

HOUSE BILL REPORT

SHB 2711

As Amended by the Senate

Title: An act relating to equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education.

Brief Description: Increasing equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education.

Sponsors: House Committee on Education (originally sponsored by Representatives J. Johnson, Corry, Stonier, Ormsby, Appleton, Caldier, Davis, Leavitt, Lekanoff, Ramel, Senn, Chopp, Goodman, Fey, Pollet, Callan and Chambers).

Brief History:

Committee Activity:

Education: 1/28/20, 2/6/20 [DPS];

Appropriations: 2/11/20 [DPS(ED)].

Floor Activity:

Passed House: 2/13/20, 97-0.

Senate Amended.

Passed Senate: 3/5/20, 49-0.

House Refused to Concur.

Senate Amended.

Passed Senate: 3/10/20, 46-0.

Brief Summary of Substitute Bill

- Requires the Office of the Superintendent of Public Instruction, in collaboration with specified state agencies, to convene a temporary task force to develop and implement a plan for achieving parity in education outcomes and eliminating racial and ethnic gaps for students in foster care, experiencing homelessness, or both.
- Prescribes actions for the task force, including reviewing the education outcomes of students in foster care, experiencing homelessness, or both, and preparing reports that summarize the progress the state has made toward achieving related goals.
- Modifies provisions governing a biannual report for specified education outcome programs.

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.

- Removes an expired reporting requirement regarding specific efforts to promote educational stability and improve education outcomes for children in foster care.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Santos, Chair; Dolan, Vice Chair; Paul, Vice Chair; Steele, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Bergquist, Caldier, Callan, Corry, Harris, Ortiz-Self, Rude, Stonier, Thai, Valdez and Ybarra.

Staff: Ethan Moreno (786-7386) and Riley O'Leary (786-7296).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Ormsby, Chair; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; Stokesbary, Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chopp, Cody, Corry, Dolan, Dye, Fitzgibbon, Hansen, Hoff, Hudgins, Kilduff, Kraft, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Schmick, Senn, Springer, Steele, Sullivan, Sutherland, Tarleton, Tharinger and Ybarra.

Minority Report: Do not pass. Signed by 1 member: Representative Chandler.

Staff: Jordan Clarke (786-7123).

Background:

Department of Children, Youth, and Families.

Legislation adopted in 2017 created the Department of Children, Youth, and Families (DCYF). The Children's Administration division is located within the DCYF and includes Child Protective Services, the Family Assessment Response program, foster care, and adoption support.

Office of the Superintendent of Public Instruction.

The Office of the Superintendent of Public Instruction (OSPI) supports students in foster care by encouraging innovative practices that reduce educational disruptions, promotes school stability, and improve academic performance. The OSPI designates a statewide education of homeless children and youth coordinator to review policies and create procedures to ensure that children and youth experiencing homelessness can attend school.

Student Achievement Council.

The Washington Student Achievement Council (WSAC) provides strategic planning, oversight, advocacy, and programs to support increased student success and higher levels of educational attainment in Washington.

Project Education Impact Work Group.

A 2018 budget proviso directed the DCYF in collaboration with the OSPI, the Office of Homeless Youth, and the WSAC, to convene the Project Education Impact Work Group (Work Group) with aligned nonprofit organizations to create a plan for children and youth experiencing foster care and homelessness, facilitate educational equity, and to close the disparities between racial and ethnic groups by 2027.

The Work Group submitted a report in January 2019 that recommended legislative and administrative changes necessary to achieve these goals. The report also recommended that the Work Group continue to convene to develop, implement and refine solutions, and to evaluate collective progress over time.

Programs of Education for Dependent Youth.

The OSPI and the WSAC are required to create and maintain outcome-driven services to support foster youth in completing high school and to enroll in and complete postsecondary education. These services include contracts between the DCYF and the OSPI, and the DCYF and the WSAC, that require partnership with at least one nongovernmental agency to administer an individualized education coordination program for dependent youth.

A report related to the collective progress toward making Washington first in the nation for foster care performance metrics must be submitted by the OSPI, the WSAC, and the DCYF to the Governor and Legislature biannually.

Summary of Substitute Bill:

Joint Agency Task Force.

The Office of the Superintendent of Public Instruction (OSPI), in collaboration with the Department of Children, Youth, and Families (DCYF), the Office of Homeless Youth Prevention and Protection Programs, and the Washington Student Achievement Council (WSAC) must convene a task force to address the needs of students in foster care, experiencing homelessness, or both. The task force must also include:

- representatives of nongovernmental agencies;
- representation from the Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC); and
- the chairs and ranking members of the committees of the House of Representatives and the Senate with jurisdiction over education, early learning, and human services issues.

The efforts of the task force must focus on students in foster care, experiencing homelessness, or both, and develop and implement a plan that will enable students to achieve parity in education outcomes and eliminate racial and ethnic disparities for the education outcomes with their general student population peers by 2027. The task force must also:

- annually review education outcomes of students in foster care, experiencing homelessness, or both, by examining data disaggregated by race and ethnicity, including kindergarten readiness, school stability, and postsecondary status;

- evaluate outcomes, needs, and services for students in foster care, experiencing homelessness, or both, and the specific needs of students of color and those with special education needs;
- engage specific stakeholders to provide input on recommendations;
- submit reports to the Governor, the Legislature, and the EOGOAC by October 31, 2020, and October 31, 2022, regarding the progress toward achieving the goals of the task force; and
- provide updates to the Governor, the Legislature, and the EOGOAC on related actions including the effectiveness of support services for students, stakeholder engagement, and recommendations to align and improve policy, programs, agency practice, and student supports.

The provisions establishing and governing the task force expire on December 1, 2022.

Biannual Report of the Department of Children, Youth, and Families, the Washington Student Achievement Council, and the Office of the Superintendent of Public Instruction.

Modifications are made to reporting requirements of the DCYF, the WSAC, and the OSPI. The requirements to report on collective progress related to becoming first in the nation in foster care according to specific performance metrics are removed.

Cross-system Collaboration Reports.

An expired reporting requirement regarding the state's plan for cross-system collaboration to promote educational stability and improved educational outcomes for foster children is repealed.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment:

- directs the Office of the Superintendent of Public Instruction (OSPI), in collaboration with specified public entities, to convene a work group (work group), instead of a task force, to address the needs of students in foster care, experiencing homelessness, or both;
- specifies that the OSPI is not prevented from using an existing work group created through legislation in 2018 to meet the requirements for the work group, and specifies that the work group must seek to promote continuity with efforts resulting from the 2018 legislation;
- requires the work group to include two representatives from the House of Representatives and two Senators, and specifies that the legislators must have experience in issues of education, the foster care system, and homeless youth;
- directs the work group, rather than developing a plan for accomplishing goals by 2027, to develop recommendations to promote the following for students who are in foster care, experiencing homelessness, or both: the achievement of education outcome parity with the general student population; and the elimination of racial and ethnic disparities for education outcomes in comparison to the general student population;
- makes numerous changes to the review and reporting duties of the work group, including deleting certain duties and requiring annual reports in 2021-2023;

- directs the work group to produce a final report with specific recommendations by July 1, 2024, and provides that the final report may include a plan for achieving specified recommendations;
- expires the work group on December 31, 2024, instead of December 1, 2022;
- modifies the definition of "students in foster care, experiencing homelessness, or both" by removing a reference and time limit associated with a plan of the work group; and
- modifies intent language by specifying that the Legislature resolves to continue the work group created through legislation in 2018 to improve education outcomes for students in foster care and students experiencing homelessness.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Education):

(In support) This bill is a solution to address need, trauma, and lack of access in our educational system. Students that are considered homeless or in foster care are regularly absent from school much more frequently than their general student peers. Many students are referred to the juvenile system, and a lot of them are experiencing homelessness, in foster care, or both. The Project Education Impact Work Group (Work Group) can help address the barriers that these students are experiencing and promote physical, mental, and social health of our young people.

The Work Group focuses on children and youth in foster care, experiencing homelessness, or both. These two populations experience similar educational challenges and outcomes that are grounded in instability and relocation from homes and schools. When students change districts, consistent records and appropriate services are difficult to maintain. The experiences of these two groups persist or worsen over time without adequate support. Extensive programs exist for these populations, and the goal of the Work Group is to bring these resources together. This bill creates a framework for sustainability and accountability in the event of an administration or leadership change and helps provide necessary data to achieve these goals. By establishing a Work Group at the state level, students are assured appropriate access to the resources available to them.

Necessary infrastructure is provided in this bill to address the federal mandate in the Every Student Succeeds Act and to reach goals related to state graduation rates.

(Opposed) None.

(Other) This bill allows for a full picture of the educational pipeline for student enrollment gaps through accurate and disaggregated data. The 2018 data was limited to a two-year scope and this helps address the short timeline restriction of the available data.

Staff Summary of Public Testimony (Appropriations):

(In support) Since 2018 the current workgroup has worked to achieve educational parity by 2027 for students in out-of-home placements and students experiencing homelessness. This is a balanced approach to addressing the educational challenges and needs of these student populations, especially because the two populations have similar educational outcomes. This bill creates a framework for success and accountability to help improve student outcomes. This initiative has also received significant private investment to help improve the success of these student populations.

(Opposed) None.

Persons Testifying (Education): (In support) Representative Johnson, prime sponsor; Dawn Rains, Treehouse; Katara Jordan, Building Changes; Peggy Carlson, Office of the Superintendent of Public Instruction; and Alexandra Franks-Thomas, Washington State Association of School Psychologists.

(Other) Becky Thompson, Washington Student Achievement Council.

Persons Testifying (Appropriations): Katara Jordan.

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

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