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**HOUSE BILL 2711**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives J. Johnson, Corry, Stonier, Ormsby, Appleton, Caldier, Davis, Leavitt, Lekanoff, Ramel, Senn, Chopp, Goodman, Fey, Pollet, Callan, and Chambers

AN ACT Relating to equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education; amending RCW 74.13.1051; adding a new section to chapter 28A.300 RCW; creating a new section; and repealing RCW 28A.300.8001.

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

NEW SECTION. **Sec.**  (1) The legislature finds that youth impacted by the foster care system, homelessness, or both experience the lowest high school graduation and postsecondary completion outcomes compared to any other population of youth statewide. The legislature finds that youth impacted by foster care, homelessness, or both experience school changes at significantly higher rates than their peers, which can disrupt academic progress. The legislature further finds that this population of youth experience disproportionate suspension and expulsion rates and require special education services at much higher rates than their peers.

(2) The legislature acknowledges that, as a result, only forty-six percent of Washington students in foster care and fifty-five percent of students experiencing homelessness graduated from high school on time in 2018 as compared to eighty percent of their peers. The legislature acknowledges that children and youth of color are disproportionately represented in the foster care and homeless student populations and have significantly worse academic outcomes than their white peers. The legislature further finds that students who do not achieve positive educational outcomes experience high rates of unemployment, poverty, adult homelessness, and incarceration.

(3) The legislature intends to provide the opportunity for an equitable education to all youth impacted by the foster care system, homelessness, or both. The legislature intends to meet the goal of educational parity for children and youth in foster care and children and youth experiencing homelessness by 2027. The legislature intends to achieve parity in educational outcomes for children and youth in foster care and children and youth experiencing homelessness at the same rate as their general student population peers throughout the educational continuum from prekindergarten to postsecondary education.

(4) The legislature acknowledges it directed the department of children, youth, and families and other entities to convene a work group in the 2018 supplemental budget focusing on students in foster care and students experiencing homelessness. The legislature resolves to continue this work group to improve education outcomes for these students throughout the educational continuum.

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

(1) The office of the superintendent of public instruction, in collaboration with the department of children, youth, and families, the office of homeless youth prevention and protection programs, and the student achievement council, must convene the project education impact work group. The work group must include aligned nongovernmental agencies and a statewide nonprofit coalition that is representative of communities of color and people living in low-income communities.

(2) The work group must focus on students in foster care and students experiencing homelessness throughout the educational continuum from prekindergarten through postsecondary. The work group must implement a plan for children and youth in foster care, experiencing homelessness, or both, to achieve parity in educational outcomes and to eliminate racial and ethnic disparities in educational outcomes with their general student population peers by 2027.

(3)(a) The work group must annually review the educational outcomes of children and youth in foster care, experiencing homelessness, or both including:

(i) Kindergarten readiness, early grade reading and math, eighth and ninth grade students on track to graduate, high school completion, postsecondary enrollment, and postsecondary completion; and

(ii) School attendance, school mobility, special education status, and school discipline.

(b) All data must be disaggregated by race and ethnicity.

(c) To enable this analysis:

(i) The office of the superintendent of public instruction, the department of children, youth, and families, the student achievement council, and the office of homeless youth prevention and protection programs must provide updated education and other necessary data to the education data center established under RCW 43.41.400; and

(ii) The education data center must provide an updated report to the work group on these educational outcomes by March 31, 2021, and annually thereafter. If state funds are not made available, the work group may pursue private funding to ensure the completion of this report.

(4) The work group must also:

(a) Evaluate the outcomes, needs, and service array for children and youth in foster care, experiencing homelessness, or both, and the specific needs of children and youth of color and those with special education needs;

(b) Engage stakeholders to provide input on the development of biannual recommendations, including youth experiencing foster care, homelessness, or both, foster parents and relative caregivers, birth parents, caseworkers, school districts and educators, early learning providers, postsecondary institutions, and federally recognized tribes.

(5)(a) By October 31, 2020, and biannually thereafter, the work group shall submit a report to the governor and the appropriate committees of the legislature regarding the collective progress the state has made toward educational parity for children and youth in foster care, experiencing homelessness, or both.

(b)(i) The report must include progress made toward the following goals for students experiencing foster care, homelessness, or both:

(A) Parity in kindergarten readiness rates;

(B) Parity in high school graduation rates;

(C) Parity in postsecondary education and state-approved apprenticeship enrollment;

(D) Parity in postsecondary education and state-approved apprenticeship completion; and

(ii) The report must also include updates on individual agency and aligned nongovernmental agency actions and collective actions toward these goals and the effectiveness of support services for students experiencing foster care, homelessness, or both.

(c)(i) The report must make recommendations to further align and improve policy, programs, agency practice, and supports for students and provide for shared and sustainable accountability to reach the goal of educational parity, including recommendations to:

(A) Address systems barriers and improve educational stability;

(B) Enforce existing state law that require that educational records, educational needs, individualized education programs, credits, and other records follow children and youth when they transition from district to district or another educational program or facility;

(C) Improve racial equity in educational outcomes;

(D) Ensure access to consistent and accurate annual educational outcomes data; and

(E) Outline which recommendations can be implemented using existing resources, rules, and regulations and which require policy, administrative, and resource adjustments.

(ii) The report must also address the progress made toward meaningful engagement of stakeholders in informing recommendations.

(6) Nothing in this section permits disclosure of confidential information protected from disclosure under federal or state law, including but not limited to information protected under chapter 13.50 RCW. Confidential information received by the work group retains its confidentiality and may not be further disseminated except as allowed under federal and state law.

**Sec.**  RCW 74.13.1051 and 2017 3rd sp.s. c 6 s 405 are each amended to read as follows:

(1) In order to proactively support foster youth to complete high school, enroll and complete postsecondary education, and successfully implement their own plans for their futures, the department, the student achievement council, and the office of the superintendent of public instruction shall enter into, or revise existing, memoranda of understanding that:

(a) Facilitate student referral, data and information exchange, agency roles and responsibilities, and cooperation and collaboration among state agencies and nongovernmental entities; and

(b) Effectuate the transfer of responsibilities from the department to the office of the superintendent of public instruction with respect to the programs in RCW 28A.300.592, and from the department to the student achievement council with respect to the program in RCW 28B.77.250 in a smooth, expedient, and coordinated fashion.

(2) The student achievement council and the office of the superintendent of public instruction shall establish a set of indicators relating to the outcomes provided in RCW 28A.300.590 and 28A.300.592 to provide consistent services for youth, facilitate transitions among contractors, and support outcome-driven contracts. The student achievement council and the superintendent of public instruction shall collaborate with nongovernmental contractors and the department to develop a list of the most critical indicators, establishing a common set of indicators to be used in the outcome-driven contracts in RCW 28A.300.590 and 28A.300.592. ((~~A list of these indicators must be included in the report provided in subsection (3) of this section.~~

~~(3) By November 1, 2017, and biannually thereafter, the department, the student achievement council, and the office of the superintendent of public instruction, in consultation with the nongovernmental entities engaged in public-private partnerships shall submit a joint report to the governor and the appropriate education and human services committees of the legislature regarding each of these programs, individually, as well as the collective progress the state has made toward the following goals:~~

~~(a) To make Washington number one in the nation for foster care graduation rates;~~

~~(b) To make Washington number one in the nation for foster care enrollment in postsecondary education; and~~

~~(c) To make Washington number one in the nation for foster care postsecondary completion.~~

~~(4) The department, the student achievement council, and the office of the superintendent of public instruction, in consultation with the nongovernmental entities engaged in public-private partnerships, shall also submit one report by November 1, 2018, to the governor and the appropriate education and human service committees of the legislature regarding the transfer of responsibilities from the department to the office of the superintendent of public instruction with respect to the programs in RCW 28A.300.592, and from the department to the student achievement council with respect to the program in RCW 28B.77.250 and whether these transfers have resulted in better coordinated services for youth.~~))

NEW SECTION. **Sec.**  RCW 28A.300.8001 (Plan for cross-system collaboration to promote educational stability and improve educational outcomes for foster children—Reports) and 2012 c 163 s 10 are each repealed.

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