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## Education Committee

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### HB 2583

**Brief Description:** Ensuring student transportation for students in out-of-home placements.

**Sponsors:** Representatives Caldier, Dent and Corry.

#### Brief Summary of Bill

- Provides for notifications and financial penalties, if a student residing in out-of-home care outside the student's school of origin district is not, within specified timeframes, regularly transported to the student's school of origin, provided that enrollment in the school of origin is in the best interest of the student.

**Hearing Date:** 1/21/20

**Staff:** Megan Wargacki (786-7194).

#### Background:

Some children and youth in foster care or other out-of-home care need transportation to remain in their school of origin when it is in their best interest. The school of origin is the school the student was enrolled in when they entered out-of-home care. As defined in state law, foster care and out-of-home care mean placement in a foster family home or a licensed group care facility or other legally authorized care. An out-of-home care placement could include placement with a relative.

When it is in the best interest of a child or youth to remain enrolled in his or her school of origin, the Department of Children Youth and Families (DCYF) and school districts must collaborate to ensure that transportation to the school of origin is provided, arranged and funded. State law provides that, when making best interest determinations, a variety of student-centered factors should be considered and every effort should be made to gather meaningful input on the matter from relevant and appropriate persons. Federal guidance states that transportation costs should not be considered when making best interest determinations.

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Federal law requires that the DCYF and school districts develop procedures that ensure prompt receipt of cost-effective transportation. Federal guidance provides examples of no-cost or low-cost options, such as public transportation or transportation by the foster parents or other family members.

State law requires that students remain in their school of origin while a best interest determination is made and while disputes are resolved in order to minimize disruption and reduce the number of school transfers.

**Summary of Bill:**

If the DCYF determines that a student residing in out-of-home care outside the student's school of origin district is not receiving transportation services to the student's school of origin for a week or more, the DCYF must notify the school of origin district, the school district where the out-of-home care is located, and the Office of the Superintendent of Public Instruction (OSPI).

If within two weeks of notification, the notified school districts do not provide the student with regular transportation services to the school of origin, the DCYF must notify the OSPI, which must then deduct \$500 per day from the next transportation allocation of each notified school district until regular transportation is provided to the student.

These requirements do apply if the DCYF determines that remaining enrolled in the school of origin is not in the best interest of the student.

**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 2020.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.