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SECOND SUBSTITUTE HOUSE BILL 2449

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State of Washington

64th Legislature

2016 Regular Session

**By** House Appropriations (originally sponsored by Representatives Orwall, Magendanz, Kagi, Santos, Senn, Peterson, Appleton, Moscoso, Goodman, Jinkins, Walkinshaw, Stanford, Clibborn, Sells, Fitzgibbon, Kilduff, Ryu, Bergquist, Pollet, and S. Hunt)

READ FIRST TIME 02/09/16.

1 AN ACT Relating to court-based and school-based intervention and  
2 prevention efforts to promote attendance and reduce truancy; amending  
3 RCW 28A.225.005, 28A.225.025, 28A.225.035, 28A.225.090, 43.185C.315,  
4 and 43.185C.320; adding new sections to chapter 28A.225 RCW; adding a  
5 new section to chapter 43.185C RCW; adding a new section to chapter  
6 2.56 RCW; creating new sections; and providing expiration dates.

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

8 NEW SECTION. **Sec. 1.** The legislature recognizes that school  
9 attendance really matters, and that poor school attendance can have  
10 far-reaching effects on academic performance and achievement,  
11 development of social skills and school engagement, dropout rates,  
12 and even college completion rates. According to an August 2014 report  
13 by Attendance Works titled "Absences Add Up: How School Attendance  
14 Influences Student Success," students who missed more school than  
15 their peers scored lower on the 2013 national assessment for  
16 educational progress (NAEP). This was true at every age, in every  
17 racial and ethnic group, and in every state and city examined in the  
18 state-by-state analysis, and reinforced other research that has shown  
19 that: Poor attendance in the first month of school can predict  
20 chronic absence for the entire year; absenteeism in kindergarten can  
21 affect whether a child develops necessary grit and perseverance;

1 absenteeism in preschool and kindergarten can influence whether a  
2 child will master reading by the end of third grade or be held back;  
3 absenteeism in middle and high school can predict dropout rates;  
4 absenteeism influences not just chances for graduating but also for  
5 completing college; improving attendance is important for reducing  
6 educational opportunity gaps; and when students reduce absences, they  
7 can make academic gains.

8 The legislature further finds that these effects occur regardless  
9 of whether excessive absenteeism is considered excused or unexcused  
10 or the specific reason or reasons for excessive absenteeism. By  
11 taking a three-pronged approach, focusing not just on truancy but on  
12 school attendance in general, and providing additional tools to  
13 schools, courts, communities, and families, the legislature hopes to  
14 reduce excessive absenteeism, strengthen family engagement with  
15 schools, involve communities, promote academic achievement, reduce  
16 educational opportunity gaps, and increase high school graduation  
17 rates.

18 First, with respect to absenteeism in general, the legislature  
19 intends to put in place consistent practices and procedures,  
20 beginning in kindergarten, pursuant to which schools share  
21 information with families about the importance of consistent  
22 attendance and the consequences of excessive absences, involve  
23 families early, and provide families with information, services, and  
24 tools that they may access to improve and maintain their children's  
25 school attendance.

26 Second, the legislature recognizes the success that has been had  
27 by school districts and county juvenile courts around the state that  
28 have worked in tandem with one another to establish truancy boards  
29 capable of therapeutic prevention and intervention and that regularly  
30 stay truancy petitions in order to first allow these boards to  
31 identify barriers to school attendance, cooperatively solve problems,  
32 and connect students and their families with needed academic supports  
33 and community-based services, and that turn to court orders only as a  
34 last resort. While keeping petition filing requirements in place, the  
35 legislature intends to require an initial stay of truancy petitions  
36 in order to allow for appropriate intervention and prevention before  
37 using a court order to enforce attendance laws. The legislature also  
38 intends to encourage efforts by county juvenile courts and school  
39 districts to: Establish and maintain therapeutic truancy boards; and  
40 to employ other best practices, including the provision of training

1 for board members and other school and court personnel on trauma-  
2 informed approaches to discipline, the research regarding adverse  
3 childhood experiences, the use of the Washington assessment of the  
4 risks and needs of students (WARNS) or other assessment tools to  
5 identify the specific needs of individual children, and the provision  
6 of evidence-based treatments that have been found to be effective in  
7 supporting at-risk youth and their families as well as those that  
8 have been shown to be culturally appropriate promising practices.

9 Third, the legislature recognizes that there are instances in  
10 which individual barriers to school attendance that have led to a  
11 student's absences may be best addressed by providing access to a bed  
12 in a HOPE center. The legislature further recognizes that even when a  
13 student is found in contempt of a court order to attend school, it is  
14 best practice that the student not be placed in juvenile detention  
15 but, where feasible and available, instead be placed in a crisis  
16 residential center. The legislature intends to increase the number of  
17 beds in HOPE centers and crisis residential centers in order to  
18 facilitate their use for these students.

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

21 (1) Each school within a school district shall inform the  
22 students and the parents of the students enrolled in the school  
23 about: The benefits of regular school attendance; the potential  
24 effects of excessive absenteeism, whether excused or unexcused, on  
25 academic achievement, and graduation and dropout rates; the school's  
26 expectations of the parents and guardians to ensure regular school  
27 attendance by the child; the resources available to assist the child  
28 and the parents and guardians; the role and responsibilities of the  
29 school; and the consequences of truancy, including the compulsory  
30 education requirements under this chapter. The school shall provide  
31 access to the information ((at least annually.)) before or at the  
32 time of enrollment of the child at a new school and at the beginning  
33 of each school year. If the school regularly and ordinarily  
34 communicates most other information to parents online, providing  
35 online access to the information required by this section satisfies  
36 the requirements of this section unless a parent or guardian  
37 specifically requests information to be provided in written form.  
38 Provision must be made to enable parents to request and receive the  
39 information in a language in which they are fluent. A parent must

1 date and acknowledge review of this information online or in writing  
2 before or at the time of enrollment of the child at a new school and  
3 at the beginning of each school year.

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

8 NEW SECTION. Sec. 3. A new section is added to chapter 28A.225  
9 RCW to read as follows:

10 (1) Except as provided in subsection (2) of this section, in the  
11 event that a child in elementary school is required to attend school  
12 under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused  
13 absences in a single month during the current school year, or ten or  
14 more excused absences in the current school year, the school district  
15 shall schedule a conference or conferences with the parent and child  
16 at a time reasonably convenient for all persons included for the  
17 purpose of identifying the barriers to the child's regular  
18 attendance, and the supports and resources that may be made available  
19 to the family so that the child is able to regularly attend school.  
20 If a regularly scheduled parent-teacher conference day is to take  
21 place within thirty days of the absences, the school district may  
22 schedule this conference on that day. To satisfy the requirements of  
23 this section, the conference must include at least one school  
24 district employee such as a nurse, counselor, social worker, or  
25 teacher, except in those instances regarding the attendance of a  
26 child who has an individualized education program or a plan developed  
27 under section 504 of the rehabilitation act of 1973, in which case  
28 the reconvening of the team that created the program or plan is  
29 required.

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

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

37 (1) For purposes of this chapter, "community truancy board" means  
38 a board composed of members of the local community in which the child

1 attends school. Juvenile courts may establish and operate community  
2 truancy boards. If the juvenile court and the school district agree,  
3 a school district may establish and operate a community truancy board  
4 under the jurisdiction of the juvenile court. Juvenile courts may  
5 create a community truancy board or may use other entities that exist  
6 or are created, such as diversion units. However, a diversion unit or  
7 other existing entity must agree before it is used as a truancy  
8 board. Duties of a community truancy board shall include, but not be  
9 limited to, recommending methods for improving school attendance such  
10 as assisting the parent or the child to obtain supplementary services  
11 that might eliminate or ameliorate the causes for the absences or  
12 suggesting to the school district that the child enroll in another  
13 school, an alternative education program, an education center, a  
14 skill center, a dropout prevention program, or another public or  
15 private educational program.

16 (2) The legislature finds that utilization of community truancy  
17 boards, or other diversion units that fulfill a similar function, is  
18 the preferred means of intervention when preliminary methods of  
19 notice and parent conferences and taking appropriate steps to  
20 eliminate or reduce unexcused absences have not been effective in  
21 securing the child's attendance at school. The legislature intends to  
22 encourage and support the development and expansion of community  
23 truancy boards and other diversion programs which are effective in  
24 promoting school attendance and preventing the need for more  
25 intrusive intervention by the court. Operation of a school truancy  
26 board does not excuse a district from the obligation of filing a  
27 petition within the requirements of RCW 28A.225.015(3).

28 (3) For purposes of this chapter, "therapeutic truancy board"  
29 means a community truancy board operated within existing resources  
30 pursuant to a memorandum of understanding between a school district  
31 and a juvenile court. All members of a therapeutic truancy board  
32 receive training with respect to the identification of barriers to  
33 school attendance, the use of the Washington assessment of the risks  
34 and needs of students (WARNS) or other assessment tools to identify  
35 the specific needs of individual children, trauma-informed approaches  
36 to discipline, the research regarding adverse childhood experiences,  
37 evidence-based treatments that have been found to be effective in  
38 supporting at-risk youth and their families as well as those that  
39 have been shown to be culturally appropriate promising practices, and  
40 the specific academic supports, services, and treatments available in

1 the particular school, court, community, and elsewhere. A therapeutic  
2 truancy board identifies barriers to school attendance, cooperatively  
3 solves problems, connects students and their families with academic  
4 supports, community services, evidence-based services such as  
5 functional family therapy, and culturally appropriate promising  
6 practices, and may refer children to a HOPE center.

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

9 (1) A petition for a civil action under RCW 28A.225.030 or  
10 28A.225.015 shall consist of a written notification to the court  
11 alleging that:

12 (a) The child has unexcused absences during the current school  
13 year;

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

16 (c) Court intervention and supervision are necessary to assist  
17 the school district or parent to reduce the child's absences from  
18 school.

19 (2) The petition shall set forth the name, date of birth, school,  
20 address, gender, race, and ethnicity of the child and the names and  
21 addresses of the child's parents, and shall set forth whether the  
22 child and parent are fluent in English, whether there is an existing  
23 individualized education program, and the child's current academic  
24 status in school.

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

29 (4)(a) When a petition is filed under RCW 28A.225.030 or  
30 28A.225.015, it shall initially be stayed and intervention and  
31 prevention efforts employed in order to substantially reduce the  
32 child's unexcused absences. Intervention and prevention efforts under  
33 this subsection may include referral to a community truancy board,  
34 preferably a therapeutic truancy board, use of the Washington  
35 assessment of the risks and needs of students (WARNS) or other  
36 assessment tools to identify the specific needs of individual  
37 children, the provision of academic services such as tutoring, credit  
38 retrieval and school reengagement supports, and community-based  
39 services, and the provision of evidence-based treatments that have

1 been found to be effective in supporting at-risk youth and their  
2 families and those that have been shown to be culturally appropriate  
3 promising practices.

4 (b) If intervention and prevention efforts under (a) of this  
5 subsection are unsuccessful at substantially reducing the child's  
6 unexcused absences, the stay shall be lifted and the juvenile court  
7 shall schedule a hearing at which the court shall consider the  
8 petition, or if the court determines that ((a)) an initial or  
9 subsequent referral to an available community truancy board would  
10 substantially reduce the child's unexcused absences, the court may  
11 refer the case to a community truancy board under the jurisdiction of  
12 the juvenile court.

13 (5) If a referral is made to a community truancy board, the  
14 truancy board must meet with the child, a parent, and the school  
15 district representative and enter into an agreement with the  
16 petitioner and respondent regarding expectations and any actions  
17 necessary to address the child's truancy within twenty days of the  
18 referral. If the petition is based on RCW 28A.225.015, the child  
19 shall not be required to attend and the agreement under this  
20 subsection shall be between the truancy board, the school district,  
21 and the child's parent. The court may permit the truancy board or  
22 truancy prevention counselor to provide continued supervision over  
23 the student, or parent if the petition is based on RCW 28A.225.015.

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

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

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

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

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

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

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

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

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

15 (10) The court may permit the first hearing to be held without  
16 requiring that either party be represented by legal counsel, and to  
17 be held without a guardian ad litem for the child under RCW 4.08.050.  
18 At the request of the school district, the court shall permit a  
19 school district representative who is not an attorney to represent  
20 the school district at any future hearings.

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

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

33 (13)(a) If the court assumes jurisdiction, the school district  
34 shall periodically report to the court any additional unexcused  
35 absences by the child, actions taken by the school district, and an  
36 update on the child's academic status in school at a schedule  
37 specified by the court.

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



1 (14) Community truancy boards and the courts shall coordinate, to  
2 the extent possible, proceedings and actions pertaining to children  
3 who are subject to truancy petitions and at-risk youth petitions in  
4 RCW 13.32A.191 or child in need of services petitions in RCW  
5 13.32A.140.

6 (15) If after a juvenile court assumes jurisdiction in one county  
7 the child relocates to another county, the juvenile court in the  
8 receiving county shall, upon the request of a school district or  
9 parent, assume jurisdiction of the petition filed in the previous  
10 county.

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

13 (1) Subject to funds appropriated for this purpose, the office of  
14 the superintendent of public instruction shall allocate to  
15 therapeutic truancy boards grant funds that may be used to supplement  
16 existing funds in order to pay for training for board members or the  
17 provision of services and treatment to children and their families.

18 (2) The superintendent of public instruction must select grant  
19 recipients based on the criteria in this section. This is a  
20 competitive grant process. A prerequisite to applying for either or  
21 both grants is a memoranda of understanding, between a school  
22 district and a court, to institute a new or maintain an existing  
23 therapeutic truancy board that meets the requirements of RCW  
24 28A.225.025.

25 (3) Successful applicants for an award of grant funds to  
26 supplement existing funds to pay for the training of therapeutic  
27 truancy board members must commit to the provision of training to  
28 board members regarding the identification of barriers to school  
29 attendance, the use of the Washington assessment of the risks and  
30 needs of students (WARNS) or other assessment tools to identify the  
31 specific needs of individual children, trauma-informed approaches to  
32 discipline, research about adverse childhood experiences, evidence-  
33 based treatments and culturally appropriate promising practices, as  
34 well as the specific academic and community services and treatments  
35 available in the school, court, community, and elsewhere. This  
36 training may be provided by educational service districts.

37 (4) Successful applicants for an award of grant funds to  
38 supplement existing funds to pay for services and treatments provided  
39 to children and their families must commit to the provision of

1 academic services such as tutoring, credit retrieval and school  
2 reengagement supports, community services, and evidence-based  
3 treatments that have been found to be effective in supporting at-risk  
4 youth and their families, such as functional family therapy, or those  
5 that have been shown to be culturally appropriate promising  
6 practices.

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

9 (1) A court may order a child subject to a petition under RCW  
10 28A.225.035 to do one or more of the following:

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

13 (b) If there is space available and the program can provide  
14 educational services appropriate for the child, order the child to  
15 attend another public school, an alternative education program,  
16 center, a skill center, dropout prevention program, or another public  
17 educational program;

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

21 (i) Consider the public and private programs available; (ii) find  
22 that placement is in the best interest of the child; and (iii) find  
23 that the private school or program is willing to accept the child and  
24 will not charge any fees in addition to those established by contract  
25 with the student's school district. If the court orders the child to  
26 enroll in a private school or program, the child's school district  
27 shall contract with the school or program to provide educational  
28 services for the child. The school district shall not be required to  
29 contract for a weekly rate that exceeds the state general  
30 apportionment dollars calculated on a weekly basis generated by the  
31 child and received by the district. A school district shall not be  
32 required to enter into a contract that is longer than the remainder  
33 of the school year. A school district shall not be required to enter  
34 into or continue a contract if the child is no longer enrolled in the  
35 district;

36 (d) Be referred to a community truancy board, if available;  
37 (~~(e)~~)

38 (e) Submit to testing for the use of controlled substances or  
39 alcohol based on a determination that such testing is appropriate to

1 the circumstances and behavior of the child and will facilitate the  
2 child's compliance with the mandatory attendance law and, if any test  
3 ordered under this subsection indicates the use of controlled  
4 substances or alcohol, order the minor to abstain from the unlawful  
5 consumption of controlled substances or alcohol and adhere to the  
6 recommendations of the drug assessment at no expense to the school;  
7 or

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

11 (2) If the child fails to comply with the court order, the court  
12 may order the child to be subject to detention, as provided in RCW  
13 7.21.030(2)(e), or may impose alternatives to detention such as  
14 community restitution. Failure by a child to comply with an order  
15 issued under this subsection shall not be subject to detention for a  
16 period greater than that permitted pursuant to a civil contempt  
17 proceeding against a child under chapter 13.32A RCW. Detention  
18 ordered under this subsection may be for no longer than seven days.  
19 Detention ordered under this subsection shall preferably be served at  
20 a crisis residential center close to the child's home rather than in  
21 a juvenile detention facility. A warrant of arrest for a child under  
22 this subsection may not be served on a child inside of school during  
23 school hours in a location where other students are present.

24 (3) Any parent violating any of the provisions of either RCW  
25 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than  
26 twenty-five dollars for each day of unexcused absence from school.  
27 The court shall remit fifty percent of the fine collected under this  
28 section to the child's school district. It shall be a defense for a  
29 parent charged with violating RCW 28A.225.010 to show that he or she  
30 exercised reasonable diligence in attempting to cause a child in his  
31 or her custody to attend school or that the child's school did not  
32 perform its duties as required in RCW 28A.225.020. The court may  
33 order the parent to provide community restitution instead of imposing  
34 a fine. Any fine imposed pursuant to this section may be suspended  
35 upon the condition that a parent charged with violating RCW  
36 28A.225.010 shall participate with the school and the child in a  
37 supervised plan for the child's attendance at school or upon  
38 condition that the parent attend a conference or conferences  
39 scheduled by a school for the purpose of analyzing the causes of a  
40 child's absence.

1 (4) If a child continues to be truant after entering into a  
2 court-approved order with the truancy board under RCW 28A.225.035,  
3 the juvenile court shall find the child in contempt, and the court  
4 may order the child to be subject to detention, as provided in RCW  
5 7.21.030(2)(e), or may impose alternatives to detention such as  
6 meaningful community restitution. Failure by a child to comply with  
7 an order issued under this subsection may not subject a child to  
8 detention for a period greater than that permitted under a civil  
9 contempt proceeding against a child under chapter 13.32A RCW.

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

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

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

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

34 ~~((2))~~ (b) A professional with a master's degree in counseling,  
35 social work, or related field and at least one year of experience  
36 working with street youth or a bachelor of arts degree in social work  
37 or a related field and five years of experience working with street  
38 youth. This professional staff person may be contractual or a part-  
39 time employee, but must be available to work with street youth in a

1 HOPE center at a ratio of one to every fifteen youth staying in a  
2 HOPE center. This professional shall be known as a placement and  
3 liaison specialist. Preference shall be given to those professionals  
4 cross-credentialed in mental health and chemical dependency. The  
5 placement and liaison specialist shall:

6 ~~((a))~~ (i) Conduct an assessment of the street youth that  
7 includes a determination of the street youth's legal status regarding  
8 residential placement;

9 ~~((b))~~ (ii) Facilitate the street youth's return to his or her  
10 legally authorized residence at the earliest possible date or  
11 initiate processes to arrange legally authorized appropriate  
12 placement. Any street youth who may meet the definition of dependent  
13 child under RCW 13.34.030 must be referred to the department of  
14 social and health services. The department of social and health  
15 services shall determine whether a dependency petition should be  
16 filed under chapter 13.34 RCW. A shelter care hearing must be held  
17 within seventy-two hours to authorize out-of-home placement for any  
18 youth the department of social and health services determines is  
19 appropriate for out-of-home placement under chapter 13.34 RCW. All of  
20 the provisions of chapter 13.32A RCW must be followed for children in  
21 need of services or at-risk youth;

22 ~~((c))~~ (iii) Interface with other relevant resources and system  
23 representatives to secure long-term residential placement and other  
24 needed services for the street youth;

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

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

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

37 ~~((3))~~ (c) Staff trained in development needs of street youth as  
38 determined by the department, including an administrator who is a  
39 professional with a master's degree in counseling, social work, or a  
40 related field and at least one year of experience working with street

1 youth, or a bachelor of arts degree in social work or a related field  
2 and five years of experience working with street youth, who must work  
3 with the placement and liaison specialist to provide appropriate  
4 services on site;

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

10 ~~((5))~~ (e) Notification requirements that meet the notification  
11 requirements of chapter 13.32A RCW. The youth's arrival date and time  
12 must be logged at intake by HOPE center staff. The staff must  
13 immediately notify law enforcement and dependency caseworkers if a  
14 street youth runs away from a HOPE center. A child may be transferred  
15 to a secure facility as defined in RCW 13.32A.030 whenever the staff  
16 reasonably believes that a street youth is likely to leave the HOPE  
17 center and not return after full consideration of the factors set  
18 forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's  
19 temporary placement in the HOPE center must be authorized by the  
20 court or the secretary of the department of social and health  
21 services if the youth is a dependent of the state under chapter 13.34  
22 RCW or the department of social and health services is responsible  
23 for the youth under chapter 13.32A RCW, or by the youth's parent or  
24 legal custodian, until such time as the parent can retrieve the youth  
25 who is returning to home;

26 ~~((6))~~ (f) HOPE centers must identify to the department of  
27 social and health services any street youth it serves who is not  
28 returning promptly to home. The department of social and health  
29 services then must contact the missing children's clearinghouse  
30 identified in chapter 13.60 RCW and either report the youth's  
31 location or report that the youth is the subject of a dependency  
32 action and the parent should receive notice from the department of  
33 social and health services; and

34 ~~((7))~~ (g) Services that provide counseling and education to the  
35 street youth(~~and~~).

36 ~~((8))~~ (2) The department shall award contracts for the  
37 operation of HOPE center beds with the goal of facilitating the  
38 coordination of services provided for youth by such programs and  
39 those services provided by secure and semi-secure crisis residential  
40 centers.

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

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

12       To be eligible for placement in a HOPE center, a minor must be  
13 either a street youth, as that term is defined in this chapter, or a  
14 youth who, without placement in a HOPE center, will continue to  
15 participate in increasingly risky behavior, including truancy. Youth  
16 may also self-refer to a HOPE center. Payment for a HOPE center bed  
17 is not contingent upon prior approval by the department; however,  
18 approval from the department of social and health services is needed  
19 if the youth is dependent under chapter 13.34 RCW.

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

22       Subject to funds appropriated for this purpose, the capacity  
23 available in crisis residential centers established pursuant to this  
24 chapter shall be increased incrementally in order to accommodate  
25 truant students found in contempt of a court order to attend school.  
26 The additional capacity shall be distributed around the state based  
27 upon need and, to the extent feasible, shall be geographically  
28 situated so that crisis residential centers are available for use by  
29 all courts.

30       NEW SECTION. **Sec. 11.** The office of the superintendent of  
31 public instruction shall develop recommendations as to how mandatory  
32 school attendance and truancy amelioration provisions under chapter  
33 28A.225 RCW should be applied to online schools and report back to  
34 the relevant committees of the legislature by November 1, 2016.

35       NEW SECTION. **Sec. 12.** (1) The educational opportunity gap  
36 oversight and accountability committee shall conduct a review and

1 make recommendations to the appropriate committees of the legislature  
2 with respect to:

3 (a) The cultural competence training that therapeutic truancy  
4 board members, as well as others involved in the truancy process,  
5 should receive;

6 (b) Best practices for supporting and facilitating parent and  
7 community involvement and outreach; and

8 (c) The cultural relevance of the assessments employed to  
9 identify barriers to attendance and the treatments and tools provided  
10 to children and their families.

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

14 (3) For the purposes of this section, "cultural competence"  
15 includes knowledge of children's cultural histories and contexts, as  
16 well as family norms and values in different cultures; knowledge and  
17 skills in accessing community resources and community and parent  
18 outreach; and skills in adapting instruction and treatment to  
19 children's experiences and identifying cultural contexts for  
20 individual children.

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

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

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

27 (a) A systematic review of the research literature on the  
28 effectiveness of the various practices in reducing absenteeism,  
29 fostering school engagement, improving academic performance and  
30 achievement, increasing graduation rates, and decreasing dropout  
31 rates; and

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

36 (2) In conducting its analysis, the Washington state institute  
37 for public policy may consult with employees and access data systems  
38 of the office of the superintendent of public instruction, any  
39 educational service district or school district, and the



1 administrative office of the courts, each of which shall provide the  
2 Washington state institute for public policy with access to necessary  
3 data and administrative systems.

4 (3) The Washington state institute for public policy shall report  
5 the findings of the study under subsection (1)(a) of this section to  
6 the appropriate committees of the legislature by December 1, 2017,  
7 and the findings of the evaluation under subsection (1)(b) of this  
8 section by December 1, 2022.

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

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

12 To accurately track the extent to which courts order youth into a  
13 secure detention facility in Washington state for the violation of a  
14 court order related to a truancy, at-risk youth, or a child in need  
15 of services petition, all juvenile courts shall transmit youth-level  
16 secure detention data to the administrative office of the courts.  
17 Data may either be entered into the statewide management information  
18 system for juvenile courts or securely transmitted to the  
19 administrative office of the courts at least monthly. Juvenile courts  
20 shall provide, at a minimum, the name and date of birth for the  
21 youth, the court case number assigned to the petition, the reasons  
22 for admission to the juvenile detention facility, the date of  
23 admission, the date of exit, and the time the youth spent in secure  
24 confinement. Courts are also encouraged to report individual-level  
25 data reflecting whether a detention alternative, such as electronic  
26 monitoring, was used, and the time spent in detention alternatives.  
27 The administrative office of the courts and the juvenile court  
28 administrators must work to develop uniform data standards for  
29 detention. The administrative office of the courts shall deliver an  
30 annual statewide report to the legislature that details the number of  
31 Washington youth who are placed into detention facilities during the  
32 preceding calendar year. The first report shall be delivered by March  
33 1, 2017, and shall detail the most serious reason for detention and  
34 youth gender, race, and ethnicity. The report must have a specific  
35 emphasis on youth who are detained for reasons relating to a truancy,  
36 at-risk youth, or a child in need of services petition.

1        NEW SECTION.    **Sec. 15.**    This act shall be known and cited as the  
2    keeping kids in school act.

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