
SECOND SUBSTITUTE SENATE BILL 5404

State of Washington

64th Legislature

2015 Regular Session

By Senate Ways & Means (originally sponsored by Senators O'Ban, Darneille, Frockt, Miloscia, Kohl-Welles, McAuliffe, Chase, Pedersen, and Conway; by request of Governor Inslee)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to homeless youth prevention and protection;
2 amending RCW 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.090,
3 13.32A.095, 13.32A.130, 74.13.032, 74.13.033, 74.13.034, 74.15.220,
4 74.15.225, 43.330.167, 43.185C.040, 43.185C.240, and 28A.300.540;
5 reenacting and amending RCW 43.185C.010, 13.32A.060, and 13.32A.065;
6 adding new sections to chapter 43.185C RCW; adding new sections to
7 chapter 43.330 RCW; creating a new section; and recodifying RCW
8 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.060, 13.32A.065,
9 13.32A.070, 13.32A.090, 13.32A.095, 13.32A.130, 74.13.032,
10 74.13.0321, 74.13.033, 74.13.034, 74.15.220, 74.15.225, 74.15.260,
11 and 74.15.270.

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

13 NEW SECTION. **Sec. 1.** Creation of subchapter. Sections 3 through
14 9 of this act are each added to chapter 43.330 RCW and codified with
15 the subchapter heading of "homeless youth prevention and protection
16 act."

17 NEW SECTION. **Sec. 2.** Short title. This act may be known and
18 cited as the "homeless youth prevention and protection act."

1 NEW SECTION. **Sec. 3.** Definitions. The definitions in this
2 section apply throughout this subchapter unless the context clearly
3 requires otherwise.

4 (1) "Child," "juvenile," "youth," and "minor" means any
5 unemancipated individual who is under the chronological age of
6 eighteen years.

7 (2) "Homeless" means without a fixed, regular, and adequate
8 nighttime residence as set forth in the federal McKinney-Vento
9 homeless assistance act, P.L. 100-77, July 22, 1987, 101 Stat. 482,
10 and runaway and homeless youth act, P.L. 93-415, Title III, September
11 7, 1974, 88 Stat. 1129.

12 (3) "Runaway" means an unmarried and unemancipated minor who is
13 absent from the home of a parent or guardian or other lawful
14 placement without the consent of the parent, guardian, or lawful
15 custodian.

16 (4) "Street youth" means a person under the age of eighteen who
17 lives outdoors or in another unsafe location not intended for
18 occupancy by the minor and who is not residing with his or her parent
19 or at his or her legally authorized residence.

20 (5) "Unaccompanied" means a youth or young adult experiencing
21 homelessness while not in the physical custody of a parent or
22 guardian.

23 (6) "Young adult" means a person between eighteen and twenty-four
24 years of age.

25 NEW SECTION. **Sec. 4.** Legislative findings. (1) The legislature
26 finds that every night thousands of homeless youth in Washington go
27 to sleep without the safety, stability, and support of a family or a
28 home. This population is exposed to an increased level of violence,
29 human trafficking, and exploitation resulting in a higher incidence
30 of substance abuse, illness, and death. The prevention and reduction
31 of youth and young adult homelessness and protection of homeless
32 youth is of key concern to the state. Nothing in chapter ..., Laws of
33 2015 (this act) is meant to diminish the work accomplished by the
34 implementation of Becca legislation but rather, the intent of the
35 legislature is to further enhance the state's efforts in working with
36 unaccompanied homeless youth and runaways to encourage family
37 reconciliation or permanent housing and support through dependency
38 when family reconciliation is not a viable alternative.

1 (2) Successfully addressing youth and young adult homelessness
2 ensures that homeless youth and young adults in our state have the
3 support they need to thrive and avoid involvement in the justice
4 system, human trafficking, long-term, avoidable use of public
5 benefits, and extended adult homelessness.

6 (3) Providing appropriate, relevant, and readily accessible
7 services is critical for addressing one-time, episodic, or longer-
8 term homelessness among youth and young adults, and keeping homeless
9 youth and young adults safe, housed, and connected to family.

10 (4) The coordination of statewide programs to combat youth and
11 young adult homelessness should include programs addressing both
12 youth and young adults. However, the legislature acknowledges that
13 current law and best practices mandate that youth programs and young
14 adult programs be segregated in their implementation. The legislature
15 further finds that the differing needs of these populations should be
16 considered when assessing which programs are relevant and
17 appropriate.

18 (5) To successfully reduce and prevent youth and young adult
19 homelessness, it is the goal of the legislature to have the following
20 key components available and accessible:

21 (a) Stable housing: It is the goal of the legislature to provide
22 a safe and healthy place for homeless youth to sleep each night until
23 permanency can be reached. Every homeless young adult in our state
24 deserves access to housing that gives them a safe, healthy, and
25 supported launching pad to adulthood. Every family in crisis should
26 have appropriate support as they work to keep their children housed
27 and safe. It is the goal of the legislature that every homeless youth
28 discharged from a public system of care in our state will not be
29 discharged into homelessness.

30 (b) Family reconciliation: All homeless youth should have access
31 to services that support reunification with immediate family. When
32 reunification is not possible for homeless youth, youth should be
33 placed in the custody of the department of social and health
34 services.

35 (c) Permanent connections: Every homeless young adult should have
36 opportunities to establish positive, healthy relationships with
37 adults, including family members, employers, landlords, teachers, and
38 community members, with whom they can maintain connections and from
39 whom they can receive ongoing, long-term support to help them develop

1 the skills and experiences necessary to achieve a successful
2 transition to adulthood.

3 (d) Education and employment: Every homeless young adult in our
4 state deserves the opportunity and support they need to complete
5 their high school education and pursue additional education and
6 training. It is the goal of the legislature that every homeless young
7 adult in our state will have the opportunity to engage in employment
8 training and be able to access employment. With both education and
9 employment support and opportunities, young adults will have the
10 skills they need to become self-sufficient, self-reliant, and
11 independent.

12 (e) Social and emotional well-being: Every homeless youth and
13 young adult in our state should have access to both behavioral health
14 care and physical health care. Every state-funded program for
15 homeless youth and young adults must endeavor to identify, encourage,
16 and nurture each youth's strengths and abilities and demonstrate a
17 commitment to youth-centered programming.

18 NEW SECTION. **Sec. 5.** Creation of office of homeless youth
19 prevention and protection programs. (1) There is created the office
20 of homeless youth prevention and protection programs within the
21 department.

22 (2) Activities of the office of homeless youth prevention and
23 protection programs must be carried out by a director of the office
24 of homeless youth prevention and protection programs, supervised by
25 the director of the department or his or her designee.

26 (3) The office of homeless youth prevention and protection
27 programs is responsible for leading efforts under this subchapter to
28 coordinate a spectrum of ongoing and future funding, policy, and
29 practice efforts related to homeless youth and improving the safety,
30 health, and welfare of homeless youth in this state.

31 (4) The measurable goals of the office of homeless youth
32 prevention and protection programs are to: (a) Measurably decrease
33 the number of homeless youth and young adults by identifying programs
34 that address the initial causes of homelessness, and (b) measurably
35 increase permanency rates among homeless youth by decreasing the
36 length and occurrences of youth homelessness caused by a youth's
37 separation from family or a legal guardian.

38 (5) The office of homeless youth prevention and protection
39 programs shall (a) gather data and outcome measures, (b) initiate

1 data sharing agreements, (c) develop specific recommendations and
2 timelines to address funding, policy, and practice gaps within the
3 state system for addressing the five priority service areas
4 identified in section 4 of this act, (d) make reports, (e) increase
5 system integration and coordinate efforts to prevent state systems
6 from discharging youth and young adults into homelessness, (f)
7 develop measures to include by county and statewide the number of
8 homeless youth, dependency status, family reunification status,
9 housing status, program participation, and runaway status, and (g)
10 develop a comprehensive plan to encourage identification of youth
11 experiencing homelessness, promote family stability, and eliminate
12 youth and young adult homelessness.

13 (6)(a) The office of homeless youth prevention and protection
14 programs shall regularly consult with an advisory committee,
15 comprised of advocates, at least two legislators, at least two parent
16 advocates, at least one representative from law enforcement, service
17 providers, and other stakeholders knowledgeable in the provision of
18 services to homeless youth and young adults, including the prevention
19 of youth and young adult homelessness, the dependency system, and
20 family reunification, for a total of twelve members. The advisory
21 committee shall provide guidance and recommendations to the office of
22 homeless youth prevention and protection programs regarding funding,
23 policy, and practice gaps within and among state programs.

24 (b) The advisory committee must be staffed by the department.

25 (c) The members of the advisory committee must be appointed by
26 the governor, except for the legislators who must be appointed by the
27 speaker of the house of representatives and the president of the
28 senate.

29 (d) The advisory committee must have its initial meeting no later
30 than March 1, 2016.

31 (7) The office of homeless youth prevention and protection
32 programs must be operational no later than January 1, 2016. Transfer
33 of powers, duties, and functions of the department of social and
34 health services to the department of commerce pertaining to youth
35 homeless services and programs identified in section 7(2) of this act
36 may occur before this date.

37 NEW SECTION. **Sec. 6.** Reporting and data gathering. (1) The
38 office of homeless youth prevention and protection programs shall

1 identify data and outcomes measures from which to evaluate future
2 public investment in homeless youth services.

3 (2) By December 1, 2016, and in compliance with RCW 43.01.036,
4 the office of homeless youth prevention and protection programs must
5 submit a report to the governor and the legislature to inform
6 recommendations for funding, policy, and best practices in the five
7 priority service areas identified in section 4 of this act and
8 present recommendations to address funding, policy, and practice gaps
9 in the state system.

10 (3) Recommendations must include, but are not limited to:
11 Strategies to enhance coordination between providers of youth
12 homelessness programs and the child welfare system, and strategies
13 for communities to identify homeless youth and ensure their
14 protection and referral to appropriate services, including family
15 reconciliation and transition to dependent status for minors.

16 NEW SECTION. **Sec. 7.** Authorization for administration of
17 services and funding through the office of homeless youth prevention
18 and protection programs. (1)(a) The office of homeless youth
19 prevention and protection programs shall report to the director or
20 the director's designee.

21 (b)(i) The office of homeless youth prevention and protection
22 programs may distribute grants to providers who serve homeless youth
23 and young adults throughout the state.

24 (ii) The grants must fund services in the five priority service
25 areas identified in section 4 of this act.

26 (iii) The grants must be expended on a statewide basis and may be
27 used to support direct services, as well as technical assistance,
28 evaluation, and capacity building.

29 (2) The office of homeless youth prevention and protection
30 programs shall provide management and oversight guidance and
31 direction to the following programs:

32 (a) HOPE centers as described in RCW 74.15.220 (as recodified by
33 this act);

34 (b) Crisis residential centers as described in RCW 74.13.032 (as
35 recodified by this act);

36 (c) Street youth services;

37 (d) Independent youth housing programs as described in RCW
38 43.63A.305.

1 NEW SECTION. **Sec. 8.** (1) The office of homeless youth
2 prevention and protection programs shall establish a statewide
3 training program on homeless youth for criminal justice personnel.
4 The training must include identifying homeless youth, existing laws
5 governing the intersection of law enforcement and homeless youth, and
6 best practices for approaching and engaging homeless youth in
7 appropriate services.

8 (2) The training must be provided where possible by an entity
9 that has experience in developing coalitions, training, programs, and
10 policy on homeless youth in Washington.

11 NEW SECTION. **Sec. 9.** The joint legislative audit and review
12 committee shall conduct a review of state-funded programs that serve
13 unaccompanied homeless youth under the age of eighteen, including
14 dependent youth, to determine what performance measures exist, what
15 statutory reporting requirements exist, and whether there is reliable
16 data on ages of youth served, length of stay, and effectiveness of
17 program exit and reentry. Where statutory reporting requirements do
18 exist, the joint legislative audit and review committee shall review
19 the programs' compliance with relevant statutory reporting
20 requirements. The committee shall report on what services are
21 provided to unaccompanied homeless youth including, but not limited
22 to: Outreach and other nonshelter services, shelter services, and
23 family reconciliation. The committee is also to report on the number
24 of unaccompanied homeless youth statewide and by county and city and
25 how this number is determined. The programs reviewed may include, but
26 are not limited to, HOPE centers as described in RCW 74.15.220 (as
27 recodified by this act) and crisis residential centers as described
28 in RCW 74.13.032 (as recodified by this act).

29 **Sec. 10.** RCW 43.185C.010 and 2009 c 565 s 40 are each reenacted
30 and amended to read as follows:

31 The definitions in this section apply throughout this chapter
32 unless the context clearly requires otherwise.

33 (1) "Administrator" means the individual who has the daily
34 administrative responsibility of a crisis residential center.

35 (2) "Child in need of services petition" means a petition filed
36 in juvenile court by a parent, child, or the department seeking
37 adjudication of placement of the child.

1 (3) "Community action agency" means a nonprofit private or public
2 organization established under the economic opportunity act of 1964.

3 ~~((2))~~ (4) "Crisis residential center" means a secure or semi-
4 secure facility established pursuant to chapter 74.13 RCW.

5 (5) "Department" means the department of commerce.

6 ~~((3))~~ (6) "Director" means the director of the department of
7 commerce.

8 ~~((4))~~ (7) "Home security fund account" means the state treasury
9 account receiving the state's portion of income from revenue from the
10 sources established by RCW 36.22.179, RCW 36.22.1791, and all other
11 sources directed to the homeless housing and assistance program.

12 ~~((5))~~ (8) "Homeless housing grant program" means the vehicle by
13 which competitive grants are awarded by the department, utilizing
14 moneys from the home security fund account, to local governments for
15 programs directly related to housing homeless individuals and
16 families, addressing the root causes of homelessness, preventing
17 homelessness, collecting data on homeless individuals, and other
18 efforts directly related to housing homeless persons.

19 ~~((6))~~ (9) "Homeless housing plan" means the ten-year plan
20 developed by the county or other local government to address housing
21 for homeless persons.

22 ~~((7))~~ (10) "Homeless housing program" means the program
23 authorized under this chapter as administered by the department at
24 the state level and by the local government or its designated
25 subcontractor at the local level.

26 ~~((8))~~ (11) "Homeless housing strategic plan" means the ten-year
27 plan developed by the department, in consultation with the
28 interagency council on homelessness and the affordable housing
29 advisory board.

30 ~~((9))~~ (12) "Homeless person" means an individual living outside
31 or in a building not meant for human habitation or which they have no
32 legal right to occupy, in an emergency shelter, or in a temporary
33 housing program which may include a transitional and supportive
34 housing program if habitation time limits exist. This definition
35 includes substance abusers, people with mental illness, and sex
36 offenders who are homeless.

37 ~~((10))~~ (13) "HOPE center" means an agency licensed by the
38 secretary to provide temporary residential placement and other
39 services to street youth. A street youth may remain in a HOPE center
40 for thirty days while services are arranged and permanent placement

1 is coordinated. No street youth may stay longer than thirty days
2 unless approved by the department and any additional days approved by
3 the department must be based on the unavailability of a long-term
4 placement option. A street youth whose parent wants him or her
5 returned to home may remain in a HOPE center until his or her parent
6 arranges return of the youth, not longer. All other street youth must
7 have court approval under chapter 13.34 or 13.32A RCW to remain in a
8 HOPE center up to thirty days.

9 (14) "Housing authority" means any of the public corporations
10 created by chapter 35.82 RCW.

11 ((+11)) (15) "Housing continuum" means the progression of
12 individuals along a housing-focused continuum with homelessness at
13 one end and homeownership at the other.

14 ((+12)) (16) "Interagency council on homelessness" means a
15 committee appointed by the governor and consisting of, at least,
16 policy level representatives of the following entities: (a) The
17 department of commerce; (b) the department of corrections; (c) the
18 department of social and health services; (d) the department of
19 veterans affairs; and (e) the department of health.

20 ((+13)) (17) "Local government" means a county government in the
21 state of Washington or a city government, if the legislative
22 authority of the city affirmatively elects to accept the
23 responsibility for housing homeless persons within its borders.

24 ((+14)) (18) "Local homeless housing task force" means a
25 voluntary local committee created to advise a local government on the
26 creation of a local homeless housing plan and participate in a local
27 homeless housing program. It must include a representative of the
28 county, a representative of the largest city located within the
29 county, at least one homeless or formerly homeless person, such other
30 members as may be required to maintain eligibility for federal
31 funding related to housing programs and services and if feasible, a
32 representative of a private nonprofit organization with experience in
33 low-income housing.

34 ((+15)) (19) "Long-term private or public housing" means
35 subsidized and unsubsidized rental or owner-occupied housing in which
36 there is no established time limit for habitation of less than two
37 years.

38 ((+16)) (20) "Performance measurement" means the process of
39 comparing specific measures of success against ultimate and interim
40 goals.

1 ~~((17))~~ (21) "Secure facility" means a crisis residential
2 center, or portion thereof, that has locking doors, locking windows,
3 or a secured perimeter, designed and operated to prevent a child from
4 leaving without permission of the facility staff.

5 (22) "Semi-secure facility" means any facility including, but not
6 limited to, crisis residential centers or specialized foster family
7 homes, operated in a manner to reasonably assure that youth placed
8 there will not run away. Pursuant to rules established by the
9 department, the facility administrator shall establish reasonable
10 hours for residents to come and go from the facility such that no
11 residents are free to come and go at all hours of the day and night.
12 To prevent residents from taking unreasonable actions, the facility
13 administrator, where appropriate, may condition a resident's leaving
14 the facility upon the resident being accompanied by the administrator
15 or the administrator's designee and the resident may be required to
16 notify the administrator or the administrator's designee of any
17 intent to leave, his or her intended destination, and the probable
18 time of his or her return to the center.

19 (23) "Staff secure facility" means a structured group care
20 facility licensed under rules adopted by the department of social and
21 health services with a ratio of at least one adult staff member to
22 every two children.

23 (24) "Washington homeless census" means an annual statewide
24 census conducted as a collaborative effort by towns, cities,
25 counties, community-based organizations, and state agencies, with the
26 technical support and coordination of the department, to count and
27 collect data on all homeless individuals in Washington.

28 ~~((18))~~ (25) "Washington homeless client management information
29 system" means a database of information about homeless individuals in
30 the state used to coordinate resources to assist homeless clients to
31 obtain and retain housing and reach greater levels of self-
32 sufficiency or economic independence when appropriate, depending upon
33 their individual situations.

34 **Sec. 11.** RCW 13.32A.042 and 2000 c 123 s 4 are each amended to
35 read as follows:

36 (1)(a) The administrator of a crisis residential center may
37 convene a multidisciplinary team, which is to be locally based and
38 administered, at the request of a child placed at the center or the
39 child's parent.

1 (b) If the administrator has reasonable cause to believe that a
2 child is a child in need of services and the parent is unavailable or
3 unwilling to continue efforts to maintain the family structure, the
4 administrator shall immediately convene a multidisciplinary team.

5 (c) A parent may disband a team twenty-four hours, excluding
6 weekends and holidays, after receiving notice of formation of the
7 team under (b) of this subsection unless a petition has been filed
8 under RCW 13.32A.140. If a petition has been filed the parent may not
9 disband the team until the hearing is held under RCW 13.32A.179. The
10 court may allow the team to continue if an out-of-home placement is
11 ordered under RCW 13.32A.179(3). Upon the filing of an at-risk youth
12 or dependency petition the team shall cease to exist, unless the
13 parent requests continuation of the team or unless the out-of-home
14 placement was ordered under RCW 13.32A.179(3).

15 (2) The ~~((secretary))~~ administrator shall request participation
16 of appropriate state agencies to assist in the coordination and
17 delivery of services through the multidisciplinary teams. Those
18 agencies that agree to participate shall provide the secretary all
19 information necessary to facilitate forming a multidisciplinary team
20 and the ~~((secretary))~~ administrator shall provide this information to
21 the administrator of each crisis residential center.

22 ~~(3) ((The secretary shall designate within each region a
23 department employee who shall have responsibility for coordination of
24 the state response to a request for creation of a multidisciplinary
25 team. The secretary shall advise the administrator of each crisis
26 residential center of the name of the appropriate employee. Upon a
27 request of the administrator to form a multidisciplinary team the
28 employee shall provide a list of the agencies that have agreed to
29 participate in the multidisciplinary team.~~

30 ~~(4))~~ The administrator shall also seek participation from
31 representatives of mental health and drug and alcohol treatment
32 providers as appropriate.

33 ~~((+5))~~ (4) A parent shall be advised of the request to form a
34 multidisciplinary team and may select additional members of the
35 multidisciplinary team. The parent or child may request any person or
36 persons to participate including, but not limited to, educators, law
37 enforcement personnel, court personnel, family therapists, licensed
38 health care practitioners, social service providers, youth
39 residential placement providers, other family members, church
40 representatives, and members of their own community. The

1 administrator shall assist in obtaining the prompt participation of
2 persons requested by the parent or child.

3 ~~((+6+))~~ (5) When an administrator of a crisis residential center
4 requests the formation of a team, the state agencies must respond as
5 soon as possible.

6 **Sec. 12.** RCW 13.32A.044 and 2000 c 123 s 5 are each amended to
7 read as follows:

8 (1) The purpose of the multidisciplinary team is to assist in a
9 coordinated referral of the family to available social and health-
10 related services.

11 (2) The team shall have the authority to evaluate the juvenile,
12 and family members, if appropriate and agreed to by the parent, and
13 shall:

14 (a) With parental input, develop a plan of appropriate available
15 services and assist the family in obtaining those services;

16 (b) Make a referral to the designated chemical dependency
17 specialist or the county designated mental health professional, if
18 appropriate;

19 (c) Recommend no further intervention because the juvenile and
20 his or her family have resolved the problem causing the family
21 conflict; or

22 (d) With the parent's consent, work with them to achieve
23 reconciliation of the child and family.

24 (3) At the first meeting of the multidisciplinary team, it shall
25 choose a member to coordinate the team's efforts. The parent member
26 of the multidisciplinary team must agree with the choice of
27 coordinator. The team shall meet or communicate as often as necessary
28 to assist the family.

29 (4) The coordinator of the multidisciplinary team may assist in
30 filing a child in need of services petition when requested by the
31 parent or child or an at-risk youth petition when requested by the
32 parent. The multidisciplinary team shall have no standing as a party
33 in any action under this title.

34 (5) If the administrator is unable to contact the child's parent,
35 the multidisciplinary team may be used for assistance. If the parent
36 has not been contacted within five days the administrator shall
37 contact the department of social and health services and request the
38 case be reviewed for a dependency filing under chapter 13.34 RCW.

1 **Sec. 13.** RCW 13.32A.050 and 2000 c 123 s 6 are each amended to
2 read as follows:

3 (1) A law enforcement officer shall take a child into custody:

4 (a) If a law enforcement agency has been contacted by the parent
5 of the child that the child is absent from parental custody without
6 consent; or

7 (b) If a law enforcement officer reasonably believes, considering
8 the child's age, the location, and the time of day, that a child is
9 in circumstances which constitute a danger to the child's safety or
10 that a child is violating a local curfew ordinance; or

11 (c) If an agency legally charged with the supervision of a child
12 has notified a law enforcement agency that the child has run away
13 from placement; or

14 (d) If a law enforcement agency has been notified by the juvenile
15 court that the court finds probable cause exists to believe that the
16 child has violated a court placement order issued under this chapter
17 or chapter 13.34 RCW or that the court has issued an order for law
18 enforcement pick-up of the child under this chapter or chapter 13.34
19 RCW.

20 (2) Law enforcement custody shall not extend beyond the amount of
21 time reasonably necessary to transport the child to a destination
22 authorized by law and to place the child at that destination. Law
23 enforcement custody continues until the law enforcement officer
24 transfers custody to a person, agency, or other authorized entity
25 under this chapter, or releases the child because no placement is
26 available. Transfer of custody is not complete unless the person,
27 agency, or entity to whom the child is released agrees to accept
28 custody.

29 (3) If a law enforcement officer takes a child into custody
30 pursuant to either subsection (1)(a) or (b) of this section and
31 transports the child to a crisis residential center, the officer
32 shall, within twenty-four hours of delivering the child to the
33 center, provide to the center a written report detailing the reasons
34 the officer took the child into custody. The center shall provide the
35 department of social and health services with a copy of the officer's
36 report.

37 (4) If the law enforcement officer who initially takes the
38 juvenile into custody or the staff of the crisis residential center
39 have reasonable cause to believe that the child is absent from home

1 because he or she is abused or neglected, a report shall be made
2 immediately to the department of social and health services.

3 (5) Nothing in this section affects the authority of any
4 political subdivision to make regulations concerning the conduct of
5 minors in public places by ordinance or other local law.

6 (6) If a law enforcement officer has a reasonable suspicion that
7 a child is being unlawfully harbored in violation of RCW 13.32A.080,
8 the officer shall remove the child from the custody of the person
9 harboring the child and shall transport the child to one of the
10 locations specified in RCW 13.32A.060 (as recodified by this act).

11 (7) No child may be placed in a secure facility except as
12 provided in this chapter.

13 **Sec. 14.** RCW 13.32A.060 and 2000 c 162 s 11 and 2000 c 123 s 7
14 are each reenacted and amended to read as follows:

15 (1) An officer taking a child into custody under RCW
16 13.32A.050(1) (a) or (b) (as recodified by this act) shall inform the
17 child of the reason for such custody and shall:

18 (a) Transport the child to his or her home or to a parent at his
19 or her place of employment, if no parent is at home. The parent may
20 request that the officer take the child to the home of an adult
21 extended family member, responsible adult, crisis residential center,
22 the department of social and health services, or a licensed youth
23 shelter. In responding to the request of the parent, the officer
24 shall take the child to a requested place which, in the officer's
25 belief, is within a reasonable distance of the parent's home. The
26 officer releasing a child into the custody of a parent, an adult
27 extended family member, responsible adult, or a licensed youth
28 shelter shall inform the person receiving the child of the reason for
29 taking the child into custody and inform all parties of the nature
30 and location of appropriate services available in the community; or

31 (b) After attempting to notify the parent, take the child to a
32 designated crisis residential center's secure facility or a center's
33 semi-secure facility if a secure facility is full, not available, or
34 not located within a reasonable distance if:

35 (i) The child expresses fear or distress at the prospect of being
36 returned to his or her home which leads the officer to believe there
37 is a possibility that the child is experiencing some type of abuse or
38 neglect;

1 (ii) It is not practical to transport the child to his or her
2 home or place of the parent's employment; or

3 (iii) There is no parent available to accept custody of the
4 child; or

5 (c) After attempting to notify the parent, if a crisis
6 residential center is full, not available, or not located within a
7 reasonable distance, request the department of social and health
8 services to accept custody of the child. If the department of social
9 and health services determines that an appropriate placement is
10 currently available, the department of social and health services
11 shall accept custody and place the child in an out-of-home placement.
12 Upon accepting custody of a child from the officer, the department of
13 social and health services may place the child in an out-of-home
14 placement for up to seventy-two hours, excluding Saturdays, Sundays,
15 and holidays, without filing a child in need of services petition,
16 obtaining parental consent, or obtaining an order for placement under
17 chapter 13.34 RCW. Upon transferring a child to the department (of)
18 of social and health services' custody, the officer shall provide
19 written documentation of the reasons and the statutory basis for
20 taking the child into custody. If the department of social and health
21 services declines to accept custody of the child, the officer may
22 release the child after attempting to take the child to the
23 following, in the order listed: The home of an adult extended family
24 member; a responsible adult; or a licensed youth shelter. The officer
25 shall immediately notify the department of social and health services
26 if no placement option is available and the child is released.

27 (2) An officer taking a child into custody under RCW
28 13.32A.050(1) (c) or (d) (as recodified by this act) shall inform the
29 child of the reason for custody. An officer taking a child into
30 custody under RCW 13.32A.050(1)(c) (as recodified by this act) may
31 release the child to the supervising agency, or shall take the child
32 to a designated crisis residential center's secure facility. If the
33 secure facility is not available, not located within a reasonable
34 distance, or full, the officer shall take the child to a semi-secure
35 crisis residential center. An officer taking a child into custody
36 under RCW 13.32A.050(1)(d) (as recodified by this act) may place the
37 child in a juvenile detention facility as provided in RCW 13.32A.065
38 (as recodified by this act) or a secure facility, except that the
39 child shall be taken to detention whenever the officer has been

1 notified that a juvenile court has entered a detention order under
2 this chapter or chapter 13.34 RCW.

3 (3) Every officer taking a child into custody shall provide the
4 child and his or her parent or parents or responsible adult with a
5 copy of the statement specified in RCW 13.32A.130(6) (as recodified
6 by this act).

7 (4) Whenever an officer transfers custody of a child to a crisis
8 residential center or the department of social and health services,
9 the child may reside in the crisis residential center or may be
10 placed by the department of social and health services in an out-of-
11 home placement for an aggregate total period of time not to exceed
12 seventy-two hours excluding Saturdays, Sundays, and holidays.
13 Thereafter, the child may continue in out-of-home placement only if
14 the parents have consented, a child in need of services petition has
15 been filed, or an order for placement has been entered under chapter
16 13.34 RCW.

17 (5) The department of social and health services shall ensure
18 that all law enforcement authorities are informed on a regular basis
19 as to the location of all designated secure and semi-secure
20 facilities within centers in their jurisdiction, where children taken
21 into custody under RCW 13.32A.050 (as recodified by this act) may be
22 taken.

23 **Sec. 15.** RCW 13.32A.065 and 2000 c 162 s 12 and 2000 c 123 s 8
24 are each reenacted and amended to read as follows:

25 (1) A child may be placed in detention after being taken into
26 custody pursuant to RCW 13.32A.050(1)(d) (as recodified by this act).
27 The court shall hold a detention review hearing within twenty-four
28 hours, excluding Saturdays, Sundays, and holidays. The court shall
29 release the child after twenty-four hours, excluding Saturdays,
30 Sundays, and holidays, unless:

31 (a) A motion and order to show why the child should not be held
32 in contempt has been filed and served on the child at or before the
33 detention hearing; and

34 (b) The court believes that the child would not appear at a
35 hearing on contempt.

36 (2) If the court orders the child to remain in detention, the
37 court shall set the matter for a hearing on contempt within seventy-
38 two hours, excluding Saturdays, Sundays, and holidays.

1 **Sec. 16.** RCW 13.32A.090 and 2000 c 123 s 11 are each amended to
2 read as follows:

3 (1) The administrator of a designated crisis residential center
4 (~~or the department~~) shall perform the duties under subsection (3)
5 of this section:

6 (a) Upon admitting a child who has been brought to the center by
7 a law enforcement officer under RCW 13.32A.060 (as recodified by this
8 act);

9 (b) Upon admitting a child who has run away from home or has
10 requested admittance to the center;

11 (c) Upon learning from a person under RCW 13.32A.082 that the
12 person is providing shelter to a child absent from home; or

13 (d) Upon learning that a child has been placed with a responsible
14 adult pursuant to RCW 13.32A.060 (as recodified by this act).

15 (2) Transportation expenses of the child shall be at the parent's
16 expense to the extent of his or her ability to pay, with any unmet
17 transportation expenses assumed by the (~~department~~) crisis
18 residential center.

19 (3) When any of the circumstances under subsection (1) of this
20 section are present, the administrator of a center (~~or the~~
21 ~~department~~) shall perform the following duties:

22 (a) Immediately notify the child's parent of the child's
23 whereabouts, physical and emotional condition, and the circumstances
24 surrounding his or her placement;

25 (b) Initially notify the parent that it is the paramount concern
26 of the family reconciliation service personnel to achieve a
27 reconciliation between the parent and child to reunify the family and
28 inform the parent as to the procedures to be followed under this
29 chapter;

30 (c) Inform the parent whether a referral to children's protective
31 services has been made and, if so, inform the parent of the standard
32 pursuant to RCW 26.44.020(~~(+12+)~~) (1) governing child abuse and
33 neglect in this state; and either

34 (d)(i) Arrange transportation for the child to the residence of
35 the parent, as soon as practicable, when the child and his or her
36 parent agrees to the child's return home or when the parent produces
37 a copy of a court order entered under this chapter requiring the
38 child to reside in the parent's home; or

39 (ii) Arrange transportation for the child to: (~~(+i)-{(A)}~~) (A)
40 An out-of-home placement which may include a licensed group care

1 facility or foster family when agreed to by the child and parent; or
2 (~~(ii)~~ ~~[(B)]~~) (B) a certified or licensed mental health or chemical
3 dependency program of the parent's choice.

4 (4) If the administrator of the crisis residential center
5 performs the duties listed in subsection (3) of this section, he or
6 she shall also notify the department of social and health services
7 that a child has been admitted to the crisis residential center.

8 **Sec. 17.** RCW 13.32A.095 and 2000 c 123 s 12 are each amended to
9 read as follows:

10 The administrator of a crisis residential center shall notify
11 parents, the appropriate law enforcement agency, and the department
12 of social and health services immediately as to any unauthorized
13 leave from the center by a child placed at the center.

14 **Sec. 18.** RCW 13.32A.130 and 2009 c 569 s 1 are each amended to
15 read as follows:

16 (1) A child admitted to a secure facility located in a juvenile
17 detention center shall remain in the facility for at least twenty-
18 four hours after admission but for not more than five consecutive
19 days. A child admitted to a secure facility not located in a juvenile
20 detention center or a semi-secure facility may remain for not more
21 than fifteen consecutive days. If a child is transferred between a
22 secure and semi-secure facility, the aggregate length of time a child
23 may remain in both facilities shall not exceed fifteen consecutive
24 days per admission, and in no event may a child's stay in a secure
25 facility located in a juvenile detention center exceed five days per
26 admission.

27 (2)(a)(i) The facility administrator shall determine within
28 twenty-four hours after a child's admission to a secure facility
29 whether the child is likely to remain in a semi-secure facility and
30 may transfer the child to a semi-secure facility or release the child
31 to the department of social and health services. The determination
32 shall be based on: (A) The need for continued assessment, protection,
33 and treatment of the child in a secure facility; and (B) the
34 likelihood the child would remain at a semi-secure facility until his
35 or her parents can take the child home or a petition can be filed
36 under this title.

37 (ii) In making the determination the administrator shall consider
38 the following information if known: (A) The child's age and maturity;

1 (B) the child's condition upon arrival at the center; (C) the
2 circumstances that led to the child's being taken to the center; (D)
3 whether the child's behavior endangers the health, safety, or welfare
4 of the child or any other person; (E) the child's history of running
5 away; and (F) the child's willingness to cooperate in the assessment.

6 (b) If the administrator of a secure facility determines the
7 child is unlikely to remain in a semi-secure facility, the
8 administrator shall keep the child in the secure facility pursuant to
9 this chapter and in order to provide for space for the child may
10 transfer another child who has been in the facility for at least
11 seventy-two hours to a semi-secure facility. The administrator shall
12 only make a transfer of a child after determining that the child who
13 may be transferred is likely to remain at the semi-secure facility.

14 (c) A crisis residential center administrator is authorized to
15 transfer a child to a crisis residential center in the area where the
16 child's parents reside or where the child's lawfully prescribed
17 residence is located.

18 (d) An administrator may transfer a child from a semi-secure
19 facility to a secure facility whenever he or she reasonably believes
20 that the child is likely to leave the semi-secure facility and not
21 return and after full consideration of all factors in (a)(i) and (ii)
22 of this subsection.

23 (3) If no parent is available or willing to remove the child
24 during the first seventy-two hours following admission, the
25 department of social and health services shall consider the filing of
26 a petition under RCW 13.32A.140.

27 (4) Notwithstanding the provisions of subsection (1) of this
28 section, the parents may remove the child at any time unless the
29 staff of the crisis residential center has reasonable cause to
30 believe that the child is absent from the home because he or she is
31 abused or neglected or if allegations of abuse or neglect have been
32 made against the parents. The department of social and health
33 services or any agency legally charged with the supervision of a
34 child may remove a child from a crisis residential center at any time
35 after the first twenty-four-hour period after admission has elapsed
36 and only after full consideration by all parties of the factors in
37 subsection (2)(a) of this section.

38 (5) Crisis residential center staff shall make reasonable efforts
39 to protect the child and achieve a reconciliation of the family. If a
40 reconciliation and voluntary return of the child has not been

1 achieved within forty-eight hours from the time of admission, and if
2 the administrator of the center does not consider it likely that
3 reconciliation will be achieved within five days of the child's
4 admission to the center, then the administrator shall inform the
5 parent and child of: (a) The availability of counseling services; (b)
6 the right to file a child in need of services petition for an out-of-
7 home placement, the right of a parent to file an at-risk youth
8 petition, and the right of the parent and child to obtain assistance
9 in filing the petition; (c) the right to request the facility
10 administrator or his or her designee to form a multidisciplinary
11 team; (d) the right to request a review of any out-of-home placement;
12 (e) the right to request a mental health or chemical dependency
13 evaluation by a county-designated professional or a private treatment
14 facility; and (f) the right to request treatment in a program to
15 address the child's at-risk behavior under RCW 13.32A.197.

16 (6) At no time shall information regarding a parent's or child's
17 rights be withheld. The department shall develop and distribute to
18 all law enforcement agencies and to each crisis residential center
19 administrator a written statement delineating the services and
20 rights. The administrator of the facility or his or her designee
21 shall provide every resident and parent with a copy of the statement.

22 (7) A crisis residential center and any person employed at the
23 center acting in good faith in carrying out the provisions of this
24 section are immune from criminal or civil liability for such actions.

25 **Sec. 19.** RCW 74.13.032 and 2011 c 240 s 1 are each amended to
26 read as follows:

27 (1) The department shall establish, through performance-based
28 contracts with private or public vendors, regional crisis residential
29 centers with semi-secure facilities. These facilities shall be
30 structured group care facilities licensed under rules adopted by the
31 department and shall have an average of at least four adult staff
32 members and in no event less than three adult staff members to every
33 eight children.

34 (2) Crisis residential centers must record client information
35 into a homeless management information system specified by the
36 department.

37 (3) Within available funds appropriated for this purpose, the
38 department shall establish, through performance-based contracts with
39 private or public vendors, regional crisis residential centers with

1 secure facilities. These facilities shall be facilities licensed
2 under rules adopted by the department. These centers may also include
3 semi-secure facilities and to such extent shall be subject to
4 subsection (1) of this section.

5 ~~((+3))~~ (4) The department shall, in addition to the facilities
6 established under subsections (1) and (2) of this section, establish
7 additional crisis residential centers pursuant to performance-based
8 contracts with licensed private group care facilities.

9 ~~((+4))~~ (5) The department is authorized to allow contracting
10 entities to include a combination of secure or semi-secure crisis
11 residential centers as defined in RCW 13.32A.030 and/or HOPE centers
12 pursuant to RCW 74.15.220 (as recodified by this act) in the same
13 building or structure. The department shall permit the colocation of
14 these centers only if the entity operating the facility agrees to
15 designate a particular number of beds to each type of center that is
16 located within the building or structure.

17 ~~((+5))~~ (6) The staff at the facilities established under this
18 section shall be trained so that they may effectively counsel
19 juveniles admitted to the centers, provide treatment, supervision,
20 and structure to the juveniles that recognize the need for support
21 and the varying circumstances that cause children to leave their
22 families, and carry out the responsibilities stated in RCW 13.32A.090
23 (as recodified by this act). ~~((The responsibilities stated in RCW
24 13.32A.090 may, in any of the centers, be carried out by the
25 department.~~

26 ~~(+6))~~ (7) The secure facilities located within crisis residential
27 centers shall be operated to conform with the definition in RCW
28 13.32A.030. The facilities shall have an average of no less than one
29 adult staff member to every ten children. The staffing ratio shall
30 continue to ensure the safety of the children.

31 ~~((+7))~~ (8) If a secure crisis residential center is located in
32 or adjacent to a secure juvenile detention facility, the center shall
33 be operated in a manner that prevents in-person contact between the
34 residents of the center and the persons held in such facility.

35 **Sec. 20.** RCW 74.13.033 and 2009 c 569 s 3 are each amended to
36 read as follows:

37 (1) If a resident of a crisis residential center becomes by his
38 or her behavior disruptive to the facility's program, such resident
39 may be immediately removed to a separate area within the facility and

1 counseled on an individual basis until such time as the child regains
2 his or her composure. The department may set rules and regulations
3 establishing additional procedures for dealing with severely
4 disruptive children on the premises.

5 (2) When the juvenile resides in this facility, all services
6 deemed necessary to the juvenile's reentry to normal family life
7 shall be made available to the juvenile as required by chapter 13.32A
8 RCW. In assessing the child and providing these services, the
9 facility staff shall:

10 (a) Interview the juvenile as soon as possible;

11 (b) Contact the juvenile's parents and arrange for a counseling
12 interview with the juvenile and his or her parents as soon as
13 possible;

14 (c) Conduct counseling interviews with the juvenile and his or
15 her parents, to the end that resolution of the child/parent conflict
16 is attained and the child is returned home as soon as possible;

17 (d) Provide additional crisis counseling as needed, to the end
18 that placement of the child in the crisis residential center will be
19 required for the shortest time possible, but not to exceed fifteen
20 consecutive days; and

21 (e) Convene, when appropriate, a multidisciplinary team.

22 (3) Based on the assessments done under subsection (2) of this
23 section the center staff may refer any child who, as the result of a
24 mental or emotional disorder, or intoxication by alcohol or other
25 drugs, is suicidal, seriously assaultive, or seriously destructive
26 toward others, or otherwise similarly evidences an immediate need for
27 emergency medical evaluation and possible care, for evaluation
28 pursuant to chapter 71.34 RCW, to a mental health professional
29 pursuant to chapter 71.05 RCW, or to a chemical dependency specialist
30 pursuant to chapter 70.96A RCW whenever such action is deemed
31 appropriate and consistent with law.

32 (4) A juvenile taking unauthorized leave from a facility shall be
33 apprehended and returned to it by law enforcement officers or other
34 persons designated as having this authority as provided in RCW
35 13.32A.050 (as recodified by this act). If returned to the facility
36 after having taken unauthorized leave for a period of more than
37 twenty-four hours a juvenile shall be supervised by such a facility
38 for a period, pursuant to this chapter, which, unless where otherwise
39 provided, may not exceed fifteen consecutive days. Costs of housing

1 juveniles admitted to crisis residential centers shall be assumed by
2 the department for a period not to exceed fifteen consecutive days.

3 **Sec. 21.** RCW 74.13.034 and 2009 c 569 s 4 are each amended to
4 read as follows:

5 (1) A child taken into custody and taken to a crisis residential
6 center established pursuant to RCW 74.13.032 (as recodified by this
7 act) may, if the center is unable to provide appropriate treatment,
8 supervision, and structure to the child, be taken at department
9 expense to another crisis residential center, the nearest regional
10 secure crisis residential center, or a secure facility with which it
11 is collocated under RCW 74.13.032 (as recodified by this act).
12 Placement in both locations shall not exceed fifteen consecutive days
13 from the point of intake as provided in RCW 13.32A.130 (as recodified
14 by this act).

15 (2) A child taken into custody and taken to a crisis residential
16 center established by this chapter may be placed physically by the
17 department (~~(or the department's)~~) of social and health services'
18 designee and, at their departmental expense and approval, in a secure
19 juvenile detention facility operated by the county in which the
20 center is located for a maximum of forty-eight hours, including
21 Saturdays, Sundays, and holidays, if the child has taken unauthorized
22 leave from the center and the person in charge of the center
23 determines that the center cannot provide supervision and structure
24 adequate to ensure that the child will not again take unauthorized
25 leave. Juveniles placed in such a facility pursuant to this section
26 may not, to the extent possible, come in contact with alleged or
27 convicted juvenile or adult offenders.

28 (3) Any child placed in secure detention pursuant to this section
29 shall, during the period of confinement, be provided with appropriate
30 treatment by the department of social and health services or the
31 department's designee, which shall include the services defined in
32 RCW 74.13.033(2) (as recodified by this act). If the child placed in
33 secure detention is not returned home or if an alternative living
34 arrangement agreeable to the parent and the child is not made within
35 twenty-four hours after the child's admission, the child shall be
36 taken at the department's expense to a crisis residential center.
37 Placement in the crisis residential center or centers plus placement
38 in juvenile detention shall not exceed five consecutive days from the

1 point of intake as provided in RCW 13.32A.130 (as recodified by this
2 act).

3 (4) Juvenile detention facilities used pursuant to this section
4 shall first be certified by the department of social and health
5 services to ensure that juveniles placed in the facility pursuant to
6 this section are provided with living conditions suitable to the
7 well-being of the child. Where space is available, juvenile courts,
8 when certified by the department of social and health services to do
9 so, shall provide secure placement for juveniles pursuant to this
10 section, at department expense.

11 **Sec. 22.** RCW 74.15.220 and 2011 c 240 s 2 are each amended to
12 read as follows:

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

30 (1) A license issued by the ((~~secretary~~)) department of social
31 and health services;

32 (2) A professional with a master's degree in counseling, social
33 work, or related field and at least one year of experience working
34 with street youth or a bachelor of arts degree in social work or a
35 related field and five years of experience working with street youth.
36 This professional staff person may be contractual or a part-time
37 employee, but must be available to work with street youth in a HOPE
38 center at a ratio of one to every fifteen youth staying in a HOPE
39 center. This professional shall be known as a placement and liaison

1 specialist. Preference shall be given to those professionals cross-
2 credentialed in mental health and chemical dependency. The placement
3 and liaison specialist shall:

4 (a) Conduct an assessment of the street youth that includes a
5 determination of the street youth's legal status regarding
6 residential placement;

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

20 (c) Interface with other relevant resources and system
21 representatives to secure long-term residential placement and other
22 needed services for the street youth;

23 (d) Be assigned immediately to each youth and meet with the youth
24 within eight hours of the youth receiving HOPE center services;

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

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

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

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

6 (5) 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 13.32A.130(2)(a) (i) and (ii) (as recodified by this
15 act). The street youth's temporary placement in the HOPE center must
16 be authorized by the court or the secretary of the department of
17 social and health services if the youth is a dependent of the state
18 under chapter 13.34 RCW or the department of social and health
19 services is responsible for the youth under chapter 13.32A RCW, or by
20 the youth's parent or legal custodian, until such time as the parent
21 can retrieve the youth who is returning to home;

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

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

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

37 **Sec. 23.** RCW 74.15.225 and 2008 c 267 s 10 are each amended to
38 read as follows:

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

9 **Sec. 24.** RCW 43.330.167 and 2009 c 565 s 9 are each amended to
10 read as follows:

11 (1)(a) There is created in the custody of the state treasurer an
12 account to be known as the ~~((homeless))~~ Washington youth and families
13 ~~((services))~~ fund. Revenues to the fund consist of ~~((a one-time))~~
14 appropriations by the legislature, private contributions, and all
15 other sources deposited in the fund.

16 (b) Expenditures from the fund may only be used for the purposes
17 of the program established in this section, including administrative
18 expenses. Only the director of the department of commerce, or the
19 director's designee, may authorize expenditures.

20 (c) Expenditures from the fund are exempt from appropriations and
21 the allotment provisions of chapter 43.88 RCW. However, money used
22 for program administration by the department is subject to the
23 allotment and budgetary controls of chapter 43.88 RCW, and an
24 appropriation is required for these expenditures.

25 (2) The department may expend moneys from the fund to provide
26 state matching funds for housing-based supportive services for
27 homeless youth and families ~~((over a period of at least ten years))~~.

28 (3) Activities eligible for funding through the fund include, but
29 are not limited to, the following:

30 (a) Case management;

31 (b) Counseling;

32 (c) Referrals to employment support and job training services and
33 direct employment support and job training services;

34 (d) Domestic violence services and programs;

35 (e) Mental health treatment, services, and programs;

36 (f) Substance abuse treatment, services, and programs;

37 (g) Parenting skills education and training;

38 (h) Transportation assistance;

39 (i) Child care; and

1 (j) Other supportive services identified by the department to be
2 an important link for housing stability.

3 (4) Organizations that may receive funds from the fund include
4 local housing authorities, nonprofit community or neighborhood-based
5 organizations, public development authorities, federally recognized
6 Indian tribes in the state, and regional or statewide nonprofit
7 housing assistance organizations.

8 **Sec. 25.** RCW 43.185C.040 and 2009 c 518 s 17 are each amended to
9 read as follows:

10 (1) Six months after the first Washington homeless census, the
11 department shall, in consultation with the interagency council on
12 homelessness and the affordable housing advisory board, prepare and
13 publish a ten-year homeless housing strategic plan which shall
14 outline statewide goals and performance measures and shall be
15 coordinated with the plan for homeless families with children
16 required under RCW 43.63A.650. To guide local governments in
17 preparation of their first local homeless housing plans due December
18 31, 2005, the department shall issue by October 15, 2005, temporary
19 guidelines consistent with this chapter and including the best
20 available data on each community's homeless population. Local
21 governments' ten-year homeless housing plans shall not be
22 substantially inconsistent with the goals and program recommendations
23 of the temporary guidelines and, when amended after 2005, the state
24 strategic plan.

25 (2) Program outcomes and performance measures and goals shall be
26 created by the department and reflected in the department's homeless
27 housing strategic plan as well as interim goals against which state
28 and local governments' performance may be measured, including:

29 (a) By the end of year one, completion of the first census as
30 described in RCW 43.185C.030;

31 (b) By the end of each subsequent year, goals common to all local
32 programs which are measurable and the achievement of which would move
33 that community toward housing its homeless population; and

34 (c) By July 1, 2015, reduction of the homeless population
35 statewide and in each county by fifty percent.

36 (3) The department shall develop a consistent statewide data
37 gathering instrument to monitor the performance of cities and
38 counties receiving grants in order to determine compliance with the

1 terms and conditions set forth in the grant application or required
2 by the department.

3 The department shall, in consultation with the interagency
4 council on homelessness and the affordable housing advisory board,
5 report biennially to the governor and the appropriate committees of
6 the legislature an assessment of the state's performance in
7 furthering the goals of the state ten-year homeless housing strategic
8 plan and the performance of each participating local government in
9 creating and executing a local homeless housing plan which meets the
10 requirements of this chapter. The annual report may include
11 performance measures such as:

12 (a) The reduction in the number of homeless individuals and
13 families from the initial count of homeless persons;

14 (b) The reduction in the number of unaccompanied homeless youth.
15 "Unaccompanied homeless youth" has the same meaning as in section 3
16 of this act;

17 (c) The number of new units available and affordable for homeless
18 families by housing type;

19 ~~((e))~~ (d) The number of homeless individuals identified who are
20 not offered suitable housing within thirty days of their request or
21 identification as homeless;

22 ~~((d))~~ (e) The number of households at risk of losing housing
23 who maintain it due to a preventive intervention;

24 ~~((e))~~ (f) The transition time from homelessness to permanent
25 housing;

26 ~~((f))~~ (g) The cost per person housed at each level of the
27 housing continuum;

28 ~~((g))~~ (h) The ability to successfully collect data and report
29 performance;

30 ~~((h))~~ (i) The extent of collaboration and coordination among
31 public bodies, as well as community stakeholders, and the level of
32 community support and participation;

33 ~~((i))~~ (j) The quality and safety of housing provided; and

34 ~~((j))~~ (k) The effectiveness of outreach to homeless persons,
35 and their satisfaction with the program.

36 (4) Based on the performance of local homeless housing programs
37 in meeting their interim goals, on general population changes and on
38 changes in the homeless population recorded in the annual census, the
39 department may revise the performance measures and goals of the state
40 homeless housing strategic plan, set goals for years following the

1 initial ten-year period, and recommend changes in local governments'
2 plans.

3 **Sec. 26.** RCW 43.185C.240 and 2014 c 200 s 3 are each amended to
4 read as follows:

5 (1) As a means of efficiently and cost-effectively providing
6 housing assistance to very-low income and homeless households:

7 (a) Any local government that has the authority to issue housing
8 vouchers, directly or through a contractor, using document recording
9 surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, or
10 36.22.1791 must:

11 (i)(A) Maintain an interested landlord list, which at a minimum,
12 includes information on rental properties in buildings with fewer
13 than fifty units;

14 (B) Update the list at least once per quarter;

15 (C) Distribute the list to agencies providing services to
16 individuals and households receiving housing vouchers;

17 (D) Ensure that a copy of the list or information for accessing
18 the list online is provided with voucher paperwork; and

19 (E) Communicate and interact with landlord and tenant
20 associations located within its jurisdiction to facilitate
21 development, maintenance, and distribution of the list to private
22 rental housing landlords. The department must make reasonable efforts
23 to ensure that local providers conduct outreach to private rental
24 housing landlords each calendar quarter regarding opportunities to
25 provide rental housing to the homeless and the availability of funds;

26 (ii) Using cost-effective methods of communication, convene, on a
27 semiannual or more frequent basis, landlords represented on the
28 interested landlord list and agencies providing services to
29 individuals and households receiving housing vouchers to identify
30 successes, barriers, and process improvements. The local government
31 is not required to reimburse any participants for expenses related to
32 attendance;

33 (iii) Produce data, limited to document recording fee uses and
34 expenditures, on a calendar year basis in consultation with landlords
35 represented on the interested landlord list and agencies providing
36 services to individuals and households receiving housing vouchers,
37 that include the following: Total amount expended from document
38 recording fees; amount expended on, number of households that
39 received, and number of housing vouchers issued in each of the

1 private, public, and nonprofit markets; amount expended on, number of
2 households that received, and number of housing placement payments
3 provided in each of the private, public, and nonprofit markets;
4 amount expended on and number of eviction prevention services
5 provided in the private market; ~~((and))~~ amount expended on and number
6 of other tenant-based rent assistance services provided in the
7 private market; and amount expended on and number of services
8 provided to unaccompanied homeless youth. If these data elements are
9 not readily available, the reporting government may request the
10 department to use the sampling methodology established pursuant to
11 (c)(iii) of this subsection to obtain the data; and

12 (iv) Annually submit the calendar year data to the department by
13 October 1st, with preliminary data submitted by October 1, 2012, and
14 full calendar year data submitted beginning October 1, 2013.

15 (b) Any local government receiving more than three million five
16 hundred thousand dollars during the previous calendar year from
17 document recording surcharge funds collected pursuant to RCW
18 36.22.178, 36.22.179, and 36.22.1791, must apply to the Washington
19 state quality award program, or similar Baldrige assessment
20 organization, for an independent assessment of its quality
21 management, accountability, and performance system. The first
22 assessment may be a lite assessment. After submitting an application,
23 a local government is required to reapply at least every two years.

24 (c) The department must:

25 (i) Require contractors that provide housing vouchers to
26 distribute the interested landlord list created by the appropriate
27 local government to individuals and households receiving the housing
28 vouchers;

29 (ii) Convene a stakeholder group by March 1, 2017, consisting of
30 landlords, homeless housing advocates, real estate industry
31 representatives, cities, counties, and the department to meet to
32 discuss long-term funding strategies for homeless housing programs
33 that do not include a surcharge on document recording fees. The
34 stakeholder group must provide a report of its findings to the
35 legislature by December 1, 2017;

36 (iii) Develop a sampling methodology to obtain data required
37 under this section when a local government or contractor does not
38 have such information readily available. The process for developing
39 the sampling methodology must include providing notification to and
40 the opportunity for public comment by local governments issuing

1 housing vouchers, landlord association representatives, and agencies
2 providing services to individuals and households receiving housing
3 vouchers;

4 (iv) Develop a report, limited to document recording fee uses and
5 expenditures, on a calendar year basis that may include consultation
6 with local governments, landlord association representatives, and
7 agencies providing services to individuals and households receiving
8 housing vouchers, that includes the following: Total amount expended
9 from document recording fees; amount expended on, number of
10 households that received, and number of housing vouchers issued in
11 each of the private, public, and nonprofit markets; amount expended
12 on, number of households that received, and number of housing
13 placement payments provided in each of the private, public, and
14 nonprofit markets; amount expended on and number of eviction
15 prevention services provided in the private market; the total amount
16 of funds set aside for private rental housing payments as required in
17 RCW 36.22.179(1)(b); and amount expended on and number of other
18 tenant-based rent assistance services provided in the private market.
19 The information in the report must include data submitted by local
20 governments and data on all additional document recording fee
21 activities for which the department contracted that were not
22 otherwise reported. The data, samples, and sampling methodology used
23 to develop the report must be made available upon request and for the
24 audits required in this section;

25 (v) Annually submit the calendar year report to the legislature
26 by December 15th, with a preliminary report submitted by December 15,
27 2012, and full calendar year reports submitted beginning December 15,
28 2013; and

29 (vi) Work with the Washington state quality award program, local
30 governments, and any other organizations to ensure the appropriate
31 scheduling of assessments for all local governments meeting the
32 criteria described in subsection (1)(b) of this section.

33 (d) The office of financial management must secure an independent
34 audit of the department's data and expenditures of state funds
35 received under RCW 36.22.179(1)(b) on an annual basis. The
36 independent audit must review a random sample of local governments,
37 contractors, and housing providers that is geographically and
38 demographically diverse. The independent auditor must meet with the
39 department and a landlord representative to review the preliminary
40 audit and provide the department and the landlord representative with

1 the opportunity to include written comments regarding the findings
2 that must be included with the audit. The first audit of the
3 department's data and expenditures will be for calendar year 2014 and
4 is due July 1, 2015. Each audit thereafter will be due July 1st
5 following the department's submission of the report to the
6 legislature. If the independent audit finds that the department has
7 failed to set aside at least forty-five percent of the funds received
8 under RCW 36.22.179(1)(b) after June 12, 2014, for private rental
9 housing payments, the independent auditor must notify the department
10 and the office of financial management of its finding. In addition,
11 the independent auditor must make recommendations to the office of
12 financial management and the legislature on alternative means of
13 distributing the funds to meet the requirements of RCW
14 36.22.179(1)(b).

15 (e) The office of financial management must contract with an
16 independent auditor to conduct a performance audit of the programs
17 funded by document recording surcharge funds collected pursuant to
18 RCW 36.22.178, 36.22.179, and 36.22.1791. The audit must provide
19 findings to determine if the funds are being used effectively,
20 efficiently, and for their intended purpose. The audit must review
21 the department's performance in meeting all statutory requirements
22 related to document recording surcharge funds including, but not
23 limited to, the data the department collects, the timeliness and
24 quality of required reports, and whether the data and required
25 reports provide adequate information and accountability for the use
26 of the document recording surcharge funds. The audit must include
27 recommendations for policy and operational improvements to the use of
28 document recording surcharges by counties and the department. The
29 performance audit must be submitted to the legislature by December 1,
30 2016.

31 (2) For purposes of this section:

32 (a) "Housing placement payments" means one-time payments, such as
33 first and last month's rent and move-in costs, funded by document
34 recording surcharges collected pursuant to RCW 36.22.178, 36.22.179,
35 or 36.22.1791 that are made to secure a unit on behalf of a tenant.

36 (b) "Housing vouchers" means payments, including private rental
37 housing payments, funded by document recording surcharges collected
38 pursuant to RCW 36.22.178, 36.22.179, or 36.22.1791 that are made by
39 a local government or contractor to secure: (i) A rental unit on

1 behalf of an individual tenant; or (ii) a block of units on behalf of
2 multiple tenants.

3 (c) "Interested landlord list" means a list of landlords who have
4 indicated to a local government or contractor interest in renting to
5 individuals or households receiving a housing voucher funded by
6 document recording surcharges.

7 (d) "Private rental housing" means housing owned by a private
8 landlord and does not include housing owned by a nonprofit housing
9 entity or government entity.

10 (3) This section expires June 30, 2019.

11 NEW SECTION. **Sec. 27.** A new section is added to chapter 43.185C
12 RCW to read as follows:

13 Home security fund account funds appropriated to carry out the
14 activities of sections 1 through 8 and 10 through 24 of this act are
15 not subject to the set aside under RCW 36.22.179(1)(b).

16 **Sec. 28.** RCW 28A.300.540 and 2014 c 212 s 2 are each amended to
17 read as follows:

18 (1) For the purposes of this section, "unaccompanied homeless
19 student" means a student who is not in the physical custody of a
20 parent or guardian and is homeless as defined in section 3(2) of this
21 act.

22 (2) By December 31, 2010, the office of the superintendent of
23 public instruction shall establish a uniform process designed to
24 track the additional expenditures for transporting homeless students,
25 including expenditures required under the McKinney Vento act,
26 reauthorized as Title X, Part C, of the no child left behind act,
27 P.L. 107-110, in January 2002. Once established, the superintendent
28 shall adopt the necessary administrative rules to direct each school
29 district to adopt and use the uniform process and track these
30 expenditures. The superintendent shall post on the superintendent's
31 web site total expenditures related to the transportation of homeless
32 students.

33 ((+2)) (3)(a) By January 10, 2015, and every odd-numbered year
34 thereafter, the office of the superintendent of public instruction
35 shall report to the governor and the legislature the following data
36 for homeless students:

37 (i) The number of identified homeless students enrolled in public
38 schools;

1 (ii) The number of identified unaccompanied homeless students
2 enrolled in public schools;

3 (iii) The number of students participating in the learning
4 assistance program under chapter 28A.165 RCW, the highly capable
5 program under chapter 28A.185 RCW, and the running start program
6 under chapter 28A.600 RCW; and

7 ~~((iii))~~ (iv) The academic performance and educational outcomes
8 of homeless students and unaccompanied homeless students, including
9 but not limited to the following performance and educational
10 outcomes:

11 (A) Student scores on the statewide administered academic
12 assessments;

13 (B) English language proficiency;

14 (C) Dropout rates;

15 (D) Four-year adjusted cohort graduation rate;

16 (E) Five-year adjusted cohort graduation rate;

17 (F) Absenteeism rates;

18 (G) Truancy rates, if available; and

19 (H) Suspension and expulsion data.

20 (b) The data reported under this subsection ~~((2))~~ (3) must
21 include state and district-level information and must be
22 disaggregated by at least the following subgroups of students: White,
23 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
24 Islander/Hawaiian Native, low income, transitional bilingual,
25 migrant, special education, and gender.

26 ~~((3))~~ (4) By July 1, 2014, the office of the superintendent of
27 public instruction in collaboration with experts from community
28 organizations on homelessness and homeless education policy, shall
29 develop or acquire a short video that provides information on how to
30 identify signs that indicate a student may be homeless, how to
31 provide services and support to homeless students, and why this
32 identification and support is critical to student success. The video
33 must be posted on the superintendent of public instruction's web
34 site.

35 ~~((4))~~ (5) By July 1, 2014, the office of the superintendent of
36 public instruction shall adopt and distribute to each school
37 district, best practices for choosing and training school district-
38 designated homeless student liaisons.

1 NEW SECTION. **Sec. 29.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 30.** RCW 13.32A.042, 13.32A.044, 13.32A.050,
6 13.32A.060, 13.32A.065, 13.32A.070, 13.32A.090, 13.32A.095,
7 13.32A.130, 74.13.032, 74.13.0321, 74.13.033, 74.13.034, 74.15.220,
8 74.15.225, 74.15.260, and 74.15.270 are each recodified as sections
9 in chapter 43.185C RCW.

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