

SENATE BILL REPORT

SB 6223

As of February 5, 2018

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

Brief Description: Concerning equitable educational outcomes for foster children and youth from preschool to postsecondary education. [**Revised for 1st Substitute:** Concerning equitable educational outcomes for vulnerable children and youth.]

Sponsors: Senators Carlyle, O'Ban, Walsh, Frockt, Darneille, Zeiger, Palumbo, Hunt, Kuderer, Wellman and Lias.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/29/18, 1/30/18 [DPS-WM, w/oRec].

Ways & Means: 2/05/18.

Brief Summary of First Substitute Bill

- Directs certain state agencies to convene a workgroup with aligned nongovernmental agencies to create a plan for children and youth in foster care and those experiencing homelessness to facilitate educational equity with their general student population peers.
- Tasks the workgroup with addressing certain topics and submitting a report to the Legislature by December 31, 2018.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6223 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig, Hawkins, Hunt, Mullet, Pedersen and Rivers.

Minority Report: That it be referred without recommendation.

Signed by Senator Padden.

Staff: Ailey Kato (786-7434)

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.

SENATE COMMITTEE ON WAYS & MEANS

Staff: Maria Hovde (786-7474)

Background: Students in Foster Care. State and federal law include certain requirements to support students in foster care. The federal Every Student Succeeds Act provided 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. School districts are required to designate a foster care liaison.

Homeless Students. State law includes definitions for homeless students and homeless youth as those without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento Homeless Assistance Act. That act provides federal grant funding to support school districts with serving homeless students. School districts are required to designate a homeless student education liaison.

Department of Children, Youth, and Families (DCYF). In 2017, the Legislature created this new department. On July 1, 2018, early learning programs from the Department of Early Learning (DEL) and child welfare programs from the Children's Administration (CA) within the Department of Social and Health Services will move to DCYF. CA programs include Child Protective Services, the Family Assessment Response program, foster care, and adoption support.

Office of the Superintendent of Public Instruction (OSPI). This state agency supports students in foster care by encouraging innovative practices that reduce educational disruptions, strengthen school stability, and improve academic performance.

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.

Department of Commerce (Commerce). In 2015, the Legislature created the Office of Homeless Youth Prevention and Protection Programs within Commerce. This office 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, DCYF must provide a report to the Governor and Legislature that includes recommendations as to whether this office should be integrated into DCYF.

Washington Student Achievement Council (WSAC). This Council 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.

Summary of Bill (First Substitute): DCYF, OSPI, Commerce, and WSAC must convene a workgroup with aligned nongovernmental agencies, including a statewide nonprofit coalition that is representative of communities of color and low-income communities focused on educational equity, 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 close the disparities between racial and ethnic groups by 2027.

The workgroup must:

- review certain educational outcomes of children and youth in foster care and those experiencing homelessness;
- consider the outcomes, needs, and services for children and youth in foster care and those experiencing homelessness, including children and youth of color and those with special education needs;
- map the current education support services;
- engage certain stakeholders to participate in the analysis and development of recommendations;
- make certain recommendations for optimal continuum of education support services to foster and homeless children and youth from preschool to postsecondary; and
- outline which recommendations can be implemented using existing resources and regulations and which require policy, administrative, and resource adjustments.

The workgroup must provide a report to the Legislature by December 17, 2018, 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.

Children and youth in foster care means children and youth under the placement and care authority of DCYF, a federally recognized tribe, or another child-place agency; and children and youth who have experienced foster care and have achieved permanency.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Adds “children and youth experiencing homelessness” throughout the bill where foster children and youth are mentioned.
- Removes provisions in the intent section focused only on foster children and youth.
- Adds that the Department of Commerce’s Office of Homeless Youth Prevention and Protection Programs must help with convening the workgroup.
- Adds postsecondary education advocates to the list of stakeholders participating in analysis and development of recommendations.
- Provides that improving racial equity in educational outcomes includes ethnic equity.
- Changes individualized education “plans” to “programs.”
- Provides that the report to the Legislature is due December 17, 2018, instead of December 31 and expires this act on December 31, 2018.
- Amends to the title to refer to vulnerable children instead of only foster children and youth.
- Adds that nongovernmental agencies that will work with state agencies to convene the workgroup include a statewide nonprofit coalition that is representative of communities of color and low-income communities focused on educational equity.

Appropriation: None.

Fiscal Note: Requested on January 15, 2018.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: Children and youth in foster care and those experiencing homelessness face similar barriers and struggles and have similar needs. It makes sense to have one workgroup look at both. These children and youth deserve to achieve at the same rate as their peers from preschool through college and have the same access to supports. Wraparound services work for children and youth in foster care and those experiencing homelessness. This bill will help institutions of government stop working in silos and have them come together to work in a coordinated and accountable way. It can be a confusing experiencing for children and youth when there are different rules and requirements for different programs designed to help them. With the creation of DCYF, it is an ideal time to align educational supports. This bill provides an aspirational framework and policy goals that show commitment to these children and youth. Youth voices need to be part of this workgroup because youth are affected by this bill.

Persons Testifying (Early Learning & K-12 Education): PRO: Senator Reuven Carlyle, Prime Sponsor; Georgia Spurrier, Legislative Youth Advisory Council; Keya Roy, Legislative Youth Advisory Council; Carrie McKenzie, Washington State PTA; Annie Blackledge, The Mockingbird Society; Rachelle Sharpe, Washington Student Achievement Council; Dawn Rains, Treehouse; Mark Richards, Treehouse.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): PRO: Foster children face significant barriers to educational success. Fewer than half of children in foster care graduate on time and just over half of children who are homeless graduate on time. The lack of coordination between agencies presents challenges for foster children. Coordination is needed to design a continuum of education policy for foster children and homeless youth. With the implementation of DCYF, now is the time to align these efforts.

Persons Testifying (Ways & Means): PRO: Dawn Rains, Treehouse.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.