

HOUSE BILL REPORT

HB 2594

As Reported by House Committee On:
Education

Title: An act relating to ensuring that unhoused children and youths in Washington have equal access to the same free, appropriate public education that is provided to other children and youths.

Brief Description: Ensuring that unhoused children and youths in Washington have equal access to free, appropriate public education.

Sponsors: Representatives Reeves, McEntire, Leavitt, Pollet and Scott.

Brief History:

Committee Activity:

Education: 1/27/26, 2/3/26 [DPS].

Brief Summary of Substitute Bill

- Establishes state-based requirements for ensuring that homeless children and youths have equal access to the same free, appropriate public education as is provided to other children and youths.
- Provides that actions of the Office of the Superintendent of Public Instruction and school districts that meet requirements of the federal McKinney-Vento Homeless Assistance Act also satisfy equivalent requirements established in the bill.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Keaton, Assistant Ranking Minority Member; Bergquist, Callan, Donaghy, Eslick, Ortiz-Self, Pollet, Reeves, Rule, Scott and Stonier.

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

Staff: Ethan Moreno (786-7386).

Background:

The federal McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) establishes requirements for state educational agencies (SEAs), such as the Office of the Superintendent of Public Instruction, and school districts for ensuring that homeless children and youths have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youths.

The McKinney-Vento Act is administered by the United States Department of Education and enumerates various duties for the Secretary of the United States Department of Education (Secretary of Education), SEAs, and school districts.

The McKinney-Vento Act defines homeless children and youths as "individuals who lack a fixed, regular, and adequate nighttime residence," and specifies that this includes:

- children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
- children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory children living in any of the situations described above.

Under the McKinney-Vento Act, homeless children and youths must have access to the educational and related services they need to enable them to meet the same challenging academic standards to which all students in the state are held. Additionally, homeless students may not be separated from the mainstream school environment. The McKinney-Vento Act also requires SEAs and school districts to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths.

The McKinney-Vento Act's requirements are established through various directives and authorizations, including:

- a statement of congressional policy;
- grant provisions for states, including the awarding of subgrants from SEAs to school districts;
- duties for state coordinators for the education of homeless children and youths;
- obligating the creation and implementation of state plans to provide for the education of homeless children and youths;
- school district requirements, including school stability obligations for homeless

- children and youths;
 - prescribed duties for school district liaisons for homeless children and youths; and
 - prescribed duties for the Secretary of Education, including data collection, agency coordination, and reporting.
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Summary of Substitute Bill:

State-based requirements for ensuring that homeless children and youths have equal access to the same free, appropriate public education as is provided to other children and youths are established through directives and authorizations that parallel the federal McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) for:

- the Office of the Superintendent of Public Instruction (OSPI);
- school districts; and
- charter schools and state-tribal education compact schools.

Actions of the OSPI and school districts that meet requirements of the McKinney-Vento Act as it existed on January 1, 2026, satisfy equivalent requirements established in the bill.

Summary of State-Based Requirements.

The state-based requirements adopt the definition of "homeless children and youths" in the McKinney-Vento Act and, like the federal law, are established through various directives and authorizations, including:

- declaring a state policy providing, in part, that the OSPI must ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education for qualifying children, as provided to other children and youths;
- establishing directives for a state plan for the education of homeless children and youths within the state (state plan) that meets specified requirements, including a description of how homeless children and youths are, or will be, given the opportunity to meet the same challenging state academic standards as all students are expected to meet;
- specifying that the state plan must be submitted to the Governor instead of the Secretary of the United States Department of Education (Secretary of Education) as is required under the McKinney-Vento Act;
- establishing directives for an Office of the Coordinator for Education of Homeless Children and Youths in the OSPI and prescribing duties for the coordinator, including gathering and publishing data on the number of homeless children and youths identified in the state, and the success of required programs in identifying homeless children and youths and allowing them to enroll in, attend, and succeed in school;
- specifying obligations for school districts, including determining, according to the child or youth's best interest, whether to continue the homeless child or youth's education in the school of origin or enroll the child in a public school in the attendance area in which the homeless child or youth lives;

- obligating school districts to provide education and transportation services for which the child or youth qualifies as a result of a best-interest determination process;
- requiring school districts to have liaisons for homeless children and youths and requiring that the liaisons meet specified responsibilities, including ensuring that homeless children and youths are identified by school personnel through outreach and coordination activities and have a full and equal opportunity to succeed in schools of the district;
- requiring school districts that receive funding in the state budget for implementing the bill to review and revise policies that may act as barriers to identifying homeless children and youths or enrolling homeless children and youths in schools that are selected in accordance with best-interest determinations for the students;
- directing the OSPI, subject to the availability of amounts appropriated by the Legislature for this specific purpose, to award grants to school districts for the purpose of facilitating the identification, enrollment, attendance, and success in school of homeless children and youths;
- establishing requirements for, and allowable uses of, grant funds, including tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging state academic standards as the state establishes for other children and youths; and
- prohibiting school districts that receive grant funds from segregating a child or youth in a separate school, or in a separate program within a school, based on the child or youth's status as homeless.

The OSPI, unless the duties are assigned to the Secretary of Education under the McKinney-Vento Act, is required, directly or through grants, contracts, or cooperative agreements, to periodically collect and disseminate data and information regarding:

- the number and primary nighttime residence of homeless children and youths in all areas served by school districts;
- the education and related services those children and youths receive;
- the extent to which the needs of homeless children and youths are being met; and
- other data and information the Superintendent of Public Instruction (SPI) determines to be necessary and relevant to implement requirements of the bill.

Additionally, the OSPI, by October 1, 2030, and every four years thereafter, must prepare and submit to the Governor and the Legislature, a report on the status of education of homeless children and youths in Washington. The reports must include information on:

- the education of homeless children and youths; and
- the actions of the SPI and the effectiveness of the programs supported under the bill.

Substitute Bill Compared to Original Bill:

As compared to the original bill, the substitute bill:

- removes duplicative provisions for the Office of the Superintendent of Public Instruction (OSPI) pertaining to assisting school districts with implementing

- provisions in support of the education of homeless children and youths, and reviewing and revising state policies and procedures that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school;
- specifies that requirements for the OSPI pertaining to collecting and disseminating data do not apply if equivalent requirements in the federal McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) are assigned to the Secretary of the United States Department of Education; and
 - adds a reference to a section prohibiting the segregation of homeless children and youths by school districts receiving funding for the bill to provisions indicating that compliance with McKinney-Vento Act requirements by school districts and the OSPI also satisfies equivalent requirements in the bill.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Some students become homeless and are able to graduate from high school because of the support of public school teachers. The Federal Way School District is one of the most diverse school districts in the country, and in 2022 it had 1,800 homeless students. That number has been reduced to 1,600, but this bill ensures that lawmakers and school districts do their part to ensure that all students have access to education.

Passing this bill is a meaningful step for students. The bill streamlines and clarifies requirements, and reinforces coordination. The bill also requires the state plan for the education of homeless students to be provided to the Legislature, something that is not required under current law.

This bill affirms a simple, powerful truth: young people deserve access to education. These students want to learn, but face barriers. The bill should be amended to provide community-based organizations with access to the grant funds.

This year, Seattle Public Schools is supporting 2,300 students experiencing homelessness. Schools provide supports for these students that are necessary for their education. This bill is about equity, and passing it will reinforce the state's commitment to helping our most vulnerable youth.

This bill ensures that students experiencing homelessness are prioritized for, and remain

connected to, supports. Codifying protections in state law will result in accountability and predictability. Consistency is essential for students.

Federal McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) programs give people access to education: they ensure that students can be properly identified and given access to education and supports. Aspects of the McKinney-Vento Act at the federal level are uncertain.

Terminology in the bill should be updated to avoid the use of terms that are now considered pejorative.

(Opposed) None.

Persons Testifying: Representative Kristine Reeves, prime sponsor; Aaron Yared, Building Changes; Amy Cannava, Washington State Association of School Psychologists; Jonas Rios; Marilee Hill-Anderson; Holly Muenchow, Washington State PTA; Erica Limon-Trefielo, Communities In Schools Washington; and Jeanea Proctor-Mills, Seattle Public Schools District.

Persons Signed In To Testify But Not Testifying: None.