

# HOUSE BILL REPORT

## HB 1622

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### As Passed Legislature

**Title:** An act relating to supporting the needs of students experiencing homelessness.

**Brief Description:** Supporting the needs of students experiencing homelessness.

**Sponsors:** Representatives Fey, Rude, Simmons, Schmidt, Cortes, Senn, Slatter, Alvarado, Ryu, Wylie, Bergquist, Paul, Gregerson, Morgan, Macri, Pollet, Doglio, Timmons and Leavitt.

**Brief History:**

**Committee Activity:**

Education: 2/7/23, 2/14/23 [DP].

**Floor Activity:**

Passed House: 3/4/23, 96-0.

Senate Amended.

Passed Senate: 4/5/23, 49-0.

House Concurred.

Passed House: 4/13/23, 96-0.

Passed Legislature.

### Brief Summary of Bill

- Makes various changes to provisions governing the state grant programs of the Office of the Superintendent of Public Instruction (OSPI) and the Department of Commerce for students who are experiencing homelessness, including aligning program goals, establishing common reporting requirements, and establishing examples of permitted expenditures for the OSPI program.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 15 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Minority Member; Bergquist, Callan, Eslick, Harris, McClintock, Ortiz-Self, Pollet, Sandlin, Steele, Stonier and Timmons.

**Staff:** Ethan Moreno (786-7386).

**Background:**

Requirements governing the provision of education services to homeless children and youth are established in federal and state law. At the federal level, the McKinney-Vento Act and its administration through the United States Department of Education requires state educational agencies, such as the Office of the Superintendent of Public Instruction (OSPI), to ensure that homeless children and youth have equal access to the same free, appropriate public education as is provided to other children and youth.

The McKinney-Vento Act defines "homeless children and youths" as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes children and youth who:

- are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason and:
  - are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
  - are living in emergency or transitional shelters; or
  - are abandoned in hospitals;
- have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and
- are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

Migratory children who meet the living circumstances described above also qualify as "homeless children and youths."

State Grant Programs—Students Experiencing Homelessness.

*Office of the Superintendent of Public Instruction.* Legislation adopted in 2016 directed the OSPI to establish a competitive grant process to evaluate and award two-year, state-funded grants to school districts to increase the: identification of students experiencing homelessness, and the capacity of districts to provide support for those students. The result of the legislation was the Homeless Student Stability Education Program (HSSEP).

Award criteria for grants from the HSSEP must be based on the demonstrated need of the school district. The criteria may consider the number or overall percentage of homeless children and youth enrolled in the school district, and the ability of the local school district to meet their needs. Selected grantees must reflect geographic diversity, and greater weight must be given to school districts that demonstrate a commitment to specified actions, including partnering with local housing and community-based organizations with

experience in serving the needs of students experiencing homelessness or students of color.

Funds may be used in a manner that is complementary to federal McKinney-Vento Act funds and consistent with allowable uses as determined by the OSPI. School districts may access federal and state funding to identify and support students experiencing homelessness.

*Department of Commerce.* The 2016 legislation also directed the Department of Commerce (Commerce) to administer a competitive grant program that links students experiencing homelessness and their families with stable housing located in the student's school district. This program, which is the Homeless Student Stability Program (HSSP), has statutorily established goals of:

- providing educational stability for students experiencing homelessness by promoting housing stability; and
- encouraging the development of collaborative strategies between housing and education partners.

In implementing the HSSP, Commerce is directed to consult with the OSPI.

To ensure that innovative strategies between housing and education partners are developed and implemented, Commerce is authorized to contract and consult with a designated vendor to provide technical assistance and evaluations of the HSSP, and to assist with making grant awards.

The HSSP grant funds may be awarded to any eligible organization, a term defined to mean any local government, local housing authority, behavioral health administrative services organization, behavioral health organization, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in Washington, or regional or statewide nonprofit housing assistance organization.

In determining which organizations will receive grants, Commerce must ensure that selected grantees reflect geographic diversity across the state, and greater weight must be given, in part, to eligible organizations that demonstrate a commitment to partnering with local schools or school districts.

Applications for the HSSP grants must include a memorandum of understanding (MOU) between the housing providers and school districts defining the responsibilities and commitments of each party to identify, house, and support students experiencing homelessness. The MOU must include provisions describing:

- how housing providers will partner with school districts to address gaps and needs and develop sustainable strategies to help students; and
- how data on students and their families will be collected and shared in accordance with applicable state and federal privacy protections.

Permissible uses for the grant funds include:

- 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 Commerce;
- transportation assistance, including gasoline assistance for families with vehicles and bus passes;
- emergency shelter;
- housing stability case management; and
- other collaborative housing strategies, including prevention and strength-based safety and housing approaches.

All beneficiaries of funds from the HSSP must be from households that include at least one student experiencing homelessness, including unaccompanied homeless youth not in the physical custody of a parent or guardian.

**Summary of Bill:**

*Office of the Superintendent of Public Instruction.* Numerous revisions are made to provisions governing the Homeless Student Stability Education Program (HSSEP).

The following goals, which are identical to those of the Homeless Student Stability Program (HSSP), are established for the HSSEP:

- provide educational stability for students experiencing homelessness by promoting housing stability; and
- encourage the development of collaborative strategies between education and housing partners.

Grant fund expenditure requirements for the HSSEP are modified to permit student supports and activities that include:

- direct academic supports, including tutoring and additional transportation costs;
- basic needs, including retail store cards, nutrition supports, and hygiene items;
- wraparound supports, including contracting with community-based providers, behavioral and physical health supports, and housing-related supports that meet a student's emergent needs and allow the student to fully participate in school;
- employment supports for students and families; and
- out-of-school enrichment activities, such as an academic tutor provided at a shelter.

School districts may continue to access federal and state funding to identify and support students experiencing homelessness but are encouraged to use grant dollars to leverage community resources and strengthen relationships with community-based partners.

Grant awarding provisions for the HSSEP are modified to specify that greater weight must be given, in part, to districts that demonstrate a commitment to partnering with local community-based organizations with experience in serving the needs of students experiencing homelessness or students of color, with a preference for organizations that

focus on equitable housing and homeless strategies.

New grant program related reporting requirements are established for the Office of the Superintendent of Public Instruction (OSPI) and the Department of Commerce (Commerce). Both agencies are directed to:

- collaborate on shared goals and outcomes under the HSSEP and the HSSP; and
- beginning in 2024, and every two years thereafter, jointly produce and make publicly available a report on the goals and outcomes of those programs.

*Department of Commerce.* Numerous revisions are made to provisions governing the HSSP.

If Commerce employs a vendor to assist with the implementation of the HSSP, the list of activities in which the vendor may engage in is expanded to permit the vendor to support collaborations between Commerce and the OSPI.

Application requirements for the HSSP are modified to require that applications include a letter of support from the applicable school districts. Additionally, if a memorandum of understanding (MOU) cannot be established in accordance with specified requirements, the housing provider and school districts may work with Commerce on a case-by-case basis to provide, in lieu of an MOU, a detailed accountability plan for a partnership between the housing provider and the school districts.

Grant awarding provisions for the HSSP are modified to specify that greater weight must be given, in part, to eligible organizations that demonstrate a commitment to partnering with local schools or school districts, as demonstrated by a letter of support.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The effectiveness of the policy in the legislation has been demonstrated in Tacoma. This bill is intended to help homeless students and their families. This bill provides more flexibility for school districts, including authorizing wraparound services.

The HSSP adopted in 2016 was the first of its kind in the nation. This is a small, technical bill that makes changes to the HSSP, including aligning goals, making it easier to apply for grants, permitting listed expenditures, and providing additional flexibility.

There are nearly 3,000 homeless students in Clark County. Funding flexibility is helpful in meeting the needs of homeless students. This bill will strengthen the HSSP.

This bill supports students who are struggling with homelessness. Helping students with basic needs can make a significant difference in the lives of students experiencing homelessness. This will help communities to support kids, impact their lives, and keep them on the right track.

(Opposed) None.

**Persons Testifying:** Representative Jake Fey, prime sponsor; Megan Veith, Building Changes; Josh Binda, City of Lynnwood; and Sunny Wonder, Council for the Homeless.

**Persons Signed In To Testify But Not Testifying:** None.