

CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 2116**

Chapter 226, Laws of 2020

66th Legislature  
2020 Regular Session

TASK FORCE ON IMPROVING INSTITUTIONAL EDUCATION PROGRAMS AND OUTCOMES

EFFECTIVE DATE: March 31, 2020

Passed by the House March 11, 2020  
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 10, 2020  
Yeas 44 Nays 2

CYRUS HABIB

**President of the Senate**

Approved March 31, 2020 10:48 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2116** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

March 31, 2020

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 2116**

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AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

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

**By** House Education (originally sponsored by Representatives Callan, Eslick, Frame, Klippert, Blake, Ramos, Lovick, Davis, Doglio, Leavitt, Senn, Pollet, and Santos)

READ FIRST TIME 02/06/20.

1            AN ACT Relating to establishing a task force on improving  
2 institutional education programs and outcomes; creating new sections;  
3 providing an expiration date; and declaring an emergency.

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

5            NEW SECTION.        **Sec. 1.**        The legislature recognizes that the  
6 federal every student succeeds act of 2015, P.L. 114-95, reauthorized  
7 and amended the elementary and secondary education act of 1965, the  
8 federal policy and funding assistance framework for the nation's  
9 public education system.

10           Two of the stated purposes of the every student succeeds act are  
11 to provide all children with a significant opportunity to receive a  
12 fair, equitable, and high quality education, and to close educational  
13 achievement gaps.

14           The legislature further recognizes that Article IX of the state  
15 Constitution provides that it is the paramount duty of the state to  
16 make ample provision for the education of all children residing  
17 within its borders, without distinction or preference on account of  
18 race, color, caste, or sex.

19           While the partnership of federal and state law is critical in  
20 ensuring that the civil and education rights of students are upheld,  
21 efforts in Washington to fully realize state and federal objectives,

1 especially with respect to the delivery of education services in  
2 institutional facilities, remain unfinished.

3 The legislature, therefore, intends to establish a task force on  
4 improving institutional education programs and outcomes, with tasks  
5 and duties generally focused on educational programs in the juvenile  
6 justice system. In so doing, the legislature intends to examine  
7 issues that have not been significantly explored in recent years,  
8 build a shared understanding of past and present circumstances, and  
9 develop recommendations for improving the delivery of education  
10 services, and associated outcomes, for youth in institutional  
11 facilities.

12 NEW SECTION. **Sec. 2.** (1)(a) The task force on improving  
13 institutional education programs and outcomes is established, with  
14 members as provided in this subsection.

15 (i) The president of the senate shall appoint one member from  
16 each of the two largest caucuses of the senate, with each member  
17 serving on the committee with jurisdiction over education issues, and  
18 one member serving on the committee with jurisdiction over basic  
19 education funding.

20 (ii) The speaker of the house of representatives shall appoint  
21 one member from each of the two largest caucuses of the house of  
22 representatives, with one member serving on the committee with  
23 jurisdiction over education issues, and one member serving on the  
24 committee with jurisdiction over basic education funding.

25 (iii) The governor shall appoint one member each from the state  
26 board of education and the department of children, youth, and  
27 families, and one member representing an organization that provides  
28 free legal advice to youth who are involved in, or at risk of being  
29 involved in, the juvenile justice system.

30 (iv) The superintendent of public instruction shall appoint three  
31 members: One member representing the superintendent of public  
32 instruction; one member who is a principal from a school district  
33 with at least twenty thousand enrolled students that provides  
34 education services to a juvenile rehabilitation facility; and one  
35 member who is a teacher with expertise in providing education  
36 services to residents of a juvenile rehabilitation facility.

37 (v) The task force must also include one member representing the  
38 educational opportunity gap oversight and accountability committee,

1 selected by the educational opportunity gap oversight and  
2 accountability committee.

3 (b) The task force shall choose its cochairs from among its  
4 legislative membership. One cochair must be from a minority caucus in  
5 one of the two chambers of the legislature. A member from the  
6 majority caucus of the house of representatives shall convene the  
7 initial meeting of the task force by May 1, 2020.

8 (2) The task force shall examine the following issues:

9 (a) Goals and strategies for improving the coordination and  
10 delivery of education services to youth involved with the juvenile  
11 justice system, especially youth in juvenile rehabilitation  
12 facilities, and children receiving education services, including home  
13 or hospital instruction, under RCW 28A.155.090;

14 (b) The transmission of student records, including individualized  
15 education programs and plans developed under section 504 of the  
16 rehabilitation act of 1973, for students in institutional facilities,  
17 and recommendations for ensuring that those records are available to  
18 the applicable instructional staff within two business days of a  
19 student's admission to the institution;

20 (c) Goals and strategies for increasing the graduation rate of  
21 youth in institutional facilities, and in recognition of the  
22 transitory nature of youth moving through the juvenile justice  
23 system, issues related to grade level progression and academic credit  
24 reciprocity and consistency to ensure that:

25 (i) Core credits earned in an institutional facility are  
26 considered core credits by public schools that the students  
27 subsequently attend; and

28 (ii) Public school graduation requirements, as they applied to a  
29 student prior to entering an institutional facility, remain  
30 applicable for the student upon returning to a public school;

31 (d) Goals and strategies for assessing adverse childhood  
32 experiences of students in institutional education and providing  
33 trauma-informed care;

34 (e) An assessment of the level and adequacy of basic and special  
35 education funding for institutional facilities. The examination  
36 required by this subsection (2)(e) must include information about the  
37 number of students receiving special education services in  
38 institutional facilities, and a comparison of basic and special  
39 education funding in institutional facilities and public schools  
40 during the previous ten school years;

1 (f) An assessment of the delivery methods, and their adequacy,  
2 that are employed in the delivery of special education services in  
3 institutional facilities, including associated findings;

4 (g) School safety, with a focus on school safety issues that are  
5 applicable in institutional facilities; and

6 (h) Special skills and services of faculty and staff, including  
7 associated professional development and nonacademic supports  
8 necessary for addressing social emotional and behavioral health needs  
9 presenting as barriers to learning for youth in institutional  
10 facilities.

11 (3) The task force, in completing the duties prescribed by this  
12 section, shall solicit and consider information and perspectives  
13 provided by the department of corrections and persons and entities  
14 with relevant interest and expertise, including from persons with  
15 experience reintegrating youth from institutional facilities into  
16 school and the community at large, and from persons who provide  
17 education services in secure facilities housing persons under the age  
18 of twenty-five, examples of which include county jails, juvenile  
19 justice facilities, and community facilities as defined in RCW  
20 72.05.020.

21 (4) Staff support for the task force must be provided by the  
22 senate committee services and the house of representatives office of  
23 program research. The office of financial management, the office of  
24 the superintendent of public instruction, the department of children,  
25 youth, and families, and the department of corrections shall  
26 cooperate with the task force and provide information as the cochairs  
27 may reasonably request.

28 (5) Legislative members of the task force are to be reimbursed  
29 for travel expenses in accordance with RCW 44.04.120. Nonlegislative  
30 members are not entitled to be reimbursed for travel expenses if they  
31 are elected officials or are participating on behalf of an employer,  
32 government entity, or other organization. Any reimbursement for other  
33 nonlegislative members is subject to chapter 43.03 RCW.

34 (6) The expenses of the task force must be paid jointly by the  
35 senate and the house of representatives. Task force expenditures are  
36 subject to approval by the senate facilities and operations committee  
37 and the house of representatives executive rules committee, or their  
38 successor committees.

39 (7) In accordance with RCW 43.01.036, the task force shall report  
40 its findings and recommendations to the governor and the appropriate

1 committees of the house of representatives and the senate by December  
2 15, 2020, in time for the legislature to take action on legislation  
3 that is consistent with the findings and recommendations during the  
4 2021 legislative session. The findings and recommendations may also  
5 include recommendations for extending the duration of the task force.

6 (8) This section expires June 30, 2021.

7 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
8 preservation of the public peace, health, or safety, or support of  
9 the state government and its existing public institutions, and takes  
10 effect immediately.

Passed by the House March 11, 2020.

Passed by the Senate March 10, 2020.

Approved by the Governor March 31, 2020.

Filed in Office of Secretary of State March 31, 2020.

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