

# HOUSE BILL REPORT

## HB 1601

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**As Reported By House Committee On:**  
Judiciary

**Title:** An act relating to cooperation between courts and schools regarding juveniles.

**Brief Description:** Increasing cooperation between courts and schools.

**Sponsors:** Representatives Lambert, Rockefeller, Talcott, Carrell, Sullivan, Kagi, Benson, Delvin, Clements, Esser, Romero and Kenney.

**Brief History:**

**Committee Activity:**

Judiciary: 2/12/99, 3/2/99 [DPS].

**Brief Summary of Substitute Bill**

- Allows the court to retain jurisdiction over certain juvenile offenders for the purposes of monitoring the juvenile's reading skills.
- Directs the educational programs in county and state juvenile detention facilities to place an emphasis on raising the reading skills of juveniles who are at least 12 years old and cannot read at a sixth grade level.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

**Staff:** Trudes Hutcheson (786-7384).

**Background:**

When imposing disposition on a juvenile offender, the juvenile court may consider all relevant information and reports, including any reports submitted by the juvenile's

school. Subject to certain state and federal restrictions, schools generally must make a student's records available to the court so the court may conduct a risk assessment and prepare postconviction services.

A juvenile offender who receives a term of confinement for 30 days or less is confined to a county detention facility. A juvenile receiving a term of confinement of over 30 days is placed in a state detention facility. Both the state and counties are required to provide educational programs to juveniles detained in their facilities who have not met high school graduation requirements. The state and counties generally contract with school districts to provide educational programs.

When the state provides special education services to students with disabilities, the agency providing the education must establish an individualized education program (IEP) for each student. The IEP is tailored to the student's needs and based on an evaluation of the student and input from the parents.

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### **Summary of Substitute Bill:**

The court may order, as part of the juvenile offender's disposition or community supervision, that the juvenile demonstrate an improvement in the juvenile's reading skills. For the purposes of monitoring the juvenile's reading skills, the juvenile court may retain jurisdiction over a juvenile offender if the juvenile is at least 12 years old and is unable to read at a sixth grade level. In determining whether to monitor a juvenile's reading skill, the court may consider the following:

- whether the juvenile has an IEP;
- whether the juvenile is mentally or physically capable of achieving an adequate reading level;
- any input from the juvenile's parents or teachers; or
- the court's own judgment of the juvenile's reading skills based on an informal in-court assessment.

The court's jurisdiction may be extended until:

- the juvenile reaches the sixth grade reading level;
- the juvenile demonstrates substantial improvement in reading;
- the court determines that the juvenile is not capable of achieving a sixth grade reading level or improving;
- the court determines that there are no appropriate educational resources available to the juvenile; or
- the juvenile has reached the age of 18.

In enforcing the reading requirement, the court may use sanctions other than detention.

The education program provided to juvenile offenders confined in county and state detention facilities should emphasize raising the reading skills of juveniles who are at least 12 years old to at least the sixth grade level.

The state is required to reimburse the counties for any costs associated with implementing the bill.

**Substitute Bill Compared to Original Bill:** The reading provisions in the original bill applied to juveniles who were at least 11 years old and who were under the court's supervision for any reason, as opposed to just juveniles who have committed offenses. The original bill did not explicitly state that the reading requirements could be enforced using sanctions other than detention. The original bill also allowed juvenile justice or care agencies to release records regarding a juvenile to a school in which the juvenile is enrolled or requesting enrollment.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 2, 1999.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Original bill and proposed substitute bill) There is a high correlation between low reading skills and juvenile crime. Juveniles need to be motivated and encouraged to learn, and this bill will make courts push the kids in the right direction. A juvenile who can read at the sixth grade level can pass the GED.

**Testimony Against:** None.

**Testified:** (In support) Representative Lambert, prime sponsor; and Glenda Platt, detention supervisor.

(Neutral with concerns) Janeane Dubuar, Computer Professionals for Social Responsibility.