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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

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() Action Required
(X) Informational

BULLETIN NO. 034-22 SYSTEM AND SCHOOL IMPROVEMENT

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: New Foster Care Legislation

CONTACT: Peggy Carlson, Foster Care Program Supervisor
360-725-6505, peggy.carlson@k12.wa.us

PURPOSE/BACKGROUND

[Substitute House Bill \(SHB\) 1955](#) clarifies language in the law and aligns services for students in foster care. Starting June 9, students who are the “subject of a dependency proceeding,” including students under the sole jurisdiction of tribal child welfare, qualify for foster care services.

SHB 1955 amends the following RCWs:

- [28A.150.510](#) – Transmitting educational records to DCYF
- [28A.225.023](#) – Review of unexpected or excessive absences; support for youth’s schoolwork.
- [28A.225.330](#) – Immediate enrollment
- [28A.225.350](#) – Best interest determinations and transportation
- [28A.320.148](#) – District foster care liaison and building points of contact
- [28A.320.192](#) – On-time grade level progression and graduation
- [28B.117.020](#) – Definitions
- [74.13.550](#) – DCYF educational continuity
- [74.13.631](#) – DCYF School placement options
- [74.13.560](#) – DCYF Best Interest Determinations

“Subject of a shelter care or dependency order issued pursuant to chapter [13.34 RCW](#) or an equivalent order of a tribal court of a federally recognized tribe” means child welfare has placement and care authority and there is an open child welfare case.

Foster Care Provisions

Foster care provisions include:

- School of origin rights
- Immediate enrollment
 - Even when documents normally required are lacking
- Transportation to and from school of origin
 - Even when placed outside of school or district boundaries
- Best interest determinations prior to changing school placement
- Free meals at school
- Support with on-time grade level progression and graduation
- Support with attendance

Which Students are Eligible for the Foster Care Provisions?

Students under the placement and care authority of child welfare, including tribal child welfare.

This includes students in:

- Foster homes
- Relative placements
- Group homes
- Emergency shelters
- Residential facilities
- Childcare institutions
- Pre-adoptive homes
- Trial return home placements

Students who are eligible for benefits under the federal foster care system:

- Unaccompanied Refugee Minors

How is this Different?

Prior to SHB 1955, state laws used varying language to describe students in foster care, which inadvertently excluded certain students from service. Now the language is aligned and all students under the placement and care authority of child welfare, and URM students, are eligible for service.

Transportation

Prior to SHB 1955, the *district where the student attends school* was responsible for transporting students in foster care to their school of origin, with the Department of Children, Youth, and Families (DCYF) reimbursing districts for half of excess costs for students under their placement and care authority.

Starting on June 9, when a student in foster care attends school in one district but lives in another, **the two districts must share the responsibility and cost of transportation** to school of origin. DCYF will continue to reimburse districts for half of excess transportation costs for students under their placement and care authority.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Peggy Carlson, at 360-725-6505 or email peggy.carlson@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

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