

FINAL BILL REPORT

2SSB 6702

C 226 L 10
Synopsis as Enacted

Brief Description: Providing education programs for juveniles in adult jails.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Kline, McAuliffe, Gordon, McDermott, Fraser, Shin and Kohl-Welles; by request of Superintendent of Public Instruction).

Senate Committee on Early Learning & K-12 Education
Senate Committee on Ways & Means
House Committee on Education
House Committee on Ways & Means

Background: Under current law, provisions are made in statute for educational programs for juveniles confined in state adult prisons, state institutions for juvenile rehabilitation, and county juvenile detention facilities. No specific statutory provision is made for educational programs for juveniles confined in adult jails.

Summary: Educational programs are available for juveniles confined in adult jails. Each school district, within which there exists an adult jail, must provide a program of education for juveniles confined therein. Districts may contract with educational service districts, community and technical colleges, four-year institutions, or other qualified entities to provide all or part of these services. A contract must be negotiated for each school year, or for a longer period if agreed to, that defines the respective duties and authority of each party, as well as the manner in which disputes or grievances are resolved. A district or other provider must: (1) employ, supervise, and control administrators, teachers, and other necessary personnel; (2) purchase, lease, rent, or provide textbooks, and other educational materials and supplies necessary for the program; (3) conduct programs for inmates under the age of 18 in accordance with program standards; (4) expend funds for the direct and indirect costs of maintaining and operating the program allocated for this exclusive purpose; and (5) provide educational services to juvenile inmates within five days of receiving notification from an adult jail that a juvenile has been incarcerated within the district's boundaries. The district or other provider must develop the curricula, instruction methods, and educational objectives of the program.

School districts that provide an education program may: (1) award appropriate diplomas or certificates; (2) allow students who are under the age of 18 when they commence the

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

program, to continue in the program; and (3) spend only funds appropriated by the Legislature allocated for these programs. Excess tax levy proceeds may not be used to pay for costs incurred in this program.

To support the education program, the adult jail facility and each superintendent or chief administrator of an adult jail facility must: (1) provide access to existing instructional and exercise space that is safe and secure; (2) provide necessary equipment to conduct the education program; (3) maintain a clean and appropriate classroom environment that is consistent with security conditions; (4) provide appropriate supervision of juvenile inmates and education providers while engaged in educational related activities; (5) provide support services and facilities necessary to conduct the education program; (6) provide available medical and mental health records necessary for the educational needs of the juvenile inmate; and (7) notify the district within five school days that an eligible juvenile inmate has been incarcerated in the adult jail facility.

By September 30, 2010, each school district with an adult jail facility within its boundaries must submit an instructional service plan to the Office of the Superintendent of Public Instruction (OSPI).

OSPI must: (1) allocate money appropriated by the Legislature to administer and provide education programs in adult jail facilities; and (2) adopt rules that apply to school districts and educational providers that establish reporting, program compliance, audit, and other accountability requirements.

OSPI rules must not govern requirements regarding security within the jail facility nor the physical facility of the jail. Any excess costs to the jail facilities must be negotiated between OSPI and the jail facility. OSPI must collaborate with representatives of jail facilities in development of rules for implementation of the educational program.

Votes on Final Passage:

Senate	38	8	
House	72	26	(House amended)
Senate	35	12	(Senate concurred)

Effective: June 10, 2010