

# HOUSE BILL REPORT

## SHB 2679

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### As Passed Legislature

**Title:** An act relating to improving educational outcomes for students in foster care.

**Brief Description:** Creating programs to improve educational outcomes for students in foster care.

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

**Brief History:**

**Committee Activity:**

Education: 1/25/08, 2/4/08 [DP];

Appropriations: 2/8/08 [DPS].

**Floor Activity:**

Passed House: 2/13/08, 97-0.

Senate Amended.

Passed Senate: 3/7/08, 49-0.

House Concurred.

Passed House: 3/10/08, 94-0.

Passed Legislature.

### Brief Summary of Substitute Bill

- Directs the Puget Sound Educational Service District (PSESD) to designate a foster care program supervisor to perform specified duties, if funds are provided.
- Requires the Superintendent of Public Instruction to report on the educational experiences and progress of children in out-of-home care.
- Directs the PSESD to create a grant program to improve stability and educational outcomes in school districts, if funds are provided.
- Directs the Department of Social and Health Services (DSHS) to fund two school-district based foster care recruitment pilot programs, if funds are provided.

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

- Requires school districts to respond within two school days to the DSHS requests for records of children in foster care.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 9 members: Representatives Quall, Chair; Barlow, Vice Chair; Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Haigh, Lias, Roach, Santos and Sullivan.

**Staff:** Cece Clynch (786-7195).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 26 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Anderson, Chandler, Cody, Conway, Darneille, Ericks, Fromhold, Green, Haigh, Hunt, Kagi, Kessler, Linville, McIntire, Morrell, Pettigrew, Priest, Ross, Schmick, Schual-Berke, Seaquist, Sullivan and Walsh.

**Staff:** Kelci Karl-Robinson (786-7109).

### **Background:**

The Puget Sound Educational Service District (PSESD) is one of nine educational service districts in Washington. The PSESD includes 35 school districts in King and Pierce counties plus Bainbridge Island. The students in the PSESD constitute about 38 percent of K-12 public school students in the state.

The educational stability and continuity of school placement for children in foster care has been the subject of legislation in Washington for the past several years. In 2002 the Legislature directed the Department of Social and Health Services (DSHS), in cooperation with the Office of the Superintendent of Public Instruction (OSPI), to convene a working group and prepare a plan to address educational stability and continuity for school-age children entering short-term foster care, and assure that the best interest of the child is a primary consideration in the school placement of a child in short-term foster care.

In response to the recommendations made by the working group, the 2003 Legislature enacted a state policy that, whenever practical and in the best interest of the child, children placed into foster care must remain enrolled in the schools they were attending at the time they entered foster care. Administrative regions of the DSHS were directed to develop protocols with school districts specifying strategies for communication, coordination, and collaboration regarding the status and progress of foster children placed in the region.

To accomplish these tasks the DSHS was directed to establish an oversight committee to develop strategies for maintaining foster children in the schools they were attending at the

time they entered foster care and to work with the Administrative Office of the Courts (AOC) to develop protocols to ensure that educational stability is addressed during the shelter care hearing.

The 2005 Legislature expanded the membership of the oversight committee to include the Higher Education Coordinating Board (HECB), foster youth, former foster youth, and foster parents. The scope of responsibilities of the oversight committee was also expanded to include promotion of opportunities for foster youth to participate in post-secondary education or training.

In 2007 the HECB was directed to create a six year pilot program to provide outreach, information, and scholarships to foster children to enable them to pursue post-secondary education.

### **Summary of Substitute Bill:**

*Foster Care Program Supervisor.* Subject to the availability of funds, the PSESD is directed to designate a foster care program supervisor. Some of the duties of the supervisor include:

- facilitating the use of educational resources to improve educational outcomes;
- developing and distributing model school policies to improve support and services;
- training directed at educating school and the DSHS personnel regarding the need for foster children to have strong relationships with adults at the school as well as access to the various programs;
- coordinating with the homeless education supervisor within the OSPI;
- providing technical assistance to schools with respect to the DSHS policies;
- coordinating with the education leads in the DSHS Region 4 (King County) and Region 5 (Pierce and Kitsap Counties) to facilitate completion of interagency agreements for top priority school districts; and
- establishing a model information and data sharing agreement with the DSHS and facilitating completion of these agreements.

*Annual Report by the OSPI.* The OSPI is required to provide an annual report to the Legislature regarding the educational experiences and progress of the children in out-of-home care. This information must be disaggregated to the extent allowable by privacy laws in order to show which school districts are experiencing the greatest challenges and successes.

*Grant Program.* Subject to the availability of funds, the PSESD is to create a grant program for local school districts to improve stability and educational outcomes for students in foster care. The grants are to be awarded to the districts with the highest incidence of Child Protective Services (CPS) removals and foster care placements. The grant money must supplement, not supplant, current funding. Grant money may be used for activities such as tutoring, transportation, and additional counseling support as well as for fees normally covered by parents for such items as extracurricular activities, school pictures, and yearbooks.

The PSESD must submit an annual report to the Legislature regarding grant program outcomes.

*School District-Based Foster Care Recruitment Pilot Programs.* Subject to the availability of funds, the DSHS funds two school district-based pilot programs. These pilot programs are to coordinate with existing foster care recruitment contracts. Funds may be used to expand existing contracts or fund the DSHS Children's Administration staff. The DSHS is to report annually to the Legislature on the increase or decrease of foster homes within the pilot areas.

*Release of Educational Records to the DSHS.* School districts are required to respond within two school days to requests from the DSHS for records of children in foster care.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony:** (Education)

(In support) Most foster children have a difficult time in school. Only 2 percent of foster children go on to get their Bachelor of Arts and only 35 percent graduate from high school on time. There is a need for educational advocates and others to help these children get the educational and social services that they need. Educational advocates provide a vital link and assist with seeing that children get the proper services in the schools. Foster children do much better when they receive the appropriate services. This bill includes some important, practical steps to improve outcomes. It is very difficult for foster children when they have to change schools and there are often a lack of foster families available in the school area from which they come. The OSPI has provided tremendous leadership with this issue. It is suggested that there be a foster care program supervisor at the OSPI as well as at the PSESD. There should be coordination with the Workforce Training and Education Coordinating Board also.

(Opposed) None.

**Staff Summary of Public Testimony:** (Appropriations)

(In support) Over the years, the Legislature has shown considerable interest in educational outcomes for children in foster care. Traditionally, foster youth underachieve compared to their peers. The 30-35 percent of youth aging out of foster care do so with a high school diploma or GED. Only 20-25 percent of foster children remain in the same school once they enter foster care. This transition leads to poor educational outcomes. Educational stability is the key factor in improving educational outcomes for foster youth. Students experiencing abrupt school changes during the school year lose, on average, 10 months of educational progress. By dedicating resources to local training, technical assistance, interagency agreements between school districts and the Children's Administration regional offices, grants to school districts, school-based recruitment pilots, and educational advocates will have a significant positive impact on educational outcomes. It would be beneficial to add a statewide foster care program supervisor to the staff at the OSPI at an approximate cost of \$50,000.

(Opposed) None.

**Persons Testifying:** (Education) Representative Roberts, prime sponsor; Janis Avery, Treehouse; Geton Peters; Martin Mueller, Office of the Superintendent of Public Instruction; Wes Pruitt, Workforce Board; Laurie Lippold, Children's Home Society; and Toni S. Hartsfield, Olympic College.

**Persons Testifying:** (Appropriations) Laurie Lippold, Children's Home Society of Washington; and Martin Mueller, Office of the Superintendent of Public Instruction.

**Persons Signed In To Testify But Not Testifying:** (Education) None.

**Persons Signed In To Testify But Not Testifying:** (Appropriations) None.