
SECOND SUBSTITUTE HOUSE BILL 2113

State of Washington 61st Legislature 2009 Regular Session

By House Education Appropriations (originally sponsored by
Representatives Kagi, Chase, Quall, and Morrell)

READ FIRST TIME 03/02/09.

1 AN ACT Relating to placements of students in residential
2 habilitation centers; adding new sections to chapter 28A.190 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.190
6 RCW to read as follows:

7 (1) School districts within which residential habilitation centers,
8 as defined in RCW 71A.20.020, are located are eligible for residential
9 habilitation center impact assistance as provided in this section. The
10 office of the superintendent of public instruction shall provide
11 residential habilitation center impact assistance for actual costs
12 associated with educational services provided to students who are
13 residents of the centers to the extent that those costs exceed funding
14 otherwise provided to serve these students. Impact assistance awards
15 by the office of the superintendent of public instruction must be made
16 upon application by the school district and subject to the following
17 conditions and limitations:

18 (a) Impact assistance is only available for actual costs associated

1 with educational services provided to students who are residents of a
2 residential habilitation center, as defined in RCW 71A.20.020, located
3 within the district;

4 (b) The district must convincingly demonstrate that these actual
5 costs were legitimate expenditures associated with educational services
6 and that they exceed the total of allocations made pursuant to RCW
7 28A.190.040, other state allocations and grants, federal allocations
8 and grants including medicaid, and private grants, bequests, and gifts
9 made for the purpose of maintaining and operating the program of
10 education for these students; and

11 (c) Differences in program costs attributable to district
12 philosophy, service delivery choice, or accounting practices are not a
13 legitimate basis for impact assistance awards.

14 (2) Nothing in this section shall change the duties and authority
15 of the department of social and health services relative to funding for
16 residential education programs as established in RCW 28A.190.040 and
17 28A.190.050.

18 (3) The superintendent of public instruction may adopt such rules
19 and procedures as are necessary to administer the impact assistance
20 award process. Prior to revising any standards, procedures, or rules,
21 the superintendent shall consult with the office of financial
22 management and the fiscal committees of the legislature.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.190
24 RCW to read as follows:

25 No later than twenty-four hours after it becomes known to the
26 department of social and health services that a person between the ages
27 of three and twenty-one will be placed into a residential habilitation
28 center, as defined in RCW 71A.20.020, the department shall provide
29 notice of the placement to the superintendent of the school district in
30 which the residential habilitation center is located. The department
31 of social and health services and the school district shall cooperate
32 and collaborate as partners in order to facilitate, to the maximum
33 extent possible, the smooth transition of educational services and
34 assure that the school district is able to provide the educational
35 services needed by a student placed in a residential habilitation
36 center.

1 NEW SECTION. **Sec. 3.** If any part of this act is found to be in
2 conflict with federal requirements that are a prescribed condition to
3 the allocation of federal funds to the state, the conflicting part of
4 this act is inoperative solely to the extent of the conflict and with
5 respect to the agencies directly affected, and this finding does not
6 affect the operation of the remainder of this act in its application to
7 the agencies concerned. Rules adopted under this act must meet federal
8 requirements that are a necessary condition to the receipt of federal
9 funds by the state.

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