
SUBSTITUTE HOUSE BILL 2711

State of Washington

66th Legislature

2020 Regular Session

By House Education (originally sponsored by Representatives J. Johnson, Corry, Stonier, Ormsby, Appleton, Caldier, Davis, Leavitt, Lekanoff, Ramel, Senn, Chopp, Goodman, Fey, Pollet, Callan, and Chambers)

READ FIRST TIME 02/07/20.

1 AN ACT Relating to equitable educational outcomes for foster care
2 and homeless children and youth from prekindergarten to postsecondary
3 education; amending RCW 74.13.1051; adding a new section to chapter
4 28A.300 RCW; creating a new section; repealing RCW 28A.300.8001; and
5 providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that students in
8 foster care, experiencing homelessness, or both, have the lowest high
9 school graduation and postsecondary completion outcomes compared to
10 other student populations. The legislature also finds that these
11 students change schools at significantly higher rates than their
12 general student population peers, and that these changes can disrupt
13 academic progress. The legislature further finds that these students
14 have disproportionate suspension and expulsion rates, and require
15 special education services at much higher rates than other students.

16 (2) The legislature acknowledges that, as a result, only forty-
17 six percent of Washington students who experienced foster care during
18 high school, and fifty-five percent of students experiencing
19 homelessness, graduated from high school on time in 2018. By
20 comparison, the statewide four-year graduation rate for the class of
21 2019 was nearly eighty-one percent. Furthermore, students of color

1 are disproportionately represented in the foster care system and in
2 homeless student populations, and their academic outcomes are
3 significantly lower than their white peers. Additionally, students
4 who do not achieve positive education outcomes experience high rates
5 of unemployment, poverty, adult homelessness, and incarceration.

6 (3) The legislature, therefore, intends to provide the
7 opportunity for an equitable education for students in foster care,
8 experiencing homelessness, or both. In accomplishing this goal, the
9 legislature intends to achieve parity in education outcomes for these
10 students, both in comparison to their general student population
11 peers and throughout the education continuum of prekindergarten to
12 postsecondary education.

13 (4) In 2018 the legislature directed the department of children,
14 youth, and families and other entities to convene a work group
15 focused on students in foster care and students experiencing
16 homelessness. The legislature, through the establishment of a limited
17 duration task force, intends to continue and expand efforts to
18 improve education outcomes for these students.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
20 RCW to read as follows:

21 (1) The office of the superintendent of public instruction, in
22 collaboration with the department of children, youth, and families,
23 the office of homeless youth prevention and protection programs of
24 the department of commerce, and the student achievement council,
25 shall convene a task force to address the needs of students in foster
26 care, experiencing homelessness, or both. The task force must include
27 representatives of nongovernmental agencies and representation from
28 the educational opportunity gap oversight and accountability
29 committee. The task force must also include the chairs and ranking
30 members of the committees of the house of representatives and the
31 senate with jurisdiction over education, early learning, and human
32 services issues.

33 (2) The task force must focus its efforts on students in foster
34 care, experiencing homelessness, or both, and must develop and
35 implement a plan that will accomplish the following by 2027:

36 (a) Enable the students to achieve parity in education outcomes
37 with their general student population peers; and

1 (b) Eliminate racial and ethnic disparities for the education
2 outcomes of the students in comparison to their general student
3 population peers.

4 (3) (a) In 2020, 2021, and 2022, the task force shall review the
5 education outcomes of students in foster care, experiencing
6 homelessness, or both, by examining data, disaggregated by race and
7 ethnicity, on:

8 (i) Kindergarten readiness, early grade reading and math, eighth
9 and ninth grade students on track to graduate, high school
10 completion, postsecondary enrollment, and postsecondary completion;
11 and

12 (ii) School attendance, school mobility, special education
13 status, and school discipline.

14 (b) To enable the review required by this subsection (3), the
15 office of the superintendent of public instruction, the department of
16 children, youth, and families, the student achievement council, and
17 the office of homeless youth prevention and protection programs of
18 the department of commerce shall provide updated education data and
19 other necessary data to the education data center established under
20 RCW 43.41.400.

21 (c) The education data center must provide an updated report to
22 the task force on these education outcomes by March 31, 2021, and
23 March 31, 2022. If state funds are not made available to complete the
24 reports required by this subsection (3) (c), the task force may pursue
25 supplemental private funding to ensure the completion of the reports.

26 (4) The task force shall also:

27 (a) Evaluate the outcomes, needs, and service array for students
28 in foster care, experiencing homelessness, or both, and the specific
29 needs of students of color and those with special education needs;

30 (b) Engage stakeholders, including students in foster care,
31 experiencing homelessness, or both, foster parents and relative
32 caregivers, birth parents, caseworkers, school districts and
33 educators, early learning providers, postsecondary institutions, and
34 federally recognized tribes, to provide input on the development of
35 recommendations; and

36 (c) (i) Submit reports to the governor, the appropriate committees
37 of the legislature, and the educational opportunity gap oversight and
38 accountability committee by October 31, 2020, and October 31, 2022,
39 regarding the progress the state has made toward achieving education

1 parity for students in foster care, experiencing homelessness, or
2 both.

3 (ii) The reports required by this subsection (4)(c) must:

4 (A) Describe the progress made toward achieving the following
5 goals for students in foster care, experiencing homelessness, or
6 both:

7 (I) Parity in kindergarten readiness rates;

8 (II) Parity in high school graduation rates;

9 (III) Parity in postsecondary education and state-approved
10 apprenticeship enrollment; and

11 (IV) Parity in postsecondary education and state-approved
12 apprenticeship completion;

13 (B) Include updates on agency and nongovernmental agency actions
14 toward achieving the goals specified in this section, and the
15 effectiveness of support services for students in foster care,
16 experiencing homelessness, or both;

17 (C) Include recommendations to further align and improve policy,
18 programs, agency practice, and supports for students, and provide for
19 shared and sustainable accountability to reach the goal of
20 educational parity, including recommendations to:

21 (I) Address systems barriers and improve educational stability;

22 (II) Enforce existing state law requiring that education records,
23 documentation of educational needs, individualized education
24 programs, credits, and other records follow students when they
25 transition between districts or to another education program or
26 facility;

27 (III) Improve racial equity in education outcomes; and

28 (IV) Ensure appropriate task force access to consistent and
29 accurate annual education outcomes data;

30 (D) Identify recommendations that can be implemented using
31 existing resources, rules, and regulations and those that require
32 policy, administrative, and resource allocation changes; and

33 (E) Identify the progress made toward meaningful engagement of
34 stakeholders in informing recommendations.

35 (5) Nothing in this section permits disclosure of confidential
36 information protected from disclosure under federal or state law,
37 including but not limited to information protected under chapter
38 13.50 RCW. Confidential information received by the task force
39 retains its confidentiality and may not be further disseminated
40 except as permitted by federal and state law.

1 (6) For the purposes of this section, "students in foster care,
2 experiencing homelessness, or both" includes students who are in
3 foster care or experiencing homelessness, and students who have been
4 homeless or in foster care, or both, within five years of when the
5 plan described in this section is applied.

6 (7) This section expires December 1, 2022.

7 **Sec. 3.** RCW 74.13.1051 and 2017 3rd sp.s. c 6 s 405 are each
8 amended to read as follows:

9 (1) In order to proactively support foster youth to complete high
10 school, enroll and complete postsecondary education, and successfully
11 implement their own plans for their futures, the department, the
12 student achievement council, and the office of the superintendent of
13 public instruction shall enter into, or revise existing, memoranda of
14 understanding that:

15 (a) Facilitate student referral, data and information exchange,
16 agency roles and responsibilities, and cooperation and collaboration
17 among state agencies and nongovernmental entities; and

18 (b) Effectuate the transfer of responsibilities from the
19 department to the office of the superintendent of public instruction
20 with respect to the programs in RCW 28A.300.592, and from the
21 department to the student achievement council with respect to the
22 program in RCW 28B.77.250 in a smooth, expedient, and coordinated
23 fashion.

24 (2) The student achievement council and the office of the
25 superintendent of public instruction shall establish a set of
26 indicators relating to the outcomes provided in RCW 28A.300.590 and
27 28A.300.592 to provide consistent services for youth, facilitate
28 transitions among contractors, and support outcome-driven contracts.
29 The student achievement council and the superintendent of public
30 instruction shall collaborate with nongovernmental contractors and
31 the department to develop a list of the most critical indicators,
32 establishing a common set of indicators to be used in the outcome-
33 driven contracts in RCW 28A.300.590 and 28A.300.592. (~~A list of~~
34 ~~these indicators must be included in the report provided in~~
35 ~~subsection (3) of this section.~~

36 ~~(3) By November 1, 2017, and biannually thereafter, the~~
37 ~~department, the student achievement council, and the office of the~~
38 ~~superintendent of public instruction, in consultation with the~~
39 ~~nongovernmental entities engaged in public-private partnerships shall~~

1 submit a joint report to the governor and the appropriate education
2 and human services committees of the legislature regarding each of
3 these programs, individually, as well as the collective progress the
4 state has made toward the following goals:

5 (a) To make Washington number one in the nation for foster care
6 graduation rates;

7 (b) To make Washington number one in the nation for foster care
8 enrollment in postsecondary education; and

9 (c) To make Washington number one in the nation for foster care
10 postsecondary completion.

11 (4) The department, the student achievement council, and the
12 office of the superintendent of public instruction, in consultation
13 with the nongovernmental entities engaged in public-private
14 partnerships, shall also submit one report by November 1, 2018, to
15 the governor and the appropriate education and human service
16 committees of the legislature regarding the transfer of
17 responsibilities from the department to the office of the
18 superintendent of public instruction with respect to the programs in
19 RCW 28A.300.592, and from the department to the student achievement
20 council with respect to the program in RCW 28B.77.250 and whether
21 these transfers have resulted in better coordinated services for
22 youth.))

23 NEW SECTION. **Sec. 4.** RCW 28A.300.8001 (Plan for cross-system
24 collaboration to promote educational stability and improve
25 educational outcomes for foster children—Reports) and 2012 c 163 s 10
26 are each repealed.

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