

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1955

Chapter 78, Laws of 2022

67th Legislature
2022 Regular Session

DEPENDENCY PROCEEDINGS—STUDENTS

EFFECTIVE DATE: June 9, 2022

Passed by the House February 8, 2022
Yeas 95 Nays 1

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 3, 2022
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Approved March 17, 2022 12:40 PM

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 **SUBSTITUTE HOUSE BILL 1955** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 17, 2022

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1955

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By House Education (originally sponsored by Representatives Rule, Ramel, Ormsby, and Taylor)

READ FIRST TIME 02/03/22.

1 AN ACT Relating to creating uniformity in education requirements
2 for students who are the subject of a dependency proceeding; amending
3 RCW 28A.150.510, 28A.225.023, 28A.225.330, 28A.225.350, 28A.320.148,
4 28A.320.192, 28B.117.020, 74.13.550, and 74.13.631; and reenacting
5 and amending RCW 74.13.560.

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

7 **Sec. 1.** RCW 28A.150.510 and 2017 3rd sp.s. c 6 s 336 are each
8 amended to read as follows:

9 (1) In order to effectively serve students who are (~~dependent~~
10 ~~pursuant to chapter 13.34 RCW~~) the subject of a dependency
11 proceeding, education records shall be transmitted to the department
12 of children, youth, and families, the appropriate federally
13 recognized Indian tribe, or the state agency responsible for the
14 implementation of the unaccompanied refugee minors program within two
15 school days after receiving the request from the department,
16 federally recognized Indian tribe, or state agency provided that the
17 department, the appropriate federally recognized Indian tribe, or the
18 state agency responsible for the implementation of the unaccompanied
19 refugee minors program certifies that it will not disclose to any
20 other party the education records without prior written consent of
21 the parent or student unless authorized to disclose the records under

1 state law. The department of children, youth, and families is
2 authorized to disclose education records it obtains pursuant to this
3 section to a foster parent, guardian, or other entity authorized by
4 the department to provide residential care to the student. The
5 department is also authorized to disclose educational records it
6 obtains pursuant to this section to those entities with which it has
7 contracted, or with which it is formally collaborating, having
8 responsibility for educational support services and educational
9 outcomes of students who are ((dependent)) the subject of a
10 dependency proceeding pursuant to chapter 13.34 RCW. The department
11 is encouraged to put in place data-sharing agreements to assure
12 accountability.

13 ~~(2) ((a) The K-12 data governance group established under RCW~~
14 ~~28A.300.507 shall create a comprehensive needs requirement document~~
15 ~~detailing the specific information, technical capacity, and any~~
16 ~~federal and state statutory and regulatory changes needed by school~~
17 ~~districts, the office of the superintendent of public instruction,~~
18 ~~the department of children, youth, and families, or the higher~~
19 ~~education coordinating board or its successor, to enable the~~
20 ~~provision, on at least a quarterly basis, of:~~

21 ~~(i) Current education records of students who are dependent~~
22 ~~pursuant to chapter 13.34 RCW to the department of children, youth,~~
23 ~~and families and, from the department, to those entities with which~~
24 ~~the department has contracted, or with which it is formally~~
25 ~~collaborating, having responsibility for educational support services~~
26 ~~and educational outcomes; and~~

27 ~~(ii) The names and contact information of students who are~~
28 ~~dependent pursuant to chapter 13.34 RCW and are thirteen years or~~
29 ~~older to the higher education coordinating board or its successor and~~
30 ~~the private agency with which it has contracted to perform outreach~~
31 ~~for the passport to college promise program under chapter 28B.117 RCW~~
32 ~~or the college bound scholarship program under chapter 28B.118 RCW.~~

33 ~~(b) In complying with (a) of this subsection, the K-12 data~~
34 ~~governance group shall consult with: Educational support service~~
35 ~~organizations, with which the department of children, youth, and~~
36 ~~families contracts or collaborates, having responsibility for~~
37 ~~educational support services and educational outcomes of dependent~~
38 ~~students; the passport to college advisory committee; the education~~
39 ~~support service organizations under contract to perform outreach for~~
40 ~~the passport to college promise program under chapter 28B.117 RCW;~~

1 ~~the department of children, youth, and families; the office of the~~
2 ~~attorney general; the higher education coordinating board or its~~
3 ~~successor; and the office of the administrator for the courts)) For
4 the purposes of this section, "students who are the subject of a
5 dependency proceeding" means a child or youth who is located in
6 Washington state, and who is:~~

7 (a) The subject of a shelter care or dependency order issued
8 pursuant to chapter 13.34 RCW or an equivalent order of a tribal
9 court of a federally recognized Indian tribe; or

10 (b) Eligible for benefits under the federal foster care system as
11 defined in RCW 28B.117.020.

12 **Sec. 2.** RCW 28A.225.023 and 2013 c 182 s 9 are each amended to
13 read as follows:

14 (1) A school district representative or school employee shall
15 review unexpected or excessive absences with ((a youth)) students who
16 ((is dependent pursuant to chapter 13.34 RCW)) are the subject of a
17 dependency proceeding and adults involved with ((that youth)) the
18 students, to include the ((youth's caseworker)) students'
19 caseworkers, educational ((liaison, attorney)) liaisons, attorneys if
20 ((one is)) appointed, ((parent)) parents or legal guardians, and
21 foster parents or the ((person)) persons providing placement for the
22 ((youth)) students. The purpose of the review is to determine the
23 cause of the absences, taking into account: Unplanned school
24 transitions, periods of running from care, inpatient treatment,
25 incarceration, school adjustment, educational gaps, psychosocial
26 issues, and unavoidable appointments during the school day. A school
27 district representative or a school employee must proactively support
28 the ((youth's)) students' school work so the student does not fall
29 behind and to avoid suspension or expulsion based on truancy.

30 (2) For the purposes of this section, "students who are the
31 subject of a dependency proceeding" has the same meaning as in RCW
32 28A.150.510.

33 **Sec. 3.** RCW 28A.225.330 and 2021 c 120 s 2 are each amended to
34 read as follows:

35 (1) When enrolling a student who has attended school in another
36 school district, the school enrolling the student may request the
37 parent and the student to briefly indicate in writing whether or not
38 the student has:

- 1 (a) Any history of placement in special educational programs;
2 (b) Any past, current, or pending disciplinary action;
3 (c) Any history of violent behavior, or behavior listed in RCW
4 13.04.155;
5 (d) Any unpaid fines or fees imposed by other schools; and
6 (e) Any health conditions affecting the student's educational
7 needs.

8 (2) The school enrolling the student shall request the student's
9 permanent record including records of disciplinary action, history of
10 violent behavior or behavior listed in RCW 13.04.155, attendance,
11 immunization records, and academic performance from the school the
12 student previously attended.

13 (3) Upon request, school districts shall furnish a set of
14 unofficial educational records to a parent or guardian of a student
15 who is transferring out of state and who meets the definition of a
16 child of a military family in transition under Article II of RCW
17 28A.705.010. School districts may charge the parent or guardian the
18 actual cost of providing the copies of the records.

19 (4) If information is requested under subsection (2) of this
20 section, the information shall be transmitted within two school days
21 after receiving the request and the records shall be sent as soon as
22 possible. The records of a student who meets the definition of a
23 child of a military family in transition under Article II of RCW
24 28A.705.010 shall be sent within (~~ten~~) 10 days after receiving the
25 request. Any school district or district employee who releases the
26 information in compliance with this section is immune from civil
27 liability for damages unless it is shown that the school district
28 employee acted with gross negligence or in bad faith. The
29 professional educator standards board shall provide by rule for the
30 discipline under chapter 28A.410 RCW of a school principal or other
31 chief administrator of a public school building who fails to make a
32 good faith effort to assure compliance with this subsection.

33 (5) Any school district or district employee who releases the
34 information in compliance with federal and state law is immune from
35 civil liability for damages unless it is shown that the school
36 district or district employee acted with gross negligence or in bad
37 faith.

38 (6) (a) A school may not prevent (~~(a student)~~) students who (~~(is~~
39 ~~dependent)~~) are the subject of a dependency proceeding pursuant to
40 chapter 13.34 RCW from enrolling if there is incomplete information

1 as enumerated in subsection (1) of this section during the ~~((ten))~~ 10
2 business days that the department of ~~((social and health services))~~
3 children, youth, and families has to obtain that information under
4 RCW 74.13.631. ~~((In addition, upon))~~

5 (b) If the student who is the subject of a dependency proceeding
6 is subject to an order in a federally recognized tribal court that is
7 the equivalent of a shelter care or dependency order pursuant to
8 chapter 13.34 RCW, or the student is eligible for benefits under the
9 federal foster care system as defined in RCW 28B.117.020, the school
10 may not prevent the student from enrolling if there is incomplete
11 information as enumerated in subsection (1) of this section during
12 the 10 business days from the date the equivalent order is entered or
13 from a date determined by the state agency responsible for
14 implementing the unaccompanied refugee minors program.

15 (c) Upon enrollment of a student who is ~~((dependent pursuant to~~
16 chapter 13.34 RCW)) the subject of a dependency proceeding, the
17 school district must make reasonable efforts to obtain and assess
18 that child's educational history in order to meet the child's unique
19 needs within two business days.

20 (7) For the purposes of this section, "students who are the
21 subject of a dependency proceeding" has the same meaning as in RCW
22 28A.150.510.

23 **Sec. 4.** RCW 28A.225.350 and 2018 c 139 s 2 are each amended to
24 read as follows:

25 (1) (a) The protocols required by RCW 74.13.560 for making best
26 interest determinations for students ~~((in out-of-home care)) who are~~
27 the subject of a dependency proceeding pursuant to chapter 13.34 RCW
28 must comply with the provisions of this section.

29 (b) The requirements of this section, and the development
30 protocols described in RCW 74.13.560 for making best interest
31 determinations for students who are the subject of a dependency
32 proceeding pursuant to chapter 13.34 RCW, may also be applied to
33 students who are the subject of a federally recognized tribal court
34 shelter care or dependency order that is the equivalent of a shelter
35 care or dependency order issued pursuant to chapter 13.34 RCW, and
36 students who are eligible for benefits under the federal foster care
37 system as defined in RCW 28B.117.020.

1 (2) (a) Best interest determinations should be made as quickly as
2 possible in order to prevent educational discontinuity for the
3 student.

4 (b) When making best interest determinations, every effort should
5 be made to gather meaningful input from relevant and appropriate
6 persons on their perspectives regarding which school the student
7 should attend (~~during his or her time in out-of-home care~~) while
8 the subject of a dependency proceeding, consistent with the student's
9 case plan. Relevant and appropriate persons include:

10 (i) Representatives of the department of children, youth, and
11 families for students who are the subject of a dependency proceeding
12 pursuant to chapter 13.34 RCW, or representatives of other applicable
13 child welfare agencies;

14 (ii) Representatives of the school of origin, such as a teacher,
15 counselor, coach, or other meaningful person in the student's life;

16 (iii) Biological parents;

17 (iv) Foster parents;

18 (v) Educational liaisons identified under RCW 13.34.045;

19 (vi) The student's relatives; and

20 (vii) Depending on (~~his or her~~) the student's age, the student.

21 (3) In accordance with RCW 74.13.550, whenever practical and in
22 their best interest, students (~~placed into out-of-home care~~) who
23 are the subject of a dependency proceeding must remain enrolled in
24 (~~the school that they were attending at the time they entered out-~~
25 ~~of-home care~~) their school of origin.

26 (4) Student-centered factors must be used to determine what is in
27 a student's best interest. In order to make a well-informed best
28 interest determination, a variety of student-centered factors should
29 be considered, including:

30 (a) How long is the student's current (~~out-of-home~~) care
31 placement expected to last?

32 (b) What is the student's permanency plan and how does it relate
33 to school stability?

34 (c) How many schools has the student attended in the current
35 year?

36 (d) How many schools has the student attended over the past few
37 years?

38 (e) Considering the impacts of past transfers, how may
39 transferring to a new school impact the student academically,
40 emotionally, physically, and socially?

- 1 (f) What are the immediate and long-term educational plans of,
2 and for, the student?
- 3 (g) How strong is the student academically?
- 4 (h) If the student has special needs, what impact will
5 transferring to a new school have on the student's progress and
6 services?
- 7 (i) To what extent are the programs and activities at the
8 potential new school comparable to, or more appropriate than, those
9 at the school of origin?
- 10 (j) Does one school have programs and activities that address the
11 unique needs or interests of the student that the other school does
12 not have?
- 13 (k) Which school does the student prefer?
- 14 (l) How deep are the ((~~child's~~)) student's ties to ((~~his or her~~))
15 the student's school of origin?
- 16 (m) Would the timing of the school transfer coincide with a
17 logical juncture, such as after testing, after an event that is
18 significant to the student, or at the end of the school year?
- 19 (n) How would changing schools affect the student's ability to
20 earn full academic credit, participate in sports or other
21 extracurricular activities, proceed to the next grade, or graduate on
22 time?
- 23 (o) How would the commute to the school under consideration
24 impact the student, in terms of distance, mode of transportation, and
25 travel time?
- 26 (p) How anxious is the student about having been removed from the
27 home or about any upcoming moves?
- 28 (q) What school does the student's sibling attend?
- 29 (r) Are there safety issues to consider?
- 30 (5) The student must remain in ((~~his or her~~)) the student's
31 school of origin while a best interest determination is made and
32 while disputes are resolved in order to minimize disruption and
33 reduce the number of school transfers.
- 34 (6) School districts are encouraged to use any:
- 35 (a) Best interest determination guide developed by the office of
36 the superintendent of public instruction during the discussion about
37 the advantages and disadvantages of keeping the student in the school
38 of origin or transferring the student to a new school; and
39 (b) Dispute resolution process developed by the office of the
40 superintendent of public instruction when there is a disagreement

1 about school placement, (~~the provision of educational services~~) a
2 best interest determination, or a dispute between agencies.

3 (7) The special education services of a student must not be
4 interrupted by a transfer to a new school.

5 (8)(a) If the student's care placement changes to an area served
6 by another school district, and it is determined to be in the best
7 interest of the student to remain in the school of origin, the school
8 district of origin and the school district in which the student is
9 living shall agree upon a method to apportion the responsibility and
10 costs for providing the student with transportation to and from the
11 school of origin. If the school districts are unable to agree upon an
12 apportionment method, the responsibility and costs for transportation
13 shall be shared equally between the districts.

14 (b) In accordance with this subsection, the department of
15 children, youth, and families will reimburse school districts for
16 half of all excess transportation costs for students under the
17 placement and care authority of the department of children, youth,
18 and families.

19 (9) For the purposes of this section, "~~out-of-home care~~)
20 students who are the subject of a dependency proceeding" has the same
21 meaning as in RCW (~~13.34.030~~) 28A.150.510, and "school of origin"
22 means the school in which a child is enrolled at the time of
23 placement in foster care. If a child's foster care placement changes,
24 the school of origin must be considered the school in which the child
25 is enrolled at the time of the placement change.

26 **Sec. 5.** RCW 28A.320.148 and 2021 c 95 s 2 are each amended to
27 read as follows:

28 (1) (~~Each~~) For the purpose of addressing education barriers for
29 students who are the subject of a dependency proceeding, each school
30 district must (~~designate~~): (a) Designate a foster care liaison to
31 facilitate district compliance with state and federal laws related to
32 students who are (~~dependent pursuant to chapter 13.34 RCW~~) the
33 subject of a dependency proceeding; and (~~to~~) (b) collaborate with
34 the department of children, youth, and families (~~to address~~
35 educational barriers for these students), the appropriate federally
36 recognized Indian tribe, or the state agency responsible for the
37 implementation of the unaccompanied refugee minors program. The role
38 and responsibilities of a foster care liaison may include:

1 (a) Coordinating (~~with the department of children, youth, and~~
2 ~~families on~~) the implementation of state and federal laws related to
3 students who are (~~dependent pursuant to chapter 13.34 RCW~~) the
4 subject of a dependency proceeding;

5 (b) Coordinating with foster care education program staff at the
6 office of the superintendent of public instruction;

7 (c) Attending training and professional development opportunities
8 to improve school district implementation efforts;

9 (d) Serving as the primary contact person for representatives of
10 the department of children, youth, and families;

11 (e) Leading and documenting the development of a process for
12 making best interest determinations in accordance with RCW
13 28A.225.350;

14 (f) Facilitating immediate enrollment in accordance with RCW
15 28A.225.330;

16 (g) Facilitating the transfer of records in accordance with RCW
17 28A.150.510 and 28A.225.330;

18 (h) Facilitating data sharing with child welfare agencies
19 consistent with state and federal privacy laws and rules;

20 (i) Developing and coordinating local transportation procedures;

21 (j) Managing best interest determination and transportation cost
22 disputes according to the best practices developed by the office of
23 the superintendent of public instruction;

24 (k) Ensuring that students who are (~~dependent pursuant to~~
25 ~~chapter 13.34 RCW~~) the subject of a dependency proceeding are
26 enrolled in and regularly attending school, consistent with RCW
27 28A.225.023; and

28 (l) Providing professional development and training to school
29 staff on state and federal laws related to students who are
30 (~~dependent pursuant to chapter 13.34 RCW~~) the subject of a
31 dependency proceeding and their educational needs, as needed.

32 (2) Each K-12 public school in the state must establish a
33 building point of contact in each elementary school, middle school,
34 and high school. These points of contact must be appointed by the
35 principal of the designated school, in consultation with the district
36 foster care liaison, and are responsible for coordinating services
37 and resources for students in foster care as outlined in subsection
38 (1) of this section.

39 (3) The district foster care liaison is responsible for training
40 building points of contact.

1 (4) The office of the superintendent of public instruction shall
2 make available best practices for choosing and training building
3 points of contact to each school district.

4 (5) For the purposes of this section, "students who are the
5 subject of a dependency proceeding" has the same meaning as in RCW
6 28A.150.510.

7 **Sec. 6.** RCW 28A.320.192 and 2021 c 164 s 4 are each amended to
8 read as follows:

9 (1) (~~In order to eliminate barriers and facilitate~~) School
10 districts must incorporate the procedures in this section for the
11 purpose of eliminating barriers and facilitating the on-time grade
12 level progression and graduation of students who are homeless as
13 described in RCW 28A.300.542, (~~dependent pursuant to chapter 13.34~~
14 ~~RCW~~) students who are the subject of a dependency proceeding, at-
15 risk youth or children in need of services pursuant to chapter 13.32A
16 RCW, (~~or~~) and students who are in or have been released from an
17 institutional education facility(~~, school districts must incorporate~~
18 ~~the procedures in this section~~)).

19 (2) School districts must waive specific courses required for
20 graduation if similar coursework has been satisfactorily completed in
21 another school district or must provide reasonable justification for
22 denial. Should a waiver not be granted to a student who would qualify
23 to graduate from the sending school district, the receiving school
24 district must provide an alternative means of acquiring required
25 coursework so that graduation may occur on time.

26 (3) School districts must consolidate partial credit, unresolved,
27 or incomplete coursework and provide opportunities for credit accrual
28 in a manner that eliminates academic and nonacademic barriers for the
29 student.

30 (4) For students in or released from an institutional education
31 facility, school districts must provide students with access to world
32 language proficiency tests, American sign language proficiency tests,
33 and general education development tests. Access to the tests may not
34 be conditioned or otherwise dependent upon a student's request.
35 School districts must award at least one high school credit to
36 students upon meeting the standard established by the state board of
37 education under subsection (9) of this section on a world language or
38 American sign language proficiency test or a general education
39 development test. Additional credits may be awarded by the district

1 if a student has completed a course or courses of study to prepare
2 for the test. If the school district has a local policy for awarding
3 mastery-based credit on state or local assessments, the school
4 district must apply this policy for students in or released from an
5 institutional education facility.

6 (5) For students who have been unable to complete an academic
7 course and receive full credit due to withdrawal or transfer, school
8 districts must grant partial credit for coursework completed before
9 the date of withdrawal or transfer and the receiving school must
10 accept those credits, apply them to the student's academic progress
11 or graduation or both, and allow the student to earn credits
12 regardless of the student's date of enrollment in the receiving
13 school.

14 (6) Should a student who is transferring at the beginning or
15 during the student's junior or senior year be ineligible to graduate
16 from the receiving school district after all alternatives have been
17 considered, the sending and receiving districts must ensure the
18 receipt of a diploma from the sending district if the student meets
19 the graduation requirements of the sending district.

20 (7) The superintendent of public instruction shall adopt and
21 distribute to all school districts lawful and reasonable rules
22 prescribing the substantive and procedural obligations of school
23 districts to implement these provisions.

24 (8) Should a student have enrolled in three or more school
25 districts as a high school student and have met state requirements
26 but be ineligible to graduate from the receiving school district
27 after all alternatives have been considered, the receiving school
28 district must waive its local requirements and ensure the receipt of
29 a diploma.

30 (9) The state board of education, in consultation with the office
31 of the superintendent of public instruction, shall identify the
32 scores students must achieve in order to meet the standard on world
33 language or American sign language proficiency tests and general
34 education development tests in accordance with subsection (4) of this
35 section.

36 (10) For the purposes of this section, "institutional education
37 facility" and "school district" have the same meaning as in RCW
38 28A.190.005.

1 (11) For the purposes of this section, "students who are the
2 subject of a dependency proceeding" has the same meaning as in RCW
3 28A.150.510.

4 **Sec. 7.** RCW 28B.117.020 and 2019 c 406 s 43 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Apprentice" means a person enrolled in a state-approved,
9 federally registered, or reciprocally recognized apprenticeship
10 program.

11 (2) "Apprenticeship" means an apprenticeship training program
12 approved or recognized by the state apprenticeship council or similar
13 federal entity.

14 (3) "Cost of attendance" means the cost associated with attending
15 a particular institution of higher education as determined by the
16 office, including but not limited to tuition, fees, room, board,
17 books, personal expenses, and transportation, plus the cost of
18 reasonable additional expenses incurred by an eligible student and
19 approved by a financial aid administrator at the student's school of
20 attendance.

21 (4) "Federal foster care system" means the foster care program
22 under the federal unaccompanied refugee minors program, Title 8
23 U.S.C. Sec. 1522 of the immigration and nationality act of 1965, as
24 amended.

25 (5) "Financial need" means the difference between a student's
26 cost of attendance and the student's total family contribution as
27 determined by the method prescribed by the United States department
28 of education.

29 (6) "Homeless" or "homelessness" means without a fixed, regular,
30 and adequate nighttime residence as set forth in the federal
31 McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11301 et seq.

32 (7) "Independent college or university" means a private,
33 nonprofit institution of higher education, open to residents of the
34 state, providing programs of education beyond the high school level
35 leading to at least the baccalaureate degree, and accredited by the
36 Northwest association of schools and colleges, and other institutions
37 as may be developed that are approved by the student achievement
38 council as meeting equivalent standards as those institutions
39 accredited under this section.

1 (8) "Institution of higher education" means any institution
2 eligible to and participating in the Washington college grant
3 program.

4 (9) "Occupational-specific costs" means the costs associated with
5 entering an apprenticeship or preapprenticeship, including but not
6 limited to fees, tuition for classes, work clothes, rain gear, boots,
7 occupation-specific tools.

8 (10) "Office" means the office of student financial assistance.

9 (11) "Preapprenticeship" means an apprenticeship preparation
10 program recognized by the state apprenticeship council and as defined
11 in RCW 28C.18.162.

12 (12) "Program" means the passport to careers program created in
13 this chapter.

14 (13) "State foster care system" means out-of-home care pursuant
15 to a dependency and includes the placement of dependents from other
16 states who are placed in Washington pursuant to orders issued under
17 the interstate compact on the placement of children, chapter 26.34
18 RCW.

19 (14) "Tribal court" has the same meaning as defined in RCW
20 13.38.040.

21 (15) "Tribal foster care system" means an out-of-home placement
22 under a dependency order from a tribal court.

23 (16) "Unaccompanied" means a youth or young adult experiencing
24 homelessness while not in the physical custody of a parent or
25 guardian.

26 **Sec. 8.** RCW 74.13.550 and 2003 c 112 s 2 are each amended to
27 read as follows:

28 (1) It is the policy of the state of Washington that, whenever
29 practical and in the best interest of the child, children (~~placed~~
30 into foster care)) who are the subject of a dependency proceeding
31 shall remain enrolled in (~~the schools they were attending at the~~
32 time they entered foster care)) their schools of origin.

33 (2) For the purposes of this section, "children who are the
34 subject of a dependency proceeding" means a child or youth who is
35 located in Washington state and the subject of a shelter care or
36 dependency order pursuant to chapter 13.34 RCW, and "school of
37 origin" means the school in which a child is enrolled at the time of
38 placement in foster care. If a child's foster care placement changes,

1 the school of origin must be considered the school in which the child
2 is enrolled at the time of the placement change.

3 **Sec. 9.** RCW 74.13.560 and 2018 c 284 s 59 and 2018 c 139 s 4 are
4 each reenacted and amended to read as follows:

5 (1) The administrative regions of the department shall, in
6 collaboration with school districts within their region as required
7 by RCW 28A.225.360, develop protocols specifying specific strategies
8 for communication, coordination, and collaboration regarding the
9 status and progress of children in out-of-home care placed in the
10 region, and children in the region who are the subject of a
11 dependency proceeding. The purpose of the protocols is to maximize
12 the educational continuity and achievement for the children (~~in out-~~
13 ~~of-home care~~). The protocols must include methods to assure
14 effective sharing of information, consistent with RCW 28A.225.330.

15 (2) The protocols required by this section must also include
16 protocols for making best interest determinations for students in
17 out-of-home care, and children who are the subject of a dependency
18 proceeding that comply with RCW 28A.225.350. The protocols for making
19 best interest determinations (~~for students in out-of-home care~~)
20 must be implemented before changing the school placement of a
21 student.

22 (3) For the purposes of this section, "children who are the
23 subject of a dependency proceeding" means a child or youth who is
24 located in Washington state and the subject of a shelter care or
25 dependency order pursuant to chapter 13.34 RCW, and "out-of-home
26 care" has the same meaning as in RCW 13.34.030.

27 **Sec. 10.** RCW 74.13.631 and 2018 c 139 s 5 are each amended to
28 read as follows:

29 (1) Consistent with the provisions for making best interest
30 determinations established in RCW 28A.225.350 and 74.13.560, the
31 department shall provide (~~youth residing in out-of-home care~~)
32 students who are the subject of a dependency proceeding with the
33 opportunity to remain enrolled in (the school he or she was
34 attending prior to out-of-home placement)) their school of origin,
35 unless the safety of the (~~youth~~) student is jeopardized, or a
36 relative or other suitable person placement approved by the
37 department is secured for the (~~youth~~) student, or it is determined
38 not to be in the (~~youth's~~) student's best interest (~~to remain~~

1 ~~enrolled in the school he or she was attending prior to out-of-home~~
2 ~~placement~~). If the parties in the dependency case disagree regarding
3 which school the ((youth)) student should be enrolled in, the
4 ((youth)) student may remain enrolled in the school of origin until
5 the disagreement is resolved in court, unless the department
6 determines that the ((youth)) student is in immediate danger by
7 remaining enrolled in the school of origin.

8 (2) Unless otherwise directed by the court, the educational
9 responsibilities of the department for preschool and school-aged
10 ((youth)) students residing in out-of-home care are the following:

11 (a) To collaboratively discuss and document school placement
12 options and plan necessary school transfers during the family team
13 decision-making meeting;

14 (b) To notify the receiving school and the school of origin that
15 a youth residing in foster care is transferring schools;

16 (c) To request and secure missing academic records or medical
17 records required for school enrollment within ten business days;

18 (d) To document the request and receipt of academic records in
19 the individual service and safety plan;

20 (e) To pay any unpaid fees or fines due by the ((youth)) student
21 to the school or school district;

22 (f) To notify all legal parties when a school disruption occurs;
23 and

24 (g) To document factors that contributed to any school
25 disruptions.

26 (3) The requirements of the department in subsections (1) and (2)
27 of this section apply also for children who are the subject of a
28 dependency proceeding.

29 (4) For the purposes of this section, "students who are the
30 subject of a dependency proceeding" means a child or youth who is
31 located in Washington state and the subject of a shelter care or
32 dependency order pursuant to chapter 13.34 RCW.

Passed by the House February 8, 2022.
Passed by the Senate March 3, 2022.
Approved by the Governor March 17, 2022.
Filed in Office of Secretary of State March 17, 2022.

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