

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 2449

Chapter 205, Laws of 2016
(partial veto)

64th Legislature
2016 Regular Session

TRUANCY--INTERVENTION AND PREVENTION

EFFECTIVE DATE: 6/9/2016

Passed by the House March 10, 2016
Yeas 94 Nays 4

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 9, 2016
Yeas 47 Nays 2

BRAD OWEN

President of the Senate

Approved April 1, 2016 4:32 PM with the
exception of Sections 1, 13-15, and 21,
which are vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of
the House of Representatives of the
State of Washington, do hereby
certify that the attached is **SECOND
SUBSTITUTE HOUSE BILL 2449** as
passed by House of Representatives
and the Senate on the dates hereon
set forth.

BARBARA BAKER

Chief Clerk

FILED

April 4, 2016

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 2449

AS AMENDED BY THE SENATE

Passed Legislature - 2016 Regular Session

State of Washington 64th Legislature 2016 Regular Session

By House Appropriations (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 02/09/16.

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.225.020, 28A.225.025, 28A.225.030, 28A.225.035,
4 28A.225.090, 43.185C.315, 43.185C.320, 28A.165.005, 28A.165.035, and
5 28A.655.235; adding new sections to chapter 28A.225 RCW; adding a new
6 section to chapter 43.185C RCW; adding a new section to chapter
7 43.330 RCW; adding a new section to chapter 2.56 RCW; creating new
8 sections; providing an effective date; and providing an expiration
9 date.

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

11 ***NEW SECTION.** *Sec. 1. The legislature recognizes that all*
12 *children and youth in Washington state are entitled to a basic*
13 *education and to an equal opportunity to learn. The legislature*
14 *recognizes that poor school attendance can have far-reaching effects*
15 *on academic performance and achievement, development of social skills*
16 *and school engagement, dropout rates, and even college completion*
17 *rates, and that these effects occur regardless of whether excessive*
18 *absenteeism is considered excused or unexcused or the specific reason*
19 *or reasons for the absences. The legislature recognizes that there*
20 *are many causes of truancy and that truancy is an indicator of future*
21 *school dropout and delinquent behavior. The legislature recognizes*

1 that early engagement of parents in the education process is an
2 important measure in preventing truancy. It is the intent of the
3 legislature to encourage the systematic identification of truant
4 behavior as early as possible and to encourage the use of best
5 practices and evidence-based interventions to reduce truant behavior
6 in every school in Washington state. The legislature intends that
7 schools, parents, juvenile courts, and communities share resources
8 within and across school districts where possible to enhance the
9 availability of best practices and evidence-based intervention for
10 truant children and youth.

11 By taking a four-pronged approach and providing additional tools
12 to schools, courts, communities, and families, the legislature hopes
13 to reduce excessive absenteeism, strengthen families, engage
14 communities and families with schools, promote academic achievement,
15 reduce educational opportunity gaps, reduce juvenile delinquency,
16 address juveniles' emotional, mental health, and chemical dependency
17 needs, and increase high school graduation 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 prevention and intervention and that regularly stay
30 truancy petitions in order to first allow these boards to identify
31 barriers to school attendance, cooperatively solve problems, and
32 connect students and their families with needed community-based
33 services. While keeping petition filing requirements in place, the
34 legislature intends to require an initial stay of truancy petitions
35 in order to allow for appropriate intervention and prevention before
36 using a court order to enforce attendance laws. The legislature also
37 intends to encourage efforts by county juvenile courts and school
38 districts to establish and maintain community truancy boards and to
39 employ other best practices, including the provision of training for
40 board members and other school and court personnel on trauma-informed

1 approaches to discipline, the use of the Washington assessment of the
2 risks and needs of students (WARNS) or other assessment tools to
3 identify the specific needs of individual children, and the provision
4 of evidence-based treatments that have been found to be effective in
5 supporting at-risk youth and their families.

6 Third, the legislature recognizes that there are instances in
7 which barriers to school attendance that have led to truancy may be
8 best addressed by juvenile courts, which may refer truant students to
9 a crisis residential center or HOPE center for the provision of
10 services. The legislature further recognizes that even when a truant
11 student is found in contempt of a court order to attend school, it is
12 best practice that the truant student not be placed in juvenile
13 detention but, where feasible and available, instead be placed in a
14 secure crisis residential center. The legislature intends to increase
15 the number of beds in HOPE centers and crisis residential centers in
16 order to facilitate their use for truant students.

17 Fourth, the legislature recognizes that some problematic
18 behaviors that are predictive of truancy and delinquency may be best
19 addressed by appropriate screenings and, where appropriate, temporary
20 provision of home services. The legislature intends to strengthen the
21 juvenile court's ability to seek a chemical dependency or mental
22 health assessment for a child subject to a truancy petition, if the
23 court finds that such an assessment might help to reengage a child in
24 school. The legislature further finds that where family conflict
25 exists or a juvenile's health or safety is in jeopardy due to
26 circumstances in the child's home, referral to a crisis residential
27 center might be appropriate to help achieve family reconciliation.

*Sec. 1 was vetoed. See message at end of chapter.

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

30 (1) Each school within a school district shall inform the
31 students and the parents of the students enrolled in the school
32 about: The benefits of regular school attendance; the potential
33 effects of excessive absenteeism, whether excused or unexcused, on
34 academic achievement, and graduation and dropout rates; the school's
35 expectations of the parents and guardians to ensure regular school
36 attendance by the child; the resources available to assist the child
37 and the parents and guardians; the role and responsibilities of the
38 school; and the consequences of truancy, including the compulsory

1 education requirements under this chapter. The school shall provide
2 access to the information ((at least annually.)) before or at the
3 time of enrollment of the child at a new school and at the beginning
4 of each school year. If the school regularly and ordinarily
5 communicates most other information to parents online, providing
6 online access to the information required by this section satisfies
7 the requirements of this section unless a parent or guardian
8 specifically requests information to be provided in written form.
9 Reasonable efforts must be made to enable parents to request and
10 receive the information in a language in which they are fluent. A
11 parent must date and acknowledge review of this information online or
12 in writing before or at the time of enrollment of the child at a new
13 school and at the beginning of each school year.

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

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

20 (1) Except as provided in subsection (2) of this section, in the
21 event that a child in elementary school is required to attend school
22 under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused
23 absences in a single month during the current school year, or ten or
24 more excused absences in the current school year, the school district
25 shall schedule a conference or conferences with the parent and child
26 at a time reasonably convenient for all persons included for the
27 purpose of identifying the barriers to the child's regular
28 attendance, and the supports and resources that may be made available
29 to the family so that the child is able to regularly attend school.
30 If a regularly scheduled parent-teacher conference day is to take
31 place within thirty days of the absences, the school district may
32 schedule this conference on that day. To satisfy the requirements of
33 this section, the conference must include at least one school
34 district employee such as a nurse, counselor, social worker, teacher,
35 or community human services provider, except in those instances
36 regarding the attendance of a child who has an individualized
37 education program or a plan developed under section 504 of the
38 rehabilitation act of 1973, in which case the reconvening of the team
39 that created the program or plan is required.

1 (2) A conference pursuant to subsection (1) of this section is
2 not required in the event of excused absences for which prior notice
3 has been given to the school or a doctor's note has been provided and
4 an academic plan is put in place so that the child does not fall
5 behind.

6 **Sec. 4.** RCW 28A.225.020 and 2009 c 266 s 1 are each amended to
7 read as follows:

8 (1) If a child required to attend school under RCW 28A.225.010
9 fails to attend school without valid justification, the public school
10 in which the child is enrolled shall:

11 (a) Inform the child's ~~((eustodial))~~ parent(~~(, parents, or~~
12 ~~guardian))~~ by a notice in writing or by telephone whenever the child
13 has failed to attend school after one unexcused absence within any
14 month during the current school year. School officials shall inform
15 the parent of the potential consequences of additional unexcused
16 absences. If the ~~((eustodial))~~ parent(~~(, parents, or guardian))~~ is
17 not fluent in English, the ~~((preferred practice is to))~~ school must
18 make reasonable efforts to provide this information in a language in
19 which the ~~((eustodial))~~ parent(~~(, parents, or guardian))~~ is fluent;

20 (b) Schedule a conference or conferences with the ~~((eustodial))~~
21 parent(~~(, parents, or guardian))~~ and child at a time reasonably
22 convenient for all persons included for the purpose of analyzing the
23 causes of the child's absences after two unexcused absences within
24 any month during the current school year. If a regularly scheduled
25 parent-teacher conference day is to take place within thirty days of
26 the second unexcused absence, then the school district may schedule
27 this conference on that day; and

28 (c) Take data-informed steps to eliminate or reduce the child's
29 absences. These steps shall include application of the Washington
30 assessment of the risks and needs of students (WARNS) by a school
31 district's designee under section 6 of this act, and where
32 appropriate, providing an available approved best practice or
33 research-based intervention, or both, consistent with the WARNS
34 profile, adjusting the child's school program or school or course
35 assignment, providing more individualized or remedial instruction,
36 providing appropriate vocational courses or work experience,
37 referring the child to a community truancy board, ~~((if available,))~~
38 requiring the child to attend an alternative school or program, or
39 assisting the parent or child to obtain supplementary services that

1 might eliminate or ameliorate the cause or causes for the absence
2 from school. If the child's parent does not attend the scheduled
3 conference, the conference may be conducted with the student and
4 school official. However, the parent shall be notified of the steps
5 to be taken to eliminate or reduce the child's absence.

6 (2) For purposes of this chapter, an "unexcused absence" means
7 that a child:

8 (a) Has failed to attend the majority of hours or periods in an
9 average school day or has failed to comply with a more restrictive
10 school district policy; and

11 (b) Has failed to meet the school district's policy for excused
12 absences.

13 (3) If a child transfers from one school district to another
14 during the school year, the receiving school or school district shall
15 include the unexcused absences accumulated at the previous school or
16 from the previous school district for purposes of this section, RCW
17 28A.225.030, and 28A.225.015. The sending school district shall
18 provide this information to the receiving school, together with a
19 copy of any previous assessment as required under subsection (1)(c)
20 of this section, history of any best practices or researched-based
21 intervention previously provided to the child by the child's sending
22 school district, and a copy of the most recent truancy information
23 including any online or written acknowledgment by the parent and
24 child, as provided for in RCW 28A.225.005.

25 **Sec. 5.** RCW 28A.225.025 and 2009 c 266 s 2 are each amended to
26 read as follows:

27 (1) For purposes of this chapter, "community truancy board" means
28 a board established pursuant to a memorandum of understanding between
29 a juvenile court and a school district and composed of members of the
30 local community in which the child attends school. (~~Juvenile courts~~
31 ~~may establish and operate community truancy boards. If the juvenile~~
32 ~~court and the school district agree, a school district may establish~~
33 ~~and operate a community truancy board under the jurisdiction of the~~
34 ~~juvenile court. Juvenile courts may create a community truancy board~~
35 ~~or may use other entities that exist or are created, such as~~
36 ~~diversion units. However, a diversion unit or other existing entity~~
37 ~~must agree before it is used as a truancy board.)) All members of a
38 community truancy board must receive training regarding the
39 identification of barriers to school attendance, the use of the~~

1 Washington assessment of the risks and needs of students (WARNS) or
2 other assessment tools to identify the specific needs of individual
3 children, trauma-informed approaches to discipline, evidence-based
4 treatments that have been found effective in supporting at-risk youth
5 and their families, and the specific services and treatment available
6 in the particular school, court, community, and elsewhere. Duties of
7 a community truancy board shall include, but not be limited to:
8 Identifying barriers to school attendance, recommending methods for
9 improving ((school)) attendance such as ((~~assisting the parent or the~~
10 ~~child to obtain supplementary services that might eliminate or~~
11 ~~ameliorate the causes for the absences or))~~ connecting students and
12 their families with community services, culturally appropriate
13 promising practices, and evidence-based services such as functional
14 family therapy, multisystemic therapy, and aggression replacement
15 training, suggesting to the school district that the child enroll in
16 another school, an alternative education program, an education
17 center, a skill center, a dropout prevention program, or another
18 public or private educational program, or recommending to the
19 juvenile court that a juvenile be referred to a HOPE center or crisis
20 residential center.

21 (2) The legislature finds that utilization of community truancy
22 boards(~~(, or other diversion units that fulfill a similar function,)~~)
23 is the preferred means of intervention when preliminary methods (~~((of~~
24 ~~notice and parent conferences and taking appropriate steps))~~) to
25 eliminate or reduce unexcused absences as required by RCW 28A.225.020
26 have not been effective in securing the child's attendance at school.
27 The legislature intends to encourage and support the development and
28 expansion of community truancy boards (~~((and other diversion programs~~
29 ~~which are effective in promoting school attendance and preventing the~~
30 ~~need for more intrusive intervention by the court))~~). Operation of a
31 school truancy board does not excuse a district from the obligation
32 of filing a petition within the requirements of RCW 28A.225.015(3).

33 NEW SECTION. Sec. 6. A new section is added to chapter 28A.225
34 RCW to read as follows:

35 (1) By the beginning of the 2017-18 school year, juvenile courts
36 must establish, through a memorandum of understanding with each
37 school district within their respective counties, a coordinated and
38 collaborative approach to address truancy through the establishment
39 of a community truancy board or, with respect to certain small

1 districts, through other means as provided in subsection (3) of this
2 section.

3 (2) Except as provided in subsection (3) of this section, each
4 school district must enter into a memorandum of understanding with
5 the juvenile court in the county in which it is located with respect
6 to the operation of a community truancy board. A community truancy
7 board may be operated by a juvenile court, a school district, or a
8 collaboration between both entities, so long as the agreement is
9 memorialized in a memorandum of understanding. For a school district
10 that is located in more than one county, the memorandum of
11 understanding shall be with the juvenile court in the county that
12 acts as the school district's treasurer.

13 (3) A school district with fewer than two hundred students must
14 enter into a memorandum of understanding with the juvenile court in
15 the county in which it is located with respect to: (a) The operation
16 of a community truancy board; or (b) addressing truancy through other
17 coordinated means of intervention aimed at identifying barriers to
18 school attendance, and connecting students and their families with
19 community services, culturally appropriate promising practices, and
20 evidence-based services such as functional family therapy,
21 multisystemic therapy, and aggression replacement training. School
22 districts with fewer than two hundred students may work cooperatively
23 with other school districts or the school district's educational
24 service district to ensure access to a community truancy board or to
25 provide other coordinated means of intervention.

26 (4) All school districts must designate, and identify to the
27 local juvenile court, a person or persons to coordinate school
28 district efforts to address excessive absenteeism and truancy,
29 including tasks associated with: Outreach and conferences pursuant to
30 section 3 of this act; entering into a memorandum of understanding
31 with the juvenile court; establishing protocols and procedures with
32 the court; coordinating trainings; sharing evidence-based and
33 culturally appropriate promising practices; identifying a person
34 within every school to serve as a contact with respect to excessive
35 absenteeism and truancy; and assisting in the recruitment of
36 community truancy board members.

37 (5) As has been demonstrated by school districts and county
38 juvenile courts around the state that have worked together and led
39 the way with community truancy boards, success has resulted from
40 involving the entire community and leveraging existing dollars from a

1 variety of sources, including public and private, local and state,
2 and court, school, and community. In emulating this coordinated and
3 collaborative approach statewide pursuant to local memoranda of
4 understanding, courts and school districts are encouraged to create
5 strong community-wide partnerships and to leverage existing dollars
6 and resources.

7 **Sec. 7.** RCW 28A.225.030 and 2012 c 157 s 1 are each amended to
8 read as follows:

9 (1) If a child under the age of seventeen is required to attend
10 school under RCW 28A.225.010 and if the actions taken by a school
11 district under RCW 28A.225.020 are not successful in substantially
12 reducing an enrolled student's absences from public school, not later
13 than the seventh unexcused absence by a child within any month during
14 the current school year or not later than the tenth unexcused absence
15 during the current school year the school district shall file a
16 petition and supporting affidavit for a civil action with the
17 juvenile court alleging a violation of RCW 28A.225.010: (a) By the
18 parent; (b) by the child; or (c) by the parent and the child. The
19 petition must include a list of all interventions that have been
20 attempted as set forth in RCW 28A.225.020, include a copy of any
21 previous truancy assessment completed by the child's current school
22 district, the history of approved best practices intervention or
23 research-based intervention previously provided to the child by the
24 child's current school district, and a copy of the most recent
25 truancy information document signed by the parent and child, pursuant
26 to RCW 28A.225.005. Except as provided in this subsection, no
27 additional documents need be filed with the petition. Nothing in this
28 subsection requires court jurisdiction to terminate when a child
29 turns seventeen or precludes a school district from filing a petition
30 for a child that is seventeen years of age.

31 (2) The district shall not later than the fifth unexcused absence
32 in a month:

33 (a) Enter into an agreement with a student and parent that
34 establishes school attendance requirements;

35 (b) Refer a student to a community truancy board(~~(, —if~~
36 ~~available,~~) as defined in RCW 28A.225.025. The community truancy
37 board shall enter into an agreement with the student and parent that
38 establishes school attendance requirements and take other appropriate
39 actions to reduce the child's absences; or

1 (c) File a petition under subsection (1) of this section.

2 (3) The petition may be filed by a school district employee who
3 is not an attorney.

4 (4) If the school district fails to file a petition under this
5 section, the parent of a child with five or more unexcused absences
6 in any month during the current school year or upon the tenth
7 unexcused absence during the current school year may file a petition
8 with the juvenile court alleging a violation of RCW 28A.225.010.

9 (5) Petitions filed under this section may be served by certified
10 mail, return receipt requested. If such service is unsuccessful, or
11 the return receipt is not signed by the addressee, personal service
12 is required.

13 **Sec. 8.** RCW 28A.225.035 and 2012 c 157 s 2 are each amended to
14 read as follows:

15 (1) A petition for a civil action under RCW 28A.225.030 or
16 28A.225.015 shall consist of a written notification to the court
17 alleging that:

18 (a) The child has unexcused absences as described in RCW
19 28A.225.030(1) during the current school year;

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

22 (c) Court intervention and supervision are necessary to assist
23 the school district or parent to reduce the child's absences from
24 school.

25 (2) The petition shall set forth the name, date of birth, school,
26 address, gender, race, and ethnicity of the child and the names and
27 addresses of the child's parents, and shall set forth (~~whether~~) the
28 languages in which the child and parent are fluent (~~(in English)~~),
29 whether there is an existing individualized education program, and
30 the child's current academic status in school.

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

35 (4)(a) When a petition is filed under RCW 28A.225.030 or
36 28A.225.015, (~~the juvenile court shall schedule a hearing at which~~
37 ~~the court shall consider the petition, or if the court determines~~
38 ~~that a referral to an available community truancy board would~~
39 ~~substantially reduce the child's unexcused absences, the court may~~

1 ~~refer the case to a community truancy board under the jurisdiction of~~
2 ~~the juvenile court))~~ it shall initially be stayed by the juvenile
3 court, and the child and the child's parent must be referred to a
4 community truancy board or other coordinated means of intervention as
5 set forth in the memorandum of understanding under section 6 of this
6 act. The community truancy board must provide to the court a
7 description of the intervention and prevention efforts to be employed
8 to substantially reduce the child's unexcused absences, along with a
9 timeline for completion.

10 (b) If a community truancy board or other coordinated means of
11 intervention is not in place as required by section 6 of this act,
12 the juvenile court shall schedule a hearing at which the court shall
13 consider the petition.

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

25 (6) If the community truancy board fails to reach an agreement,
26 or the parent or student does not comply with the agreement within
27 the timeline for completion set by the community truancy board, the
28 community truancy board shall return the case to the juvenile court
29 ((for a hearing)). The stay of the petition shall be lifted, and the
30 juvenile court shall schedule a hearing at which the court shall
31 consider the petition.

32 (7)(a) Notwithstanding the provisions in subsection (4)(a) of
33 this section, a hearing shall not be required if other actions by the
34 court would substantially reduce the child's unexcused absences. Such
35 actions may include referral to an existing community truancy board,
36 use of the Washington assessment of risks and needs of students
37 (WARNS) or other assessment tools to identify the specific needs of
38 individual children, the provision of community-based services, and
39 the provision of evidence-based treatments that have been found to be

1 effective in supporting at-risk youth and their families. When a
2 juvenile court hearing is held, the court shall:

3 (i) Separately notify the child, the parent of the child, and the
4 school district of the hearing. If the parent is not fluent in
5 English, (~~the preferred practice is for~~) notice (~~to~~) should be
6 provided in a language in which the parent is fluent as indicated on
7 the petition pursuant to RCW 28A.225.030(1);

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

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

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

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

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

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

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

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

36 (12) If the allegations in the petition are established by a
37 preponderance of the evidence, the court shall grant the petition and
38 enter an order assuming jurisdiction to intervene for the period of
39 time determined by the court, after considering the facts alleged in
40 the petition and the circumstances of the juvenile, to most likely

1 cause the juvenile to return to and remain in school while the
2 juvenile is subject to this chapter. In no case may the order expire
3 before the end of the school year in which it is entered.

4 (13)(a) If the court assumes jurisdiction, the school district
5 shall periodically report to the court any additional unexcused
6 absences by the child, actions taken by the school district, and an
7 update on the child's academic status in school at a schedule
8 specified by the court.

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

12 (14) Community truancy boards and the courts shall coordinate, to
13 the extent possible, proceedings and actions pertaining to children
14 who are subject to truancy petitions and at-risk youth petitions in
15 RCW 13.32A.191 or child in need of services petitions in RCW
16 13.32A.140.

17 (15) If after a juvenile court assumes jurisdiction in one county
18 the child relocates to another county, the juvenile court in the
19 receiving county shall, upon the request of a school district or
20 parent, assume jurisdiction of the petition filed in the previous
21 county.

22 **Sec. 9.** RCW 28A.225.090 and 2009 c 266 s 4 are each amended to
23 read as follows:

24 (1) A court may order a child subject to a petition under RCW
25 28A.225.035 to do one or more of the following:

26 (a) Attend the child's current school, and set forth minimum
27 attendance requirements, ~~((including suspensions))~~ which shall not
28 consider a suspension day as an unexcused absence;

29 (b) If there is space available and the program can provide
30 educational services appropriate for the child, order the child to
31 attend another public school, an alternative education program,
32 center, a skill center, dropout prevention program, or another public
33 educational program;

34 (c) Attend a private nonsectarian school or program including an
35 education center. Before ordering a child to attend an approved or
36 certified private nonsectarian school or program, the court shall:
37 (i) Consider the public and private programs available; (ii) find
38 that placement is in the best interest of the child; and (iii) find
39 that the private school or program is willing to accept the child and

1 will not charge any fees in addition to those established by contract
2 with the student's school district. If the court orders the child to
3 enroll in a private school or program, the child's school district
4 shall contract with the school or program to provide educational
5 services for the child. The school district shall not be required to
6 contract for a weekly rate that exceeds the state general
7 apportionment dollars calculated on a weekly basis generated by the
8 child and received by the district. A school district shall not be
9 required to enter into a contract that is longer than the remainder
10 of the school year. A school district shall not be required to enter
11 into or continue a contract if the child is no longer enrolled in the
12 district;

13 ~~(d) ((Be referred to a community truancy board, if available; or~~
14 ~~(e))) Submit to ((testing for the use of controlled substances or~~
15 ~~alcohol based on a determination that such testing)) a substance~~
16 ~~abuse assessment if the court finds on the record that such~~
17 ~~assessment is appropriate to the circumstances and behavior of the~~
18 ~~child and will facilitate the child's compliance with the mandatory~~
19 ~~attendance law and, if any assessment, including a urinalysis test~~
20 ~~ordered under this subsection indicates the use of controlled~~
21 ~~substances or alcohol, order the minor to abstain from the unlawful~~
22 ~~consumption of controlled substances or alcohol and adhere to the~~
23 ~~recommendations of the ((drug)) substance abuse assessment at no~~
24 ~~expense to the school;~~

25 (e) Submit to a mental health evaluation or other diagnostic
26 evaluation and adhere to the recommendations of the drug assessment,
27 at no expense to the school, if the court finds on the court records
28 that such evaluation is appropriate to the circumstances and behavior
29 of the child, and will facilitate the child's compliance with the
30 mandatory attendance law; or

31 (f) Submit to a temporary placement in a crisis residential
32 center or a HOPE center if the court determines there is an immediate
33 health and safety concern, or a family conflict with the need for
34 mediation.

35 (2) If the child fails to comply with the court order, 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 community restitution. Failure by a child to comply with an order
39 issued under this subsection shall not be subject to detention for a
40 period greater than that permitted pursuant to a civil contempt

1 proceeding against a child under chapter 13.32A RCW. Detention
2 ordered under this subsection may be for no longer than seven days.
3 Detention ordered under this subsection shall preferably be served at
4 a secure crisis residential center close to the child's home rather
5 than in a juvenile detention facility. A warrant of arrest for a
6 child under this subsection may not be served on a child inside of
7 school during school hours in a location where other students are
8 present.

9 (3) Any parent violating any of the provisions of either RCW
10 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than
11 twenty-five dollars for each day of unexcused absence from school.
12 The court shall remit fifty percent of the fine collected under this
13 section to the child's school district. It shall be a defense for a
14 parent charged with violating RCW 28A.225.010 to show that he or she
15 exercised reasonable diligence in attempting to cause a child in his
16 or her custody to attend school or that the child's school did not
17 perform its duties as required in RCW 28A.225.020. The court may
18 order the parent to provide community restitution instead of imposing
19 a fine. Any fine imposed pursuant to this section may be suspended
20 upon the condition that a parent charged with violating RCW
21 28A.225.010 shall participate with the school and the child in a
22 supervised plan for the child's attendance at school or upon
23 condition that the parent attend a conference or conferences
24 scheduled by a school for the purpose of analyzing the causes of a
25 child's absence.

26 (4) If a child continues to be truant after entering into a
27 court-approved order with the truancy board under RCW 28A.225.035,
28 the juvenile court shall find the child in contempt, and the court
29 may order the child to be subject to detention, as provided in RCW
30 7.21.030(2)(e), or may impose alternatives to detention such as
31 meaningful community restitution. Failure by a child to comply with
32 an order issued under this subsection may not subject a child to
33 detention for a period greater than that permitted under a civil
34 contempt proceeding against a child under chapter 13.32A RCW.

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

38 **Sec. 10.** RCW 43.185C.315 and 2015 c 69 s 22 are each amended to
39 read as follows:

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

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

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

31 ~~((a))~~ (i) Conduct an assessment of the street youth that
32 includes a determination of the street youth's legal status regarding
33 residential placement;

34 ~~((b))~~ (ii) Facilitate the street youth's return to his or her
35 legally authorized residence at the earliest possible date or
36 initiate processes to arrange legally authorized appropriate
37 placement. Any street youth who may meet the definition of dependent
38 child under RCW 13.34.030 must be referred to the department of
39 social and health services. The department of social and health
40 services shall determine whether a dependency petition should be

1 filed under chapter 13.34 RCW. A shelter care hearing must be held
2 within seventy-two hours to authorize out-of-home placement for any
3 youth the department of social and health services determines is
4 appropriate for out-of-home placement under chapter 13.34 RCW. All of
5 the provisions of chapter 13.32A RCW must be followed for children in
6 need of services or at-risk youth;

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

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

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

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

22 ~~((3))~~ (c) Staff trained in development needs of street youth as
23 determined by the department, including an administrator who is a
24 professional with a master's degree in counseling, social work, or a
25 related field and at least one year of experience working with street
26 youth, or a bachelor of arts degree in social work or a related field
27 and five years of experience working with street youth, who must work
28 with the placement and liaison specialist to provide appropriate
29 services on site;

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

35 ~~((5))~~ (e) Notification requirements that meet the notification
36 requirements of chapter 13.32A RCW. The youth's arrival date and time
37 must be logged at intake by HOPE center staff. The staff must
38 immediately notify law enforcement and dependency caseworkers if a
39 street youth runs away from a HOPE center. A child may be transferred
40 to a secure facility as defined in RCW 13.32A.030 whenever the staff

1 reasonably believes that a street youth is likely to leave the HOPE
2 center and not return after full consideration of the factors set
3 forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's
4 temporary placement in the HOPE center must be authorized by the
5 court or the secretary of the department of social and health
6 services if the youth is a dependent of the state under chapter 13.34
7 RCW or the department of social and health services is responsible
8 for the youth under chapter 13.32A RCW, or by the youth's parent or
9 legal custodian, until such time as the parent can retrieve the youth
10 who is returning to home;

11 ~~((+6))~~ (f) HOPE centers must identify to the department of
12 social and health services any street youth it serves who is not
13 returning promptly to home. The department of social and health
14 services then must contact the missing children's clearinghouse
15 identified in chapter 13.60 RCW and either report the youth's
16 location or report that the youth is the subject of a dependency
17 action and the parent should receive notice from the department of
18 social and health services; and

19 ~~((+7))~~ (g) Services that provide counseling and education to the
20 street youth ~~((+and))~~.

21 ~~((+8))~~ (2) The department shall award contracts for the
22 operation of HOPE center beds with the goal of facilitating the
23 coordination of services provided for youth by such programs and
24 those services provided by secure and semi-secure crisis residential
25 centers.

26 (3) Subject to funds appropriated for this purpose, the
27 department must incrementally increase the number of available HOPE
28 beds by at least seventeen beds in fiscal year 2017, at least
29 seventeen beds in fiscal year 2018, and at least seventeen beds in
30 fiscal year 2019, such that by July 1, 2019, seventy-five HOPE beds
31 are established and operated throughout the state as set forth in
32 subsection (1) of this section.

33 (4) Subject to funds appropriated for this purpose, the beds
34 available in HOPE centers shall be increased incrementally beyond the
35 limit of seventy-five set forth in subsection (1) of this section.
36 The additional capacity shall be distributed around the state based
37 upon need and, to the extent feasible, shall be geographically
38 situated so that HOPE beds are available across the state. In
39 determining the need for increased numbers of HOPE beds in a

1 particular county or counties, one of the considerations should be
2 the volume of truancy petitions filed there.

3 **Sec. 11.** RCW 43.185C.320 and 2015 c 69 s 23 are each amended to
4 read as follows:

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

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

15 Subject to funds appropriated for this purpose, the capacity
16 available in crisis residential centers established pursuant to this
17 chapter shall be increased incrementally by no fewer than ten beds
18 per fiscal year through fiscal year 2019 in order to accommodate
19 truant students found in contempt of a court order to attend school.
20 The additional capacity shall be distributed around the state based
21 upon need and, to the extent feasible, shall be geographically
22 situated to expand the use of crisis residential centers as set forth
23 in this chapter so they are available for use by all courts for
24 housing truant youth.

25 ***Sec. 13.** RCW 28A.165.005 and 2013 2nd sp.s. c 18 s 201 are each
26 amended to read as follows:

27 ***(1) This chapter is designed to: (a) Promote the use of data when***
28 ***developing programs to assist underachieving students and reduce***
29 ***disruptive behaviors in the classroom; and (b) guide school districts***
30 ***in providing the most effective and efficient practices when***
31 ***implementing supplemental instruction and services to assist***
32 ***underachieving students and reduce disruptive behaviors in the***
33 ***classroom.***

34 ***(2) School districts implementing a learning assistance program***
35 ***shall focus first on addressing the needs of students;***

36 ***(a) In grades kindergarten through four who are deficient in***
37 ***reading or reading readiness skills to improve reading literacy; and***

1 (b) For whom a conference is required under section 3 of this act
2 or who are the subject of a petition under RCW 28A.225.035 to
3 increase regular school attendance and eliminate truancy.

4 (3) For purposes of this chapter, "disruptive behaviors in the
5 classroom" includes excessive absenteeism and truancy.

*Sec. 13 was vetoed. See message at end of chapter.

6 *Sec. 14. RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each
7 amended to read as follows:

8 (1) Beginning in the 2015-16 school year, expenditure of funds
9 from the learning assistance program must be consistent with the
10 provisions of RCW 28A.655.235.

11 (2) Use of best practices that have been demonstrated through
12 research to be associated with increased student achievement
13 magnifies the opportunities for student success. To the extent they
14 are included as a best practice or strategy in one of the state menus
15 or an approved alternative under this section or RCW 28A.655.235, the
16 following are services and activities that may be supported by the
17 learning assistance program:

18 (a) Extended learning time opportunities occurring:

19 (i) Before or after the regular school day;

20 (ii) On Saturday; and

21 (iii) Beyond the regular school year;

22 (b) Services under RCW 28A.320.190;

23 (c) Professional development for certificated and classified
24 staff that focuses on:

25 (i) The needs of a diverse student population;

26 (ii) Specific literacy and mathematics content and instructional
27 strategies; and

28 (iii) The use of student work to guide effective instruction and
29 appropriate assistance;

30 (d) Consultant teachers to assist in implementing effective
31 instructional practices by teachers serving participating students;

32 (e) Tutoring support for participating students;

33 (f) Outreach activities and support for parents of participating
34 students, including employing parent and family engagement
35 coordinators; ((and))

36 (g) Up to five percent of a district's learning assistance
37 program allocation may be used for development of partnerships with
38 community-based organizations, educational service districts, and

1 other local agencies to deliver academic and nonacademic supports to
2 participating students who are significantly at risk of not being
3 successful in school to reduce barriers to learning, increase student
4 engagement, and enhance students' readiness to learn. The office of
5 the superintendent of public instruction must approve any community-
6 based organization or local agency before learning assistance funds
7 may be expended; and

8 (h) Up to two percent of a district's learning assistance program
9 allocation may be used to fund school efforts to address excessive
10 absenteeism and truancy as described in section 3 of this act and RCW
11 28A.225.025.

12 (3) In addition to the state menu developed under RCW
13 28A.655.235, the office of the superintendent of public instruction
14 shall convene a panel of experts, including the Washington state
15 institute for public policy, to develop additional state menus of
16 best practices and strategies for use in the learning assistance
17 program to assist struggling students at all grade levels in English
18 language arts and mathematics and reduce disruptive behaviors in the
19 classroom. The office of the superintendent of public instruction
20 shall publish the state menus by July 1, 2015, and update the state
21 menus by each July 1st thereafter.

22 (4)(a) Beginning in the 2016-17 school year, except as provided
23 in (b) of this subsection, school districts must use a practice or
24 strategy that is on a state menu developed under subsection (3) of
25 this section or RCW 28A.655.235.

26 (b) Beginning in the 2016-17 school year, school districts may
27 use a practice or strategy that is not on a state menu developed
28 under subsection (3) of this section for two school years initially.
29 If the district is able to demonstrate improved outcomes for
30 participating students over the previous two school years at a level
31 commensurate with the best practices and strategies on the state
32 menu, the office of the superintendent of public instruction shall
33 approve use of the alternative practice or strategy by the district
34 for one additional school year. Subsequent annual approval by the
35 superintendent of public instruction to use the alternative practice
36 or strategy is dependent on the district continuing to demonstrate
37 increased improved outcomes for participating students.

38 (c) Beginning in the 2016-17 school year, school districts may
39 enter cooperative agreements with state agencies, local governments,
40 or school districts for administrative or operational costs needed to

1 provide services in accordance with the state menus developed under
2 this section and RCW 28A.655.235.

3 (5) School districts are encouraged to implement best practices
4 and strategies from the state menus developed under this section and
5 RCW 28A.655.235 before the use is required.

*Sec. 14 was vetoed. See message at end of chapter.

6 *Sec. 15. RCW 28A.655.235 and 2013 2nd sp.s. c 18 s 106 are each
7 amended to read as follows:

8 (1)(a) Beginning in the 2015-16 school year, except as otherwise
9 provided in this subsection (1), for any student who received a score
10 of basic or below basic on the third grade statewide student
11 assessment in English language arts in the previous school year, the
12 school district must implement an intensive reading and literacy
13 improvement strategy from a state menu of best practices established
14 in accordance with subsection (3) of this section or an alternative
15 strategy in accordance with subsection (4) of this section.

16 (b) A community truancy board or other coordinated means of
17 intervention as provided in section 6 of this act is considered a
18 best practice under this section.

19 (c) Reading and literacy improvement strategies for students with
20 disabilities whose individualized education program includes
21 specially designed instruction in reading or English language arts
22 shall be as provided in the individualized education program.

23 (2)(a) Also beginning in the 2015-16 school year, in any school
24 where more than forty percent of the tested students received a score
25 of basic or below basic on the third grade statewide student
26 assessment in English language arts in the previous school year, as
27 calculated under this subsection (2), the school district must
28 implement an intensive reading and literacy improvement strategy from
29 a state menu of best practices established in accordance with
30 subsection (3) of this section or an alternative strategy in
31 accordance with subsection (4) of this section for all students in
32 grades kindergarten through four at the school.

33 (b) For the purposes of this subsection (2), the office of the
34 superintendent of public instruction shall exclude the following from
35 the calculation of a school's percentage of tested students receiving
36 a score of basic or below basic on the third grade statewide student
37 assessment:

1 (i) Students enrolled in the transitional bilingual instruction
2 program unless the student has participated in the transitional
3 bilingual instruction program for three school years;

4 (ii) Students with disabilities whose individualized education
5 program specifies a different standard to measure reading performance
6 than is required for the statewide student assessment; and

7 (iii) Schools with fewer than ten students in third grade.

8 (3) The office of the superintendent of public instruction shall
9 convene a panel of experts, including the Washington state institute
10 for public policy, to develop a state menu of best practices and
11 strategies for intensive reading and literacy improvement designed to
12 assist struggling students in reaching grade level in reading by the
13 end of fourth grade. The state menu must also include best practices
14 and strategies to improve the reading and literacy of students who
15 are English language learners and for system improvements that
16 schools and school districts can implement to improve reading
17 instruction for all students. The office of the superintendent of
18 public instruction shall publish the state menu by July 1, 2014, and
19 update the state menu by each July 1st thereafter.

20 (4) School districts may use an alternative practice or strategy
21 that is not on a state menu developed under subsection (3) of this
22 section for two school years initially. If the district is able to
23 demonstrate improved outcomes for participating students over the
24 previous two school years at a level commensurate with the best
25 practices and strategies on the state menu, the office of the
26 superintendent of public instruction must approve use of the
27 alternative practice or strategy by the district for one additional
28 school year. Subsequent annual approval by the superintendent of
29 public instruction to use the alternative practice or strategy is
30 dependent on the district continuing to demonstrate an increase in
31 improved outcomes for participating students.

*Sec. 15 was vetoed. See message at end of chapter.

32 NEW SECTION. **Sec. 16.** The office of the superintendent of
33 public instruction shall develop recommendations as to how mandatory
34 school attendance and truancy amelioration provisions under chapter
35 28A.225 RCW should be applied to online schools and report back to
36 the relevant committees of the legislature by November 1, 2016.

1 NEW SECTION. **Sec. 17.** A new section is added to chapter 43.330
2 RCW to read as follows:

3 (1) By requiring an initial stay of truancy petitions for
4 diversion to community truancy boards, the legislature intends to
5 achieve the following outcomes:

6 (a) Increased access to community truancy boards and other
7 truancy early intervention programs for parents and children
8 throughout the state;

9 (b) Increased quantity and quality of truancy intervention and
10 prevention efforts in the community;

11 (c) A reduction in the number of truancy petitions that result in
12 further proceedings by juvenile courts, other than dismissal of the
13 petition, after the initial stay and diversion to a community truancy
14 board;

15 (d) A reduction in the number of truancy petitions that result in
16 a civil contempt proceeding or detention order; and

17 (e) Increased school attendance.

18 (2) No later than January 1, 2021, the Washington state institute
19 for public policy is directed to evaluate the effectiveness of
20 chapter . . . , Laws of 2016 (this act). An initial report scoping of
21 the methodology to be used to review chapter . . . , Laws of 2016
22 (this act) shall be submitted to the fiscal committees of the
23 legislature by January 1, 2018. The initial report must identify any
24 data gaps that could hinder the ability of the institute to conduct
25 its review.

26 NEW SECTION. **Sec. 18.** (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 community truancy board
31 members, as well as others involved in the truancy process, should
32 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. 19.** A new section is added to chapter 2.56
13 RCW to read as follows:

14 (1)(a) To accurately track the extent to which courts order youth
15 into a secure detention facility in Washington state for the
16 violation of a court order related to a truancy, at-risk youth, or a
17 child in need of services petition, all juvenile courts shall
18 transmit youth-level secure detention data to the administrative
19 office of the courts.

20 (b) Data may either be entered into the statewide management
21 information system for juvenile courts or securely transmitted to the
22 administrative office of the courts at least monthly. Juvenile courts
23 shall provide, at a minimum, the name and date of birth for the
24 youth, the court case number assigned to the petition, the reasons
25 for admission to the juvenile detention facility, the date of
26 admission, the date of exit, and the time the youth spent in secure
27 confinement.

28 (c) Courts are also encouraged to report individual-level data
29 reflecting whether a detention alternative, such as electronic
30 monitoring, was used, and the time spent in detention alternatives.

31 (d) The administrative office of the courts and the juvenile
32 court administrators must work to develop uniform data standards for
33 detention.

34 (2) The administrative office of the courts shall deliver an
35 annual statewide report to the legislature that details the number of
36 Washington youth who are placed into detention facilities during the
37 preceding calendar year. The first report shall be delivered by March
38 1, 2017, and shall detail the most serious reason for detention and
39 youth gender, race, and ethnicity. The report must have a specific

1 emphasis on youth who are detained for reasons relating to a truancy,
2 at-risk youth, or a child in need of services petition.

3 NEW SECTION. **Sec. 20.** A new section is added to chapter 28A.225
4 RCW to read as follows:

5 (1) Subject to funds appropriated for this purpose, the office of
6 the superintendent of public instruction shall allocate to community
7 truancy boards grant funds that may be used to supplement existing
8 funds in order to pay for training for board members or the provision
9 of services and treatment to children and their families.

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

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

29 (4) Successful applicants for an award of grant funds to
30 supplement existing funds to pay for services and treatments provided
31 to children and their families must commit to the provision of
32 academic services such as tutoring, credit retrieval and school
33 reengagement supports, community services, and evidence-based
34 treatments that have been found to be effective in supporting at-risk
35 youth and their families, such as functional family therapy, or those
36 that have been shown to be culturally appropriate promising
37 practices.

1 ***NEW SECTION.** **Sec. 21. Sections 13 through 15 of this act take**
2 **effect September 1, 2016.**

***Sec. 21 was vetoed. See message at end of chapter.**

Passed by the House March 10, 2016.

Passed by the Senate March 9, 2016.

Approved by the Governor April 1, 2016, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 4, 2016.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 1, 13-15, and 21, Second Substitute House Bill No. 2449 entitled:

"AN ACT Relating to court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy."

Section 1 is an intent section that is not necessary for the policy implementation of the bill.

Sections 13-15 and 21 of the bill reduce funding for the state Learning Assistance Program (LAP), which supports academic achievement for low-income students. LAP resources are allocated based on school poverty rates and by law must be focused first on evidence-based instructional strategies to teach elementary school students to read. Before rededicating these funds, we need evidence that prioritizing the reduction of absenteeism over early reading readiness and acquisition is a more effective means to promote academic achievement for low-income students.

For these reasons I have vetoed Sections 1, 13-15, and 21 of Second Substitute House Bill No. 2449.

With the exception of Sections 1, 13-15, and 21, Second Substitute House Bill No. 2449 is approved."

--- END ---