

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2679**

Chapter 297, Laws of 2008

(partial veto)

60th Legislature  
2008 Regular Session

FOSTER CARE--STUDENTS--EDUCATIONAL IMPROVEMENT

EFFECTIVE DATE: 06/12/08

Passed by the House March 10, 2008  
Yeas 94 Nays 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate March 7, 2008  
Yeas 49 Nays 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved April 1, 2008, 3:01 p.m., with  
the exception of sections 1, 3, 4 and 6  
which are vetoed.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of  
the House of Representatives of  
the State of Washington, do hereby  
certify that the attached is  
certify that the attached is  
**SUBSTITUTE HOUSE BILL 2679** as  
passed by the House of  
Representatives and the Senate on  
the dates hereon set forth.

BARBARA BAKER

\_\_\_\_\_  
**Chief Clerk**

FILED

April 2, 2008

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2679**

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AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

**State of Washington                      60th Legislature                      2008 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Roberts, Pettigrew, Hunt, Hasegawa, Sullivan, Chase, Morrell, McIntire, Santos, Barlow, Simpson, Kenney, Goodman, Wood, Darneille, Lantz, and McDonald)

READ FIRST TIME 02/12/08.

1            AN ACT Relating to improving educational outcomes for students in  
2 foster care; amending RCW 28A.150.510; adding new sections to chapter  
3 28A.310 RCW; adding a new section to chapter 28A.300 RCW; adding a new  
4 section to chapter 74.13 RCW; and creating a new section.

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

6            **\*NEW SECTION. Sec. 1. A new section is added to chapter 28A.310**  
7 **RCW to read as follows:**

8            ***Subject to the availability of funds appropriated for this purpose,***  
9 ***the Puget Sound educational service district shall designate a foster***  
10 ***care program supervisor to coordinate programs and services for***  
11 ***students in foster care. The foster care program supervisor shall:***

12            ***(1) Facilitate the use of education system resources to improve***  
13 ***educational stability and other measurable outcomes for children in***  
14 ***children's administration out-of-home care and enrolled in a school***  
15 ***district within the Puget Sound educational service district;***

16            ***(2) Develop and distribute model school district policies to***  
17 ***improve services and supports to children in children's administration***  
18 ***out-of-home care and enrolled in a school district within the Puget***  
19 ***Sound educational service district;***

1           (3) Provide training to public school staff on the impact of child  
2 abuse and neglect, school preparedness, and the child welfare system  
3 upon children who live in children's administration out-of-home care,  
4 the likely need for students in children's administration out-of-home  
5 care to have a strong relationship with one or more adults at school  
6 and academic and behavioral remediation, and the need to determine  
7 eligibility of students in children's administration out-of-home care  
8 for the many programs for which they qualify that are provided in  
9 schools;

10           (4) Provide technical assistance to schools concerning interagency  
11 agreements and children's administration policies relative to the  
12 education of children who live in children's administration out-of-home  
13 care;

14           (5) Coordinate with the McKinney-Vento education of homeless  
15 children and youth program supervisor within the office of the  
16 superintendent of public instruction on issues that relate to the  
17 definition of children's administration out-of-home care and  
18 homelessness;

19           (6) Coordinate with the office of the superintendent of public  
20 instruction the legal interpretations of the family education rights  
21 and privacy act and the health insurance portability and accountability  
22 act relative to data exchange;

23           (7) Provide technical assistance to school districts within the  
24 Puget Sound educational service district to facilitate local data  
25 exchange;

26           (8) Coordinate with regions 4 and 5 children's administration  
27 education leads to facilitate completion of interagency agreements for  
28 top priority school districts within the Puget Sound educational  
29 service district; and

30           (9) Establish a model information and data-sharing agreement  
31 between school districts and the children's administration and  
32 facilitate completion of information and data-sharing agreements.

*\*Sec. 1 was vetoed. See message at end of chapter.*

33           NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
34 RCW to read as follows:

35           The superintendent of public instruction shall provide an annual  
36 aggregate report to the legislature on the educational experiences and  
37 progress of students in children's administration out-of-home care.

1 This data should be disaggregated in the smallest units allowable by  
2 law that do not identify an individual student, in order to learn which  
3 school districts are experiencing the greatest success and challenges  
4 in achieving quality educational outcomes with students in children's  
5 administration out-of-home care.

6 **\*NEW SECTION.** *Sec. 3. A new section is added to chapter 28A.310*  
7 *RCW to read as follows:*

8 (1) *Subject to the availability of funds appropriated for this*  
9 *purpose, the Puget Sound educational service district shall create a*  
10 *grant program for local school districts to improve stability and*  
11 *educational outcomes for students in foster care. Grants shall be*  
12 *awarded to school districts with the highest incidence of child*  
13 *protective services removals and foster care placements under chapter*  
14 *13.34 RCW.*

15 (2) *School districts receiving grants under this section shall*  
16 *agree to the following:*

17 (a) *The grant shall not supplant funding already in place for all*  
18 *students.*

19 (b) *The grant shall be used to supplement and enhance educational*  
20 *stability and educational outcomes for students in foster care.*

21 (3) *Grant activities may include but are not limited to the*  
22 *following:*

23 (a) *Dedicated staff time for:*

24 (i) *Additional counselor support for students in foster care and*  
25 *foster parent support;*

26 (ii) *Facilitation of education planning meetings with children's*  
27 *administration caseworkers, students, foster and relative caregivers,*  
28 *other community providers, and birth parents when appropriate;*

29 (iii) *Coordination with programs for which students in foster care*  
30 *may be eligible including: Title I, Upward Bound, free and reduced*  
31 *meals, etc.;*

32 (iv) *Tutoring;*

33 (v) *Temporary arrangements for transportation to enhance*  
34 *educational stability;*

35 (vi) *Coordination with the McKinney-Vento education of homeless*  
36 *children and youth program activities within the office of the*

1 superintendent of public instruction and local school district Title X  
2 liaisons;

3 (vii) Activities promoting engagement of foster parents in school  
4 programming activities;

5 (viii) Outreach to birth parents, when appropriate;

6 (ix) Assurance of timely and accurate record and data transfer when  
7 a student in foster care moves to a different school;

8 (x) Support for school-based foster parent recruitment; and

9 (xi) Additional school staff training concerning the  
10 characteristics and needs of students in foster care including  
11 protecting the right to privacy for students in foster care;

12 (b) Fees normally covered by parents for extracurricular activity  
13 participation, school pictures, yearbooks, ASB cards, school fines,  
14 etc.

15 (4) The Puget Sound educational service district shall annually  
16 submit a report to the legislature on grant program outcomes under this  
17 section.

\*Sec. 3 was vetoed. See message at end of chapter.

18 \*NEW SECTION. Sec. 4. A new section is added to chapter 74.13 RCW  
19 to read as follows:

20 (1) Subject to availability of funds appropriated specifically for  
21 this purpose, the department of social and health services, within the  
22 children's administration, shall fund two school district-based foster  
23 care recruitment pilots in one or more of the school districts with the  
24 highest number of child protective services removals and out-of-home  
25 placements under chapter 13.34 RCW. Pilots must coordinate with  
26 existing foster care recruitment contracts and the family-to-family  
27 model. Funds can be used to expand existing contracts or fund  
28 children's administration staff.

29 (2) The department of social and health services shall annually  
30 report to the legislature on the increase or decrease of foster homes  
31 within the pilot areas.

\*Sec. 4 was vetoed. See message at end of chapter.

32 Sec. 5. RCW 28A.150.510 and 2000 c 88 s 1 are each amended to read  
33 as follows:

34 In order to effectively serve students who are ((~~under the~~  
35 ~~jurisdiction of the juvenile justice system as~~)) dependent pursuant to  
36 chapter 13.34 RCW, education records shall be ((~~released upon~~))

1 transmitted to the department of social and health services within two  
2 school days after receiving the request ((~~to~~)) from the department ((~~of~~  
3 social and health services)) provided that the department ((~~of social~~  
4 and health services)) certifies that it will not disclose to any other  
5 party the education records without prior written consent of the parent  
6 or student unless authorized to disclose the records under state law.  
7 The department of social and health services is authorized to disclose  
8 education records it obtains pursuant to this section to a foster  
9 parent, guardian, or other entity authorized by the department ((~~of~~  
10 social and health services)) to provide residential care to the  
11 student.

12 ***\*NEW SECTION. Sec. 6. If specific funding for the purposes of this***  
13 ***act, referencing this act by bill or chapter number, is not provided by***  
14 ***June 30, 2008, in the omnibus appropriations act, this act is null and***  
15 ***void.***

*\*Sec. 6 was vetoed. See message at end of chapter.*

Passed by the House March 10, 2008.

Passed by the Senate March 7, 2008.

Approved by the Governor April 1, 2008, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State April 2, 2008.

Note: Governor's explanation of partial veto is as follows:

"I am returning, without my approval as to Sections 1, 3, 4 and 6,  
Substitute House Bill 2679 entitled:

"AN ACT Relating to improving educational outcomes for students in  
foster care."

This bill relates to projects to improve educational outcomes for  
students in foster care.

Section 1 creates a foster care program supervisor at the Puget Sound  
Educational Service District.

Section 3 directs the Puget Sound Educational Service District to  
create a grant program for school districts to improve stability and  
educational outcomes for students in foster care.

Section 4 directs the Children's Administration to fund two school  
district-based foster care recruitment pilots.

While it is important to provide services to students in foster care,  
these services should be informed by effective practice and  
formulated in a coordinated manner. In 2007, the Legislature created  
the Building Bridges grant program (HB 1573) which funds partnerships  
of schools, families, and communities to build a comprehensive  
dropout prevention, intervention and retrieval system. These grants  
will serve at-risk middle and high school students; targeted student  
populations include youth in foster care. The Children's  
Administration, in the Department of Social and Health Services,  
currently has educational advocacy coordinators. In addition, the  
supplemental budget enhances funding for the Children's

Administration to provide Child Health Education and Tracking (CHET) screenings for all children who are in out-of-home care for 30 days or longer. Before new pilot programs are initiated, we need to evaluate the effectiveness of current programs and consider the best approach to coordinating services.

Section 6 of Substitute House Bill 2679 makes the act null and void if specific funding for this act is not provided in the omnibus appropriations act. The funding in the budget was specifically for Sections 1, 3, and 4. To retain the policies in Sections 2 and 5, this null and void section must be vetoed.

For these reasons, I am vetoing Sections 1, 3, 4, and 6 of Substitute House Bill 2679.

With the exception of Sections 1, 3, 4, and 6, Substitute House Bill 2679 is approved."