A school district is responsible for determining who shall
37 represent the school district at hearings on a petition filed under
38 RCW 28A.225.030 or 28A.225.015.

39 (10) The court may permit the first hearing to be held without
40 requiring that either party be represented by legal counsel, and to

1 be held without a guardian ad litem for the child under RCW 4.08.050.
2 At the request of the school district, the court shall permit a
3 school district representative who is not an attorney to represent
4 the school district at any future hearings.

5 (11) If the child is in a special education program or has a
6 diagnosed mental or emotional disorder, the court shall inquire as to
7 what efforts the school district has made to assist the child in
8 attending school.

9 (12) If the allegations in the petition are established by a
10 preponderance of the evidence, the court shall grant the petition and
11 enter an order assuming jurisdiction to intervene for the period of
12 time determined by the court, after considering the facts alleged in
13 the petition and the circumstances of the juvenile, to most likely
14 cause the juvenile to return to and remain in school while the
15 juvenile is subject to this chapter. In no case may the order expire
16 before the end of the school year in which it is entered.

17 (13)(a) If the court assumes jurisdiction, the school district
18 shall periodically report to the court any additional unexcused
19 absences by the child, actions taken by the school district, and an
20 update on the child's academic status in school at a schedule
21 specified by the court.

22 (b) The first report under this subsection (13) must be received
23 no later than three months from the date that the court assumes
24 jurisdiction.

25 (14) Community truancy boards and the courts shall coordinate, to
26 the extent possible, proceedings and actions pertaining to children
27 who are subject to truancy petitions and at-risk youth petitions in
28 RCW 13.32A.191 or child in need of services petitions in RCW
29 13.32A.140.

30 (15) If after a juvenile court assumes jurisdiction in one county
31 the child relocates to another county, the juvenile court in the
32 receiving county shall, upon the request of a school district or
33 parent, assume jurisdiction of the petition filed in the previous
34 county.

35 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.225
36 RCW to read as follows:

37 (1) Subject to funds appropriated for this purpose, the office of
38 the superintendent of public instruction shall allocate to
39 therapeutic truancy boards grant funds that may be used to supplement

1 existing funds in order to pay for training for board members or the
2 provision of services and treatment to children and their families.

3 (2) The superintendent of public instruction must select grant
4 recipients based on the criteria in this section. This is a
5 competitive grant process. A prerequisite to applying for either or
6 both grants is a memoranda of understanding, between a school
7 district and a court, to institute a new or maintain an existing
8 therapeutic truancy board that meets the requirements of RCW
9 28A.225.025.

10 (3) Successful applicants for an award of grant funds to
11 supplement existing funds to pay for the training of therapeutic
12 truancy board members must commit to the provision of training to
13 board members regarding the identification of barriers to school
14 attendance, the use of the Washington assessment of the risks and
15 needs of students (WARNS) or other assessment tools to identify the
16 specific needs of individual children, trauma-informed approaches to
17 discipline, research about adverse childhood experiences, evidence-
18 based treatments and culturally appropriate promising practices, as
19 well as the specific academic and community services and treatments
20 available in the school, court, community, and elsewhere. This
21 training may be provided by educational service districts.

22 (4) Successful applicants for an award of grant funds to
23 supplement existing funds to pay for services and treatments provided
24 to children and their families must commit to the provision of
25 academic services such as tutoring, credit retrieval and school
26 reengagement supports, community services, and evidence-based
27 treatments that have been found to be effective in supporting at-risk
28 youth and their families, such as functional family therapy, or those
29 that have been shown to be culturally appropriate promising
30 practices.

31 **Sec. 7.** RCW 28A.225.090 and 2009 c 266 s 4 are each amended to
32 read as follows:

33 (1) A court may order a child subject to a petition under RCW
34 28A.225.035 to do one or more of the following:

35 (a) Attend the child's current school, and set forth minimum
36 attendance requirements, including suspensions;

37 (b) If there is space available and the program can provide
38 educational services appropriate for the child, order the child to
39 attend another public school, an alternative education program,

1 center, a skill center, dropout prevention program, or another public
2 educational program;

3 (c) Attend a private nonsectarian school or program including an
4 education center. Before ordering a child to attend an approved or
5 certified private nonsectarian school or program, the court shall:

6 (i) Consider the public and private programs available; (ii) find
7 that placement is in the best interest of the child; and (iii) find
8 that the private school or program is willing to accept the child and
9 will not charge any fees in addition to those established by contract
10 with the student's school district. If the court orders the child to
11 enroll in a private school or program, the child's school district
12 shall contract with the school or program to provide educational
13 services for the child. The school district shall not be required to
14 contract for a weekly rate that exceeds the state general
15 apportionment dollars calculated on a weekly basis generated by the
16 child and received by the district. A school district shall not be
17 required to enter into a contract that is longer than the remainder
18 of the school year. A school district shall not be required to enter
19 into or continue a contract if the child is no longer enrolled in the
20 district;

21 (d) Be referred to a community truancy board, if available;
22 ((~~or~~))

23 (e) Submit to testing for the use of controlled substances or
24 alcohol based on a determination that such testing is appropriate to
25 the circumstances and behavior of the child and will facilitate the
26 child's compliance with the mandatory attendance law and, if any test
27 ordered under this subsection indicates the use of controlled
28 substances or alcohol, order the minor to abstain from the unlawful
29 consumption of controlled substances or alcohol and adhere to the
30 recommendations of the drug assessment at no expense to the school;
31 or

32 (f) Submit to a temporary placement in a crisis residential
33 center if the court determines there is an immediate health and
34 safety concern, or a family conflict with the need for mediation.

35 (2) If the child fails to comply with the court order, the court
36 may order the child to be subject to detention, as provided in RCW
37 7.21.030(2)(e), or may impose alternatives to detention such as
38 community restitution. Failure by a child to comply with an order
39 issued under this subsection shall not be subject to detention for a
40 period greater than that permitted pursuant to a civil contempt

1 proceeding against a child under chapter 13.32A RCW. Detention
2 ordered under this subsection may be for no longer than seven days.
3 Detention ordered under this subsection shall preferably be served at
4 a crisis residential center close to the child's home rather than in
5 a juvenile detention facility. A warrant of arrest for a child under
6 this subsection may not be served on a child inside of school during
7 school hours in a location where other students are present.

8 (3) Any parent violating any of the provisions of either RCW
9 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than
10 twenty-five dollars for each day of unexcused absence from school.
11 The court shall remit fifty percent of the fine collected under this
12 section to the child's school district. It shall be a defense for a
13 parent charged with violating RCW 28A.225.010 to show that he or she
14 exercised reasonable diligence in attempting to cause a child in his
15 or her custody to attend school or that the child's school did not
16 perform its duties as required in RCW 28A.225.020. The court may
17 order the parent to provide community restitution instead of imposing
18 a fine. Any fine imposed pursuant to this section may be suspended
19 upon the condition that a parent charged with violating RCW
20 28A.225.010 shall participate with the school and the child in a
21 supervised plan for the child's attendance at school or upon
22 condition that the parent attend a conference or conferences
23 scheduled by a school for the purpose of analyzing the causes of a
24 child's absence.

25 (4) If a child continues to be truant after entering into a
26 court-approved order with the truancy board under RCW 28A.225.035,
27 the juvenile court shall find the child in contempt, and the court
28 may order the child to be subject to detention, as provided in RCW
29 7.21.030(2)(e), or may impose alternatives to detention such as
30 meaningful community restitution. Failure by a child to comply with
31 an order issued under this subsection may not subject a child to
32 detention for a period greater than that permitted under a civil
33 contempt proceeding against a child under chapter 13.32A RCW.

34 (5) Subsections (1), (2), and (4) of this section shall not apply
35 to a six or seven year old child required to attend public school
36 under RCW 28A.225.015.

37 **Sec. 8.** RCW 43.185C.315 and 2015 c 69 s 22 are each amended to
38 read as follows:

1 (1) The department shall establish HOPE centers that provide no
2 more than seventy-five beds across the state and may establish HOPE
3 centers by contract, within funds appropriated by the legislature
4 specifically for this purpose. HOPE centers shall be operated in a
5 manner to reasonably assure that street youth placed there will not
6 run away. Street youth may leave a HOPE center during the course of
7 the day to attend school or other necessary appointments, but the
8 street youth must be accompanied by an administrator or an
9 administrator's designee. The street youth must provide the
10 administration with specific information regarding his or her
11 destination and expected time of return to the HOPE center. Any
12 street youth who runs away from a HOPE center shall not be readmitted
13 unless specifically authorized by the street youth's placement and
14 liaison specialist, and the placement and liaison specialist shall
15 document with specific factual findings an appropriate basis for
16 readmitting any street youth to a HOPE center. HOPE centers are
17 required to have the following:

18 ~~((1))~~ (a) A license issued by the department of social and
19 health services;

20 ~~((2))~~ (b) A professional with a master's degree in counseling,
21 social work, or related field and at least one year of experience
22 working with street youth or a bachelor of arts degree in social work
23 or a related field and five years of experience working with street
24 youth. This professional staff person may be contractual or a part-
25 time employee, but must be available to work with street youth in a
26 HOPE center at a ratio of one to every fifteen youth staying in a
27 HOPE center. This professional shall be known as a placement and
28 liaison specialist. Preference shall be given to those professionals
29 cross-credentialed in mental health and chemical dependency. The
30 placement and liaison specialist shall:

31 ~~((a))~~ (i) Conduct an assessment of the street youth that
32 includes a determination of the street youth's legal status regarding
33 residential placement;

34 ~~((b))~~ (ii) Facilitate the street youth's return to his or her
35 legally authorized residence at the earliest possible date or
36 initiate processes to arrange legally authorized appropriate
37 placement. Any street youth who may meet the definition of dependent
38 child under RCW 13.34.030 must be referred to the department of
39 social and health services. The department of social and health
40 services shall determine whether a dependency petition should be

1 filed under chapter 13.34 RCW. A shelter care hearing must be held
2 within seventy-two hours to authorize out-of-home placement for any
3 youth the department of social and health services determines is
4 appropriate for out-of-home placement under chapter 13.34 RCW. All of
5 the provisions of chapter 13.32A RCW must be followed for children in
6 need of services or at-risk youth;

7 ~~((e))~~ (iii) Interface with other relevant resources and system
8 representatives to secure long-term residential placement and other
9 needed services for the street youth;

10 ~~((d))~~ (iv) Be assigned immediately to each youth and meet with
11 the youth within eight hours of the youth receiving HOPE center
12 services;

13 ~~((e))~~ (v) Facilitate a physical examination of any street youth
14 who has not seen a physician within one year prior to residence at a
15 HOPE center and facilitate evaluation by a county-designated mental
16 health professional, a chemical dependency specialist, or both if
17 appropriate; and

18 ~~((f))~~ (vi) Arrange an educational assessment to measure the
19 street youth's competency level in reading, writing, and basic
20 mathematics, and that will measure learning disabilities or special
21 needs;

22 ~~((3))~~ (c) Staff trained in development needs of street youth as
23 determined by the department, including an administrator who is a
24 professional with a master's degree in counseling, social work, or a
25 related field and at least one year of experience working with street
26 youth, or a bachelor of arts degree in social work or a related field
27 and five years of experience working with street youth, who must work
28 with the placement and liaison specialist to provide appropriate
29 services on site;

30 ~~((4))~~ (d) A data collection system that measures outcomes for
31 the population served, and enables research and evaluation that can
32 be used for future program development and service delivery. Data
33 collection systems must have confidentiality rules and protocols
34 developed by the department;

35 ~~((5))~~ (e) Notification requirements that meet the notification
36 requirements of chapter 13.32A RCW. The youth's arrival date and time
37 must be logged at intake by HOPE center staff. The staff must
38 immediately notify law enforcement and dependency caseworkers if a
39 street youth runs away from a HOPE center. A child may be transferred
40 to a secure facility as defined in RCW 13.32A.030 whenever the staff

1 reasonably believes that a street youth is likely to leave the HOPE
2 center and not return after full consideration of the factors set
3 forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's
4 temporary placement in the HOPE center must be authorized by the
5 court or the secretary of the department of social and health
6 services if the youth is a dependent of the state under chapter 13.34
7 RCW or the department of social and health services is responsible
8 for the youth under chapter 13.32A RCW, or by the youth's parent or
9 legal custodian, until such time as the parent can retrieve the youth
10 who is returning to home;

11 ~~((+6))~~ (f) HOPE centers must identify to the department of
12 social and health services any street youth it serves who is not
13 returning promptly to home. The department of social and health
14 services then must contact the missing children's clearinghouse
15 identified in chapter 13.60 RCW and either report the youth's
16 location or report that the youth is the subject of a dependency
17 action and the parent should receive notice from the department of
18 social and health services; and

19 ~~((+7))~~ (g) Services that provide counseling and education to the
20 street youth ~~((+and))~~.

21 ~~((+8))~~ (2) The department shall award contracts for the
22 operation of HOPE center beds with the goal of facilitating the
23 coordination of services provided for youth by such programs and
24 those services provided by secure and semi-secure crisis residential
25 centers.

26 (3) Subject to funds appropriated for this purpose, the beds
27 available in HOPE centers shall be increased incrementally beyond the
28 limit of seventy-five set forth in subsection (1) of this section.
29 The additional capacity shall be distributed around the state based
30 upon need and, to the extent feasible, shall be geographically
31 situated so that HOPE beds are available across the state. In
32 determining the need for increased numbers of HOPE beds in a
33 particular county or counties, one of the considerations should be
34 the volume of truancy petitions filed there.

35 **Sec. 9.** RCW 43.185C.320 and 2015 c 69 s 23 are each amended to
36 read as follows:

37 To be eligible for placement in a HOPE center, a minor must be
38 either a street youth, as that term is defined in this chapter, or a
39 youth who, without placement in a HOPE center, will continue to

1 participate in increasingly risky behavior, including truancy. Youth
2 may also self-refer to a HOPE center. Payment for a HOPE center bed
3 is not contingent upon prior approval by the department; however,
4 approval from the department of social and health services is needed
5 if the youth is dependent under chapter 13.34 RCW.

6 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.185C
7 RCW to read as follows:

8 Subject to funds appropriated for this purpose, the capacity
9 available in crisis residential centers established pursuant to this
10 chapter shall be increased incrementally in order to accommodate
11 truant students found in contempt of a court order to attend school.
12 The additional capacity shall be distributed around the state based
13 upon need and, to the extent feasible, shall be geographically
14 situated so that crisis residential centers are available for use by
15 all courts.

16 NEW SECTION. **Sec. 11.** The office of the superintendent of
17 public instruction shall develop recommendations as to how mandatory
18 school attendance and truancy amelioration provisions under chapter
19 28A.225 RCW should be applied to online schools and report back to
20 the relevant committees of the legislature by November 1, 2016.

21 NEW SECTION. **Sec. 12.** (1) The educational opportunity gap
22 oversight and accountability committee shall conduct a review and
23 make recommendations to the appropriate committees of the legislature
24 with respect to:

25 (a) The cultural competence training that therapeutic truancy
26 board members, as well as others involved in the truancy process,
27 should receive;

28 (b) Best practices for supporting and facilitating parent and
29 community involvement and outreach; and

30 (c) The cultural relevance of the assessments employed to
31 identify barriers to attendance and the treatments and tools provided
32 to children and their families.

33 (2) By June 30, 2017, a preliminary review shall be completed and
34 preliminary recommendations provided. The review shall be completed,
35 and a report and final recommendations provided, by December 1, 2017.

36 (3) For the purposes of this section, "cultural competence"
37 includes knowledge of children's cultural histories and contexts, as

1 well as family norms and values in different cultures; knowledge and
2 skills in accessing community resources and community and parent
3 outreach; and skills in adapting instruction and treatment to
4 children's experiences and identifying cultural contexts for
5 individual children.

6 (4) This section expires July 1, 2018.

7 NEW SECTION. **Sec. 13.** A new section is added to chapter 28A.225
8 RCW to read as follows:

9 (1) The Washington state institute for public policy shall
10 conduct a study of local practices that address truancy. The study
11 must include:

12 (a) A systematic review of the research literature on the
13 effectiveness of the various practices in reducing absenteeism,
14 fostering school engagement, improving academic performance and
15 achievement, increasing graduation rates, and decreasing dropout
16 rates; and

17 (b) An outcome evaluation of the impact on the outcomes listed in
18 (a) of this subsection from local practices including, but not
19 limited to, therapeutic truancy boards under RCW 28A.225.025 and
20 section 6 of this act.

21 (2) In conducting its analysis, the Washington state institute
22 for public policy may consult with employees and access data systems
23 of the office of the superintendent of public instruction, any
24 educational service district or school district, and the
25 administrative office of the courts, each of which shall provide the
26 Washington state institute for public policy with access to necessary
27 data and administrative systems.

28 (3) The Washington state institute for public policy shall report
29 the findings of the study under subsection (1)(a) of this section to
30 the appropriate committees of the legislature by December 1, 2017,
31 and the findings of the evaluation under subsection (1)(b) of this
32 section by December 1, 2022.

33 (4) This section expires August 1, 2023.

34 NEW SECTION. **Sec. 14.** A new section is added to chapter 2.56
35 RCW to read as follows:

36 To accurately track the extent to which courts order youth into a
37 secure detention facility in Washington state for the violation of a
38 court order related to a truancy, at-risk youth, or a child in need

1 of services petition, all juvenile courts shall transmit youth-level
2 secure detention data to the administrative office of the courts.
3 Data may either be entered into the statewide management information
4 system for juvenile courts or securely transmitted to the
5 administrative office of the courts at least monthly. Juvenile courts
6 shall provide, at a minimum, the name and date of birth for the
7 youth, the court case number assigned to the petition, the reasons
8 for admission to the juvenile detention facility, the date of
9 admission, the date of exit, and the time the youth spent in secure
10 confinement. Courts are also encouraged to report individual-level
11 data reflecting whether a detention alternative, such as electronic
12 monitoring, was used, and the time spent in detention alternatives.
13 The administrative office of the courts and the juvenile court
14 administrators must work to develop uniform data standards for
15 detention. The administrative office of the courts shall deliver an
16 annual statewide report to the legislature that details the number of
17 Washington youth who are placed into detention facilities during the
18 preceding calendar year. The first report shall be delivered by March
19 1, 2017, and shall detail the most serious reason for detention and
20 youth gender, race, and ethnicity. The report must have a specific
21 emphasis on youth who are detained for reasons relating to a truancy,
22 at-risk youth, or a child in need of services petition.

23 NEW SECTION. **Sec. 15.** This act shall be known and cited as the
24 keeping kids in school act."

25 Correct the title.

EFFECT: Strikes the underlying bill, and replaces it with all of
the provisions from 2SHB 2449, some of which are identical or similar
to provisions in the underlying bill and some of which are different,
as follows:

Similarly requires that parents be provided with information
related to benefits of attendance, consequences of truancy, and
available resources but provides that provision must be made to
enable parents to request/receive information in the language in
which they are fluent rather than requiring that reasonable efforts
to so enable parents must be made.

Includes identical provisions relative to the process schools
must follow with respect to excused absences on the part of
elementary students.

Strikes requirement that all schools, except those with 200
students or less, have community truancy boards (CTBs) and instead
encourages employment of therapeutic truancy boards (TTBs).

Strikes provisions related to funding CTBs via Learning
Assistance Program (LAP).

Includes grant program, subject to funding, that provides grant funds to TTBs for training and services.

Similarly requires that initial truancy petition be stayed and intervention and prevention efforts be employed, but does not require referral to a CTB.

Similarly provides that detention in crisis residential centers (CRCs) is preferred over detention in juvenile detention facility in instances of contempt of court.

Similarly allows court, following hearing on petition, to order child to submit to temporary placement in a CRC if court determines there is an immediate health/safety concern or family conflict needing mediation but does not include provision allowing court to order mental health evaluation or amend the language with respect to testing for substance abuse.

Similarly provides that, subject to funding, there will be an increase in the number of HOPE beds and CRC capacity but does not provide specific annual numbers as did the underlying bill.

Provides, in an identical fashion, for OSPI to develop and report recommendations with respect to how mandatory attendance and truancy amelioration should be applied to online schools.

Similarly requires a WSIPP evaluation but also requires a review and provides different due dates.

Provides for a review/recommendations by Educational Opportunity Gap Oversight and Accountability Committee.

Provides that courts will provide certain data and Administrative Office of the Courts shall report re: Detentions.

Names the act the Keeping Kids in Schools Act.

--- END ---