

CERTIFICATION OF ENROLLMENT  
**SECOND SUBSTITUTE HOUSE BILL 2449**

Chapter 205, Laws of 2016  
(partial veto)

64th Legislature  
2016 Regular Session

TRUANCY--INTERVENTION AND PREVENTION

EFFECTIVE DATE: 6/9/2016

Passed by the House March 10, 2016  
Yeas 94 Nays 4

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate March 9, 2016  
Yeas 47 Nays 2

BRAD OWEN

**President of the Senate**

Approved April 1, 2016 4:32 PM with the  
exception of Sections 1, 13-15, and 21,  
which are vetoed.

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 **SECOND  
SUBSTITUTE HOUSE BILL 2449** 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**

---

SECOND SUBSTITUTE HOUSE BILL 2449

---

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 Orwall, Magendanz, Kagi, Santos, Senn, Peterson, Appleton, Moscoso, Goodman, Jinkins, Walkinshaw, Stanford, Clibborn, Sells, Fitzgibbon, Kilduff, Ryu, Bergquist, Pollet, and S. Hunt)

READ FIRST TIME 02/09/16.

1            AN ACT Relating to court-based and school-based intervention and  
2 prevention efforts to promote attendance and reduce truancy; amending  
3 RCW 28A.225.005, 28A.225.020, 28A.225.025, 28A.225.030, 28A.225.035,  
4 28A.225.090, 43.185C.315, 43.185C.320, 28A.165.005, 28A.165.035, and  
5 28A.655.235; adding new sections to chapter 28A.225 RCW; adding a new  
6 section to chapter 43.185C RCW; adding a new section to chapter  
7 43.330 RCW; adding a new section to chapter 2.56 RCW; creating new  
8 sections; providing an effective date; and providing an expiration  
9 date.

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

11            **\*NEW SECTION.**    *Sec. 1. The legislature recognizes that all*  
12 *children and youth in Washington state are entitled to a basic*  
13 *education and to an equal opportunity to learn. The legislature*  
14 *recognizes that poor school attendance can have far-reaching effects*  
15 *on academic performance and achievement, development of social skills*  
16 *and school engagement, dropout rates, and even college completion*  
17 *rates, and that these effects occur regardless of whether excessive*  
18 *absenteeism is considered excused or unexcused or the specific reason*  
19 *or reasons for the absences. The legislature recognizes that there*  
20 *are many causes of truancy and that truancy is an indicator of future*  
21 *school dropout and delinquent behavior. The legislature recognizes*

1 that early engagement of parents in the education process is an  
2 important measure in preventing truancy. It is the intent of the  
3 legislature to encourage the systematic identification of truant  
4 behavior as early as possible and to encourage the use of best  
5 practices and evidence-based interventions to reduce truant behavior  
6 in every school in Washington state. The legislature intends that  
7 schools, parents, juvenile courts, and communities share resources  
8 within and across school districts where possible to enhance the  
9 availability of best practices and evidence-based intervention for  
10 truant children and youth.

11 By taking a four-pronged approach and providing additional tools  
12 to schools, courts, communities, and families, the legislature hopes  
13 to reduce excessive absenteeism, strengthen families, engage  
14 communities and families with schools, promote academic achievement,  
15 reduce educational opportunity gaps, reduce juvenile delinquency,  
16 address juveniles' emotional, mental health, and chemical dependency  
17 needs, and increase high school graduation rates.

18 First, with respect to absenteeism in general, the legislature  
19 intends to put in place consistent practices and procedures,  
20 beginning in kindergarten, pursuant to which schools share  
21 information with families about the importance of consistent  
22 attendance and the consequences of excessive absences, involve  
23 families early, and provide families with information, services, and  
24 tools that they may access to improve and maintain their children's  
25 school attendance.

26 Second, the legislature recognizes the success that has been had  
27 by school districts and county juvenile courts around the state that  
28 have worked in tandem with one another to establish truancy boards  
29 capable of prevention and intervention and that regularly stay  
30 truancy petitions in order to first allow these boards to identify  
31 barriers to school attendance, cooperatively solve problems, and  
32 connect students and their families with needed community-based  
33 services. While keeping petition filing requirements in place, the  
34 legislature intends to require an initial stay of truancy petitions  
35 in order to allow for appropriate intervention and prevention before  
36 using a court order to enforce attendance laws. The legislature also  
37 intends to encourage efforts by county juvenile courts and school  
38 districts to establish and maintain community truancy boards and to  
39 employ other best practices, including the provision of training for  
40 board members and other school and court personnel on trauma-informed

1 approaches to discipline, the use of the Washington assessment of the  
2 risks and needs of students (WARNS) or other assessment tools to  
3 identify the specific needs of individual children, and the provision  
4 of evidence-based treatments that have been found to be effective in  
5 supporting at-risk youth and their families.

6 Third, the legislature recognizes that there are instances in  
7 which barriers to school attendance that have led to truancy may be  
8 best addressed by juvenile courts, which may refer truant students to  
9 a crisis residential center or HOPE center for the provision of  
10 services. The legislature further recognizes that even when a truant  
11 student is found in contempt of a court order to attend school, it is  
12 best practice that the truant student not be placed in juvenile  
13 detention but, where feasible and available, instead be placed in a  
14 secure crisis residential center. The legislature intends to increase  
15 the number of beds in HOPE centers and crisis residential centers in  
16 order to facilitate their use for truant students.

17 Fourth, the legislature recognizes that some problematic  
18 behaviors that are predictive of truancy and delinquency may be best  
19 addressed by appropriate screenings and, where appropriate, temporary  
20 provision of home services. The legislature intends to strengthen the  
21 juvenile court's ability to seek a chemical dependency or mental  
22 health assessment for a child subject to a truancy petition, if the  
23 court finds that such an assessment might help to reengage a child in  
24 school. The legislature further finds that where family conflict  
25 exists or a juvenile's health or safety is in jeopardy due to  
26 circumstances in the child's home, referral to a crisis residential  
27 center might be appropriate to help achieve family reconciliation.

\*Sec. 1 was vetoed. See message at end of chapter.

28 **Sec. 2.** RCW 28A.225.005 and 2009 c 556 s 5 are each amended to  
29 read as follows:

30 (1) Each school within a school district shall inform the  
31 students and the parents of the students enrolled in the school  
32 about: The benefits of regular school attendance; the potential  
33 effects of excessive absenteeism, whether excused or unexcused, on  
34 academic achievement, and graduation and dropout rates; the school's  
35 expectations of the parents and guardians to ensure regular school  
36 attendance by the child; the resources available to assist the child  
37 and the parents and guardians; the role and responsibilities of the  
38 school; and the consequences of truancy, including the compulsory

1 education requirements under this chapter. The school shall provide  
2 access to the information (~~(at least annually.)~~) before or at the  
3 time of enrollment of the child at a new school and at the beginning  
4 of each school year. If the school regularly and ordinarily  
5 communicates most other information to parents online, providing  
6 online access to the information required by this section satisfies  
7 the requirements of this section unless a parent or guardian  
8 specifically requests information to be provided in written form.  
9 Reasonable efforts must be made to enable parents to request and  
10 receive the information in a language in which they are fluent. A  
11 parent must date and acknowledge review of this information online or  
12 in writing before or at the time of enrollment of the child at a new  
13 school and at the beginning of each school year.

14 (2) The office of the superintendent of public instruction shall  
15 develop a template that schools may use to satisfy the requirements  
16 of subsection (1) of this section and shall post the information on  
17 its web site.

18 NEW SECTION. Sec. 3. A new section is added to chapter 28A.225  
19 RCW to read as follows:

20 (1) Except as provided in subsection (2) of this section, in the  
21 event that a child in elementary school is required to attend school  
22 under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused  
23 absences in a single month during the current school year, or ten or  
24 more excused absences in the current school year, the school district  
25 shall schedule a conference or conferences with the parent and child  
26 at a time reasonably convenient for all persons included for the  
27 purpose of identifying the barriers to the child's regular  
28 attendance, and the supports and resources that may be made available  
29 to the family so that the child is able to regularly attend school.  
30 If a regularly scheduled parent-teacher conference day is to take  
31 place within thirty days of the absences, the school district may  
32 schedule this conference on that day. To satisfy the requirements of  
33 this section, the conference must include at least one school  
34 district employee such as a nurse, counselor, social worker, teacher,  
35 or community human services provider, except in those instances  
36 regarding the attendance of a child who has an individualized  
37 education program or a plan developed under section 504 of the  
38 rehabilitation act of 1973, in which case the reconvening of the team  
39 that created the program or plan is required.

1 (2) A conference pursuant to subsection (1) of this section is  
2 not required in the event of excused absences for which prior notice  
3 has been given to the school or a doctor's note has been provided and  
4 an academic plan is put in place so that the child does not fall  
5 behind.

6 **Sec. 4.** RCW 28A.225.020 and 2009 c 266 s 1 are each amended to  
7 read as follows:

8 (1) If a child required to attend school under RCW 28A.225.010  
9 fails to attend school without valid justification, the public school  
10 in which the child is enrolled shall:

11 (a) Inform the child's ~~((eustodial))~~ parent(~~(,—parents,—or~~  
12 ~~guardian))~~ by a notice in writing or by telephone whenever the child  
13 has failed to attend school after one unexcused absence within any  
14 month during the current school year. School officials shall inform  
15 the parent of the potential consequences of additional unexcused  
16 absences. If the ~~((eustodial))~~ parent(~~(,—parents,—or—guardian))~~ is  
17 not fluent in English, the ~~((preferred practice is to))~~ school must  
18 make reasonable efforts to provide this information in a language in  
19 which the ~~((eustodial))~~ parent(~~(,—parents,—or—guardian))~~ is fluent;

20 (b) Schedule a conference or conferences with the ~~((eustodial))~~  
21 parent(~~(,—parents,—or—guardian))~~ and child at a time reasonably  
22 convenient for all persons included for the purpose of analyzing the  
23 causes of the child's absences after two unexcused absences within  
24 any month during the current school year. If a regularly scheduled  
25 parent-teacher conference day is to take place within thirty days of  
26 the second unexcused absence, then the school district may schedule  
27 this conference on that day; and

28 (c) Take data-informed steps to eliminate or reduce the child's  
29 absences. These steps shall include application of the Washington  
30 assessment of the risks and needs of students (WARNS) by a school  
31 district's designee under section 6 of this act, and where  
32 appropriate, providing an available approved best practice or  
33 research-based intervention, or both, consistent with the WARNS  
34 profile, adjusting the child's school program or school or course  
35 assignment, providing more individualized or remedial instruction,  
36 providing appropriate vocational courses or work experience,  
37 referring the child to a community truancy board, ~~((if—available,—))~~  
38 requiring the child to attend an alternative school or program, or  
39 assisting the parent or child to obtain supplementary services that

1 might eliminate or ameliorate the cause or causes for the absence  
2 from school. If the child's parent does not attend the scheduled  
3 conference, the conference may be conducted with the student and  
4 school official. However, the parent shall be notified of the steps  
5 to be taken to eliminate or reduce the child's absence.

6 (2) For purposes of this chapter, an "unexcused absence" means  
7 that a child:

8 (a) Has failed to attend the majority of hours or periods in an  
9 average school day or has failed to comply with a more restrictive  
10 school district policy; and

11 (b) Has failed to meet the school district's policy for excused  
12 absences.

13 (3) If a child transfers from one school district to another  
14 during the school year, the receiving school or school district shall  
15 include the unexcused absences accumulated at the previous school or  
16 from the previous school district for purposes of this section, RCW  
17 28A.225.030, and 28A.225.015. The sending school district shall  
18 provide this information to the receiving school, together with a  
19 copy of any previous assessment as required under subsection (1)(c)  
20 of this section, history of any best practices or researched-based  
21 intervention previously provided to the child by the child's sending  
22 school district, and a copy of the most recent truancy information  
23 including any online or written acknowledgment by the parent and  
24 child, as provided for in RCW 28A.225.005.

25 **Sec. 5.** RCW 28A.225.025 and 2009 c 266 s 2 are each amended to  
26 read as follows:

27 (1) For purposes of this chapter, "community truancy board" means  
28 a board established pursuant to a memorandum of understanding between  
29 a juvenile court and a school district and composed of members of the  
30 local community in which the child attends school. (~~Juvenile courts~~  
31 ~~may establish and operate community truancy boards. If the juvenile~~  
32 ~~court and the school district agree, a school district may establish~~  
33 ~~and operate a community truancy board under the jurisdiction of the~~  
34 ~~juvenile court. Juvenile courts may create a community truancy board~~  
35 ~~or may use other entities that exist or are created, such as~~  
36 ~~diversion units. However, a diversion unit or other existing entity~~  
37 ~~must agree before it is used as a truancy board.)) All members of a  
38 community truancy board must receive training regarding the  
39 identification of barriers to school attendance, the use of the~~

1 Washington assessment of the risks and needs of students (WARNS) or  
2 other assessment tools to identify the specific needs of individual  
3 children, trauma-informed approaches to discipline, evidence-based  
4 treatments that have been found effective in supporting at-risk youth  
5 and their families, and the specific services and treatment available  
6 in the particular school, court, community, and elsewhere. Duties of  
7 a community truancy board shall include, but not be limited to:  
8 Identifying barriers to school attendance, recommending methods for  
9 improving ((school)) attendance such as ((~~assisting the parent or the~~  
10 ~~child to obtain supplementary services that might eliminate or~~  
11 ~~ameliorate the causes for the absences or))~~ connecting students and  
12 their families with community services, culturally appropriate  
13 promising practices, and evidence-based services such as functional  
14 family therapy, multisystemic therapy, and aggression replacement  
15 training, suggesting to the school district that the child enroll in  
16 another school, an alternative education program, an education  
17 center, a skill center, a dropout prevention program, or another  
18 public or private educational program, or recommending to the  
19 juvenile court that a juvenile be referred to a HOPE center or crisis  
20 residential center.

21 (2) The legislature finds that utilization of community truancy  
22 boards(~~(, or other diversion units that fulfill a similar function,)~~)  
23 is the preferred means of intervention when preliminary methods (~~((of~~  
24 ~~notice and parent conferences and taking appropriate steps))~~) to  
25 eliminate or reduce unexcused absences as required by RCW 28A.225.020  
26 have not been effective in securing the child's attendance at school.  
27 The legislature intends to encourage and support the development and  
28 expansion of community truancy boards (~~((and other diversion programs~~  
29 ~~which are effective in promoting school attendance and preventing the~~  
30 ~~need for more intrusive intervention by the court))~~). Operation of a  
31 school truancy board does not excuse a district from the obligation  
32 of filing a petition within the requirements of RCW 28A.225.015(3).

33 NEW SECTION. Sec. 6. A new section is added to chapter 28A.225  
34 RCW to read as follows:

35 (1) By the beginning of the 2017-18 school year, juvenile courts  
36 must establish, through a memorandum of understanding with each  
37 school district within their respective counties, a coordinated and  
38 collaborative approach to address truancy through the establishment  
39 of a community truancy board or, with respect to certain small

1 districts, through other means as provided in subsection (3) of this  
2 section.

3 (2) Except as provided in subsection (3) of this section, each  
4 school district must enter into a memorandum of understanding with  
5 the juvenile court in the county in which it is located with respect  
6 to the operation of a community truancy board. A community truancy  
7 board may be operated by a juvenile court, a school district, or a  
8 collaboration between both entities, so long as the agreement is  
9 memorialized in a memorandum of understanding. For a school district  
10 that is located in more than one county, the memorandum of  
11 understanding shall be with the juvenile court in the county that  
12 acts as the school district's treasurer.

13 (3) A school district with fewer than two hundred students must  
14 enter into a memorandum of understanding with the juvenile court in  
15 the county in which it is located with respect to: (a) The operation  
16 of a community truancy board; or (b) addressing truancy through other  
17 coordinated means of intervention aimed at identifying barriers to  
18 school attendance, and connecting students and their families with  
19 community services, culturally appropriate promising practices, and  
20 evidence-based services such as functional family therapy,  
21 multisystemic therapy, and aggression replacement training. School  
22 districts with fewer than two hundred students may work cooperatively  
23 with other school districts or the school district's educational  
24 service district to ensure access to a community truancy board or to  
25 provide other coordinated means of intervention.

26 (4) All school districts must designate, and identify to the  
27 local juvenile court, a person or persons to coordinate school  
28 district efforts to address excessive absenteeism and truancy,  
29 including tasks associated with: Outreach and conferences pursuant to  
30 section 3 of this act; entering into a memorandum of understanding  
31 with the juvenile court; establishing protocols and procedures with  
32 the court; coordinating trainings; sharing evidence-based and  
33 culturally appropriate promising practices; identifying a person  
34 within every school to serve as a contact with respect to excessive  
35 absenteeism and truancy; and assisting in the recruitment of  
36 community truancy board members.

37 (5) As has been demonstrated by school districts and county  
38 juvenile courts around the state that have worked together and led  
39 the way with community truancy boards, success has resulted from  
40 involving the entire community and leveraging existing dollars from a

1 variety of sources, including public and private, local and state,  
2 and court, school, and community. In emulating this coordinated and  
3 collaborative approach statewide pursuant to local memoranda of  
4 understanding, courts and school districts are encouraged to create  
5 strong community-wide partnerships and to leverage existing dollars  
6 and resources.

7 **Sec. 7.** RCW 28A.225.030 and 2012 c 157 s 1 are each amended to  
8 read as follows:

9 (1) If a child under the age of seventeen is required to attend  
10 school under RCW 28A.225.010 and if the actions taken by a school  
11 district under RCW 28A.225.020 are not successful in substantially  
12 reducing an enrolled student's absences from public school, not later  
13 than the seventh unexcused absence by a child within any month during  
14 the current school year or not later than the tenth unexcused absence  
15 during the current school year the school district shall file a  
16 petition and supporting affidavit for a civil action with the  
17 juvenile court alleging a violation of RCW 28A.225.010: (a) By the  
18 parent; (b) by the child; or (c) by the parent and the child. The  
19 petition must include a list of all interventions that have been  
20 attempted as set forth in RCW 28A.225.020, include a copy of any  
21 previous truancy assessment completed by the child's current school  
22 district, the history of approved best practices intervention or  
23 research-based intervention previously provided to the child by the  
24 child's current school district, and a copy of the most recent  
25 truancy information document signed by the parent and child, pursuant  
26 to RCW 28A.225.005. Except as provided in this subsection, no  
27 additional documents need be filed with the petition. Nothing in this  
28 subsection requires court jurisdiction to terminate when a child  
29 turns seventeen or precludes a school district from filing a petition  
30 for a child that is seventeen years of age.

31 (2) The district shall not later than the fifth unexcused absence  
32 in a month:

33 (a) Enter into an agreement with a student and parent that  
34 establishes school attendance requirements;

35 (b) Refer a student to a community truancy board(~~(, —if~~  
36 ~~available,~~) as defined in RCW 28A.225.025. The community truancy  
37 board shall enter into an agreement with the student and parent that  
38 establishes school attendance requirements and take other appropriate  
39 actions to reduce the child's absences; or

1 (c) File a petition under subsection (1) of this section.

2 (3) The petition may be filed by a school district employee who  
3 is not an attorney.

4 (4) If the school district fails to file a petition under this  
5 section, the parent of a child with five or more unexcused absences  
6 in any month during the current school year or upon the tenth  
7 unexcused absence during the current school year may file a petition  
8 with the juvenile court alleging a violation of RCW 28A.225.010.

9 (5) Petitions filed under this section may be served by certified  
10 mail, return receipt requested. If such service is unsuccessful, or  
11 the return receipt is not signed by the addressee, personal service  
12 is required.

13 **Sec. 8.** RCW 28A.225.035 and 2012 c 157 s 2 are each amended to  
14 read as follows:

15 (1) A petition for a civil action under RCW 28A.225.030 or  
16 28A.225.015 shall consist of a written notification to the court  
17 alleging that:

18 (a) The child has unexcused absences as described in RCW  
19 28A.225.030(1) during the current school year;

20 (b) Actions taken by the school district have not been successful  
21 in substantially reducing the child's absences from school; and

22 (c) Court intervention and supervision are necessary to assist  
23 the school district or parent to reduce the child's absences from  
24 school.

25 (2) The petition shall set forth the name, date of birth, school,  
26 address, gender, race, and ethnicity of the child and the names and  
27 addresses of the child's parents, and shall set forth (~~whether~~) the  
28 languages in which the child and parent are fluent (~~in English~~),  
29 whether there is an existing individualized education program, and  
30 the child's current academic status in school.

31 (3) The petition shall set forth facts that support the  
32 allegations in this section and shall generally request relief  
33 available under this chapter and provide information about what the  
34 court might order under RCW 28A.225.090.

35 (4)(a) When a petition is filed under RCW 28A.225.030 or  
36 28A.225.015, (~~the juvenile court shall schedule a hearing at which~~  
37 ~~the court shall consider the petition, or if the court determines~~  
38 ~~that a referral to an available community truancy board would~~  
39 ~~substantially reduce the child's unexcused absences, the court may~~

1 ~~refer the case to a community truancy board under the jurisdiction of~~  
2 ~~the juvenile court))~~ it shall initially be stayed by the juvenile  
3 court, and the child and the child's parent must be referred to a  
4 community truancy board or other coordinated means of intervention as  
5 set forth in the memorandum of understanding under section 6 of this  
6 act. The community truancy board must provide to the court a  
7 description of the intervention and prevention efforts to be employed  
8 to substantially reduce the child's unexcused absences, along with a  
9 timeline for completion.

10 (b) If a community truancy board or other coordinated means of  
11 intervention is not in place as required by section 6 of this act,  
12 the juvenile court shall schedule a hearing at which the court shall  
13 consider the petition.

14 (5) (~~¶~~) When a referral is made to a community truancy board,  
15 the truancy board must meet with the child, a parent, and the school  
16 district representative and enter into an agreement with the  
17 petitioner and respondent regarding expectations and any actions  
18 necessary to address the child's truancy within twenty days of the  
19 referral. If the petition is based on RCW 28A.225.015, the child  
20 shall not be required to attend and the agreement under this  
21 subsection shall be between the truancy board, the school district,  
22 and the child's parent. The court may permit the truancy board or  
23 truancy prevention counselor to provide continued supervision over  
24 the student, or parent if the petition is based on RCW 28A.225.015.

25 (6) If the community truancy board fails to reach an agreement,  
26 or the parent or student does not comply with the agreement within  
27 the timeline for completion set by the community truancy board, the  
28 community truancy board shall return the case to the juvenile court  
29 ((for a hearing)). The stay of the petition shall be lifted, and the  
30 juvenile court shall schedule a hearing at which the court shall  
31 consider the petition.

32 (7)(a) Notwithstanding the provisions in subsection (4)(a) of  
33 this section, a hearing shall not be required if other actions by the  
34 court would substantially reduce the child's unexcused absences. Such  
35 actions may include referral to an existing community truancy board,  
36 use of the Washington assessment of risks and needs of students  
37 (WARNS) or other assessment tools to identify the specific needs of  
38 individual children, the provision of community-based services, and  
39 the provision of evidence-based treatments that have been found to be

1 effective in supporting at-risk youth and their families. When a  
2 juvenile court hearing is held, the court shall:

3 (i) Separately notify the child, the parent of the child, and the  
4 school district of the hearing. If the parent is not fluent in  
5 English, (~~the preferred practice is for~~) notice (~~to~~) should be  
6 provided in a language in which the parent is fluent as indicated on  
7 the petition pursuant to RCW 28A.225.030(1);

8 (ii) Notify the parent and the child of their rights to present  
9 evidence at the hearing; and

10 (iii) Notify the parent and the child of the options and rights  
11 available under chapter 13.32A RCW.

12 (b) If the child is not provided with counsel, the advisement of  
13 rights must take place in court by means of a colloquy between the  
14 court, the child if eight years old or older, and the parent.

15 (8)(a) The court may require the attendance of the child if eight  
16 years old or older, the parents, and the school district at any  
17 hearing on a petition filed under RCW 28A.225.030.

18 (b) The court may not issue a bench warrant for a child for  
19 failure to appear at a hearing on an initial truancy petition filed  
20 under RCW 28A.225.030. If there has been proper service, the court  
21 may instead enter a default order assuming jurisdiction under the  
22 terms specified in subsection (12) of this section.

23 (9) A school district is responsible for determining who shall  
24 represent the school district at hearings on a petition filed under  
25 RCW 28A.225.030 or 28A.225.015.

26 (10) The court may permit the first hearing to be held without  
27 requiring that either party be represented by legal counsel, and to  
28 be held without a guardian ad litem for the child under RCW 4.08.050.  
29 At the request of the school district, the court shall permit a  
30 school district representative who is not an attorney to represent  
31 the school district at any future hearings.

32 (11) If the child is in a special education program or has a  
33 diagnosed mental or emotional disorder, the court shall inquire as to  
34 what efforts the school district has made to assist the child in  
35 attending school.

36 (12) If the allegations in the petition are established by a  
37 preponderance of the evidence, the court shall grant the petition and  
38 enter an order assuming jurisdiction to intervene for the period of  
39 time determined by the court, after considering the facts alleged in  
40 the petition and the circumstances of the juvenile, to most likely

1 cause the juvenile to return to and remain in school while the  
2 juvenile is subject to this chapter. In no case may the order expire  
3 before the end of the school year in which it is entered.

4 (13)(a) If the court assumes jurisdiction, the school district  
5 shall periodically report to the court any additional unexcused  
6 absences by the child, actions taken by the school district, and an  
7 update on the child's academic status in school at a schedule  
8 specified by the court.

9 (b) The first report under this subsection (13) must be received  
10 no later than three months from the date that the court assumes  
11 jurisdiction.

12 (14) Community truancy boards and the courts shall coordinate, to  
13 the extent possible, proceedings and actions pertaining to children  
14 who are subject to truancy petitions and at-risk youth petitions in  
15 RCW 13.32A.191 or child in need of services petitions in RCW  
16 13.32A.140.

17 (15) If after a juvenile court assumes jurisdiction in one county  
18 the child relocates to another county, the juvenile court in the  
19 receiving county shall, upon the request of a school district or  
20 parent, assume jurisdiction of the petition filed in the previous  
21 county.

22 **Sec. 9.** RCW 28A.225.090 and 2009 c 266 s 4 are each amended to  
23 read as follows:

24 (1) A court may order a child subject to a petition under RCW  
25 28A.225.035 to do one or more of the following:

26 (a) Attend the child's current school, and set forth minimum  
27 attendance requirements, ~~((including suspensions))~~ which shall not  
28 consider a suspension day as an unexcused absence;

29 (b) If there is space available and the program can provide  
30 educational services appropriate for the child, order the child to  
31 attend another public school, an alternative education program,  
32 center, a skill center, dropout prevention program, or another public  
33 educational program;

34 (c) Attend a private nonsectarian school or program including an  
35 education center. Before ordering a child to attend an approved or  
36 certified private nonsectarian school or program, the court shall:  
37 (i) Consider the public and private programs available; (ii) find  
38 that placement is in the best interest of the child; and (iii) find  
39 that the private school or program is willing to accept the child and

1 will not charge any fees in addition to those established by contract  
2 with the student's school district. If the court orders the child to  
3 enroll in a private school or program, the child's school district  
4 shall contract with the school or program to provide educational  
5 services for the child. The school district shall not be required to  
6 contract for a weekly rate that exceeds the state general  
7 apportionment dollars calculated on a weekly basis generated by the  
8 child and received by the district. A school district shall not be  
9 required to enter into a contract that is longer than the remainder  
10 of the school year. A school district shall not be required to enter  
11 into or continue a contract if the child is no longer enrolled in the  
12 district;

13 ~~(d) ((Be referred to a community truancy board, if available; or~~  
14 ~~(e))) Submit to ((testing for the use of controlled substances or~~  
15 ~~alcohol based on a determination that such testing)) a substance~~  
16 ~~abuse assessment if the court finds on the record that such~~  
17 ~~assessment is appropriate to the circumstances and behavior of the~~  
18 ~~child and will facilitate the child's compliance with the mandatory~~  
19 ~~attendance law and, if any assessment, including a urinalysis test~~  
20 ~~ordered under this subsection indicates the use of controlled~~  
21 ~~substances or alcohol, order the minor to abstain from the unlawful~~  
22 ~~consumption of controlled substances or alcohol and adhere to the~~  
23 ~~recommendations of the ((drug)) substance abuse assessment at no~~  
24 ~~expense to the school;~~

25 (e) Submit to a mental health evaluation or other diagnostic  
26 evaluation and adhere to the recommendations of the drug assessment,  
27 at no expense to the school, if the court finds on the court records  
28 that such evaluation is appropriate to the circumstances and behavior  
29 of the child, and will facilitate the child's compliance with the  
30 mandatory attendance law; or

31 (f) Submit to a temporary placement in a crisis residential  
32 center or a HOPE center if the court determines there is an immediate  
33 health and safety concern, or a family conflict with the need for  
34 mediation.

35 (2) If the child fails to comply with the court order, the court  
36 may order the child to be subject to detention, as provided in RCW  
37 7.21.030(2)(e), or may impose alternatives to detention such as  
38 community restitution. Failure by a child to comply with an order  
39 issued under this subsection shall not be subject to detention for a  
40 period greater than that permitted pursuant to a civil contempt

1 proceeding against a child under chapter 13.32A RCW. Detention  
2 ordered under this subsection may be for no longer than seven days.  
3 Detention ordered under this subsection shall preferably be served at  
4 a secure crisis residential center close to the child's home rather  
5 than in a juvenile detention facility. A warrant of arrest for a  
6 child under this subsection may not be served on a child inside of  
7 school during school hours in a location where other students are  
8 present.

9 (3) Any parent violating any of the provisions of either RCW  
10 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than  
11 twenty-five dollars for each day of unexcused absence from school.  
12 The court shall remit fifty percent of the fine collected under this  
13 section to the child's school district. It shall be a defense for a  
14 parent charged with violating RCW 28A.225.010 to show that he or she  
15 exercised reasonable diligence in attempting to cause a child in his  
16 or her custody to attend school or that the child's school did not  
17 perform its duties as required in RCW 28A.225.020. The court may  
18 order the parent to provide community restitution instead of imposing  
19 a fine. Any fine imposed pursuant to this section may be suspended  
20 upon the condition that a parent charged with violating RCW  
21 28A.225.010 shall participate with the school and the child in a  
22 supervised plan for the child's attendance at school or upon  
23 condition that the parent attend a conference or conferences  
24 scheduled by a school for the purpose of analyzing the causes of a  
25 child's absence.

26 (4) If a child continues to be truant after entering into a  
27 court-approved order with the truancy board under RCW 28A.225.035,  
28 the juvenile court shall find the child in contempt, and the court  
29 may order the child to be subject to detention, as provided in RCW  
30 7.21.030(2)(e), or may impose alternatives to detention such as  
31 meaningful community restitution. Failure by a child to comply with  
32 an order issued under this subsection may not subject a child to  
33 detention for a period greater than that permitted under a civil  
34 contempt proceeding against a child under chapter 13.32A RCW.

35 (5) Subsections (1), (2), and (4) of this section shall not apply  
36 to a six or seven year old child required to attend public school  
37 under RCW 28A.225.015.

38 **Sec. 10.** RCW 43.185C.315 and 2015 c 69 s 22 are each amended to  
39 read as follows:

1        (1) The department shall establish HOPE centers that provide no  
2 more than seventy-five beds across the state and may establish HOPE  
3 centers by contract, within funds appropriated by the legislature  
4 specifically for this purpose. HOPE centers shall be operated in a  
5 manner to reasonably assure that street youth placed there will not  
6 run away. Street youth may leave a HOPE center during the course of  
7 the day to attend school or other necessary appointments, but the  
8 street youth must be accompanied by an administrator or an  
9 administrator's designee. The street youth must provide the  
10 administration with specific information regarding his or her  
11 destination and expected time of return to the HOPE center. Any  
12 street youth who runs away from a HOPE center shall not be readmitted  
13 unless specifically authorized by the street youth's placement and  
14 liaison specialist, and the placement and liaison specialist shall  
15 document with specific factual findings an appropriate basis for  
16 readmitting any street youth to a HOPE center. HOPE centers are  
17 required to have the following:

18        ~~((1))~~ (a) A license issued by the department of social and  
19 health services;

20        ~~((2))~~ (b) A professional with a master's degree in counseling,  
21 social work, or related field and at least one year of experience  
22 working with street youth or a bachelor of arts degree in social work  
23 or a related field and five years of experience working with street  
24 youth. This professional staff person may be contractual or a part-  
25 time employee, but must be available to work with street youth in a  
26 HOPE center at a ratio of one to every fifteen youth staying in a  
27 HOPE center. This professional shall be known as a placement and  
28 liaison specialist. Preference shall be given to those professionals  
29 cross-credentialed in mental health and chemical dependency. The  
30 placement and liaison specialist shall:

31        ~~((a))~~ (i) Conduct an assessment of the street youth that  
32 includes a determination of the street youth's legal status regarding  
33 residential placement;

34        ~~((b))~~ (ii) Facilitate the street youth's return to his or her  
35 legally authorized residence at the earliest possible date or  
36 initiate processes to arrange legally authorized appropriate  
37 placement. Any street youth who may meet the definition of dependent  
38 child under RCW 13.34.030 must be referred to the department of  
39 social and health services. The department of social and health  
40 services shall determine whether a dependency petition should be

1 filed under chapter 13.34 RCW. A shelter care hearing must be held  
2 within seventy-two hours to authorize out-of-home placement for any  
3 youth the department of social and health services determines is  
4 appropriate for out-of-home placement under chapter 13.34 RCW. All of  
5 the provisions of chapter 13.32A RCW must be followed for children in  
6 need of services or at-risk youth;

7 ~~((c))~~ (iii) Interface with other relevant resources and system  
8 representatives to secure long-term residential placement and other  
9 needed services for the street youth;

10 ~~((d))~~ (iv) Be assigned immediately to each youth and meet with  
11 the youth within eight hours of the youth receiving HOPE center  
12 services;

13 ~~((e))~~ (v) Facilitate a physical examination of any street youth  
14 who has not seen a physician within one year prior to residence at a  
15 HOPE center and facilitate evaluation by a county-designated mental  
16 health professional, a chemical dependency specialist, or both if  
17 appropriate; and

18 ~~((f))~~ (vi) Arrange an educational assessment to measure the  
19 street youth's competency level in reading, writing, and basic  
20 mathematics, and that will measure learning disabilities or special  
21 needs;

22 ~~((3))~~ (c) Staff trained in development needs of street youth as  
23 determined by the department, including an administrator who is a  
24 professional with a master's degree in counseling, social work, or a  
25 related field and at least one year of experience working with street  
26 youth, or a bachelor of arts degree in social work or a related field  
27 and five years of experience working with street youth, who must work  
28 with the placement and liaison specialist to provide appropriate  
29 services on site;

30 ~~((4))~~ (d) A data collection system that measures outcomes for  
31 the population served, and enables research and evaluation that can  
32 be used for future program development and service delivery. Data  
33 collection systems must have confidentiality rules and protocols  
34 developed by the department;

35 ~~((5))~~ (e) Notification requirements that meet the notification  
36 requirements of chapter 13.32A RCW. The youth's arrival date and time  
37 must be logged at intake by HOPE center staff. The staff must  
38 immediately notify law enforcement and dependency caseworkers if a  
39 street youth runs away from a HOPE center. A child may be transferred  
40 to a secure facility as defined in RCW 13.32A.030 whenever the staff

1 reasonably believes that a street youth is likely to leave the HOPE  
2 center and not return after full consideration of the factors set  
3 forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's  
4 temporary placement in the HOPE center must be authorized by the  
5 court or the secretary of the department of social and health  
6 services if the youth is a dependent of the state under chapter 13.34  
7 RCW or the department of social and health services is responsible  
8 for the youth under chapter 13.32A RCW, or by the youth's parent or  
9 legal custodian, until such time as the parent can retrieve the youth  
10 who is returning to home;

11 ~~((+6))~~ (f) HOPE centers must identify to the department of  
12 social and health services any street youth it serves who is not  
13 returning promptly to home. The department of social and health  
14 services then must contact the missing children's clearinghouse  
15 identified in chapter 13.60 RCW and either report the youth's  
16 location or report that the youth is the subject of a dependency  
17 action and the parent should receive notice from the department of  
18 social and health services; and

19 ~~((+7))~~ (g) Services that provide counseling and education to the  
20 street youth ~~((+and))~~.

21 ~~((+8))~~ (2) The department shall award contracts for the  
22 operation of HOPE center beds with the goal of facilitating the  
23 coordination of services provided for youth by such programs and  
24 those services provided by secure and semi-secure crisis residential  
25 centers.

26 (3) Subject to funds appropriated for this purpose, the  
27 department must incrementally increase the number of available HOPE  
28 beds by at least seventeen beds in fiscal year 2017, at least  
29 seventeen beds in fiscal year 2018, and at least seventeen beds in  
30 fiscal year 2019, such that by July 1, 2019, seventy-five HOPE beds  
31 are established and operated throughout the state as set forth in  
32 subsection (1) of this section.

33 (4) Subject to funds appropriated for this purpose, the beds  
34 available in HOPE centers shall be increased incrementally beyond the  
35 limit of seventy-five set forth in subsection (1) of this section.  
36 The additional capacity shall be distributed around the state based  
37 upon need and, to the extent feasible, shall be geographically  
38 situated so that HOPE beds are available across the state. In  
39 determining the need for increased numbers of HOPE beds in a

1 particular county or counties, one of the considerations should be  
2 the volume of truancy petitions filed there.

3 **Sec. 11.** RCW 43.185C.320 and 2015 c 69 s 23 are each amended to  
4 read as follows:

5 To be eligible for placement in a HOPE center, a minor must be  
6 either a street youth, as that term is defined in this chapter, or a  
7 youth who, without placement in a HOPE center, will continue to  
8 participate in increasingly risky behavior, including truancy. Youth  
9 may also self-refer to a HOPE center. Payment for a HOPE center bed  
10 is not contingent upon prior approval by the department; however,  
11 approval from the department of social and health services is needed  
12 if the youth is dependent under chapter 13.34 RCW.

13 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.185C  
14 RCW to read as follows:

15 Subject to funds appropriated for this purpose, the capacity  
16 available in crisis residential centers established pursuant to this  
17 chapter shall be increased incrementally by no fewer than ten beds  
18 per fiscal year through fiscal year 2019 in order to accommodate  
19 truant students found in contempt of a court order to attend school.  
20 The additional capacity shall be distributed around the state based  
21 upon need and, to the extent feasible, shall be geographically  
22 situated to expand the use of crisis residential centers as set forth  
23 in this chapter so they are available for use by all courts for  
24 housing truant youth.

25 **\*Sec. 13.** RCW 28A.165.005 and 2013 2nd sp.s. c 18 s 201 are each  
26 amended to read as follows:

27 ***(1) This chapter is designed to: (a) Promote the use of data when***  
28 ***developing programs to assist underachieving students and reduce***  
29 ***disruptive behaviors in the classroom; and (b) guide school districts***  
30 ***in providing the most effective and efficient practices when***  
31 ***implementing supplemental instruction and services to assist***  
32 ***underachieving students and reduce disruptive behaviors in the***  
33 ***classroom.***

34 ***(2) School districts implementing a learning assistance program***  
35 ***shall focus first on addressing the needs of students;***

36 ***(a) In grades kindergarten through four who are deficient in***  
37 ***reading or reading readiness skills to improve reading literacy; and***

1 (b) For whom a conference is required under section 3 of this act  
2 or who are the subject of a petition under RCW 28A.225.035 to  
3 increase regular school attendance and eliminate truancy.

4 (3) For purposes of this chapter, "disruptive behaviors in the  
5 classroom" includes excessive absenteeism and truancy.

\*Sec. 13 was vetoed. See message at end of chapter.

6 \*Sec. 14. RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each  
7 amended to read as follows:

8 (1) Beginning in the 2015-16 school year, expenditure of funds  
9 from the learning assistance program must be consistent with the  
10 provisions of RCW 28A.655.235.

11 (2) Use of best practices that have been demonstrated through  
12 research to be associated with increased student achievement  
13 magnifies the opportunities for student success. To the extent they  
14 are included as a best practice or strategy in one of the state menus  
15 or an approved alternative under this section or RCW 28A.655.235, the  
16 following are services and activities that may be supported by the  
17 learning assistance program:

18 (a) Extended learning time opportunities occurring:

19 (i) Before or after the regular school day;

20 (ii) On Saturday; and

21 (iii) Beyond the regular school year;

22 (b) Services under RCW 28A.320.190;

23 (c) Professional development for certificated and classified  
24 staff that focuses on:

25 (i) The needs of a diverse student population;

26 (ii) Specific literacy and mathematics content and instructional  
27 strategies; and

28 (iii) The use of student work to guide effective instruction and  
29 appropriate assistance;

30 (d) Consultant teachers to assist in implementing effective  
31 instructional practices by teachers serving participating students;

32 (e) Tutoring support for participating students;

33 (f) Outreach activities and support for parents of participating  
34 students, including employing parent and family engagement  
35 coordinators; ((and))

36 (g) Up to five percent of a district's learning assistance  
37 program allocation may be used for development of partnerships with  
38 community-based organizations, educational service districts, and

1 other local agencies to deliver academic and nonacademic supports to  
2 participating students who are significantly at risk of not being  
3 successful in school to reduce barriers to learning, increase student  
4 engagement, and enhance students' readiness to learn. The office of  
5 the superintendent of public instruction must approve any community-  
6 based organization or local agency before learning assistance funds  
7 may be expended; and

8 (h) Up to two percent of a district's learning assistance program  
9 allocation may be used to fund school efforts to address excessive  
10 absenteeism and truancy as described in section 3 of this act and RCW  
11 28A.225.025.

12 (3) In addition to the state menu developed under RCW  
13 28A.655.235, the office of the superintendent of public instruction  
14 shall convene a panel of experts, including the Washington state  
15 institute for public policy, to develop additional state menus of  
16 best practices and strategies for use in the learning assistance  
17 program to assist struggling students at all grade levels in English  
18 language arts and mathematics and reduce disruptive behaviors in the  
19 classroom. The office of the superintendent of public instruction  
20 shall publish the state menus by July 1, 2015, and update the state  
21 menus by each July 1st thereafter.

22 (4)(a) Beginning in the 2016-17 school year, except as provided  
23 in (b) of this subsection, school districts must use a practice or  
24 strategy that is on a state menu developed under subsection (3) of  
25 this section or RCW 28A.655.235.

26 (b) Beginning in the 2016-17 school year, school districts may  
27 use a practice or strategy that is not on a state menu developed  
28 under subsection (3) of this section for two school years initially.  
29 If the district is able to demonstrate improved outcomes for  
30 participating students over the previous two school years at a level  
31 commensurate with the best practices and strategies on the state  
32 menu, the office of the superintendent of public instruction shall  
33 approve use of the alternative practice or strategy by the district  
34 for one additional school year. Subsequent annual approval by the  
35 superintendent of public instruction to use the alternative practice  
36 or strategy is dependent on the district continuing to demonstrate  
37 increased improved outcomes for participating students.

38 (c) Beginning in the 2016-17 school year, school districts may  
39 enter cooperative agreements with state agencies, local governments,  
40 or school districts for administrative or operational costs needed to

1 provide services in accordance with the state menus developed under  
2 this section and RCW 28A.655.235.

3 (5) School districts are encouraged to implement best practices  
4 and strategies from the state menus developed under this section and  
5 RCW 28A.655.235 before the use is required.

\*Sec. 14 was vetoed. See message at end of chapter.

6 \*Sec. 15. RCW 28A.655.235 and 2013 2nd sp.s. c 18 s 106 are each  
7 amended to read as follows:

8 (1)(a) Beginning in the 2015-16 school year, except as otherwise  
9 provided in this subsection (1), for any student who received a score  
10 of basic or below basic on the third grade statewide student  
11 assessment in English language arts in the previous school year, the  
12 school district must implement an intensive reading and literacy  
13 improvement strategy from a state menu of best practices established  
14 in accordance with subsection (3) of this section or an alternative  
15 strategy in accordance with subsection (4) of this section.

16 (b) A community truancy board or other coordinated means of  
17 intervention as provided in section 6 of this act is considered a  
18 best practice under this section.

19 (c) Reading and literacy improvement strategies for students with  
20 disabilities whose individualized education program includes  
21 specially designed instruction in reading or English language arts  
22 shall be as provided in the individualized education program.

23 (2)(a) Also beginning in the 2015-16 school year, in any school  
24 where more than forty percent of the tested students received a score  
25 of basic or below basic on the third grade statewide student  
26 assessment in English language arts in the previous school year, as  
27 calculated under this subsection (2), the school district must  
28 implement an intensive reading and literacy improvement strategy from  
29 a state menu of best practices established in accordance with  
30 subsection (3) of this section or an alternative strategy in  
31 accordance with subsection (4) of this section for all students in  
32 grades kindergarten through four at the school.

33 (b) For the purposes of this subsection (2), the office of the  
34 superintendent of public instruction shall exclude the following from  
35 the calculation of a school's percentage of tested students receiving  
36 a score of basic or below basic on the third grade statewide student  
37 assessment:

1       (i) Students enrolled in the transitional bilingual instruction  
2 program unless the student has participated in the transitional  
3 bilingual instruction program for three school years;

4       (ii) Students with disabilities whose individualized education  
5 program specifies a different standard to measure reading performance  
6 than is required for the statewide student assessment; and

7       (iii) Schools with fewer than ten students in third grade.

8       (3) The office of the superintendent of public instruction shall  
9 convene a panel of experts, including the Washington state institute  
10 for public policy, to develop a state menu of best practices and  
11 strategies for intensive reading and literacy improvement designed to  
12 assist struggling students in reaching grade level in reading by the  
13 end of fourth grade. The state menu must also include best practices  
14 and strategies to improve the reading and literacy of students who  
15 are English language learners and for system improvements that  
16 schools and school districts can implement to improve reading  
17 instruction for all students. The office of the superintendent of  
18 public instruction shall publish the state menu by July 1, 2014, and  
19 update the state menu by each July 1st thereafter.

20       (4) School districts may use an alternative practice or strategy  
21 that is not on a state menu developed under subsection (3) of this  
22 section for two school years initially. If the district is able to  
23 demonstrate improved outcomes for participating students over the  
24 previous two school years at a level commensurate with the best  
25 practices and strategies on the state menu, the office of the  
26 superintendent of public instruction must approve use of the  
27 alternative practice or strategy by the district for one additional  
28 school year. Subsequent annual approval by the superintendent of  
29 public instruction to use the alternative practice or strategy is  
30 dependent on the district continuing to demonstrate an increase in  
31 improved outcomes for participating students.

\*Sec. 15 was vetoed. See message at end of chapter.

32       NEW SECTION.    **Sec. 16.**    The office of the superintendent of  
33 public instruction shall develop recommendations as to how mandatory  
34 school attendance and truancy amelioration provisions under chapter  
35 28A.225 RCW should be applied to online schools and report back to  
36 the relevant committees of the legislature by November 1, 2016.

1        NEW SECTION.    **Sec. 17.**    A new section is added to chapter 43.330  
2    RCW to read as follows:

3        (1) By requiring an initial stay of truancy petitions for  
4    diversion to community truancy boards, the legislature intends to  
5    achieve the following outcomes:

6        (a) Increased access to community truancy boards and other  
7    truancy early intervention programs for parents and children  
8    throughout the state;

9        (b) Increased quantity and quality of truancy intervention and  
10    prevention efforts in the community;

11       (c) A reduction in the number of truancy petitions that result in  
12    further proceedings by juvenile courts, other than dismissal of the  
13    petition, after the initial stay and diversion to a community truancy  
14    board;

15       (d) A reduction in the number of truancy petitions that result in  
16    a civil contempt proceeding or detention order; and

17       (e) Increased school attendance.

18       (2) No later than January 1, 2021, the Washington state institute  
19    for public policy is directed to evaluate the effectiveness of  
20    chapter . . . , Laws of 2016 (this act). An initial report scoping of  
21    the methodology to be used to review chapter . . . , Laws of 2016  
22    (this act) shall be submitted to the fiscal committees of the  
23    legislature by January 1, 2018. The initial report must identify any  
24    data gaps that could hinder the ability of the institute to conduct  
25    its review.

26       NEW SECTION.    **Sec. 18.**    (1) The educational opportunity gap  
27    oversight and accountability committee shall conduct a review and  
28    make recommendations to the appropriate committees of the legislature  
29    with respect to:

30       (a) The cultural competence training that community truancy board  
31    members, as well as others involved in the truancy process, should  
32    receive;

33       (b) Best practices for supporting and facilitating parent and  
34    community involvement and outreach; and

35       (c) The cultural relevance of the assessments employed to  
36    identify barriers to attendance and the treatments and tools provided  
37    to children and their families.

1 (2) By June 30, 2017, a preliminary review shall be completed and  
2 preliminary recommendations provided. The review shall be completed,  
3 and a report and final recommendations provided, by December 1, 2017.

4 (3) For the purposes of this section, "cultural competence"  
5 includes knowledge of children's cultural histories and contexts, as  
6 well as family norms and values in different cultures; knowledge and  
7 skills in accessing community resources and community and parent  
8 outreach; and skills in adapting instruction and treatment to  
9 children's experiences and identifying cultural contexts for  
10 individual children.

11 (4) This section expires July 1, 2018.

12 NEW SECTION. **Sec. 19.** A new section is added to chapter 2.56  
13 RCW to read as follows:

14 (1)(a) To accurately track the extent to which courts order youth  
15 into a secure detention facility in Washington state for the  
16 violation of a court order related to a truancy, at-risk youth, or a  
17 child in need of services petition, all juvenile courts shall  
18 transmit youth-level secure detention data to the administrative  
19 office of the courts.

20 (b) Data may either be entered into the statewide management  
21 information system for juvenile courts or securely transmitted to the  
22 administrative office of the courts at least monthly. Juvenile courts  
23 shall provide, at a minimum, the name and date of birth for the  
24 youth, the court case number assigned to the petition, the reasons  
25 for admission to the juvenile detention facility, the date of  
26 admission, the date of exit, and the time the youth spent in secure  
27 confinement.

28 (c) Courts are also encouraged to report individual-level data  
29 reflecting whether a detention alternative, such as electronic  
30 monitoring, was used, and the time spent in detention alternatives.

31 (d) The administrative office of the courts and the juvenile  
32 court administrators must work to develop uniform data standards for  
33 detention.

34 (2) The administrative office of the courts shall deliver an  
35 annual statewide report to the legislature that details the number of  
36 Washington youth who are placed into detention facilities during the  
37 preceding calendar year. The first report shall be delivered by March  
38 1, 2017, and shall detail the most serious reason for detention and  
39 youth gender, race, and ethnicity. The report must have a specific

1 emphasis on youth who are detained for reasons relating to a truancy,  
2 at-risk youth, or a child in need of services petition.

3 NEW SECTION. **Sec. 20.** A new section is added to chapter 28A.225  
4 RCW to read as follows:

5 (1) Subject to funds appropriated for this purpose, the office of  
6 the superintendent of public instruction shall allocate to community  
7 truancy boards grant funds that may be used to supplement existing  
8 funds in order to pay for training for board members or the provision  
9 of services and treatment to children and their families.

10 (2) The superintendent of public instruction must select grant  
11 recipients based on the criteria in this section. This is a  
12 competitive grant process. A prerequisite to applying for either or  
13 both grants is a memoranda of understanding, between a school  
14 district and a court, to institute a new or maintain an existing  
15 community truancy board that meets the requirements of RCW  
16 28A.225.025.

17 (3) Successful applicants for an award of grant funds to  
18 supplement existing funds to pay for the training of community  
19 truancy board members must commit to the provision of training to  
20 board members regarding the identification of barriers to school  
21 attendance, the use of the Washington assessment of the risks and  
22 needs of students (WARNS) or other assessment tools to identify the  
23 specific needs of individual children, trauma-informed approaches to  
24 discipline, research about adverse childhood experiences, evidence-  
25 based treatments and culturally appropriate promising practices, as  
26 well as the specific academic and community services and treatments  
27 available in the school, court, community, and elsewhere. This  
28 training may be provided by educational service districts.

29 (4) Successful applicants for an award of grant funds to  
30 supplement existing funds to pay for services and treatments provided  
31 to children and their families must commit to the provision of  
32 academic services such as tutoring, credit retrieval and school  
33 reengagement supports, community services, and evidence-based  
34 treatments that have been found to be effective in supporting at-risk  
35 youth and their families, such as functional family therapy, or those  
36 that have been shown to be culturally appropriate promising  
37 practices.

1            **\*NEW SECTION.**    **Sec. 21. Sections 13 through 15 of this act take**  
2 **effect September 1, 2016.**

**\*Sec. 21 was vetoed. See message at end of chapter.**

Passed by the House March 10, 2016.

Passed by the Senate March 9, 2016.

Approved by the Governor April 1, 2016, with the exception of certain items that were vetoed.

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

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 1, 13-15, and 21, Second Substitute House Bill No. 2449 entitled:

"AN ACT Relating to court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy."

Section 1 is an intent section that is not necessary for the policy implementation of the bill.

Sections 13-15 and 21 of the bill reduce funding for the state Learning Assistance Program (LAP), which supports academic achievement for low-income students. LAP resources are allocated based on school poverty rates and by law must be focused first on evidence-based instructional strategies to teach elementary school students to read. Before rededicating these funds, we need evidence that prioritizing the reduction of absenteeism over early reading readiness and acquisition is a more effective means to promote academic achievement for low-income students.

For these reasons I have vetoed Sections 1, 13-15, and 21 of Second Substitute House Bill No. 2449.

With the exception of Sections 1, 13-15, and 21, Second Substitute House Bill No. 2449 is approved."

--- END ---