

HOUSE BILL REPORT

ESSB 6223

As Reported by House Committee On: Education

Title: An act relating to equitable educational outcomes for vulnerable children and youth from preschool to postsecondary education.

Brief Description: Concerning equitable educational outcomes for vulnerable children and youth.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Carlyle, O'Ban, Walsh, Frockt, Darneille, Zeiger, Palumbo, Hunt, Kuderer, Wellman and Liias).

Brief History:

Committee Activity:

Education: 2/20/18, 2/22/18 [DPA].

Brief Summary of Engrossed Substitute Bill (As Amended by Committee)

- Requires specified state agencies to convene a work group with aligned nongovernmental agencies, and representatives from the Educational Opportunity Gap Oversight and Accountability Committee, to create a plan for children and youth in foster care and those experiencing homelessness in order to facilitate educational equity and close the disparities between racial and ethnic groups by 2027.
- Directs the work group to provide a report to the Legislature on its analysis as described above, the recommended plan, and any legislative and administrative changes needed by December 17, 2018.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 14 members: Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist, Johnson, Kilduff, Lovick, Ortiz-Self, Senn, Slatter, Steele and Valdez.

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.

Minority Report: Do not pass. Signed by 2 members: Representatives Caldier and Stokesbary.

Minority Report: Without recommendation. Signed by 2 members: Representatives Hargrove and McCaslin.

Staff: Megan Wargacki (786-7194).

Background:

Children and Youth in Foster Care.

State and federal laws include certain requirements to support children and youth in foster care. The federal Every Student Succeeds Act of 2015 included new requirements to provide educational stability for children in foster care with an emphasis on collaboration between state agencies, local school districts, and child welfare agencies. In some circumstances, a school district must designate a point of contact to collaborate with the child welfare agency.

Children and Youth Experiencing Homelessness.

State law defines "homeless" to mean without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento Homeless Assistance Act. That act provides grant funding to support the education of homeless students in school programs. School districts are required to designate a homeless student liaison to identify homeless students and unaccompanied youth.

Department of Children, Youth, and Families.

Legislation adopted in 2017 (i.e., Chapter 6, Laws of 2017, 3rd special session, enacted as Second Engrossed Second Substitute House Bill 1661), created the Department of Children, Youth, and Families (DCYF). On July 1, 2018, the child welfare functions of the Department of Social and Health Services (DSHS), which are currently performed by the Children's Administration (CA) division within the DSHS, are transferred from the DSHS to the DCYF. The CA child welfare programs include 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, strengthen school stability, and improve academic performance. The OSPI designates a statewide Education of Homeless Children and Youth coordinator to review policies and create procedures, including dispute resolution procedures, to ensure that homeless children and youth are able to attend school.

Office of Homeless Youth.

In 2015 the Office of Homeless Youth Prevention and Protection Programs (Office of Homeless Youth) was created within the Department of Commerce. The Office of Homeless Youth is responsible for leading efforts to coordinate a spectrum of ongoing and future funding, policy, and practice efforts related to homeless youth and improving the safety, health, and welfare of homeless youth in this state. By November 1, 2018, the DCYF must

provide a report to the Governor and Legislature that includes recommendations as to whether the Office of Homeless Youth should be integrated into the DCYF.

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. The agency's responsibilities include administration of student financial assistance programs and student outreach.

Educational Opportunity Gap Oversight and Accountability Committee.

The Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC) was created in 2009 to address the achievement gap in Washington's public schools. The EOGOAC is tasked with annually reporting its recommendations related to, among other things, current programs and resources that should be redirected to narrow the gap; data elements and systems needed to monitor progress in closing the gap; and innovative school models that have shown success in closing the achievement gap.

Summary of Amended Bill:

The DCYF, the OSPI, the Office of Homeless Youth, and the WSAC must convene a work group with aligned nongovernmental agencies and representatives from the EOGOAC to create a plan for children and youth in foster care and children and youth experiencing homelessness to facilitate educational equity with their general student population peers and to close the disparities between racial and ethnic groups by 2027. Children and youth in foster care means children and youth under the placement and care authority of the DCYF, a federally recognized tribe, or another child-placing agency; and children and youth who have experienced foster care and have achieved permanency.

The work group must:

1. review educational outcomes of children and youth in foster care and children and youth experiencing homelessness, for example kindergarten readiness, school stability, and postsecondary enrollment;
2. consider the outcomes, needs, and services for children and youth in foster care and children and youth experiencing homelessness, and the specific needs of children and youth of color and those with special education needs;
3. map education support services, such as eligibility, service levels and outcomes, and coordination and data sharing;
4. engage stakeholders in participating in the analysis and development of recommendations, for example foster youth and children and youth experiencing homelessness, foster and birth parents, care authorities, and educators;
5. make recommendations for an optimal continuum of education support services to foster and homeless children and youth from preschool to postsecondary education that would provide for shared and sustainable accountability to reach the goal of educational parity, such as recommendations to align indicators and outcomes across organizations and programs; improve racial and ethnic equity in educational

- outcomes; and identify where opportunities exist to align policy, practices, and supports for students experiencing homelessness and foster students; and
6. outline which recommendations can be implemented using existing resources and regulations and which require policy, administrative, and resource adjustments.

By December 17, 2018, the work group must provide a report to the Legislature on the analysis, recommended plan, and legislative and administrative changes needed to facilitate educational equity for children and youth in foster care and those experiencing homelessness by 2027.

Nothing permits disclosure of confidential information protected from disclosure under federal or state law. Confidential information received by the work group retains its confidentiality and may not be further disseminated except as allowed under federal and state law.

Amended Bill Compared to Engrossed Substitute Bill:

The amendment requires the educational equity work group to include representatives from the EOGOAC, rather than a statewide nonprofit coalition focused on educational equity.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 22, 2018.

Effective Date of Amended Bill: The bill takes effect on July 1, 2018.

Staff Summary of Public Testimony:

(In support) The state has made critical investments to policies and programs that service students experiencing foster care or homelessness in school systems. There is more work to be done. The bill means a lot to youth in foster care; it is part of a long-term program that has been built over the past few years.

The state has made progress in increasing the high school graduation rate of youth in foster care, but it is still low, only about 49 percent, and less than 3 percent go on to obtain a four-year degree. When wraparound services are provided, such as tutoring and mentoring, in partnership with the private sector, the high school graduation rate of these students increases to about 78 percent. Funding for these programs comes from state and private sources. Students experiencing foster care and homelessness often have similar needs and are often the same students.

One of the biggest barriers to educational success that youth in foster care face is bureaucracy in the system. This bill, developed in consultation with the public sector and nongovernmental agencies, requires stakeholders to create a comprehensive plan that allows the state to reach parity on this issue. The state agencies represented in the bill, additional actors that may be added, and nongovernmental partners have worked to implement state

investments and the state vision. These vulnerable students face barriers to accessing the full benefits of programs that are available to other students. This bill will get all players at the table to identify and address the remaining barriers, coordinate efforts across the public and private sectors, and ensure that students have seamless access to the programs and supports that they need to be successful across the education continuum.

(Opposed) None.

Persons Testifying: Senator Carlyle, prime sponsor; Liz Trautman, The Mockingbird Society; and Jim Justin, Treehouse.

Persons Signed In To Testify But Not Testifying: None.