
SENATE BILL 5962

State of Washington

66th Legislature

2019 Regular Session

By Senators Nguyen, Darneille, Wilson, C., and Kuderer

Read first time 02/20/19. Referred to Committee on Human Services,
Reentry & Rehabilitation.

1 AN ACT Relating to providing for the welfare of children in the
2 custody of juvenile rehabilitation; and adding a new section to
3 chapter 43.216 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.216
6 RCW to read as follows:

7 (1) The department has a duty to comply with RCW 28A.155.090 by
8 assuring that persons in the custody of a juvenile institution who
9 are enrolled in school and who are in need of a special education
10 assessment receive a timely assessment as required by state and
11 federal law.

12 (2) In furtherance of this duty, the department must assure that
13 any school district operating within one of its facilities that is
14 providing instruction to a student who is in need of a special
15 education assessment has made reasonable efforts to contact a person
16 authorized to act as a parent in order to authorize the appropriate
17 special education assessment. If after reasonable efforts the need
18 arises for assignment of a surrogate parent to authorize the special
19 education assessment, such assignment of a surrogate parent must be
20 accomplished within thirty days of the point at which the district or

1 facility determines or reasonably should have determined that
2 assignment of a surrogate is required.

3 (3) The department shall review the educational records of all
4 children receiving instruction within a juvenile rehabilitation
5 facility for the purpose of establishing whether any children in its
6 care are in need of special education assessments and ensure that
7 they receive them. The department shall report its findings to the
8 appropriate committees of the legislature by October 1, 2019.

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