

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

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

Approved April 1, 2016 2:02 PM

JAY INSLEE

Governor of the State of Washington

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

FILED

April 4, 2016

**Secretary of State
State of Washington**

THIRD SUBSTITUTE HOUSE BILL 1682

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)

READ FIRST TIME 01/28/16.

1 AN ACT Relating to improving educational outcomes for homeless
2 students through increased in-school guidance supports, housing
3 stability, and identification services; amending RCW 28A.300.540 and
4 28A.320.145; adding a new section to chapter 28A.300 RCW; adding a
5 new section to chapter 43.185C RCW; adding new sections to chapter
6 28A.320 RCW; and creating new sections.

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

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

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

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

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

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

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

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

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

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

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

37 (1) Subject to funds appropriated for this specific purpose, the
38 department, in consultation with the office of the superintendent of
39 public instruction, shall administer a grant program that links

1 homeless students and their families with stable housing located in
2 the homeless student's school district. The goal of the program is to
3 provide educational stability for homeless students by promoting
4 housing stability.

5 (2) The department, working with the office of the superintendent
6 of public instruction, shall develop a competitive grant process to
7 make grant awards of no more than one hundred thousand dollars per
8 school, not to exceed five hundred thousand dollars per school
9 district, to school districts partnered with eligible organizations
10 on implementation of the proposal. For the purposes of this
11 subsection, "eligible organization" means any local government, local
12 housing authority, regional support network established under chapter
13 71.24 RCW, nonprofit community or neighborhood-based organization,
14 federally recognized Indian tribe in the state of Washington, or
15 regional or statewide nonprofit housing assistance organization.
16 Applications for the grant program must include contractual
17 agreements between the housing providers and school districts
18 defining the responsibilities and commitments of each party to
19 identify, house, and support homeless students.

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

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

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

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

33 (c) Emergency shelter; and

34 (d) Housing stability case management.

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

1 income, adjusted for household size, for the county where the grant
2 recipient is located.

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

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

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

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

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

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

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

1 web site total expenditures related to the transportation of homeless
2 students.

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

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

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

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

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

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

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

23 (B) English language proficiency;

24 (C) Dropout rates;

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

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

27 (F) Absenteeism rates;

28 (G) Truancy rates, if available; and

29 (H) Suspension and expulsion data.

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

36 (4) By July 1, 2014, the office of the superintendent of public
37 instruction in collaboration with experts from community
38 organizations on homelessness and homeless education policy, shall
39 develop or acquire a short video that provides information on how to
40 identify signs that indicate a student may be homeless, how to

1 provide services and support to homeless students, and why this
2 identification and support is critical to student success. The video
3 must be posted on the superintendent of public instruction's web
4 site.

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

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

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

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

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

23 (a) All school staff to annually review the video posted on the
24 office of the superintendent of public instruction's web site on how
25 to 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 to ensure
28 that homeless students are appropriately identified and supported;
29 and

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

33 (2) Each school district shall include in existing materials that
34 are shared with students at the beginning of the school year or at
35 enrollment, information about services and support for homeless
36 students, including the provisions of section 7 of this act. School
37 districts may use the brochure posted on the web site of the office
38 of the superintendent of public instruction as a resource. Schools

1 are also strongly encouraged to use a variety of communications each
2 year to notify students and families about services and support
3 available to them if they experience homelessness, including but not
4 limited to:

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

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

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

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

22 (b) The patient meets the definition of a "homeless child or
23 youth" under the federal McKinney-Vento homeless education assistance
24 improvements act of 2001, P.L. 107-110, January 8, 2002, (115 Stat.
25 2005); and

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

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

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

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

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.

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