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**SUBSTITUTE SENATE BILL 6511**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Carlyle, Wilson, C., Hunt, Hasegawa, Nguyen, and Zeiger)

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; and repealing RCW 28A.300.8001.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that youth  
7 impacted by the foster care system, homelessness, or both experience  
8 the lowest high school graduation and postsecondary completion  
9 outcomes compared to any other population of youth statewide. The  
10 legislature finds that youth impacted by foster care, homelessness,  
11 or both experience school changes at significantly higher rates than  
12 their peers, which can disrupt academic progress. The legislature  
13 further finds that this population of youth experience  
14 disproportionate suspension and expulsion rates and require special  
15 education services at much higher rates than their peers.

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 as compared  
20 to eighty percent of their peers. The legislature acknowledges that  
21 children and youth of color are disproportionately represented in the

1 foster care and homeless student populations and have significantly  
2 worse academic outcomes than their white peers. The legislature  
3 further finds that students who do not achieve positive educational  
4 outcomes experience high rates of unemployment, poverty, adult  
5 homelessness, and incarceration.

6 (3) The legislature intends to provide the opportunity for an  
7 equitable education to all youth impacted by the foster care system,  
8 homelessness, or both. The legislature intends to meet the goal of  
9 educational parity for children and youth in foster care and children  
10 and youth experiencing homelessness by 2027. The legislature intends  
11 to achieve parity in educational outcomes for children and youth in  
12 foster care and children and youth experiencing homelessness at the  
13 same rate as their general student population peers throughout the  
14 educational continuum from prekindergarten to postsecondary  
15 education.

16 (4) The legislature acknowledges it directed the department of  
17 children, youth, and families and other entities to convene a work  
18 group in the 2018 supplemental budget focusing on students in foster  
19 care and students experiencing homelessness. The legislature resolves  
20 to continue this work group to improve education outcomes for these  
21 students throughout the educational continuum.

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

24 (1) The office of the superintendent of public instruction, in  
25 collaboration with the department of children, youth, and families,  
26 the office of homeless youth prevention and protection programs, and  
27 the student achievement council, must convene the project education  
28 impact work group. The work group must include aligned  
29 nongovernmental agencies and a statewide nonprofit coalition that is  
30 representative of communities of color and people living in low-  
31 income communities.

32 (2) The work group must focus on students in foster care and  
33 students experiencing homelessness throughout the educational  
34 continuum from prekindergarten through postsecondary. The work group  
35 must implement a plan for students in foster care, experiencing  
36 homelessness, or both, to achieve parity in educational outcomes and  
37 to eliminate racial and ethnic disparities in educational outcomes  
38 with their general student population peers by 2027.

1 (3) (a) The work group must annually review the educational  
2 outcomes of students in foster care, experiencing homelessness, or  
3 both including:

4 (i) Kindergarten readiness, early grade reading and math, eighth  
5 and ninth grade students on track to graduate, high school  
6 completion, postsecondary enrollment, and postsecondary completion;  
7 and

8 (ii) School attendance, school mobility, special education  
9 status, and school discipline.

10 (b) All data must be disaggregated by race and ethnicity.

11 (c) To enable this analysis:

12 (i) The office of the superintendent of public instruction, the  
13 department of children, youth, and families, the student achievement  
14 council, and the office of homeless youth prevention and protection  
15 programs must provide updated education and other necessary data to  
16 the education data center established under RCW 43.41.400; and

17 (ii) The education data center must provide an updated report to  
18 the work group on these educational outcomes by March 31, 2021, and  
19 annually thereafter. If state funds are not made available, the work  
20 group may pursue private funding to ensure the completion of this  
21 report.

22 (4) The work group must also:

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

26 (b) Engage stakeholders to provide input on the development of  
27 biannual recommendations, including students experiencing foster  
28 care, homelessness, or both, foster parents and relative caregivers,  
29 birth parents, caseworkers, school districts and educators, early  
30 learning providers, postsecondary institutions, and federally  
31 recognized tribes.

32 (5) (a) By October 31, 2020, and biannually thereafter, the work  
33 group shall submit a report to the governor and the appropriate  
34 committees of the legislature regarding the collective progress the  
35 state has made toward educational parity for students in foster care,  
36 experiencing homelessness, or both.

37 (b) (i) The report must include progress made toward the following  
38 goals for students experiencing foster care, homelessness, or both:

39 (A) Parity in kindergarten readiness rates;

40 (B) Parity in high school graduation rates;

1 (C) Parity in postsecondary education and state-approved  
2 apprenticeship enrollment;

3 (D) Parity in postsecondary education and state-approved  
4 apprenticeship completion; and

5 (ii) The report must also include updates on individual agency  
6 and aligned nongovernmental agency actions and collective actions  
7 toward these goals and the effectiveness of support services for  
8 students experiencing foster care, homelessness, or both.

9 (c)(i) The report must make recommendations to further align and  
10 improve policy, programs, agency practice, and supports for students  
11 and provide for shared and sustainable accountability to reach the  
12 goal of educational parity, including recommendations to:

13 (A) Address systems barriers and improve educational stability;

14 (B) Enforce existing state law that require that educational  
15 records, educational needs, individualized education programs,  
16 credits, and other records follow students when they transition from  
17 district to district or another educational program or facility;

18 (C) Improve racial equity in educational outcomes;

19 (D) Ensure access to consistent and accurate annual educational  
20 outcomes data; and

21 (E) Outline which recommendations can be implemented using  
22 existing resources, rules, and regulations and which require policy,  
23 administrative, and resource adjustments.

24 (ii) The report must also address the progress made toward  
25 meaningful engagement of stakeholders in informing recommendations.

26 (6) Nothing in this section permits disclosure of confidential  
27 information protected from disclosure under federal or state law,  
28 including but not limited to information protected under chapter  
29 13.50 RCW. Confidential information received by the work group  
30 retains its confidentiality and may not be further disseminated  
31 except as allowed under federal and state law.

32 (7) For purposes of this section, "students in foster care" and  
33 "students experiencing homelessness" means students who are  
34 currently, or have been, homeless or in foster care within five years  
35 of when the plan described in subsection (2) of this section is  
36 applied to the students.

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

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

7 (a) Facilitate student referral, data and information exchange,  
8 agency roles and responsibilities, and cooperation and collaboration  
9 among state agencies and nongovernmental entities; and

10 (b) Effectuate the transfer of responsibilities from the  
11 department to the office of the superintendent of public instruction  
12 with respect to the programs in RCW 28A.300.592, and from the  
13 department to the student achievement council with respect to the  
14 program in RCW 28B.77.250 in a smooth, expedient, and coordinated  
15 fashion.

16 (2) The student achievement council and the office of the  
17 superintendent of public instruction shall establish a set of  
18 indicators relating to the outcomes provided in RCW 28A.300.590 and  
19 28A.300.592 to provide consistent services for youth, facilitate  
20 transitions among contractors, and support outcome-driven contracts.  
21 The student achievement council and the superintendent of public  
22 instruction shall collaborate with nongovernmental contractors and  
23 the department to develop a list of the most critical indicators,  
24 establishing a common set of indicators to be used in the outcome-  
25 driven contracts in RCW 28A.300.590 and 28A.300.592. (~~A list of~~  
26 ~~these indicators must be included in the report provided in~~  
27 ~~subsection (3) of this section.~~

28 ~~(3) By November 1, 2017, and biannually thereafter, the~~  
29 ~~department, the student achievement council, and the office of the~~  
30 ~~superintendent of public instruction, in consultation with the~~  
31 ~~nongovernmental entities engaged in public-private partnerships shall~~  
32 ~~submit a joint report to the governor and the appropriate education~~  
33 ~~and human services committees of the legislature regarding each of~~  
34 ~~these programs, individually, as well as the collective progress the~~  
35 ~~state has made toward the following goals:~~

36 ~~(a) To make Washington number one in the nation for foster care~~  
37 ~~graduation rates;~~

38 ~~(b) To make Washington number one in the nation for foster care~~  
39 ~~enrollment in postsecondary education; and~~

1       ~~(c) To make Washington number one in the nation for foster care~~  
2 ~~postsecondary completion.~~

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

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

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