
SUBSTITUTE HOUSE BILL 2449

State of Washington

64th Legislature

2016 Regular Session

By House Judiciary (originally sponsored by Representatives Orwall, Magendanz, Kagi, Santos, Senn, Peterson, Appleton, Moscoso, Goodman, Jinkins, Walkinshaw, Stanford, Clibborn, Sells, Fitzgibbon, Kilduff, Ryu, Bergquist, Pollet, and S. Hunt)

READ FIRST TIME 02/02/16.

1 AN ACT Relating to court-based and school-based intervention and
2 prevention efforts to promote attendance and reduce truancy; amending
3 RCW 28A.225.005, 28A.225.025, 28A.225.035, 28A.225.090, 43.185C.315,
4 and 43.185C.320; adding new sections to chapter 28A.225 RCW; adding a
5 new section to chapter 43.185C RCW; adding a new section to chapter
6 2.56 RCW; creating new sections; and providing expiration dates.

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

8 NEW SECTION. **Sec. 1.** The legislature recognizes that school
9 attendance really matters, and that poor school attendance can have
10 far-reaching effects on academic performance and achievement,
11 development of social skills and school engagement, dropout rates,
12 and even college completion rates. According to an August 2014 report
13 by Attendance Works titled "Absences Add Up: How School Attendance
14 Influences Student Success," students who missed more school than
15 their peers scored lower on the 2013 national assessment for
16 educational progress (NAEP). This was true at every age, in every
17 racial and ethnic group, and in every state and city examined in the
18 state-by-state analysis, and reinforced other research that has shown
19 that: Poor attendance in the first month of school can predict
20 chronic absence for the entire year; absenteeism in kindergarten can
21 affect whether a child develops necessary grit and perseverance;

1 absenteeism in preschool and kindergarten can influence whether a
2 child will master reading by the end of third grade or be held back;
3 absenteeism in middle and high school can predict dropout rates;
4 absenteeism influences not just chances for graduating but also for
5 completing college; improving attendance is important for reducing
6 educational opportunity gaps; and when students reduce absences, they
7 can make academic gains.

8 The legislature further finds that these effects occur regardless
9 of whether excessive absenteeism is considered excused or unexcused
10 or the specific reason or reasons for excessive absenteeism. By
11 taking a three-pronged approach, focusing not just on truancy but on
12 school attendance in general, and providing additional tools to
13 schools, courts, communities, and families, the legislature hopes to
14 reduce excessive absenteeism, strengthen family engagement with
15 schools, involve communities, promote academic achievement, reduce
16 educational opportunity gaps, and increase high school graduation
17 rates.

18 First, with respect to absenteeism in general, the legislature
19 intends to put in place consistent practices and procedures,
20 beginning in kindergarten, pursuant to which schools share
21 information with families about the importance of consistent
22 attendance and the consequences of excessive absences, involve
23 families early, and provide families with information, services, and
24 tools that they may access to improve and maintain their children's
25 school attendance.

26 Second, the legislature recognizes the success that has been had
27 by school districts and county juvenile courts around the state that
28 have worked in tandem with one another to establish truancy boards
29 capable of therapeutic prevention and intervention and that regularly
30 stay truancy petitions in order to first allow these boards to
31 identify barriers to school attendance, cooperatively solve problems,
32 and connect students and their families with needed academic supports
33 and community-based services, and that turn to court orders only as a
34 last resort. While keeping petition filing requirements in place, the
35 legislature intends to require an initial stay of truancy petitions
36 in order to allow for appropriate intervention and prevention before
37 using a court order to enforce attendance laws. The legislature also
38 intends to encourage efforts by county juvenile courts and school
39 districts to: Establish and maintain therapeutic truancy boards; and
40 to employ other best practices, including the provision of training

1 for board members and other school and court personnel on trauma-
2 informed approaches to discipline, the research regarding adverse
3 childhood experiences, the use of the Washington assessment of the
4 risks and needs of students (WARNS) or other assessment tools to
5 identify the specific needs of individual children, and the provision
6 of evidence-based treatments that have been found to be effective in
7 supporting at-risk youth and their families as well as those that
8 have been shown to be culturally appropriate promising practices.

9 Third, the legislature recognizes that there are instances in
10 which individual barriers to school attendance that have led to a
11 student's absences may be best addressed by providing access to a bed
12 in a HOPE center. The legislature further recognizes that even when a
13 student is found in contempt of a court order to attend school, it is
14 best practice that the student not be placed in juvenile detention
15 but, where feasible and available, instead be placed in a crisis
16 residential center. The legislature intends to increase the number of
17 beds in HOPE centers and crisis residential centers in order to
18 facilitate their use for these students.

19 **Sec. 2.** RCW 28A.225.005 and 2009 c 556 s 5 are each amended to
20 read as follows:

21 (1) Each school within a school district shall inform the
22 students and the parents of the students enrolled in the school
23 about: The benefits of regular school attendance; the potential
24 effects of excessive absenteeism, whether excused or unexcused, on
25 academic achievement, and graduation and dropout rates; the school's
26 expectations of the parents and guardians to ensure regular school
27 attendance by the child; the resources available to assist the child
28 and the parents and guardians; the role and responsibilities of the
29 school; and the consequences of truancy, including the compulsory
30 education requirements under this chapter. The school shall provide
31 access to the information ((at least annually.)) before or at the
32 time of enrollment of the child at a new school and at the beginning
33 of each school year. If the school regularly and ordinarily
34 communicates most other information to parents online, providing
35 online access to the information required by this section satisfies
36 the requirements of this section unless a parent or guardian
37 specifically requests information to be provided in written form.
38 Provision must be made to enable parents to request and receive the
39 information in a language in which they are fluent. A parent must

1 date and acknowledge review of this information online or in writing
2 before or at the time of enrollment of the child at a new school and
3 at the beginning of each school year.

4 (2) The office of the superintendent of public instruction shall
5 develop a template that schools may use to satisfy the requirements
6 of subsection (1) of this section and shall post the information on
7 its web site.

8 NEW SECTION. Sec. 3. A new section is added to chapter 28A.225
9 RCW to read as follows:

10 (1) Except as provided in subsection (2) of this section, in the
11 event that a child in elementary school is required to attend school
12 under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused
13 absences in a single month during the current school year, or ten or
14 more excused absences in the current school year, the school district
15 shall schedule a conference or conferences with the parent and child
16 at a time reasonably convenient for all persons included for the
17 purpose of identifying the barriers to the child's regular
18 attendance, and the supports and resources that may be made available
19 to the family so that the child is able to regularly attend school.
20 To satisfy the requirements of this section, the conference must
21 include at least one school district employee who is a nurse,
22 counselor, social worker, or community human services provider,
23 except in those instances regarding the attendance of a child who has
24 an individualized education program or a plan developed under section
25 504 of the rehabilitation act of 1973, in which case the reconvening
26 of the team that created the program or plan is required.

27 (2) A conference pursuant to subsection (1) of this section is
28 not required in the event of excused absences for which prior notice
29 has been given to the school and an academic plan is put in place so
30 that the child does not fall behind.

31 **Sec. 4.** RCW 28A.225.025 and 2009 c 266 s 2 are each amended to
32 read as follows:

33 (1) For purposes of this chapter, "community truancy board" means
34 a board composed of members of the local community in which the child
35 attends school. Juvenile courts may establish and operate community
36 truancy boards. If the juvenile court and the school district agree,
37 a school district may establish and operate a community truancy board
38 under the jurisdiction of the juvenile court. Juvenile courts may

1 create a community truancy board or may use other entities that exist
2 or are created, such as diversion units. However, a diversion unit or
3 other existing entity must agree before it is used as a truancy
4 board. Duties of a community truancy board shall include, but not be
5 limited to, recommending methods for improving school attendance such
6 as assisting the parent or the child to obtain supplementary services
7 that might eliminate or ameliorate the causes for the absences or
8 suggesting to the school district that the child enroll in another
9 school, an alternative education program, an education center, a
10 skill center, a dropout prevention program, or another public or
11 private educational program.

12 (2) The legislature finds that utilization of community truancy
13 boards, or other diversion units that fulfill a similar function, is
14 the preferred means of intervention when preliminary methods of
15 notice and parent conferences and taking appropriate steps to
16 eliminate or reduce unexcused absences have not been effective in
17 securing the child's attendance at school. The legislature intends to
18 encourage and support the development and expansion of community
19 truancy boards and other diversion programs which are effective in
20 promoting school attendance and preventing the need for more
21 intrusive intervention by the court. Operation of a school truancy
22 board does not excuse a district from the obligation of filing a
23 petition within the requirements of RCW 28A.225.015(3).

24 (3) For purposes of this chapter, "therapeutic truancy board"
25 means a community truancy board operated within existing resources
26 pursuant to a memorandum of understanding between a school district
27 and a juvenile court. All members of a therapeutic truancy board
28 receive training with respect to the identification of barriers to
29 school attendance, the use of the Washington assessment of the risks
30 and needs of students (WARNS) or other assessment tools to identify
31 the specific needs of individual children, trauma-informed approaches
32 to discipline, the research regarding adverse childhood experiences,
33 evidence-based treatments that have been found to be effective in
34 supporting at-risk youth and their families as well as those that
35 have been shown to be culturally appropriate promising practices, and
36 the specific academic supports, services, and treatments available in
37 the particular school, court, community, and elsewhere. A therapeutic
38 truancy board identifies barriers to school attendance, cooperatively
39 solves problems, connects students and their families with academic
40 supports, community services, evidence-based services such as

1 functional family therapy, and culturally appropriate promising
2 practices, and may refer children to a HOPE center.

3 **Sec. 5.** RCW 28A.225.035 and 2012 c 157 s 2 are each amended to
4 read as follows:

5 (1) A petition for a civil action under RCW 28A.225.030 or
6 28A.225.015 shall consist of a written notification to the court
7 alleging that:

8 (a) The child has unexcused absences during the current school
9 year;

10 (b) Actions taken by the school district have not been successful
11 in substantially reducing the child's absences from school; and

12 (c) Court intervention and supervision are necessary to assist
13 the school district or parent to reduce the child's absences from
14 school.

15 (2) The petition shall set forth the name, date of birth, school,
16 address, gender, race, and ethnicity of the child and the names and
17 addresses of the child's parents, and shall set forth whether the
18 child and parent are fluent in English, whether there is an existing
19 individualized education program, and the child's current academic
20 status in school.

21 (3) The petition shall set forth facts that support the
22 allegations in this section and shall generally request relief
23 available under this chapter and provide information about what the
24 court might order under RCW 28A.225.090.

25 (4)(a) When a petition is filed under RCW 28A.225.030 or
26 28A.225.015, it shall initially be stayed and intervention and
27 prevention efforts employed in order to substantially reduce the
28 child's unexcused absences. Intervention and prevention efforts under
29 this subsection may include referral to a community truancy board,
30 preferably a therapeutic truancy board, use of the Washington
31 assessment of the risks and needs of students (WARNS) or other
32 assessment tools to identify the specific needs of individual
33 children, the provision of academic services such as tutoring, credit
34 retrieval and school reengagement supports, and community-based
35 services, and the provision of evidence-based treatments that have
36 been found to be effective in supporting at-risk youth and their
37 families and those that have been shown to be culturally appropriate
38 promising practices.

1 (b) If intervention and prevention efforts under (a) of this
2 subsection are unsuccessful at substantially reducing the child's
3 unexcused absences, the stay shall be lifted and the juvenile court
4 shall schedule a hearing at which the court shall consider the
5 petition, or if the court determines that ((a)) an initial or
6 subsequent referral to an available community truancy board would
7 substantially reduce the child's unexcused absences, the court may
8 refer the case to a community truancy board under the jurisdiction of
9 the juvenile court.

10 (5) If a referral is made to a community truancy board, the
11 truancy board must meet with the child, a parent, and the school
12 district representative and enter into an agreement with the
13 petitioner and respondent regarding expectations and any actions
14 necessary to address the child's truancy within twenty days of the
15 referral. If the petition is based on RCW 28A.225.015, the child
16 shall not be required to attend and the agreement under this
17 subsection shall be between the truancy board, the school district,
18 and the child's parent. The court may permit the truancy board or
19 truancy prevention counselor to provide continued supervision over
20 the student, or parent if the petition is based on RCW 28A.225.015.

21 (6) If the truancy board fails to reach an agreement, or the
22 parent or student does not comply with the agreement, the truancy
23 board shall return the case to the juvenile court for a hearing.

24 (7)(a) Notwithstanding the provisions in subsection (4)(a) of
25 this section, a hearing shall not be required if other actions by the
26 court would substantially reduce the child's unexcused absences. When
27 a juvenile court hearing is held, the court shall:

28 (i) Separately notify the child, the parent of the child, and the
29 school district of the hearing. If the parent is not fluent in
30 English, the preferred practice is for notice to be provided in a
31 language in which the parent is fluent;

32 (ii) Notify the parent and the child of their rights to present
33 evidence at the hearing; and

34 (iii) Notify the parent and the child of the options and rights
35 available under chapter 13.32A RCW.

36 (b) If the child is not provided with counsel, the advisement of
37 rights must take place in court by means of a colloquy between the
38 court, the child if eight years old or older, and the parent.

1 (8)(a) The court may require the attendance of the child if eight
2 years old or older, the parents, and the school district at any
3 hearing on a petition filed under RCW 28A.225.030.

4 (b) The court may not issue a bench warrant for a child for
5 failure to appear at a hearing on an initial truancy petition filed
6 under RCW 28A.225.030. If there has been proper service, the court
7 may instead enter a default order assuming jurisdiction under the
8 terms specified in subsection (12) of this section.

9 (9) A school district is responsible for determining who shall
10 represent the school district at hearings on a petition filed under
11 RCW 28A.225.030 or 28A.225.015.

12 (10) The court may permit the first hearing to be held without
13 requiring that either party be represented by legal counsel, and to
14 be held without a guardian ad litem for the child under RCW 4.08.050.
15 At the request of the school district, the court shall permit a
16 school district representative who is not an attorney to represent
17 the school district at any future hearings.

18 (11) If the child is in a special education program or has a
19 diagnosed mental or emotional disorder, the court shall inquire as to
20 what efforts the school district has made to assist the child in
21 attending school.

22 (12) If the allegations in the petition are established by a
23 preponderance of the evidence, the court shall grant the petition and
24 enter an order assuming jurisdiction to intervene for the period of
25 time determined by the court, after considering the facts alleged in
26 the petition and the circumstances of the juvenile, to most likely
27 cause the juvenile to return to and remain in school while the
28 juvenile is subject to this chapter. In no case may the order expire
29 before the end of the school year in which it is entered.

30 (13)(a) If the court assumes jurisdiction, the school district
31 shall periodically report to the court any additional unexcused
32 absences by the child, actions taken by the school district, and an
33 update on the child's academic status in school at a schedule
34 specified by the court.

35 (b) The first report under this subsection (13) must be received
36 no later than three months from the date that the court assumes
37 jurisdiction.

38 (14) Community truancy boards and the courts shall coordinate, to
39 the extent possible, proceedings and actions pertaining to children
40 who are subject to truancy petitions and at-risk youth petitions in

1 RCW 13.32A.191 or child in need of services petitions in RCW
2 13.32A.140.

3 (15) If after a juvenile court assumes jurisdiction in one county
4 the child relocates to another county, the juvenile court in the
5 receiving county shall, upon the request of a school district or
6 parent, assume jurisdiction of the petition filed in the previous
7 county.

8 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.225
9 RCW to read as follows:

10 (1) Subject to funds appropriated for this purpose, the office of
11 the superintendent of public instruction shall allocate to
12 therapeutic truancy boards grant funds that may be used to supplement
13 existing funds in order to pay for training for board members or the
14 provision of services and treatment to children and their families.

15 (2) The superintendent of public instruction must select grant
16 recipients based on the criteria in this section. This is a
17 competitive grant process. A prerequisite to applying for either or
18 both grants is a memoranda of understanding, between a school
19 district and a court, to institute a new or maintain an existing
20 therapeutic truancy board that meets the requirements of RCW
21 28A.225.025.

22 (3) Successful applicants for an award of grant funds to
23 supplement existing funds to pay for the training of therapeutic
24 truancy board members must commit to the provision of training to
25 board members regarding the identification of barriers to school
26 attendance, the use of the Washington assessment of the risks and
27 needs of students (WARNS) or other assessment tools to identify the
28 specific needs of individual children, trauma-informed approaches to
29 discipline, research about adverse childhood experiences, evidence-
30 based treatments and culturally appropriate promising practices, as
31 well as the specific academic and community services and treatments
32 available in the school, court, community, and elsewhere. This
33 training may be provided by educational service districts.

34 (4) Successful applicants for an award of grant funds to
35 supplement existing funds to pay for services and treatments provided
36 to children and their families must commit to the provision of
37 academic services such as tutoring, credit retrieval and school
38 reengagement supports, community services, and evidence-based
39 treatments that have been found to be effective in supporting at-risk

1 youth and their families, such as functional family therapy, or those
2 that have been shown to be culturally appropriate promising
3 practices.

4 **Sec. 7.** RCW 28A.225.090 and 2009 c 266 s 4 are each amended to
5 read as follows:

6 (1) A court may order a child subject to a petition under RCW
7 28A.225.035 to do one or more of the following:

8 (a) Attend the child's current school, and set forth minimum
9 attendance requirements, including suspensions;

10 (b) If there is space available and the program can provide
11 educational services appropriate for the child, order the child to
12 attend another public school, an alternative education program,
13 center, a skill center, dropout prevention program, or another public
14 educational program;

15 (c) Attend a private nonsectarian school or program including an
16 education center. Before ordering a child to attend an approved or
17 certified private nonsectarian school or program, the court shall:

18 (i) Consider the public and private programs available; (ii) find
19 that placement is in the best interest of the child; and (iii) find
20 that the private school or program is willing to accept the child and
21 will not charge any fees in addition to those established by contract
22 with the student's school district. If the court orders the child to
23 enroll in a private school or program, the child's school district
24 shall contract with the school or program to provide educational
25 services for the child. The school district shall not be required to
26 contract for a weekly rate that exceeds the state general
27 apportionment dollars calculated on a weekly basis generated by the
28 child and received by the district. A school district shall not be
29 required to enter into a contract that is longer than the remainder
30 of the school year. A school district shall not be required to enter
31 into or continue a contract if the child is no longer enrolled in the
32 district;

33 (d) Be referred to a community truancy board, if available; or

34 (e) Submit to testing for the use of controlled substances or
35 alcohol based on a determination that such testing is appropriate to
36 the circumstances and behavior of the child and will facilitate the
37 child's compliance with the mandatory attendance law and, if any test
38 ordered under this subsection indicates the use of controlled
39 substances or alcohol, order the minor to abstain from the unlawful

1 consumption of controlled substances or alcohol and adhere to the
2 recommendations of the drug assessment at no expense to the school.

3 (2) If the child fails to comply with the court order, the court
4 may order the child to be subject to detention, as provided in RCW
5 7.21.030(2)(e), or may impose alternatives to detention such as
6 community restitution. Failure by a child to comply with an order
7 issued under this subsection shall not be subject to detention for a
8 period greater than that permitted pursuant to a civil contempt
9 proceeding against a child under chapter 13.32A RCW. Detention
10 ordered under this subsection may be for no longer than seven days.
11 Detention ordered under this subsection shall preferably be served at
12 a crisis residential center close to the child's home rather than in
13 a juvenile detention facility. A warrant of arrest for a child under
14 this subsection may not be served on a child inside of school during
15 school hours in a location where other students are present.

16 (3) Any parent violating any of the provisions of either RCW
17 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than
18 twenty-five dollars for each day of unexcused absence from school.
19 The court shall remit fifty percent of the fine collected under this
20 section to the child's school district. It shall be a defense for a
21 parent charged with violating RCW 28A.225.010 to show that he or she
22 exercised reasonable diligence in attempting to cause a child in his
23 or her custody to attend school or that the child's school did not
24 perform its duties as required in RCW 28A.225.020. The court may
25 order the parent to provide community restitution instead of imposing
26 a fine. Any fine imposed pursuant to this section may be suspended
27 upon the condition that a parent charged with violating RCW
28 28A.225.010 shall participate with the school and the child in a
29 supervised plan for the child's attendance at school or upon
30 condition that the parent attend a conference or conferences
31 scheduled by a school for the purpose of analyzing the causes of a
32 child's absence.

33 (4) If a child continues to be truant after entering into a
34 court-approved order with the truancy board under RCW 28A.225.035,
35 the juvenile court shall find the child in contempt, and the court
36 may order the child to be subject to detention, as provided in RCW
37 7.21.030(2)(e), or may impose alternatives to detention such as
38 meaningful community restitution. Failure by a child to comply with
39 an order issued under this subsection may not subject a child to

1 detention for a period greater than that permitted under a civil
2 contempt proceeding against a child under chapter 13.32A RCW.

3 (5) Subsections (1), (2), and (4) of this section shall not apply
4 to a six or seven year old child required to attend public school
5 under RCW 28A.225.015.

6 **Sec. 8.** RCW 43.185C.315 and 2015 c 69 s 22 are each amended to
7 read as follows:

8 (1) The department shall establish HOPE centers that provide no
9 more than seventy-five beds across the state and may establish HOPE
10 centers by contract, within funds appropriated by the legislature
11 specifically for this purpose. HOPE centers shall be operated in a
12 manner to reasonably assure that street youth placed there will not
13 run away. Street youth may leave a HOPE center during the course of
14 the day to attend school or other necessary appointments, but the
15 street youth must be accompanied by an administrator or an
16 administrator's designee. The street youth must provide the
17 administration with specific information regarding his or her
18 destination and expected time of return to the HOPE center. Any
19 street youth who runs away from a HOPE center shall not be readmitted
20 unless specifically authorized by the street youth's placement and
21 liaison specialist, and the placement and liaison specialist shall
22 document with specific factual findings an appropriate basis for
23 readmitting any street youth to a HOPE center. HOPE centers are
24 required to have the following:

25 ~~((1))~~ (a) A license issued by the department of social and
26 health services;

27 ~~((2))~~ (b) A professional with a master's degree in counseling,
28 social work, or related field and at least one year of experience
29 working with street youth or a bachelor of arts degree in social work
30 or a related field and five years of experience working with street
31 youth. This professional staff person may be contractual or a part-
32 time employee, but must be available to work with street youth in a
33 HOPE center at a ratio of one to every fifteen youth staying in a
34 HOPE center. This professional shall be known as a placement and
35 liaison specialist. Preference shall be given to those professionals
36 cross-credentialed in mental health and chemical dependency. The
37 placement and liaison specialist shall:

1 ~~((a))~~ (i) Conduct an assessment of the street youth that
2 includes a determination of the street youth's legal status regarding
3 residential placement;

4 ~~((b))~~ (ii) Facilitate the street youth's return to his or her
5 legally authorized residence at the earliest possible date or
6 initiate processes to arrange legally authorized appropriate
7 placement. Any street youth who may meet the definition of dependent
8 child under RCW 13.34.030 must be referred to the department of
9 social and health services. The department of social and health
10 services shall determine whether a dependency petition should be
11 filed under chapter 13.34 RCW. A shelter care hearing must be held
12 within seventy-two hours to authorize out-of-home placement for any
13 youth the department of social and health services determines is
14 appropriate for out-of-home placement under chapter 13.34 RCW. All of
15 the provisions of chapter 13.32A RCW must be followed for children in
16 need of services or at-risk youth;

17 ~~((c))~~ (iii) Interface with other relevant resources and system
18 representatives to secure long-term residential placement and other
19 needed services for the street youth;

20 ~~((d))~~ (iv) Be assigned immediately to each youth and meet with
21 the youth within eight hours of the youth receiving HOPE center
22 services;

23 ~~((e))~~ (v) Facilitate a physical examination of any street youth
24 who has not seen a physician within one year prior to residence at a
25 HOPE center and facilitate evaluation by a county-designated mental
26 health professional, a chemical dependency specialist, or both if
27 appropriate; and

28 ~~((f))~~ (vi) Arrange an educational assessment to measure the
29 street youth's competency level in reading, writing, and basic
30 mathematics, and that will measure learning disabilities or special
31 needs;

32 ~~((3))~~ (c) Staff trained in development needs of street youth as
33 determined by the department, including an administrator who is a
34 professional with a master's degree in counseling, social work, or a
35 related field and at least one year of experience working with street
36 youth, or a bachelor of arts degree in social work or a related field
37 and five years of experience working with street youth, who must work
38 with the placement and liaison specialist to provide appropriate
39 services on site;

1 ~~((4))~~ (d) A data collection system that measures outcomes for
2 the population served, and enables research and evaluation that can
3 be used for future program development and service delivery. Data
4 collection systems must have confidentiality rules and protocols
5 developed by the department;

6 ~~((5))~~ (e) Notification requirements that meet the notification
7 requirements of chapter 13.32A RCW. The youth's arrival date and time
8 must be logged at intake by HOPE center staff. The staff must
9 immediately notify law enforcement and dependency caseworkers if a
10 street youth runs away from a HOPE center. A child may be transferred
11 to a secure facility as defined in RCW 13.32A.030 whenever the staff
12 reasonably believes that a street youth is likely to leave the HOPE
13 center and not return after full consideration of the factors set
14 forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's
15 temporary placement in the HOPE center must be authorized by the
16 court or the secretary of the department of social and health
17 services if the youth is a dependent of the state under chapter 13.34
18 RCW or the department of social and health services is responsible
19 for the youth under chapter 13.32A RCW, or by the youth's parent or
20 legal custodian, until such time as the parent can retrieve the youth
21 who is returning to home;

22 ~~((6))~~ (f) HOPE centers must identify to the department of
23 social and health services any street youth it serves who is not
24 returning promptly to home. The department of social and health
25 services then must contact the missing children's clearinghouse
26 identified in chapter 13.60 RCW and either report the youth's
27 location or report that the youth is the subject of a dependency
28 action and the parent should receive notice from the department of
29 social and health services; and

30 ~~((7))~~ (g) Services that provide counseling and education to the
31 street youth~~((; and))~~.

32 ~~((8))~~ (2) The department shall award contracts for the
33 operation of HOPE center beds with the goal of facilitating the
34 coordination of services provided for youth by such programs and
35 those services provided by secure and semi-secure crisis residential
36 centers.

37 (3) Subject to funds appropriated for this purpose, the beds
38 available in HOPE centers shall be increased incrementally beyond the
39 limit of seventy-five set forth in subsection (1) of this section.
40 The additional capacity shall be distributed around the state based

1 upon need and, to the extent feasible, shall be geographically
2 situated so that HOPE beds are available across the state. In
3 determining the need for increased numbers of HOPE beds in a
4 particular county or counties, one of the considerations should be
5 the volume of truancy petitions filed there.

6 **Sec. 9.** RCW 43.185C.320 and 2015 c 69 s 23 are each amended to
7 read as follows:

8 To be eligible for placement in a HOPE center, a minor must be
9 either a street youth, as that term is defined in this chapter, or a
10 youth who, without placement in a HOPE center, will continue to
11 participate in increasingly risky behavior, including truancy. Youth
12 may also self-refer to a HOPE center. Payment for a HOPE center bed
13 is not contingent upon prior approval by the department; however,
14 approval from the department of social and health services is needed
15 if the youth is dependent under chapter 13.34 RCW.

16 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.185C
17 RCW to read as follows:

18 Subject to funds appropriated for this purpose, the capacity
19 available in crisis residential centers established pursuant to this
20 chapter shall be increased incrementally in order to accommodate
21 truant students found in contempt of a court order to attend school.
22 The additional capacity shall be distributed around the state based
23 upon need and, to the extent feasible, shall be geographically
24 situated so that crisis residential centers are available for use by
25 all courts.

26 NEW SECTION. **Sec. 11.** (1) The educational opportunity gap
27 oversight and accountability committee shall conduct a review and
28 make recommendations to the appropriate committees of the legislature
29 with respect to:

30 (a) The cultural competence training that therapeutic truancy
31 board members, as well as others involved in the truancy process,
32 should receive;

33 (b) Best practices for supporting and facilitating parent and
34 community involvement and outreach; and

35 (c) The cultural relevance of the assessments employed to
36 identify barriers to attendance and the treatments and tools provided
37 to children and their families.

1 (2) By June 30, 2017, a preliminary review shall be completed and
2 preliminary recommendations provided. The review shall be completed,
3 and a report and final recommendations provided, by December 1, 2017.

4 (3) For the purposes of this section, "cultural competence"
5 includes knowledge of children's cultural histories and contexts, as
6 well as family norms and values in different cultures; knowledge and
7 skills in accessing community resources and community and parent
8 outreach; and skills in adapting instruction and treatment to
9 children's experiences and identifying cultural contexts for
10 individual children.

11 (4) This section expires July 1, 2018.

12 NEW SECTION. **Sec. 12.** A new section is added to chapter 28A.225
13 RCW to read as follows:

14 (1) The Washington state institute for public policy shall
15 conduct a study of local practices that address truancy. The study
16 must include:

17 (a) A systematic review of the research literature on the
18 effectiveness of the various practices in reducing absenteeism,
19 fostering school engagement, improving academic performance and
20 achievement, increasing graduation rates, and decreasing dropout
21 rates; and

22 (b) An outcome evaluation of the impact on the outcomes listed in
23 (a) of this subsection from local practices including, but not
24 limited to, therapeutic truancy boards under RCW 28A.225.025 and
25 section 6 of this act.

26 (2) In conducting its analysis, the Washington state institute
27 for public policy may consult with employees and access data systems
28 of the office of the superintendent of public instruction, any
29 educational service district or school district, and the
30 administrative office of the courts, each of which shall provide the
31 Washington state institute for public policy with access to necessary
32 data and administrative systems.

33 (3) The Washington state institute for public policy shall report
34 the findings of the study under subsection (1)(a) of this section to
35 the appropriate committees of the legislature by December 1, 2017,
36 and the findings of the evaluation under subsection (1)(b) of this
37 section by December 1, 2022.

38 (4) This section expires August 1, 2023.

1 NEW SECTION. **Sec. 13.** A new section is added to chapter 2.56
2 RCW to read as follows:

3 To accurately track the extent to which courts order youth into a
4 secure detention facility in Washington state for the violation of a
5 court order related to a truancy, at-risk youth, or a child in need
6 of services petition, all juvenile courts shall transmit youth-level
7 secure detention data to the administrative office of the courts.
8 Data may either be entered into the statewide management information
9 system for juvenile courts or securely transmitted to the
10 administrative office of the courts at least monthly. Juvenile courts
11 shall provide, at a minimum, the name and date of birth for the
12 youth, the court case number assigned to the petition, the reasons
13 for admission to the juvenile detention facility, the date of
14 admission, the date of exit, and the time the youth spent in secure
15 confinement. Courts are also encouraged to report individual-level
16 data reflecting whether a detention alternative, such as electronic
17 monitoring, was used, and the time spent in detention alternatives.
18 The administrative office of the courts and the juvenile court
19 administrators must work to develop uniform data standards for
20 detention. The administrative office of the courts shall deliver an
21 annual statewide report to the legislature that details the number of
22 Washington youth who are placed into detention facilities during the
23 preceding calendar year. The first report shall be delivered by March
24 1, 2017, and shall detail the most serious reason for detention and
25 youth gender, race, and ethnicity. The report must have a specific
26 emphasis on youth who are detained for reasons relating to a truancy,
27 at-risk youth, or a child in need of services petition.

28 NEW SECTION. **Sec. 14.** This act shall be known and cited as the
29 keeping kids in school act.

--- END ---