
HOUSE BILL 1566

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Carlyle, Kagi, Ryu, Roberts, Moscoso, and Pollet

Read first time 01/30/13. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to educational outcomes of youth in out-of-home
2 care; amending RCW 28B.117.030, 28A.225.330, and 28A.210.090;
3 reenacting and amending RCW 13.34.030; adding new sections to chapter
4 13.34 RCW; adding a new section to chapter 74.13 RCW; adding a new
5 section to chapter 43.41 RCW; adding a new section to chapter 28A.225
6 RCW; adding a new section to chapter 28A.630 RCW; and providing an
7 expiration date.

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

9 NEW SECTION. **Sec. 1.** The legislature believes that youth residing
10 in foster care are capable of achieving success in school with
11 appropriate support. Youth residing in foster care in Washington state
12 lag behind their nonfoster youth peers in educational outcomes.
13 Reasonable efforts by the department of social and health services
14 children's administration to monitor educational outcomes and encourage
15 academic achievement for youth in out-of-home care should be a
16 responsibility of the child welfare system. The legislature believes
17 that active oversight and advocacy by a trained educational liaison,
18 and collaborations will encourage youth to reach their fullest academic
19 potential.

1 **Sec. 2.** RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each
2 reenacted and amended to read as follows:

3 For purposes of this chapter:

4 (1) "Abandoned" means when the child's parent, guardian, or other
5 custodian has expressed, either by statement or conduct, an intent to
6 forego, for an extended period, parental rights or responsibilities
7 despite an ability to exercise such rights and responsibilities. If
8 the court finds that the petitioner has exercised due diligence in
9 attempting to locate the parent, no contact between the child and the
10 child's parent, guardian, or other custodian for a period of three
11 months creates a rebuttable presumption of abandonment, even if there
12 is no expressed intent to abandon.

13 (2) "Child," "juvenile," and "youth" means:

14 (a) Any individual under the age of eighteen years; or

15 (b) Any individual age eighteen to twenty-one years who is eligible
16 to receive and who elects to receive the extended foster care services
17 authorized under RCW 74.13.031. A youth who remains dependent and who
18 receives extended foster care services under RCW 74.13.031 shall not be
19 considered a "child" under any other statute or for any other purpose.

20 (3) "Current placement episode" means the period of time that
21 begins with the most recent date that the child was removed from the
22 home of the parent, guardian, or legal custodian for purposes of
23 placement in out-of-home care and continues until: (a) The child
24 returns home; (b) an adoption decree, a permanent custody order, or
25 guardianship order is entered; or (c) the dependency is dismissed,
26 whichever occurs first.

27 (4) "Department" means the department of social and health
28 services.

29 (5) "Dependency guardian" means the person, nonprofit corporation,
30 or Indian tribe appointed by the court pursuant to this chapter for the
31 limited purpose of assisting the court in the supervision of the
32 dependency.

33 (6) "Dependent child" means any child who:

34 (a) Has been abandoned;

35 (b) Is abused or neglected as defined in chapter 26.44 RCW by a
36 person legally responsible for the care of the child;

37 (c) Has no parent, guardian, or custodian capable of adequately

1 caring for the child, such that the child is in circumstances which
2 constitute a danger of substantial damage to the child's psychological
3 or physical development; or

4 (d) Is receiving extended foster care services, as authorized by
5 RCW 74.13.031.

6 (7) "Developmental disability" means a disability attributable to
7 intellectual disability, cerebral palsy, epilepsy, autism, or another
8 neurological or other condition of an individual found by the secretary
9 to be closely related to an intellectual disability or to require
10 treatment similar to that required for individuals with intellectual
11 disabilities, which disability originates before the individual attains
12 age eighteen, which has continued or can be expected to continue
13 indefinitely, and which constitutes a substantial limitation to the
14 individual.

15 (8) "Educational liaison" means a person who has been appointed by
16 the court to fulfill responsibilities outlined in section 4 of this
17 act.

18 (9) "Extended foster care services" means residential and other
19 support services the department is authorized to provide under RCW
20 74.13.031.

21 ((+9)) (10) "Guardian" means the person or agency that: (a) Has
22 been appointed as the guardian of a child in a legal proceeding,
23 including a guardian appointed pursuant to chapter 13.36 RCW; and (b)
24 has the legal right to custody of the child pursuant to such
25 appointment. The term "guardian" does not include a "dependency
26 guardian" appointed pursuant to a proceeding under this chapter.

27 ((+10)) (11) "Guardian ad litem" means a person, appointed by the
28 court to represent the best interests of a child in a proceeding under
29 this chapter, or in any matter which may be consolidated with a
30 proceeding under this chapter. A "court-appointed special advocate"
31 appointed by the court to be the guardian ad litem for the child, or to
32 perform substantially the same duties and functions as a guardian ad
33 litem, shall be deemed to be guardian ad litem for all purposes and
34 uses of this chapter.

35 ((+11)) (12) "Guardian ad litem program" means a court-authorized
36 volunteer program, which is or may be established by the superior court
37 of the county in which such proceeding is filed, to manage all aspects
38 of volunteer guardian ad litem representation for children alleged or

1 found to be dependent. Such management shall include but is not
2 limited to: Recruitment, screening, training, supervision, assignment,
3 and discharge of volunteers.

4 ~~((+12+))~~ (13) "Housing assistance" means appropriate referrals by
5 the department or other supervising agencies to federal, state, local,
6 or private agencies or organizations, assistance with forms,
7 applications, or financial subsidies or other monetary assistance for
8 housing. For purposes of this chapter, "housing assistance" is not a
9 remedial service or time-limited family reunification service as
10 described in RCW 13.34.025(2).

11 ~~((+13+))~~ (14) "Indigent" means a person who, at any stage of a
12 court proceeding, is:

13 (a) Receiving one of the following types of public assistance:
14 Temporary assistance for needy families, aged, blind, or disabled
15 assistance benefits, medical care services under RCW 74.09.035,
16 pregnant women assistance benefits, poverty-related veterans' benefits,
17 food stamps or food stamp benefits transferred electronically, refugee
18 resettlement benefits, medicaid, or supplemental security income; or

19 (b) Involuntarily committed to a public mental health facility; or

20 (c) Receiving an annual income, after taxes, of one hundred twenty-
21 five percent or less of the federally established poverty level; or

22 (d) Unable to pay the anticipated cost of counsel for the matter
23 before the court because his or her available funds are insufficient to
24 pay any amount for the retention of counsel.

25 ~~((+14+))~~ (15) "Out-of-home care" means placement in a foster family
26 home or group care facility licensed pursuant to chapter 74.15 RCW or
27 placement in a home, other than that of the child's parent, guardian,
28 or legal custodian, not required to be licensed pursuant to chapter
29 74.15 RCW.

30 ~~((+15+))~~ (16) "Preventive services" means preservation services, as
31 defined in chapter 74.14C RCW, and other reasonably available services,
32 including housing assistance, capable of preventing the need for out-
33 of-home placement while protecting the child.

34 ~~((+16+))~~ (17) "Shelter care" means temporary physical care in a
35 facility licensed pursuant to RCW 74.15.030 or in a home not required
36 to be licensed pursuant to RCW 74.15.030.

37 ~~((+17+))~~ (18) "Sibling" means a child's birth brother, birth

1 sister, adoptive brother, adoptive sister, half-brother, or half-
2 sister, or as defined by the law or custom of the Indian child's tribe
3 for an Indian child as defined in RCW 13.38.040.

4 ~~((+18+))~~ (19) "Social study" means a written evaluation of matters
5 relevant to the disposition of the case and shall contain the following
6 information:

7 (a) A statement of the specific harm or harms to the child that
8 intervention is designed to alleviate;

9 (b) A description of the specific services and activities, for both
10 the parents and child, that are needed in order to prevent serious harm
11 to the child; the reasons why such services and activities are likely
12 to be useful; the availability of any proposed services; and the
13 agency's overall plan for ensuring that the services will be delivered.
14 The description shall identify the services chosen and approved by the
15 parent;

16 (c) If removal is recommended, a full description of the reasons
17 why the child cannot be protected adequately in the home, including a
18 description of any previous efforts to work with the parents and the
19 child in the home; the in-home treatment programs that have been
20 considered and rejected; the preventive services, including housing
21 assistance, that have been offered or provided and have failed to
22 prevent the need for out-of-home placement, unless the health, safety,
23 and welfare of the child cannot be protected adequately in the home;
24 and the parents' attitude toward placement of the child;

25 (d) A statement of the likely harms the child will suffer as a
26 result of removal;

27 (e) A description of the steps that will be taken to minimize the
28 harm to the child that may result if separation occurs including an
29 assessment of the child's relationship and emotional bond with any
30 siblings, and the agency's plan to provide ongoing contact between the
31 child and the child's siblings if appropriate; and

32 (f) Behavior that will be expected before determination that
33 supervision of the family or placement is no longer necessary.

34 ~~((+19+))~~ (20) "Supervising agency" means an agency licensed by the
35 state under RCW 74.15.090, or licensed by a federally recognized Indian
36 tribe located in this state under RCW 74.15.190, that has entered into
37 a performance-based contract with the department to provide case

1 management for the delivery and documentation of child welfare services
2 as defined in RCW 74.13.020.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.34 RCW
4 to read as follows:

5 (1) The department must identify an educational liaison for youth
6 in grades six through twelve who are subject to a proceeding under this
7 chapter and who meet one of the following requirements:

8 (a) Parental rights have been terminated;

9 (b) Parents are unavailable because of incarceration or other
10 limitations;

11 (c) The court has restricted contact between the youth and parents;
12 or

13 (d) The youth is placed in a behavioral rehabilitative setting and
14 the court has limited the educational rights of parents.

15 (2) The department shall recommend the identified educational
16 liaison at the shelter care hearing and all subsequent hearings for the
17 given case. If all parties are in agreement with the department's
18 recommendation, the court shall issue an order establishing the
19 educational liaison for the youth. In the event that any party
20 disagrees with the department's recommendation, the court may hear
21 argument regarding this issue and determine who should serve as
22 educational liaison based on who would best act in the youth's
23 educational interest.

24 (3) It is preferred that the educational liaison be known to the
25 youth and be a relative, fictive kin, or the youth's foster parent.
26 Birth parents with a primary plan of family reunification may serve as
27 the educational liaison. The identified educational liaison should be
28 a person committed to providing enduring educational support to the
29 youth. If the department is not able to identify an adult with an
30 existing relationship to the youth who is able to serve as the
31 educational liaison, the court may appoint another adult as the
32 educational liaison, such as the court-appointed special advocate, but
33 may not appoint the youth's caseworker.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 13.34 RCW
35 to read as follows:

1 (1) Unless otherwise directed by the court, the responsibilities of
2 the educational liaison for a youth subject to a proceeding under this
3 chapter include, but are not limited to, the following:

4 (a) To attend educational meetings and dependency hearings;

5 (b) To meet with local school personnel at regular intervals
6 regarding the youth's educational performance and academic needs;

7 (c) To seek to understand the youth's academic strengths, areas of
8 concern, and future life goals;

9 (d) To establish a meaningful and enduring relationship with the
10 youth;

11 (e) To advocate for necessary educational services;

12 (f) To join in decision-making processes regarding appropriate
13 school placements, school coursework, personal future, and educational
14 planning;

15 (g) To explore opportunities and barriers for youth to participate
16 in extracurricular activities;

17 (h) To involve youth in educational decisions as developmentally
18 appropriate;

19 (i) To keep all information regarding the youth confidential except
20 as required pursuant to lawful order of a court; and

21 (j) To provide a written or verbal report to the court during each
22 dependency hearing. The report must include information about the
23 youth's educational progress, experience in school, and the educational
24 liaison's and youth's recommendations regarding needed services in
25 school or the community.

26 (2) The educational liaison may serve as the surrogate parent or
27 educational representative under federal law.

28 (3) The educational liaison may have access to all educational
29 records pertaining to the youth involved in the case, without the
30 consent of a parent or guardian of the child, or if the child is under
31 thirteen years of age.

32 (4) The educational liaison must participate in educational liaison
33 training within thirty days of the court appointment. The educational
34 liaison training must be provided by the department.

35 (5) The educational liaison is a volunteer and not compensated for
36 services.

37 (6) The educational liaison must complete background checks as
38 required by the department.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.13 RCW
2 to read as follows:

3 (1) The department shall provide youth residing in out-of-home care
4 the opportunity to remain in their school of origin, unless the safety
5 of the youth is jeopardized by remaining enrolled in the school of
6 origin or a relative placement approved by the department is secured
7 for the youth. If there is a disagreement regarding school enrollment,
8 the youth may remain in the school of origin until the disagreement is
9 resolved in court, unless the youth is in immediate danger by remaining
10 in the school of origin.

11 (2) Unless otherwise directed by the court, the educational
12 responsibilities of the department for school-aged youth residing in
13 out-of-home care are the following:

14 (a) To collaboratively discuss and document school placement
15 options and plan necessary school transfers during the family team
16 decision-making meeting;

17 (b) To enroll youth in school;

18 (c) To notify the receiving school and the school of origin that a
19 youth residing in foster care is transferring schools;

20 (d) To request and secure missing academic records or medical
21 records required for school enrollment within ten business days;

22 (e) To document the request and receipt of academic records in the
23 individual service and safety plan;

24 (f) To pay any unpaid fees or fines due by the youth to the school
25 or school district;

26 (g) To notify all legal parties when a school disruption occurs;

27 (h) To document factors that contributed to any school disruptions;

28 and

29 (i) To pay for transportation costs for a youth to attend his or
30 her school of origin when the youth has been in out-of-home care for
31 over twelve months.

32 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.41 RCW
33 to read as follows:

34 (1) The education research and data center, office of the
35 superintendent of public instruction, Washington student achievement
36 council, and the department of social and health services shall develop
37 a reporting strategy to provide annual reports to the legislature in

1 January on its previous school year performance. The report must
2 include educational outcome data for students who have been in foster
3 care at age seventeen and one-half years and older in aggregate, with
4 and without special education needs, and further disaggregated using
5 the department of social and health services' categories of race and
6 ethnicity. The report must further include information on the
7 following measures for youth residing in foster care:

8 (a) Percentage of youth enrolled in an early learning program;

9 (b) Aggregate scores from the Washington state kindergarten
10 readiness assessment;

11 (c) Aggregate scores from the third grade statewide student
12 assessment in reading;

13 (d) Number of youth graduating from high school with a documented
14 plan for postsecondary education, employment, or military service;

15 (e) Number of youth in care completing one year of postsecondary
16 education, the equivalent of freshman credits, or achieving a
17 postsecondary certificate; and

18 (f) Number of youth residing in foster care who complete an
19 associate or bachelor degree.

20 (2) The state agencies must identify strengths and weaknesses in
21 practice and recommend to the legislature strategy and needed resources
22 for improvement.

23 **Sec. 7.** RCW 28B.117.030 and 2011 1st sp.s. c 11 s 221 are each
24 amended to read as follows:

25 (1) The office shall design and, to the extent funds are
26 appropriated for this purpose, implement, a program of supplemental
27 scholarship and student assistance for students who have emancipated
28 from the state foster care system after having spent at least one year
29 in care.

30 (2) The office shall convene and consult with an advisory committee
31 to assist with program design and implementation. The committee shall
32 include but not be limited to former foster care youth and their
33 advocates; representatives from the state board for community and
34 technical colleges, and from public and private agencies that assist
35 current and former foster care recipients in their transition to
36 adulthood; and student support specialists from public and private
37 colleges and universities.

1 (3) To the extent that sufficient funds have been appropriated for
2 this purpose, a student is eligible for assistance under this section
3 if he or she:

4 (a) (~~(Emancipated from foster care on or after January 1, 2007,~~
5 ~~after having))~~ Spent at least one year in foster care subsequent to his
6 or her sixteenth birthday;

7 (b) Meets one of the following three requirements:

8 (i) Emancipated from foster care on or after January 1, 2007;

9 (ii) Enrolls in extended foster care; or

10 (iii) Achieves a permanent plan after age seventeen and one-half
11 years;

12 (c) Is a resident student, as defined in RCW 28B.15.012(2);

13 ~~((+e))~~ (d) Is enrolled with or will enroll on at least a half-time
14 basis with an institution of higher education in Washington state by
15 the age of twenty-one;

16 ~~((+d))~~ (e) Is making satisfactory academic progress toward the
17 completion of a degree or certificate program, if receiving
18 supplemental scholarship assistance;

19 ~~((+e))~~ (f) Has not earned a bachelor's or professional degree; and

20 ~~((+f))~~ (g) Is not pursuing a degree in theology.

21 (4) A passport to college scholarship under this section:

22 (a) Shall not exceed resident undergraduate tuition and fees at the
23 highest-priced public institution of higher education in the state; and

24 (b) Shall not exceed the student's financial need, less a
25 reasonable self-help amount defined by the ~~((board))~~ office, when
26 combined with all other public and private grant, scholarship, and
27 waiver assistance the student receives.

28 (5) An eligible student may receive a passport to college
29 scholarship under this section for a maximum of five years after the
30 student first enrolls with an institution of higher education or until
31 the student turns age twenty-six, whichever occurs first. If a student
32 turns age twenty-six during an academic year, and would otherwise be
33 eligible for a scholarship under this section, the student shall
34 continue to be eligible for a scholarship for the remainder of the
35 academic year.

36 (6) The office, in consultation with and with assistance from the
37 state board for community and technical colleges, shall perform an
38 annual analysis to verify that those institutions of higher education

1 at which students have received a scholarship under this section have
2 awarded the student all available need-based and merit-based grant and
3 scholarship aid for which the student qualifies.

4 (7) In designing and implementing the passport to college student
5 support program under this section, the office, in consultation with
6 and with assistance from the state board for community and technical
7 colleges, shall ensure that a participating college or university:

8 (a) Has a viable plan for identifying students eligible for
9 assistance under this section, for tracking and enhancing their
10 academic progress, for addressing their unique needs for assistance
11 during school vacations and academic interims, and for linking them to
12 appropriate sources of assistance in their transition to adulthood;

13 (b) Receives financial and other incentives for achieving
14 measurable progress in the recruitment, retention, and graduation of
15 eligible students.

16 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.225
17 RCW to read as follows:

18 A school district representative or school employee shall review
19 unexpected or excessive absences with a dependent youth and adults
20 involved with that youth, to include the youth's caseworker,
21 educational designee, attorney, biological parent or parents, and
22 foster parent or parents. The purpose of the review is to determine
23 the cause of the absences, taking into account: Unplanned school
24 transitions, periods of runaway, in-patient treatment, incarceration,
25 school adjustment, educational gaps, psycho-social issues, and
26 unavoidable appointments during the school day. A school district
27 representative or a school employee must proactively support the
28 youth's school work so the student does not fall behind and to avoid
29 suspension or expulsion based on truancy.

30 **Sec. 9.** RCW 28A.225.330 and 2009 c 380 s 2 are each amended to
31 read as follows:

32 (1) When enrolling a student who has attended school in another
33 school district, the school enrolling the student may request the
34 parent and the student to briefly indicate in writing whether or not
35 the student has:

36 (a) Any history of placement in special educational programs;

1 (b) Any past, current, or pending disciplinary action;

2 (c) Any history of violent behavior, or behavior listed in RCW
3 13.04.155;

4 (d) Any unpaid fines or fees imposed by other schools; and

5 (e) Any health conditions affecting the student's educational
6 needs.

7 (2) The school enrolling the student shall request the school the
8 student previously attended to send the student's permanent record
9 including records of disciplinary action, history of violent behavior
10 or behavior listed in RCW 13.04.155, attendance, immunization records,
11 and academic performance. If the student has not paid a fine or fee
12 under RCW 28A.635.060, or tuition, fees, or fines at approved private
13 schools the school may withhold the student's official transcript, but
14 shall transmit information about the student's academic performance,
15 special placement, immunization records, records of disciplinary
16 action, and history of violent behavior or behavior listed in RCW
17 13.04.155. If the official transcript is not sent due to unpaid
18 tuition, fees, or fines, the enrolling school shall notify both the
19 student and parent or guardian that the official transcript will not be
20 sent until the obligation is met, and failure to have an official
21 transcript may result in exclusion from extracurricular activities or
22 failure to graduate.

23 (3) Upon request, school districts shall furnish a set of
24 unofficial educational records to a parent or guardian of a student who
25 is transferring out of state and who meets the definition of a child of
26 a military family in transition under Article II of RCW 28A.705.010.
27 School districts may charge the parent or guardian the actual cost of
28 providing the copies of the records.

29 (4) If information is requested under subsection (2) of this
30 section, the information shall be transmitted within two school days
31 after receiving the request and the records shall be sent as soon as
32 possible. The records of a student who meets the definition of a child
33 of a military family in transition under Article II of RCW 28A.705.010
34 shall be sent within ten days after receiving the request. Any school
35 district or district employee who releases the information in
36 compliance with this section is immune from civil liability for damages
37 unless it is shown that the school district employee acted with gross
38 negligence or in bad faith. The professional educator standards board

1 shall provide by rule for the discipline under chapter 28A.410 RCW of
2 a school principal or other chief administrator of a public school
3 building who fails to make a good faith effort to assure compliance
4 with this subsection.

5 (5) Any school district or district employee who releases the
6 information in compliance with federal and state law is immune from
7 civil liability for damages unless it is shown that the school district
8 or district employee acted with gross negligence or in bad faith.

9 (6) When a school receives information under this section or RCW
10 13.40.215 that a student has a history of disciplinary actions,
11 criminal or violent behavior, or other behavior that indicates the
12 student could be a threat to the safety of educational staff or other
13 students, the school shall provide this information to the student's
14 teachers and security personnel.

15 (7) A school may not prevent a student who is dependent pursuant to
16 chapter 13.34 RCW from enrolling if there is incomplete information as
17 enumerated in subsection (1) of this section during the ten business
18 days that the department of social and health services has to obtain
19 that information under section 5 of this act. In addition, upon
20 enrollment of a student who is dependent pursuant to chapter 13.34 RCW,
21 the school district must make reasonable efforts to obtain and assess
22 that child's educational history in order to meet the child's unique
23 needs within two business days.

24 NEW SECTION. Sec. 10. A new section is added to chapter 28A.630
25 RCW to read as follows:

26 (1) Subject to funds appropriated specifically for this purpose,
27 the office of the superintendent of public instruction must contract
28 with a nongovernmental entity or entities to establish one
29 demonstration site in a school district or group of school districts
30 located in western Washington. The office of the superintendent of
31 public instruction and the nongovernmental entity or entities shall
32 collaboratively select the demonstration site. The demonstration site
33 selected should be a school district or group of school districts with
34 a significant number of students who are dependent pursuant to chapter
35 13.34 RCW.

36 (2) The demonstration site of this section must be selected by
37 September 1, 2013.

1 (3) The purpose of the demonstration site is to improve the
2 educational outcomes of students who are dependent pursuant to chapter
3 13.34 RCW through individualized education services, monitoring and
4 supporting dependent youth's completion of educational milestones,
5 remediation needs, and special education needs.

6 (4)(a) The demonstration site of this section must facilitate the
7 educational progress and graduation of dependent youth. The contract
8 must be performance-based with a stated goal of improving the annual
9 graduation rates of foster youth by two percent per year over five
10 school year periods, starting with the 2014-15 school year and ending
11 with the 2019-20 school year. The demonstration site must develop
12 services aimed at improving educational outcomes of foster youth and
13 provide these services to youth. This must include, at a minimum:

14 (i) Direct advocacy for foster youth to eliminate barriers to
15 educational access and success;

16 (ii) Consultation with department of social and health services
17 caseworkers to develop educational plans for and with participating
18 youth;

19 (iii) Monitoring education progress of participating youth;

20 (iv) Providing participating youth with school and local resources
21 that may assist in educational access and success;

22 (v) Coaching youth, caregivers, and social workers to help those
23 people advocate for the youth in the educational system.

24 (b) The selected nongovernmental entity or entities must report
25 outcomes annually to the department of social and health services and
26 the office of the superintendent of public instruction.

27 (c) The department of social and health services must proactively
28 refer all students fifteen years or older, within the demonstration
29 site area, to the selected nongovernmental entity for educational
30 services and reporting quarterly to the legislature the number of
31 eligible youth and number of youth referred for services.

32 (5) No later than December 1, 2018, the contracted nongovernmental
33 entity or entities shall provide the legislature a report on the
34 effectiveness of the demonstration site in increasing graduation rates
35 for dependent youth.

36 **Sec. 11.** RCW 28A.210.090 and 2011 c 299 s 1 are each amended to
37 read as follows:

1 (1) Any child shall be exempt in whole or in part from the
2 immunization measures required by RCW 28A.210.060 through 28A.210.170
3 upon the presentation of any one or more of the certifications required
4 by this section, on a form prescribed by the department of health:

5 (a) A written certification signed by a health care practitioner
6 that a particular vaccine required by rule of the state board of health
7 is, in his or her judgment, not advisable for the child: PROVIDED,
8 That when it is determined that this particular vaccine is no longer
9 contraindicated, the child will be required to have the vaccine;

10 (b) A written certification signed by any parent or legal guardian
11 of the child or any adult in loco parentis to the child that the
12 religious beliefs of the signator are contrary to the required
13 immunization measures; ((or))

14 (c) A written certification signed by any parent or legal guardian
15 of the child or any adult in loco parentis to the child that the
16 signator has either a philosophical or personal objection to the
17 immunization of the child; or

18 (d) A written certification signed by any caseworker of a child in
19 state care pursuant to chapter 13.34 RCW that the department of social
20 and health services cannot locate immunization records, but will make
21 reasonable efforts to locate these records or provide the required
22 immunizations, as required under section 5 of this act.

23 (2)(a) The form presented on or after July 22, 2011, must include
24 a statement to be signed by a health care practitioner stating that he
25 or she provided the signator with information about the benefits and
26 risks of immunization to the child. The form may be signed by a health
27 care practitioner at any time prior to the enrollment of the child in
28 a school or licensed day care. Photocopies of the signed form or a
29 letter from the health care practitioner referencing the child's name
30 shall be accepted in lieu of the original form.

31 (b) A health care practitioner who, in good faith, signs the
32 statement provided for in (a) of this subsection is immune from civil
33 liability for providing the signature.

34 (c) Any parent or legal guardian of the child or any adult in loco
35 parentis to the child who exempts the child due to religious beliefs
36 pursuant to subsection (1)(b) of this section is not required to have
37 the form provided for in (a) of this subsection signed by a health care
38 practitioner if the parent or legal guardian demonstrates membership in

1 a religious body or a church in which the religious beliefs or
2 teachings of the church preclude a health care practitioner from
3 providing medical treatment to the child.

4 (3) For purposes of this section, "health care practitioner" means
5 a physician licensed under chapter 18.71 or 18.57 RCW, a naturopath
6 licensed under chapter 18.36A RCW, a physician assistant licensed under
7 chapter 18.71A or 18.57A RCW, or an advanced registered nurse
8 practitioner licensed under chapter 18.79 RCW.

9 NEW SECTION. **Sec. 12.** Section 7 of this act expires June 30,
10 2022.

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