CERTIFICATION OF ENROLLMENT

**THIRD SUBSTITUTE HOUSE BILL 1682**

Chapter 157, Laws of 2016

64th Legislature

2016 Regular Session

HOMELESS STUDENTS--EDUCATIONAL OUTCOMES

EFFECTIVE DATE: 6/9/2016

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| Passed by the House March 8, 2016  Yeas 80 Nays 16  FRANK CHOPP  **Speaker of the House of Representatives**  Passed by the Senate March 3, 2016  Yeas 42 Nays 6  BRAD OWEN  **President of the Senate** | CERTIFICATE  I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **THIRD SUBSTITUTE HOUSE BILL 1682** as passed by House of Representatives and the Senate on the dates hereon set forth.  BARBARA BAKER  **Chief Clerk** |
| Approved April 1, 2016 2:02 PM | April 4, 2016 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**THIRD SUBSTITUTE HOUSE BILL 1682**

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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 Fey, Stambaugh, Walsh, Riccelli, Goodman, Orwall, Zeiger, Appleton, Van De Wege, Lytton, Gregerson, Reykdal, Tarleton, Ortiz-Self, Kagi, Carlyle, Wylie, Bergquist, S. Hunt, Tharinger, Senn, Robinson, Moscoso, Pollet, Walkinshaw, McBride, and Jinkins)

AN ACT Relating to improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services; amending RCW 28A.300.540 and 28A.320.145; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 43.185C RCW; adding new sections to chapter 28A.320 RCW; and creating new sections.

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

NEW SECTION. **Sec.**  (1) The legislature finds that schools are places of academic as well as personal enrichment and that schools provide safety, stability, support, and relationships necessary to help students succeed. These resources are vitally necessary for tens of thousands of students in Washington with no permanent home who often struggle in school because they are worried about where their families are staying night after night.

(2) The legislature also recognizes the population of homeless students disproportionally includes students of color.

(3) The intent of the legislature is to start a competitive grant system for high-need school districts and to supplement federal McKinney-Vento Act dollars to ensure homeless students continue attending the same schools, maintain housing stability, and improve academic achievement.

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

(1) Subject to the availability of amounts appropriated for this specific purpose the office of the superintendent of public instruction shall create a competitive grant process to evaluate and award state-funded grants to school districts to increase identification of homeless students and the capacity of the districts to provide support, which may include education liaisons, for homeless students. The process must complement any similar federal grant program or programs in order to minimize agency overhead and administrative costs for the superintendent of public instruction and school districts. School districts may access both federal and state funding to identify and support homeless students.

(2) Award criteria for the state grants must be based on the demonstrated need of the school district and may consider the number or overall percentage, or both, of homeless children and youths enrolled in preschool, elementary, and secondary schools in the school district, and the ability of the local school district to meet these needs. Award criteria for these must also be based on the quality of the applications submitted. Preference must be given to districts that demonstrate a commitment to serving the needs of unaccompanied youth.

(3) Districts receiving grants must measure during the academic year how often each student physically moves, what services families or unaccompanied youth could access, and whether or not a family or unaccompanied youth received stable housing by the end of the school year.

(4) Homeless students are defined as students without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless education assistance act (P.L. 100–77; 101 Stat. 482).

(5) School districts may not use funds allocated under this section to supplant existing federal, state, or local resources for homeless student supports, which may include education liaisons.

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

(1) Subject to funds appropriated for this specific purpose, the department, in consultation with the office of the superintendent of public instruction, shall administer a grant program that links homeless students and their families with stable housing located in the homeless student's school district. The goal of the program is to provide educational stability for homeless students by promoting housing stability.

(2) The department, working with the office of the superintendent of public instruction, shall develop a competitive grant process to make grant awards of no more than one hundred thousand dollars per school, not to exceed five hundred thousand dollars per school district, to school districts partnered with eligible organizations on implementation of the proposal. For the purposes of this subsection, "eligible organization" means any local government, local housing authority, regional support network established under chapter 71.24 RCW, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in the state of Washington, or regional or statewide nonprofit housing assistance organization. Applications for the grant program must include contractual agreements between the housing providers and school districts defining the responsibilities and commitments of each party to identify, house, and support homeless students.

(3) The grants awarded to school districts shall not exceed fifteen school districts per school year. In determining which partnerships will receive grants, preference must be given to districts with a demonstrated commitment of partnership and history with eligible organizations.

(4) Activities eligible for assistance under this grant program include but are not limited to:

(a) Rental assistance, which includes utilities, security and utility deposits, first and last month's rent, rental application fees, moving expenses, and other eligible expenses to be determined by the department;

(b) Transportation assistance, including gasoline assistance for families with vehicles and bus passes;

(c) Emergency shelter; and

(d) Housing stability case management.

(5) All beneficiaries of funds from the grant program must be unaccompanied youth or from very low-income households. For the purposes of this subsection, "very low-income household" means an unaccompanied youth or family or unrelated persons living together whose adjusted income is less than fifty percent of the median family income, adjusted for household size, for the county where the grant recipient is located.

(6)(a) Grantee school districts must compile and report information to the department. The department shall report to the legislature the findings of the grantee, the housing stability of the homeless families, the academic performance of the grantee population, and any related policy recommendations.

(b) Data on all program participants must be entered into and tracked through the Washington homeless client management information system as described in RCW 43.185C.180.

(7) In order to ensure that school districts are meeting the requirements of an approved program for homeless students, the office of the superintendent of public instruction shall monitor the programs at least once every two years. Monitoring shall begin during the 2016-17 school year.

(8) Any program review and monitoring under this section may be conducted concurrently with other program reviews and monitoring conducted by the department. In its review, the office of the superintendent of public instruction shall monitor program components that include but need not be limited to the process used by the district to identify and reach out to homeless students, assessment data and other indicators to determine how well the district is meeting the academic needs of homeless students, district expenditures used to expand opportunities for these students, and the academic progress of students under the program.

**Sec.**  RCW 28A.300.540 and 2015 c 69 s 28 are each amended to read as follows:

(1) For the purposes of this section, "unaccompanied homeless student" means a student who is not in the physical custody of a parent or guardian and is homeless as defined in RCW 43.330.702(2).

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

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

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

(ii) The number of identified unaccompanied homeless students enrolled in public schools, which number shall be included for each district and the state under "student demographics" on the Washington state report card web site;

(iii) The number of identified homeless students of color;

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

((~~(iv)~~)) (v) The academic performance and educational outcomes of homeless students and unaccompanied homeless students, including but not limited to the following performance and educational outcomes:

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

(B) English language proficiency;

(C) Dropout rates;

(D) Four-year adjusted cohort graduation rate;

(E) Five-year adjusted cohort graduation rate;

(F) Absenteeism rates;

(G) Truancy rates, if available; and

(H) Suspension and expulsion data.

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

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

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

NEW SECTION. **Sec.**  A new section is added to chapter 28A.320 RCW to read as follows:

Each school district that has identified more than ten unaccompanied youth must establish a building point of contact in each middle school and high school. These points of contact must be appointed by the principal of the designated school and are responsible for identifying homeless and unaccompanied youth and connecting them with the school district's homeless student liaison. The school district homeless student liaison is responsible for training building points of contact.

**Sec.**  RCW 28A.320.145 and 2014 c 212 s 3 are each amended to read as follows:

(1) On an annual basis, each school district must strongly encourage:

(a) All school staff to annually review the video posted on the office of the superintendent of public instruction's web site on how to identify signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success to ensure that homeless students are appropriately identified and supported; and

(b) Every district-designated homeless student liaison to attend trainings provided by the state to ensure that homeless children and youth are identified and served.

(2) Each school district shall include in existing materials that are shared with students at the beginning of the school year or at enrollment, information about services and support for homeless students, including the provisions of section 7 of this act. School districts may use the brochure posted on the web site of the office of the superintendent of public instruction as a resource. Schools are also strongly encouraged to use a variety of communications each year to notify students and families about services and support available to them if they experience homelessness, including but not limited to:

(a) Distributing and collecting an annual housing intake survey;

(b) Providing parent brochures directly to students and families;

(c) Announcing the information at school-wide assemblies; or

(d) Posting information on the district's web site or linking to the office of the superintendent of public instruction's web site.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.320 RCW to read as follows:

(1) As allowed by RCW 7.70.065(2), a school nurse, school counselor, or homeless student liaison is authorized to provide informed consent for health care for a patient under the age of majority when:

(a) Consent is necessary for nonemergency outpatient primary care services, including physical examinations, vision examinations and eyeglasses, dental examinations, hearing examinations, and hearing aids, immunizations, treatments for illnesses and conditions, and routine follow-up care customarily provided by a health care provider in an outpatient setting, excluding elective surgeries;

(b) The patient meets the definition of a "homeless child or youth" under the federal McKinney-Vento homeless education assistance improvements act of 2001, P.L. 107-110, January 8, 2002, (115 Stat. 2005); and

(c) The patient is not under the supervision or control of a parent, custodian, or legal guardian.

(2) A person consenting to care under this section and the person's employing school are not liable for any care or payment for any care rendered pursuant to this section.

(3) A person consenting to care under this section must provide written notice of his or her exemption from liability under this section to the person providing care.

NEW SECTION. **Sec.**  This act may be known and cited as the homeless student stability and opportunity gap act.

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Passed by the House March 8, 2016.

Passed by the Senate March 3, 2016.

Approved by the Governor April 1, 2016.

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