

FINAL BILL REPORT

SHB 1444

C 166 L 17
Synopsis as Enacted

Brief Description: Facilitating on-time grade level progression and graduation for certain students.

Sponsors: House Committee on Education (originally sponsored by Representatives Caldier, Santos, Kilduff, Muri, Senn, Appleton, Fey, Pollet and Slatter).

House Committee on Education
Senate Committee on Early Learning & K-12 Education

Background:

Local School District Requirements.

School district boards of directors may determine the amount of instructional hours necessary for a student to acquire a quality education in the district, as long as the number of hours is not fewer than state requirements. Districts are further authorized to establish the final curriculum standards, consistent with state law and rules, relevant to the particular needs of district students or the unusual characteristics of the district. Districts may also adopt local graduation requirements that are in excess of state requirements. In limited circumstances, schools may waive requirements otherwise necessary for graduation.

Course Waivers for Children Dependent Pursuant to the Juvenile Court Act.

In order to facilitate the on-time grade level progression and graduation of children who are found dependent under the Juvenile Court Act (JCA), which governs dependency cases and certain provisions related to foster care services, school districts must either waive specific courses for students if similar coursework has been completed in another school district or provide reasonable justification for denial. If a waiver is not granted to a student who would qualify to graduate from the sending district, the receiving school district must use best efforts to provide an alternative means of acquiring required coursework so that graduation may occur on time.

In accordance with the course waiver provisions, school districts are encouraged to consolidate unresolved or incomplete coursework and provide opportunities for credit accrual through local classroom hours, correspondence courses, and other options. If a student who is transferring at the beginning or during the student's junior or senior year is ineligible to graduate from the receiving district after all alternatives have been considered, the sending

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

and receiving districts must ensure the receipt of a diploma from the sending district if the student meets the graduation requirements of that district.

At-Risk Youth.

An at-risk youth (ARY) is defined as a child under the age of 18 who meets at least one of the following three requirements:

- is absent from home for at least 72 consecutive hours without parental consent;
- is beyond parental control such that his or her behavior endangers the health, safety, or welfare of the child or any other person; or
- has a substance abuse problem for which there are no pending criminal charges relating to the substance abuse.

Only the parent or guardian of the child may file an ARY petition. The purpose of filing an ARY petition is to obtain assistance and support from the juvenile court in maintaining the care, custody and control of the child, and to assist in the resolution of family conflict after alternatives to court intervention have been attempted. The ARY proceeding is a voluntary process, and a parent or guardian may request dismissal at any time.

Child in Need of Services.

A child in need of services (CHINS) is defined as a child under the age of 18 who meets at least one of the following requirements:

- is beyond parental control such that the child's behavior endangers the health, safety, or welfare of the child or other person;
- has been reported to law enforcement as absent without consent for at least 24 consecutive hours from the parent's home, a crisis residential center, an out-of-home placement, or a court-ordered placement on two or more separate occasions and has exhibited a serious substance abuse problem or behaviors that create a serious risk of harm to the health, safety, or welfare of the child or any other person;
- is in need of necessary services, including food, shelter, health care, clothing, education, or services designed to maintain or reunite the family and lacks access to or has declined to utilize these services, and whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure; or
- is a sexually exploited child.

A child, parent or guardian, or the Department of Social and Health Services may file a CHINS petition. The purpose of filing a CHINS petition is to obtain a court order mandating temporary placement, for up to six months, of the child in a residence other than the home of his or her parent or guardian, because a serious conflict exists between the parent and child that cannot be resolved by delivery of services to the family during continued placement of the child in the parental home, and reasonable efforts have been made to prevent the need for removal of the child from the parental home.

Homeless Students.

Legislation adopted in 2016 (chapter 157, Laws of 2016, enacted as Third Substitute House Bill 1682) established a grant program administered by the Office of the Superintendent of Public Instruction to increase the identification of homeless students and the capacity of school districts to provide related support. Provisions governing the grant program define

"homeless students" as students without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento Homeless Education Assistance Act (McKinney-Vento Act).

The McKinney-Vento Act defines "homeless children" as "individuals who lack a fixed, regular, and adequate nighttime residence." The McKinney-Vento Act provides examples of children who would fall under this definition, including:

- children and youth sharing housing due to loss of housing, economic hardship, or a similar reason;
- children and youth living in motels, hotels, trailer parks, or campgrounds due to lack of alternative accommodations;
- children and youth living in emergency or transitional shelters;
- children and youth awaiting foster care placement; and
- children and youth living in cars, parks, public spaces, abandoned buildings, substandard housing, or bus or train stations.

Summary:

In addition to helping to facilitate on-time grade level progression and graduation for children who are found dependent under the JCA, school districts must provide the same facilitation assistance for homeless students, as defined according to a related grant program, and children who qualify as an ARY or a CHINS.

If a student has enrolled in three or more school districts as a high school student and has met state graduation requirements but is ineligible to graduate from the receiving school district after all alternatives have been considered, the receiving school district must waive its local graduation requirements and ensure the receipt of a diploma. These provisions apply to a qualifying dependent child under the JCA, a student who is homeless, or a child who qualifies as an ARY or a CHINS.

Votes on Final Passage:

House	98	0	
Senate	49	0	(Senate amended)
House	96	0	(House concurred)

Effective: July 23, 2017