CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5324**

Chapter 412, Laws of 2019

66th Legislature

2019 Regular Session

STUDENTS EXPERIENCING HOMELESSNESS--SCHOOL DISTRICTS

EFFECTIVE DATE: July 28, 2019

|  |  |
| --- | --- |
| Passed by the Senate April 23, 2019  Yeas 47 Nays 0  CYRUS HABIB  **President of the Senate**  Passed by the House April 12, 2019  Yeas 96 Nays 0  FRANK CHOPP  **Speaker of the House of Representatives** | CERTIFICATE  I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5324** as passed by the Senate and the House of Representatives on the dates hereon set forth.  BRAD HENDRICKSON  Secretary |
| Approved May 21, 2019 9:55 AM | May 21, 2019 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE SENATE BILL 5324**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

**State of Washington 66th Legislature 2019 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Frockt, Zeiger, Darneille, Walsh, Kuderer, Palumbo, Das, Hasegawa, Hunt, Wellman, Cleveland, Pedersen, Keiser, Nguyen, McCoy, Van De Wege, Dhingra, and Saldaña)

AN ACT Relating to support for students experiencing homelessness; amending RCW 28A.300.542, 43.185C.340, and 28A.320.142; and creating a new section.

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

**Sec.**  RCW 28A.300.542 and 2016 c 157 s 2 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall create a competitive grant process to evaluate and award state-funded grants to school districts to increase identification of ((~~homeless~~)) students experiencing homelessness and the capacity of the districts to provide support((~~, which may include education liaisons, for homeless students~~)) for students experiencing homelessness. Funds may be used in a manner that is complementary to federal McKinney-Vento funds and consistent with allowable uses as determined by the office of the superintendent of public instruction. The process must complement any similar federal grant program or programs in order to minimize agency overhead and administrative costs for the superintendent of public instruction and school districts. School districts may access both federal and state funding to identify and support ((~~homeless~~)) students experiencing homelessness.

(2) Award criteria for the state grants must be based on the demonstrated need of the school district and may consider the number or overall percentage, or both, of homeless children and youths enrolled in preschool, elementary, and secondary schools in the school district, and the ability of the local school district to meet these needs. Award criteria for these must also be based on the quality of the applications submitted. ((~~Preference~~)) Selected grantees must reflect geographic diversity across the state. Greater weight must be given to districts that demonstrate a commitment to:

(a) Partnering with local housing and community-based organizations with experience in serving the needs of students experiencing homelessness or students of color;

(b) Serving the needs of unaccompanied youth; and

(c) Implementing evidence-informed strategies to address the opportunity gap and other systemic inequities that negatively impact students experiencing homelessness and students of color. Specific strategies may include, but are not limited to:

(i) Enhancing the cultural responsiveness of current and future staff;

(ii) Ensuring all staff, faculty, and school employees are actively trained in trauma-informed care;

(iii) Providing inclusive programming by intentionally seeking and utilizing input from the population being served;

(iv) Using a multidisciplinary approach when serving students experiencing homelessness and their families;

(v) Intentionally seeking and utilizing input from the families and students experiencing homelessness about how district policies, services, and practices can be improved; and

(vi) Identifying data elements and systems needed to monitor progress in eliminating disparities in academic outcomes for students experiencing homelessness with their housed peers.

(3) At the end of each academic year, districts receiving grants ((~~must measure during the academic year how often each student physically moves, what services families or unaccompanied youth could access, and whether or not a family or unaccompanied youth received stable housing by the end of the school year~~)) shall monitor and report on the academic outcomes for students served by the grants. The academic outcomes are those recommended by the office of the superintendent of public instruction. The office of the superintendent of public instruction shall review the reports submitted by the districts and assist school districts in using these data to identify gaps and needs, and develop sustainable strategies to improve academic outcomes for students experiencing homelessness.

(4) ((~~Homeless~~)) Students experiencing homelessness are defined as students without a fixed, regular, and adequate nighttime residence ((~~as set forth~~)) in accordance with the definition of homeless children and youths in the federal McKinney-Vento homeless ((~~education~~)) assistance act ((~~(P.L. 100–77; 101 Stat. 482)~~)), 42 U.S.C. Sec. 11431 through 11435.

(5) School districts may not use funds allocated under this section to supplant existing federal, state, or local resources for ((~~homeless student~~)) supports for students experiencing homelessness, which may include education liaisons.

(6) Grants awarded to districts under this section may be for two years.

**Sec.**  RCW 43.185C.340 and 2016 c 157 s 3 are each amended to read as follows:

(1) Subject to funds appropriated for this specific purpose, the department((~~, in consultation with the office of the superintendent of public instruction,~~)) shall administer a grant program that links ((~~homeless~~)) students experiencing homelessness and their families with stable housing located in the ((~~homeless~~)) student's school district. The goals of the program ((~~is~~)) are to:

(a) Provide educational stability for ((~~homeless~~)) students experiencing homelessness by promoting housing stability; and

(b) Encourage the development of collaborative strategies between housing and education partners.

(2) To ensure that innovative strategies between housing and education partners are developed and implemented, the department may contract and consult with a designated vendor to provide technical assistance and program evaluation, and assist with making grant awards. If the department contracts with a vendor, the vendor must be selected by the director and:

(a) Be a nonprofit vendor;

(b) Be located in Washington state; and

(c) Have a demonstrated record of working toward the housing and educational stability of students and families experiencing homelessness.

(3) In implementing the program, the department, or the department in partnership with its designated vendor, shall consult with the office of the superintendent of public instruction.

(4) The department, ((~~working with the office of the superintendent of public instruction~~)) or the designated vendor in consultation with the department, shall develop a competitive grant process to make grant awards ((~~of no more than one hundred thousand dollars per school, not to exceed five hundred thousand dollars per school district,~~)) to ((~~school districts partnered with~~)) eligible organizations on implementation of the proposal. For the purposes of this subsection, "eligible organization" means any local government, local housing authority, regional support network established under chapter 71.24 RCW, behavioral health organization, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in the state of Washington, or regional or statewide nonprofit housing assistance organization. Applications for the grant program must include ((~~contractual agreements~~)) a memorandum of understanding between the housing providers and school districts defining the responsibilities and commitments of each party to identify, house, and support ((~~homeless~~)) students experiencing homelessness. The memorandum must include:

(a) How housing providers will partner with school districts to address gaps and needs and develop sustainable strategies to help students experiencing homelessness; and

(b) How data on students experiencing homelessness and their families will be collected and shared in accordance with privacy protections under applicable federal and state laws.

((~~(3) The grants awarded to school districts shall not exceed fifteen school districts per school year.~~)) (5) In determining which ((~~partnerships~~)) eligible organizations will receive grants, ((~~preference must~~)) the department must ensure that selected grantees reflect geographic diversity across the state. Greater weight shall be given to ((~~districts with a demonstrated commitment of partnership and history with~~)) eligible organizations that demonstrate a commitment to:

(a) Partnering with local schools or school districts; and

(b) Developing and implementing evidence-informed strategies to address racial inequities. Specific strategies may include, but are not limited to:

(i) Hiring direct service staff who reflect the racial, cultural, and language demographics of the population being served;

(ii) Committing to inclusive programming by intentionally seeking and utilizing input from the population being served;

(iii) Ensuring eligibility criteria does not unintentionally screen out people of color and further racial inequity; and

(iv) Creating access points in locations frequented by parents, guardians, and unaccompanied homeless youth of color.

((~~(4)~~)) (6) Activities eligible for assistance under this grant program include but are not limited to:

(a) Rental assistance, which includes utilities, security and utility deposits, first and last month's rent, rental application fees, moving expenses, and other eligible expenses to be determined by the department;

(b) Transportation assistance, including gasoline assistance for families with vehicles and bus passes;

(c) Emergency shelter; ((~~and~~))

(d) Housing stability case management; and

(e) Other collaborative housing strategies, including prevention and strength-based safety and housing approaches.

((~~(5)~~)) (7)(a) All beneficiaries of funds from the grant program must be ((~~unaccompanied youth or~~)) from ((~~very low-income~~)) households((~~. For the purposes of this subsection, "very low-income household" means an unaccompanied youth or family or unrelated persons living together whose adjusted income is less than fifty percent of the median family income, adjusted for household size, for the county where the grant recipient is located~~)) that include at least one student experiencing homelessness as defined as a child or youth without a fixed, regular, and adequate nighttime residence in accordance with the federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11431 through 11435.

(b) For the purposes of this section, "student experiencing homelessness" includes unaccompanied homeless youth not in the physical custody of a parent or guardian. "Unaccompanied homeless youth" includes students up to the age of twenty-one, in alignment with the qualifications for school admissions under RCW 28A.225.160(1).

((~~(6)~~)) (8)(a) Grantee ((~~school districts~~)) organizations must compile and report information to the department. The department shall report to the legislature the findings of the grantee, the housing stability of the homeless families, ((~~the academic performance of the grantee population,~~)) and any related policy recommendations.

(b) Grantees must track and report on the following measures including, but not limited to:

(i) Length of time enrolled in the grant program;

(ii) Housing destination at program exit;

(iii) Type of residence prior to enrollment in the grant program; and

(iv) Number of times homeless in the past three years.

(c) Grantees must also include in their reports a narrative description discussing its partnership with school districts as set forth in the memorandum outlined in subsection (4) of this section. Reports must also include the kinds of supports grantees are providing students and families to support academic learning.

(d) Data on all program participants must be entered into and tracked through the Washington homeless client management information system as described in RCW 43.185C.180.

((~~(7)~~)) (9) In order to ensure that ((~~school districts~~)) housing providers are meeting the requirements of ((~~an approved~~)) the grant program for ((~~homeless~~)) students experiencing homelessness, the ((~~office of the superintendent of public instruction~~)) department, or the department in partnership with its designee, shall monitor the program((~~s~~)) at least once every two years. ((~~Monitoring shall begin during the 2016-17 school year.~~

~~(8)~~)) (10) Any program review and monitoring under this section may be conducted concurrently with other program reviews and monitoring conducted by the department. In its review, the ((~~office of the superintendent of public instruction~~)) department, or the department in partnership with its designee, shall monitor program components that include ((~~but need not be limited to~~)) the process used by the ((~~district~~)) eligible organization to identify and reach out to ((~~homeless~~)) students experiencing homelessness, ((~~assessment data~~)) and other indicators to determine how well the ((~~district~~)) eligible organization is meeting the ((~~academic~~)) housing needs of ((~~homeless~~)) students((~~, district expenditures used to expand opportunities for these students, and the academic progress of students under~~)) experiencing homelessness. The department, or the department in partnership with its designee, shall provide technical assistance and support to housing providers to better implement the program.

**Sec.**  RCW 28A.320.142 and 2016 c 157 s 5 are each amended to read as follows:

(1) Each ((~~school district that has identified more than ten unaccompanied youth~~)) K-12 public school in the state must establish a building point of contact in each elementary school, middle school, and high school. These points of contact must be appointed by the principal of the designated school and are responsible for identifying homeless and unaccompanied homeless youth and connecting them with the school district's ((~~homeless student~~)) liaison for students experiencing homelessness. The school district homeless student liaison is responsible for training building points of contact.

(2) The office of the superintendent of public instruction shall make available best practices for choosing and training building points of contact to each school district.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2019, in the omnibus appropriations act, this act is null and void.

**--- END ---**

Passed by the Senate April 23, 2019.

Passed by the House April 12, 2019.

Approved by the Governor May 21, 2019.

Filed in Office of Secretary of State May 21, 2019.