

3SHB 1682 - S COMM AMD  
By Committee on Ways & Means

ADOPTED AND ENGROSSED 3/3/2016

1 Strike everything after the enacting clause and insert the  
2 following:

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

10 (2) The legislature also recognizes the population of homeless  
11 students disproportionately includes students of color.

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

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

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

30 (2) Award criteria for the state grants must be based on the  
31 demonstrated need of the school district and may consider the number

1 or overall percentage, or both, of homeless children and youths  
2 enrolled in preschool, elementary, and secondary schools in the  
3 school district, and the ability of the local school district to meet  
4 these needs. Award criteria for these must also be based on the  
5 quality of the applications submitted. Preference must be given to  
6 districts that demonstrate a commitment to serving the needs of  
7 unaccompanied youth.

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

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

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

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.185C  
21 RCW to read as follows:

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

29 (2) The department, working with the office of the superintendent  
30 of public instruction, shall develop a competitive grant process to  
31 make grant awards of no more than one hundred thousand dollars per  
32 school, not to exceed five hundred thousand dollars per school  
33 district, to school districts partnered with eligible organizations  
34 on implementation of the proposal. For the purposes of this  
35 subsection, "eligible organization" means any local government, local  
36 housing authority, regional support network established under chapter  
37 71.24 RCW, nonprofit community or neighborhood-based organization,  
38 federally recognized Indian tribe in the state of Washington, or  
39 regional or statewide nonprofit housing assistance organization.

1 Applications for the grant program must include contractual  
2 agreements between the housing providers and school districts  
3 defining the responsibilities and commitments of each party to  
4 identify, house, and support homeless students.

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

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

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

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

18 (c) Emergency shelter; and

19 (d) Housing stability case management.

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

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

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

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

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

11 **Sec. 4.** RCW 28A.300.540 and 2015 c 69 s 28 are each amended to  
12 read as follows:

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

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

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

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

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

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

38 (iv) The number of students participating in the learning  
39 assistance program under chapter 28A.165 RCW, the highly capable

1 program under chapter 28A.185 RCW, and the running start program  
2 under chapter 28A.600 RCW; and

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

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

8 (B) English language proficiency;

9 (C) Dropout rates;

10 (D) Four-year adjusted cohort graduation rate;

11 (E) Five-year adjusted cohort graduation rate;

12 (F) Absenteeism rates;

13 (G) Truancy rates, if available; and

14 (H) Suspension and expulsion data.

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

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

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

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.320  
35 RCW to read as follows:

36 Each school district that has identified more than ten  
37 unaccompanied youth must establish a building point of contact in  
38 each middle school and high school. These points of contact must be  
39 appointed by the principal of the designated school and are

1 responsible for identifying homeless and unaccompanied youth and  
2 connecting them with the school district's homeless student liaison.  
3 The school district homeless student liaison is responsible for  
4 training building points of contact.

5 **Sec. 6.** RCW 28A.320.145 and 2014 c 212 s 3 are each amended to  
6 read as follows:

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

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

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

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

- 29 (a) Distributing and collecting an annual housing intake survey;  
30 (b) Providing parent brochures directly to students and families;  
31 (c) Announcing the information at school-wide assemblies; or  
32 (d) Posting information on the district's web site or linking to  
33 the office of the superintendent of public instruction's web site.

34 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.320  
35 RCW to read as follows:

36 (1) As allowed by RCW 7.70.065(2), a school nurse, school  
37 counselor, or homeless student liaison is authorized to provide

1 informed consent for health care for a patient under the age of  
2 majority when:

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

9 (b) The patient meets the definition of a "homeless child or  
10 youth" under the federal McKinney-Vento homeless education assistance  
11 improvements act of 2001, P.L. 107-110, January 8, 2002, (115 Stat.  
12 2005); and

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

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

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

21 NEW SECTION. **Sec. 8.** This act may be known and cited as the  
22 homeless student stability and opportunity gap act."

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23 On page 1, line 3 of the title, after "services;" strike the  
24 remainder of the title and insert "amending RCW 28A.300.540 and  
25 28A.320.145; adding a new section to chapter 28A.300 RCW; adding a  
26 new section to chapter 43.185C RCW; adding new sections to chapter  
27 28A.320 RCW; and creating new sections."

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