

E2SHB 1295 - S COMM AMD

By Committee on Early Learning & K-12 Education

ADOPTED 04/03/2021

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 Washington's secure facilities have been unable to access the
5 education and supports they need to make life-changing academic
6 progress. As a result, these students have experienced dismal
7 graduation and recidivism rates, and have lost invaluable
8 opportunities for hope and transformation.

9 (2) In 2020, the legislature enacted chapter 226, Laws of 2020,
10 and established the task force on improving institutional education
11 programs and outcomes. The task force efforts resulted in a series of
12 well-considered recommendations that inform this act and, perhaps
13 more importantly, offer a new opportunity to make critical policy
14 advances for students and dedicated staff that are too often
15 overlooked.

16 (3) The legislature acknowledges that institutional education
17 facilities are part of the public school system and that the students
18 in secure facilities deserve full access to the state's basic
19 education program and its promise of an opportunity to graduate with
20 a meaningful diploma that prepares them for postsecondary education,
21 gainful employment, and citizenship.

22 (4) The legislature finds that key reforms are needed to the
23 institutional education system, including the development of an
24 education program that is both student-centered and anchored in the
25 principle that student improvement through education must be the
26 system's primary objective. The legislature further finds that an
27 effective institutional education system must have sufficient funding
28 and proper administrative structures to assure effective
29 functionality, oversight, and accountability.

30 (5) Although the task of making meaningful reforms to the
31 institutional education system cannot be accomplished through a
32 single legislative act, the legislature intends for this act to be a

1 significant step of progress in better meeting the needs of students
2 who are in or have been involved with the traditional components of
3 the juvenile justice system, with subsequent legislative efforts to
4 be focused on the education of students in other institutional
5 settings, including those in long-term inpatient programs and those
6 with exceptional mental or physical needs.

7 (6) The legislature, therefore, intends to establish new and
8 modified requirements for the institutional education system that
9 promote student success through improved agency and education
10 provider practices, updated credit-awarding practices, new data
11 collection and reporting requirements, and the development of expert
12 recommendations that will create an implementable blueprint for
13 successfully meeting complex student needs and improving education
14 and postrelease outcomes.

15 **Sec. 2.** RCW 28A.150.200 and 2017 3rd sp.s. c 13 s 401 are each
16 amended to read as follows:

17 (1) The program of basic education established under this chapter
18 is deemed by the legislature to comply with the requirements of
19 Article IX, section 1 of the state Constitution, which states that
20 "It is the paramount duty of the state to make ample provision for
21 the education of all children residing within its borders, without
22 distinction or preference on account of race, color, caste, or sex,"
23 and is adopted pursuant to Article IX, section 2 of the state
24 Constitution, which states that "The legislature shall provide for a
25 general and uniform system of public schools."

26 (2) The legislature defines the program of basic education under
27 this chapter as that which is necessary to provide the opportunity to
28 develop the knowledge and skills necessary to meet the state-
29 established high school graduation requirements that are intended to
30 allow students to have the opportunity to graduate with a meaningful
31 diploma that prepares them for postsecondary education, gainful
32 employment, and citizenship. Basic education by necessity is an
33 evolving program of instruction intended to reflect the changing
34 educational opportunities that are needed to equip students for their
35 role as productive citizens and includes the following:

36 (a) The instructional program of basic education the minimum
37 components of which are described in RCW 28A.150.220;

38 (b) The program of education provided by chapter 28A.190 RCW for
39 students in residential schools as defined by ((RCW 28A.190.020))

1 section 3 of this act and for juveniles in detention facilities as
2 identified by RCW 28A.190.010;

3 (c) The program of education provided by chapter 28A.193 RCW for
4 individuals under the age of eighteen who are incarcerated in adult
5 correctional facilities;

6 (d) Transportation and transportation services to and from school
7 for eligible students as provided under RCW 28A.160.150 through
8 28A.160.180; and

9 (e) Statewide salary allocations necessary to hire and retain
10 qualified staff for the state's statutory program of basic education.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.190
12 RCW to read as follows:

13 The definitions in this section apply throughout this chapter
14 unless the context clearly requires otherwise.

15 (1) "Institutional education facility" means residential
16 habilitation and child study and treatment centers operated by the
17 department of social and health services, state long-term juvenile
18 institutions operated by the department of children, youth, and
19 families, state-operated community facilities, county juvenile
20 detention centers, and facilities of the department of corrections
21 that incarcerate juveniles committed as adults.

22 (2) "Institutional education program" means the program of
23 education that is provided to youth in institutional education
24 facilities as a mandatory component of the program of basic education
25 under RCW 28A.150.200.

26 (3) "Institutional education provider" or "provider" means a
27 school district, educational service district, or other entity
28 providing education services to youth in an institutional education
29 facility.

30 (4) "Postresident youth" means a person who is under the age of
31 21 and a former resident of an institutional education facility. A
32 postresident youth may be a public school student or a person who is
33 eligible to be a public school student but who is not enrolled in a
34 school or otherwise receiving basic education services.

35 (5) "Residential school" means the following institutional
36 education facilities: Green Hill school, Naselle Youth Camp, Echo
37 Glen, Lakeland Village, Rainier school, Yakima Valley school,
38 Fircrest school, the Child Study and Treatment Center and Secondary
39 School of western state hospital, and other schools, camps, and

1 centers established by the department of social and health services
2 or the department of children, youth, and families for the diagnosis,
3 confinement, and rehabilitation of juveniles committed by the courts
4 or for the care and treatment of persons who are exceptional in their
5 needs by reason of mental or physical deficiency. "Residential
6 school" does not include the state schools for the blind, the
7 Washington state center for childhood deafness and hearing loss, or
8 adult correctional institutions.

9 (6) "School district" has the same meaning as in RCW 28A.315.025
10 and includes any educational service district that has entered into
11 an agreement to provide a program of education for residents at an
12 institutional education facility on behalf of the school district as
13 a cooperative service program pursuant to RCW 28A.310.180.

14 (7) "Youth" means a person who is under the age of 21 who is a
15 resident of an institutional education facility. A youth may be a
16 public school student or a person who is eligible to be a public
17 school student but who is not enrolled in a school or otherwise
18 receiving basic education services.

19 **Sec. 4.** RCW 28A.320.192 and 2017 c 166 s 1 and 2017 c 40 s 1 are
20 each reenacted and amended to read as follows:

21 (1) In order to eliminate barriers and facilitate the on-time
22 grade level progression and graduation of students who are homeless
23 as described in RCW 28A.300.542, dependent pursuant to chapter 13.34
24 RCW, (~~or~~) at-risk youth or children in need of services pursuant to
25 chapter 13.32A RCW, or in or have been released from an institutional
26 education facility, school districts must incorporate the procedures
27 in this section.

28 (2) School districts must waive specific courses required for
29 graduation if similar coursework has been satisfactorily completed in
30 another school district or must provide reasonable justification for
31 denial. Should a waiver not be granted to a student who would qualify
32 to graduate from the sending school district, the receiving school
33 district must provide an alternative means of acquiring required
34 coursework so that graduation may occur on time.

35 (3) School districts must consolidate partial credit, unresolved,
36 or incomplete coursework and provide opportunities for credit accrual
37 in a manner that eliminates academic and nonacademic barriers for the
38 student.

1 (4) For students in or released from an institutional education
2 facility, school districts must provide students with access to world
3 language proficiency tests, American sign language proficiency tests,
4 and general education development tests. Access to the tests may not
5 be conditioned or otherwise dependent upon a student's request.
6 School districts must award at least one high school credit to
7 students upon meeting the standard established by the state board of
8 education under subsection (9) of this section on a world language or
9 American sign language proficiency test or a general education
10 development test. Additional credits may be awarded by the district
11 if a student has completed a course or courses of study to prepare
12 for the test. If the school district has a local policy for awarding
13 mastery-based credit on state or local assessments, the school
14 district must apply this policy for students in or released from an
15 institutional education facility.

16 (5) For students who have been unable to complete an academic
17 course and receive full credit due to withdrawal or transfer, school
18 districts must grant partial credit for coursework completed before
19 the date of withdrawal or transfer and the receiving school must
20 accept those credits, apply them to the student's academic progress
21 or graduation or both, and allow the student to earn credits
22 regardless of the student's date of enrollment in the receiving
23 school.

24 (~~(5)~~) (6) Should a student who is transferring at the beginning
25 or during the student's junior or senior year be ineligible to
26 graduate from the receiving school district after all alternatives
27 have been considered, the sending and receiving districts must ensure
28 the receipt of a diploma from the sending district if the student
29 meets the graduation requirements of the sending district.

30 (~~(6)~~) (7) The superintendent of public instruction shall adopt
31 and distribute to all school districts lawful and reasonable rules
32 prescribing the substantive and procedural obligations of school
33 districts to implement these provisions.

34 (~~(7)~~) (8) Should a student have enrolled in three or more
35 school districts as a high school student and have met state
36 requirements but be ineligible to graduate from the receiving school
37 district after all alternatives have been considered, the receiving
38 school district must waive its local requirements and ensure the
39 receipt of a diploma.

1 (9) The state board of education, in consultation with the office
2 of the superintendent of public instruction, shall identify the
3 scores students must achieve in order to meet the standard on world
4 language or American sign language proficiency tests and general
5 education development tests in accordance with subsection (4) of this
6 section.

7 (10) For purposes of this section, "institutional education
8 facility" and "school district" have the same meaning as in section 3
9 of this act.

10 NEW SECTION. Sec. 5. (1) The office of the superintendent of
11 public instruction shall examine the dropout prevention,
12 intervention, and retrieval system established under chapter 28A.175
13 RCW, including associated rules. The purpose of the examination is to
14 recommend new or modified dropout reengagement requirements and
15 practices that will promote credit earning and high school completion
16 by youth and postresident youth.

17 (2) Findings and recommendations resulting from the examination
18 required by this section must be submitted by November 1, 2021, to
19 the governor and the appropriate committees of the house of
20 representatives and the senate in accordance with RCW 43.01.036.

21 (3) For purposes of this section, "postresident youth" and
22 "youth" have the same meaning as in section 3 of this act.

23 (4) This section expires June 30, 2022.

24 NEW SECTION. Sec. 6. A new section is added to chapter 28A.190
25 RCW to read as follows:

26 Beginning in the 2021-22 school year, enrollments for students in
27 residential schools as defined in section 3 of this act, for
28 juveniles in detention facilities as identified by RCW 28A.190.010,
29 and for individuals under the age of 18 who are incarcerated in adult
30 correctional facilities may be funded above one full-time equivalent,
31 provided that enrollments above one full-time equivalent allow for
32 participation in dropout reengagement programs as defined in RCW
33 28A.175.105. State funding for enrollments in dropout reengagement
34 programs in addition to institutional education facility enrollments
35 must be allocated pursuant to RCW 28A.175.110 excluding
36 administrative fees. The office of the superintendent of public
37 instruction shall develop procedures for school districts to report

1 student enrollment in institutional education facilities and dropout
2 reengagement programs.

3 **Sec. 7.** RCW 28A.175.105 and 2013 c 39 s 5 are each amended to
4 read as follows:

5 The definitions in this section apply throughout RCW 28A.175.100
6 through 28A.175.110 unless the context clearly requires otherwise:

7 (1) "Dropout reengagement program" means an educational program
8 that offers at least the following instruction and services:

9 (a) Academic instruction, including but not limited to
10 preparation to earn a high school equivalency certificate as provided
11 in RCW 28B.50.536 in accordance with rules adopted under RCW
12 28A.305.190, academic skills instruction, and college and work
13 readiness preparation, that generates credits that can be applied to
14 a high school diploma from the student's school district or from a
15 community or technical college under RCW 28B.50.535 and has the goal
16 of enabling the student to obtain the academic and work readiness
17 skills necessary for employment or postsecondary study. A dropout
18 reengagement program is not required to offer instruction in only
19 those subject areas where a student is deficient in accumulated
20 credits. Academic instruction must be provided by teachers certified
21 by the Washington professional educator standards board or by
22 instructors employed by a community or technical college whose
23 required credentials are established by the college;

24 (b) Case management, academic and career counseling, and
25 assistance with accessing services and resources that support at-risk
26 youth and reduce barriers to educational success; and

27 (c) If the program provider is a community or technical college,
28 the opportunity for qualified students to enroll in college courses
29 that lead to a postsecondary degree or certificate. The college may
30 not charge an eligible student tuition for such enrollment.

31 (2) "Eligible student" means a student who:

32 (a) Is at least sixteen but less than twenty-one years of age at
33 the beginning of the school year;

34 (b) Is not accumulating sufficient credits toward a high school
35 diploma to reasonably complete a high school diploma from a public
36 school before the age of twenty-one or is recommended for the program
37 by case managers from the department of social and health services or
38 the juvenile justice system; and

1 (c) Is enrolled or enrolls in the school district in which the
2 student resides, or is enrolled or enrolls in an institutional
3 education program as defined in section 3 of this act or a
4 nonresident school district under RCW 28A.225.220 through
5 28A.225.230.

6 (3) "Full-time equivalent eligible student" means an eligible
7 student whose enrollment and attendance meet criteria adopted by the
8 office of the superintendent of public instruction specifically for
9 dropout reengagement programs. The criteria shall be:

10 (a) Based on the community or technical college credits generated
11 by the student if the program provider is a community or technical
12 college; and

13 (b) Based on a minimum amount of planned programming or
14 instruction and minimum attendance by the student rather than hours
15 of seat time if the program provider is a community-based
16 organization.

17 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.190
18 RCW to read as follows:

19 (1) Institutional education providers shall annually deliver to
20 all staff providing an institutional education program one day of
21 professional development that builds pedagogical strategies to
22 navigate the intersectionality of factors impacting student learning,
23 including trauma, and physical, mental, and behavioral health in
24 order to achieve academic milestone progression. At a minimum, the
25 professional development must include training on the following
26 topics:

27 (a) The cognitive, psychosocial, and emotional development of
28 adolescents;

29 (b) Mental and behavioral health literacy;

30 (c) The complex needs of students involved in the juvenile
31 justice system, including the trauma associated with incarceration or
32 voluntary or involuntary commitment in a long-term psychiatric
33 inpatient program;

34 (d) Racial literacy and cultural competency, as defined in RCW
35 28A.410.260; and

36 (e) Working with adolescents with many adverse childhood
37 experiences.

38 (2) In addition to the professional learning allocations provided
39 in RCW 28A.150.415, the legislature shall provide and the

1 superintendent of public instruction shall allocate to institutional
2 education providers one professional learning day of funding to
3 provide the professional development required under this section.

4 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.190
5 RCW to read as follows:

6 With respect to students in institutional education facilities
7 governed by this chapter, the department of children, youth, and
8 families must:

9 (1) Identify data needed by the department and institutional
10 education facilities to evaluate the facilities' administrative and
11 operational role in providing education to students and supporting
12 students' educational outcomes. This data must include attendance,
13 discipline rates, course and certificate completion rates, and other
14 educational metrics;

15 (2) Analyze, and make a plan to resolve, department and
16 institutional education facilities policies and practices that
17 suspend the provision of educational services to a student as a
18 disciplinary action, so that students are never denied the
19 opportunity to engage in educational activities; and

20 (3) Review and resolve department and institutional education
21 facility policies and practices that create barriers to students
22 participating in meaningful learning opportunities, for example,
23 career and technical education and postsecondary opportunities, in
24 whatever location and format those opportunities are provided.

25 (4) In meeting the requirements of this section, the department
26 of children, youth, and families must seek input from institutional
27 education providers.

28 NEW SECTION. **Sec. 10.** A new section is added to chapter 28A.300
29 RCW to read as follows:

30 (1)(a) Beginning July 1, 2022, and every three years thereafter,
31 the office of the superintendent of public instruction shall report
32 on the funding and services provided in support of youth pursuant to
33 Washington's every student succeeds act consolidated plan, Title I,
34 part D: Prevention and intervention programs for children and youth
35 who are neglected, delinquent, or at-risk, and the education outcomes
36 resulting from the funding and provided services.

37 (b) The purpose of the report is to inform the legislature of
38 progress toward the goals established in the consolidated plan and

1 provide the legislature with the opportunity to determine whether
2 subsequent legislation should be enacted to ensure the education
3 needs of youth and postresident youth.

4 (2) Reports required by this section, which must delineate the
5 recipients of the federal funds and how they are being used to
6 support the education needs of youth and postresident youth, must be
7 submitted to the appropriate committees of the house of
8 representatives and the senate in accordance with RCW 43.01.036.

9 (3) For purposes of this section, "postresident youth" and
10 "youth" have the same meanings as in section 3 of this act.

11 NEW SECTION. **Sec. 11.** A new section is added to chapter 28A.190
12 RCW to read as follows:

13 (1) The legislature intends to ensure that institutional
14 education facilities include efficient systems to minimize learning
15 loss and maximize credit accrual during transitions for youth and
16 postresident youth. The legislature intends also for the report
17 required by this section to inform its understanding of policy and
18 funding changes that may be necessary to accomplish the objective of
19 improving institutional education programs and outcomes.

20 (2) The office of the superintendent of public instruction shall
21 modify or establish requirements and supports for the provision of
22 public education to youth and postresident youth. In meeting the
23 requirements of this section, the office of the superintendent of
24 public instruction shall:

25 (a) Adopt rules requiring institutional education providers at
26 state long-term juvenile institutions and state-operated community
27 facilities to conduct an individualized education program review for
28 each newly admitted youth who either does not have an individualized
29 education program or does not have an individualized education
30 program that has been reviewed in a meeting with the youth, parent or
31 guardian, and applicable school personnel in the previous 12 months;

32 (b) Adopt rules requiring institutional education providers to,
33 upon admission of a youth to an institutional education facility,
34 conduct a review and assessment of needed services for each facility
35 transition the youth experiences within the juvenile justice system.
36 Rules adopted in accordance with this subsection (2)(b) do not apply
37 to institutional education providers at facilities operated by or
38 under the jurisdiction of the department of social and health
39 services; and

1 (c) Adopt, for youth in state long-term juvenile institutions and
2 state-operated community facilities, rules to implement
3 accountability measures for special education services delivered by
4 institutional education providers, including the establishment of
5 mediation and appeals options related to special education services
6 that recognize the unique situation of youth and postresident youth.

7 (3) A summary of any adopted or pending rules developed in
8 accordance with this section must be submitted to the appropriate
9 committees of the legislature in accordance with RCW 43.01.036 by
10 November 1, 2021, in time for any needed legislative action during
11 the 2022 regular legislative session.

12 NEW SECTION. **Sec. 12.** A new section is added to chapter 28A.190
13 RCW to read as follows:

14 (1) The office of the superintendent of public instruction shall
15 annually collect and post on its website data related to
16 institutional education programs, disaggregated by gender, race,
17 ethnicity, and age, including data on:

18 (a) Individualized education programs;

19 (b) Access to relevant instruction that is aligned with the
20 youth's high school and beyond plan and any unmet graduation
21 requirements;

22 (c) Student attendance;

23 (d) Metrics of student education status upon the beginning of
24 residency in an institutional education facility;

25 (e) Student education progress during residency in an
26 institutional education facility;

27 (f) Student education attainment during residency in an
28 institutional education facility; and

29 (g) Long-term education and workforce outcomes of youth in and
30 released from institutional education facilities as provided annually
31 by the education data center under RCW 43.41.400.

32 (2)(a) The office of the superintendent of public instruction
33 shall also annually recommend modifications to the state board of
34 education for changes to annual school improvement plan requirements
35 in WAC 180-16-220 that would allow plans for state long-term juvenile
36 institutions to be formatted for the specific needs and circumstances
37 of institutional settings. In meeting the requirements of this
38 subsection (2)(a), the office of the superintendent of public

1 instruction shall seek input from institutional education providers
2 and the department of children, youth, and families.

3 (b) In meeting the requirements of this section, the office of
4 the superintendent of public instruction may make recommendations to
5 the state board of education for changes to annual school improvement
6 plan requirements based upon data collected under this section, other
7 provisions of law, or both.

8 NEW SECTION. **Sec. 13.** A new section is added to chapter 28A.190
9 RCW to read as follows:

10 The office of the superintendent of public instruction must
11 provide a copy of the disaggregated data provided under section 12(1)
12 of this act to the board of directors of each school district that
13 provides education services to youth and postresident youth for the
14 purpose of giving the board the opportunity to:

15 (1) Review the performance of the institutional education
16 provider; and

17 (2) Make changes to annual school improvement plans required by
18 WAC 180-16-220, or other policies and procedures as necessary to
19 improve youth and postresident youth outcomes.

20 NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.190
21 RCW to read as follows:

22 (1)(a) The office of the superintendent of public instruction and
23 the department of children, youth, and families shall jointly develop
24 recommendations for the establishment, implementation, and funding of
25 a reformed institutional education system that successfully meets the
26 education and support needs of persons in and released from secure
27 settings. Recommendations developed under this subsection (1) must be
28 based on the foundational concept that every student can succeed if
29 given the necessary supports. With the exception of funding
30 recommendations required by (a)(ii) of this subsection (1), the
31 recommendations developed under this subsection (1) should be
32 directed toward meeting the education needs of persons who are in or
33 have been released from state long-term juvenile institutions and
34 community facilities operated by the department of children, youth,
35 and families, county juvenile detention centers, and facilities of
36 the department of corrections that incarcerate juveniles committed as
37 adults. The recommendations must address:

1 (i) The establishment of an organizational and accountability
2 structure for institutional education that is focused on meeting
3 complex student needs and improving student outcomes;

4 (ii) The establishment of an equitable, long-term funding model
5 for institutional education that sustainably supports the
6 organizational and accountability structure established under (a)(i)
7 of this subsection (1); and

8 (iii) The development of a regular and ongoing review of system
9 performance and education outcomes.

10 (b) The recommendations developed under this subsection (1) must
11 also include the following:

12 (i) The content and structure of common education, information,
13 and support systems that would include a common, culturally competent
14 curriculum, improve system efficacy, and minimize the negative
15 academic impacts of transitions;

16 (ii) A coordinated staffing model for institutional education
17 facility and institutional education provider operations and
18 effectiveness in meeting student needs, and a mechanism for
19 developing subsequent recommendations for improvements to the model;

20 (iii) Practices to ensure that there is a robust program of
21 education advocates for youth in all institutional education
22 facilities;

23 (iv) Practices for shared data tracking and goal setting for
24 youth progress and learning needs;

25 (v) Promoting the effective delivery of tiered supports in
26 institutional education facilities in coordination with state and
27 county facility operators, institutional education providers, and
28 community-based organizations delivering those services;

29 (vi) Promoting the development of an operational safety strategy
30 for safe learning environments for students and staff;

31 (vii) Promoting operations that prioritize education delivery;

32 (viii) Maximizing youth and postresident youth access to: (A)
33 Career and technical education and postsecondary education pathways
34 that occur at institutional education facilities and at off-site
35 locations; and (B) mastery-based learning that leads to credit
36 accrual and graduation pathways;

37 (ix) Establishing new or modified requirements and procedures for
38 the successful release of youth from institutional education
39 facilities by recommending an effective team-based transition process
40 with identified preresident and postresident transition services and

1 supports that include, but are not limited to, basic needs, social-
2 emotional support, and academic support;

3 (x) Establishing and supporting youth advisory, leadership, and
4 mentoring programs to ensure pathways for youth and postresident
5 youth involvement and development;

6 (xi) Identifying and establishing culturally responsive parent
7 engagement strategies that support the education and well-being of
8 youth and postresident youth and families;

9 (xii) Examining and expanding opportunities to include enrichment
10 activities in institutional education programs and offer enrichment
11 opportunities that promote academic and career goals; and

12 (xiii) Developing partnerships with postsecondary institutions,
13 career and technical education programs, and community-based
14 organizations, and identify ways to incorporate those partnerships
15 into education services delivered by institutional education
16 providers.

17 (c) In developing the recommendations required by this subsection
18 (1), the office of the superintendent of public instruction and the
19 department of children, youth, and families shall consult with the
20 advisory group established in subsection (3) of this section.

21 (2) The superintendent of public instruction and the secretary of
22 the department of children, youth, and families shall, by August 15,
23 2021, jointly designate an entity to facilitate the process of
24 developing recommendations required by subsection (1) of this
25 section, and the advisory group established in subsection (3) of this
26 section. The office of the superintendent of public instruction is
27 responsible for contracts or other agreements necessary to secure the
28 services of the designated entity. The designated entity must: (a) Be
29 a nonprofit and nonpartisan organization with content expertise in
30 improving education for incarcerated young people, including
31 education program delivery, system structure, accountability, and
32 school finance; and (b) have experience facilitating complex cross-
33 agency facilitation.

34 (3) (a) The institutional education structure and accountability
35 advisory group is established for the purpose of providing advice,
36 assistance, and information to the office of the superintendent of
37 public instruction and the department of children, youth, and
38 families in meeting the requirements of subsection (1) of this
39 section. The advisory group must consist of representatives from the
40 following, but other members may be added by request of the

1 superintendent of public instruction or the secretary of the
2 department of children, youth, and families:

3 (i) The state board of education;

4 (ii) The department of social and health services;

5 (iii) A statewide organization representing counties;

6 (iv) The administrative office of the courts;

7 (v) The office of the education ombuds;

8 (vi) The educational opportunity gap oversight and accountability
9 committee;

10 (vii) A statewide organization representing teachers;

11 (viii) A statewide organization representing classified education
12 staff;

13 (ix) Nonprofit organizations representing the interest of youth
14 and families involved in the juvenile justice system;

15 (x) Persons who are or have been involved in the juvenile justice
16 system and their families; and

17 (xi) A statewide organization representing state employees.

18 (b) In recognition of the need to ensure representation on the
19 advisory group, persons serving under (a)(x) of this subsection are
20 eligible for travel expense reimbursement. Other members of the
21 advisory group are not entitled to expense reimbursement.

22 (4) Staff support for the advisory group must be provided by the
23 entity selected under subsection (2) of this section.

24 (5)(a) Recommendations required by this section must, in
25 accordance with RCW 43.01.036, be provided to the governor and the
26 education and fiscal committees of the house of representatives and
27 the senate, by November 1, 2022. The recommendations should include a
28 plan and a phased timeline for their implementation in different
29 types of institutional education facilities, including state long-
30 term juvenile institutions, state-operated community facilities,
31 residential habilitation centers, and county juvenile detention
32 centers.

33 (b) By December 15, 2021, the office of the superintendent of
34 public instruction and the department of children, youth, and
35 families shall, in accordance with RCW 43.01.036, provide an interim
36 report on progress made in achieving the requirements of this section
37 to the governor and the education and fiscal committees of the house
38 of representatives and the senate.

39 (6) This section expires June 30, 2023.

1 **Sec. 15.** RCW 43.41.400 and 2017 3rd sp.s. c 6 s 223 are each
2 amended to read as follows:

3 (1) An education data center shall be established in the office
4 of financial management. The education data center shall jointly,
5 with the legislative evaluation and accountability program committee,
6 conduct collaborative analyses of early learning, K-12, and higher
7 education programs and education issues across the P-20 system, which
8 includes the department of children, youth, and families, the
9 superintendent of public instruction, the professional educator
10 standards board, the state board of education, the state board for
11 community and technical colleges, the workforce training and
12 education coordinating board, the student achievement council, public
13 and private nonprofit four-year institutions of higher education, and
14 the employment security department. The education data center shall
15 conduct collaborative analyses under this section with the
16 legislative evaluation and accountability program committee and
17 provide data electronically to the legislative evaluation and
18 accountability program committee, to the extent permitted by state
19 and federal confidentiality requirements. The education data center
20 shall be considered an authorized representative of the state
21 educational agencies in this section under applicable federal and
22 state statutes for purposes of accessing and compiling student record
23 data for research purposes.

24 (2) The education data center shall:

25 (a) In consultation with the legislative evaluation and
26 accountability program committee and the agencies and organizations
27 participating in the education data center, identify the critical
28 research and policy questions that are intended to be addressed by
29 the education data center and the data needed to address the
30 questions;

31 (b) Coordinate with other state education agencies to compile and
32 analyze education data, including data on student demographics that
33 is disaggregated by distinct ethnic categories within racial
34 subgroups, and complete P-20 research projects;

35 (c) Collaborate with the legislative evaluation and
36 accountability program committee and the education and fiscal
37 committees of the legislature in identifying the data to be compiled
38 and analyzed to ensure that legislative interests are served;

39 (d) Annually provide to the K-12 data governance group a list of
40 data elements and data quality improvements that are necessary to

1 answer the research and policy questions identified by the education
2 data center and have been identified by the legislative committees in
3 (c) of this subsection. Within three months of receiving the list,
4 the K-12 data governance group shall develop and transmit to the
5 education data center a feasibility analysis of obtaining or
6 improving the data, including the steps required, estimated time
7 frame, and the financial and other resources that would be required.
8 Based on the analysis, the education data center shall submit, if
9 necessary, a recommendation to the legislature regarding any
10 statutory changes or resources that would be needed to collect or
11 improve the data;

12 (e) Monitor and evaluate the education data collection systems of
13 the organizations and agencies represented in the education data
14 center ensuring that data systems are flexible, able to adapt to
15 evolving needs for information, and to the extent feasible and
16 necessary, include data that are needed to conduct the analyses and
17 provide answers to the research and policy questions identified in
18 (a) of this subsection;

19 (f) Track enrollment and outcomes through the public centralized
20 higher education enrollment system;

21 (g) Assist other state educational agencies' collaborative
22 efforts to develop a long-range enrollment plan for higher education
23 including estimates to meet demographic and workforce needs;

24 (h) Provide research that focuses on student transitions within
25 and among the early learning, K-12, and higher education sectors in
26 the P-20 system;

27 (i) Prepare ~~((a regular))~~ an annual report on the educational and
28 workforce outcomes of youth in ~~((the juvenile justice system))~~ and
29 released from institutional education facilities as defined in
30 section 3 of this act, using data disaggregated by age, and by ethnic
31 categories and racial subgroups in accordance with RCW 28A.300.042.
32 The annual report required by this subsection (2)(i) must be provided
33 to the office of the superintendent of public instruction in a manner
34 that is suitable for compliance with section 12 of this act; and

35 (j) Make recommendations to the legislature as necessary to help
36 ensure the goals and objectives of this section and RCW 28A.655.210
37 and 28A.300.507 are met.

38 (3) The department of children, youth, and families,
39 superintendent of public instruction, professional educator standards
40 board, state board of education, state board for community and

1 technical colleges, workforce training and education coordinating
2 board, student achievement council, public four-year institutions of
3 higher education, department of social and health services, and
4 employment security department shall work with the education data
5 center to develop data-sharing and research agreements, consistent
6 with applicable security and confidentiality requirements, to
7 facilitate the work of the center. The education data center shall
8 also develop data-sharing and research agreements with the
9 administrative office of the courts to conduct research on
10 educational and workforce outcomes using data maintained under RCW
11 13.50.010(12) related to juveniles. Private, nonprofit institutions
12 of higher education that provide programs of education beyond the
13 high school level leading at least to the baccalaureate degree and
14 are accredited by the Northwest association of schools and colleges
15 or their peer accreditation bodies may also develop data-sharing and
16 research agreements with the education data center, consistent with
17 applicable security and confidentiality requirements. The education
18 data center shall make data from collaborative analyses available to
19 the education agencies and institutions that contribute data to the
20 education data center to the extent allowed by federal and state
21 security and confidentiality requirements applicable to the data of
22 each contributing agency or institution.

23 **Sec. 16.** RCW 13.04.145 and 2017 3rd sp.s. c 6 s 604 are each
24 amended to read as follows:

25 A program of education shall be provided for by the several
26 counties and school districts of the state for common school-age
27 persons confined in each of the detention facilities staffed and
28 maintained by the several counties of the state under this chapter
29 and chapters 13.16 and 13.20 RCW. The division of duties, authority,
30 and liabilities of the several counties and school districts of the
31 state respecting the educational programs is the same in all respects
32 as set forth in chapter 28A.190 RCW respecting programs of education
33 for state residential school residents. (~~For the purposes of this~~
34 ~~section, the terms "department of children, youth, and families,"~~
35 ~~"residential school" or "schools," and "superintendent or chief~~
36 ~~administrator of a residential school" as used in chapter 28A.190 RCW~~
37 ~~shall be respectively construed to mean "the several counties of the~~
38 ~~state," "detention facilities," and "the administrator of juvenile~~
39 ~~court detention services.") Nothing in this section shall prohibit a~~

1 school district from utilizing the services of an educational service
2 district subject to RCW 28A.310.180.

3 NEW SECTION. **Sec. 17.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 28A.190.015 ("School district" defined—Application of RCW
6 13.04.145) and 2014 c 157 s 1; and

7 (2) RCW 28A.190.020 (Educational programs for residential school
8 residents—"Residential school" defined) and 2017 3rd sp.s. c 6 s 721,
9 2014 c 157 s 3, 1990 c 33 s 171, & 1979 ex.s. c 217 s 1.

10 NEW SECTION. **Sec. 18.** If specific funding for the purposes of
11 this act, referencing this act by bill or chapter number, is not
12 provided by June 30, 2021, in the omnibus appropriations act, this
13 act is null and void."

E2SHB 1295 - S COMM AMD

By Committee on Early Learning & K-12 Education

ADOPTED 04/03/2021

14 On page 1, line 2 of the title, after "facilities;" strike the
15 remainder of the title and insert "amending RCW 28A.150.200,
16 28A.175.105, 43.41.400, and 13.04.145; reenacting and amending RCW
17 28A.320.192; adding new sections to chapter 28A.190 RCW; adding a new
18 section to chapter 28A.300 RCW; creating new sections; repealing RCW
19 28A.190.015 and 28A.190.020; and providing expiration dates."

EFFECT: Authorizes institutional education students to count
above 1 full-time equivalent (FTE) student for enrollment purposes,
with amounts above 1 FTE to be used for participation in dropout
reengagement programs. Revises definition of eligible student for
dropout reengagement to include students enrolled in institutional
education.

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