

SHB 2711 - S AMD 1369
By Senator Wellman

ADOPTED 03/10/2020

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that students
4 in foster care, experiencing homelessness, or both, have the lowest
5 high school graduation and postsecondary completion outcomes compared
6 to other student populations. The legislature also finds that these
7 students change schools at significantly higher rates than their
8 general student population peers, and that these changes can disrupt
9 academic progress. The legislature further finds that these students
10 have disproportionate suspension and expulsion rates, and require
11 special education services at much higher rates than other students.

12 (2) The legislature acknowledges that, as a result, only forty-
13 six percent of Washington students who experienced foster care during
14 high school, and fifty-five percent of students experiencing
15 homelessness, graduated from high school on time in 2018. By
16 comparison, the statewide four-year graduation rate for the class of
17 2019 was nearly eighty-one percent. Furthermore, students of color
18 are disproportionately represented in the foster care system and in
19 homeless student populations, and their academic outcomes are
20 significantly lower than their white peers. Additionally, students
21 who do not achieve positive education outcomes experience high rates
22 of unemployment, poverty, adult homelessness, and incarceration.

23 (3) The legislature, therefore, intends to provide the
24 opportunity for an equitable education for students in foster care,
25 experiencing homelessness, or both. In accomplishing this goal, the
26 legislature intends to achieve parity in education outcomes for these
27 students, both in comparison to their general student population
28 peers and throughout the education continuum of prekindergarten to
29 postsecondary education.

30 (4) In 2018 the legislature directed the department of children,
31 youth, and families and other entities in chapter 299, Laws of 2018,
32 to convene a work group focused on students in foster care and

1 students experiencing homelessness. The legislature resolves to
2 continue this work group to improve education outcomes for these
3 students.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
5 RCW to read as follows:

6 (1) The office of the superintendent of public instruction, in
7 collaboration with the department of children, youth, and families,
8 the office of homeless youth prevention and protection programs of
9 the department of commerce, and the student achievement council,
10 shall convene a work group to address the needs of students in foster
11 care, experiencing homelessness, or both. Nothing in this section
12 prevents the office of the superintendent of public instruction from
13 using an existing work group created under the authority of section
14 223(1)(bb), chapter 299, Laws of 2018, with modifications to the
15 membership and duties, to meet the requirements of this section. The
16 work group, which shall seek to promote continuity with efforts
17 resulting from section 223(1)(bb), chapter 299, Laws of 2018, must
18 include representatives of nongovernmental agencies and
19 representation from the educational opportunity gap oversight and
20 accountability committee. The work group must also include four
21 legislative members who possess experience in issues of education,
22 the foster care system, and homeless youth, appointed as follows:

23 (a) The president of the senate shall appoint one member from
24 each of the two largest caucuses of the senate.

25 (b) The speaker of the house of representatives shall appoint one
26 member from each of the two largest caucuses of the house of
27 representatives.

28 (2) The work group shall develop recommendations to promote the
29 following for students who are in foster care, experiencing
30 homelessness, or both:

31 (a) The achievement of parity in education outcomes with the
32 general student population; and

33 (b) The elimination of racial and ethnic disparities for
34 education outcomes in comparison to the general student population.

35 (3) In developing the recommendations required by subsection (2)
36 of this section, the work group shall:

37 (a) Review the education outcomes of students in foster care,
38 experiencing homelessness, or both, by examining data, disaggregated
39 by race and ethnicity, on:

1 (i) Kindergarten readiness, early grade reading and math, eighth
2 and ninth grade students on track to graduate, high school
3 completion, postsecondary enrollment, and postsecondary completion;
4 and

5 (ii) School attendance, school mobility, special education
6 status, and school discipline;

7 (b) Evaluate the outcomes, needs, and service array for students
8 in foster care, experiencing homelessness, or both, and the specific
9 needs of students of color and students with special education needs;

10 (c) Engage stakeholders, including students in foster care,
11 experiencing homelessness, or both, foster parents and relative
12 caregivers, birth parents, caseworkers, school districts and
13 educators, early learning providers, postsecondary institutions, and
14 federally recognized tribes, to provide input on the development of
15 recommendations; and

16 (d)(i) Submit annual reports to the governor, the appropriate
17 committees of the legislature, and the educational opportunity gap
18 oversight and accountability committee by October 31, 2021, 2022, and
19 2023 that identify:

20 (A) Progress the state has made toward achieving education parity
21 for students in foster care, experiencing homelessness, or both; and

22 (B) Recommendations that can be implemented using existing
23 resources, rules, and regulations, and those that would require
24 policy, administrative, and resource allocation changes prior to
25 implementation.

26 (ii) Reports required by (d) of this subsection may include
27 findings and recommendations regarding the feasibility of developing
28 a case study to examine or implement recommendations of the work
29 group.

30 (4) The work group, in accordance with RCW 43.01.036, must submit
31 a final report to the governor, the appropriate committees of the
32 legislature, and the educational opportunity gap oversight and
33 accountability committee by July 1, 2024. The final report must
34 include the recommendations required by subsection (2) of this
35 section and may include a plan for achieving the recommendations
36 specified in subsection (2) of this section.

37 (5) To assist the work group in the completion of its duties, the
38 following apply:

39 (a) The office of the superintendent of public instruction,
40 department of children, youth, and families, the student achievement

1 council, and the office of homeless youth prevention and protection
2 programs of the department of commerce shall provide updated
3 education data and other necessary data to the education data center
4 established under RCW 43.41.400; and

5 (b) The education data center shall provide annual reports to the
6 work group regarding education outcomes specified in subsection
7 (3)(a)(i) and (ii) of this section by March 31, 2021, 2022, and 2023.
8 If state funds are not available to produce the reports, the work
9 group may pursue supplemental private funds to fulfill the
10 requirements of this subsection (5)(b).

11 (6) Nothing in this section permits disclosure of confidential
12 information protected from disclosure under federal or state law,
13 including but not limited to information protected under chapter
14 13.50 RCW. Confidential information received by the work group
15 retains its confidentiality and may not be further disseminated
16 except as permitted by federal and state law.

17 (7) For the purposes of this section, "students in foster care,
18 experiencing homelessness, or both" includes students who are in
19 foster care or experiencing homelessness, and students who have been
20 homeless or in foster care, or both.

21 (8) This section expires December 31, 2024.

22 **Sec. 3.** RCW 74.13.1051 and 2017 3rd sp.s. c 6 s 405 are each
23 amended to read as follows:

24 (1) In order to proactively support foster youth to complete high
25 school, enroll and complete postsecondary education, and successfully
26 implement their own plans for their futures, the department, the
27 student achievement council, and the office of the superintendent of
28 public instruction shall enter into, or revise existing, memoranda of
29 understanding that:

30 (a) Facilitate student referral, data and information exchange,
31 agency roles and responsibilities, and cooperation and collaboration
32 among state agencies and nongovernmental entities; and

33 (b) Effectuate the transfer of responsibilities from the
34 department to the office of the superintendent of public instruction
35 with respect to the programs in RCW 28A.300.592, and from the
36 department to the student achievement council with respect to the
37 program in RCW 28B.77.250 in a smooth, expedient, and coordinated
38 fashion.

1 (2) The student achievement council and the office of the
2 superintendent of public instruction shall establish a set of
3 indicators relating to the outcomes provided in RCW 28A.300.590 and
4 28A.300.592 to provide consistent services for youth, facilitate
5 transitions among contractors, and support outcome-driven contracts.
6 The student achievement council and the superintendent of public
7 instruction shall collaborate with nongovernmental contractors and
8 the department to develop a list of the most critical indicators,
9 establishing a common set of indicators to be used in the outcome-
10 driven contracts in RCW 28A.300.590 and 28A.300.592. (~~A list of
11 these indicators must be included in the report provided in
12 subsection (3) of this section.~~

13 ~~(3) By November 1, 2017, and biannually thereafter, the
14 department, the student achievement council, and the office of the
15 superintendent of public instruction, in consultation with the
16 nongovernmental entities engaged in public-private partnerships shall
17 submit a joint report to the governor and the appropriate education
18 and human services committees of the legislature regarding each of
19 these programs, individually, as well as the collective progress the
20 state has made toward the following goals:~~

21 ~~(a) To make Washington number one in the nation for foster care
22 graduation rates;~~

23 ~~(b) To make Washington number one in the nation for foster care
24 enrollment in postsecondary education; and~~

25 ~~(c) To make Washington number one in the nation for foster care
26 postsecondary completion.~~

27 ~~(4) The department, the student achievement council, and the
28 office of the superintendent of public instruction, in consultation
29 with the nongovernmental entities engaged in public-private
30 partnerships, shall also submit one report by November 1, 2018, to
31 the governor and the appropriate education and human service
32 committees of the legislature regarding the transfer of
33 responsibilities from the department to the office of the
34 superintendent of public instruction with respect to the programs in
35 RCW 28A.300.592, and from the department to the student achievement
36 council with respect to the program in RCW 28B.77.250 and whether
37 these transfers have resulted in better coordinated services for
38 youth.))~~

1 NEW SECTION. **Sec. 4.** RCW 28A.300.8001 (Plan for cross-system
2 collaboration to promote educational stability and improve
3 educational outcomes for foster children—Reports) and 2012 c 163 s 10
4 are each repealed."

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By Senator Wellman

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5 On page 1, line 3 of the title, after "education;" strike the
6 remainder of the title and insert "amending RCW 74.13.1051; adding a
7 new section to chapter 28A.300 RCW; creating a new section; repealing
8 RCW 28A.300.8001; and providing an expiration date."

EFFECT: (1) Does not refer to the project education impact work group.

(2) Expires the work group on December 31, 2024.

(3) Provides that nothing prevents the Office of the Superintendent of Public Instruction (OSPI) from using an existing work group to meet the requirements of the section and provides that the work group shall seek to promote continuity with efforts resulting from a supplemental budget proviso in ESSB 6032 (2018).

(4) Specifies that the four legislative members of the work group must possess experience in issues of education, the foster care system, and homeless youth.

(5) Requires the work group to develop recommendations and submit annual reports on October 31, 2021, 2022, and 2023, and adds that the reports may include findings and recommendations regarding the feasibility of developing a case study to examine or implement recommendations of the work group.

(6) Directs the work group to submit a final report by July 1, 2024.

(7) Removes references to a plan to achieve certain goals by 2027 and a list of certain goals.

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