

HOUSE BILL REPORT

HB 1716

As Reported by House Committee On:
Early Learning & Children's Services
Appropriations

Title: An act relating to supporting educational achievement for children in foster care.

Brief Description: Supporting educational achievement for children in foster care.

Sponsors: Representatives Roberts, Kagi, Hinkle, Haler, Walsh, Appleton, Pettigrew, Dickerson, Darneille, Anderson, Moeller, O'Brien, McDonald, Santos, Wood, Kenney, Simpson and Lantz.

Brief History:

Committee Activity:

Early Learning & Children's Services: 2/15/07, 2/16/07 [DPS];
Appropriations: 3/3/07 [DP2S(w/o sub ELCS)].

Brief Summary of Second Substitute Bill

- Directs the Department of Social and Health Services (DSHS) to establish a grant program to implement school enrollment stabilization strategies for children in foster care.
- Directs DSHS to request funding or resources to expedite development of an interface between the DSHS database and the databases at the Office of the Superintendent of Public Instruction (OSPI).
- Directs the OSPI to facilitate data sharing agreements with and between local school districts and the DSHS in order to analyze the effect of strategies implemented on the educational outcomes of children in foster care.
- Requires school districts to respond within two school days to DSHS requests for records of children in foster care.

HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

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.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Appleton, Hinkle, Pettigrew and Roberts.

Staff: Sydney Forrester (786-7120).

Background:

The stability and continuity of school placement for children in foster care has been a topic of legislation in Washington for the past several years.

2002

The Legislature enacted SB 6709 directing 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 November 2002, the DSHS reported to the Legislature with the following recommendations:

- (1) The Children's Administration (CA) of the DSHS and the OSPI should develop a formal policy statement that maintains foster children in their home school whenever practical.
- (2) Foster parent recruitment priorities should shift to develop more foster homes in school districts with high rates of foster care removal.
- (3) An oversight committee consisting of staff from the CA, the OSPI, and advocacy agencies should be established to develop best practice standards to maintain foster children in their home school whenever practical.
- (4) The CA and the Administrative Office of the Courts (AOC) should work together to ensure that educational stability is addressed during the shelter care hearing by the local CA social worker and the presiding judge or commissioner.

2003

In response to these recommendations, the Legislature enacted HB 1058 and established in statute 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, in order to maximize the educational continuity and achievement for foster children. The protocols were to include methods to assure effective sharing of information consistent with state law and federal law.

To accomplish these tasks the DSHS was directed to:

- (1) establish an oversight committee composed of staff from the CA, the OSPI, and advocacy agencies to develop strategies for maintaining foster children in the schools they were attending at the time they entered foster care; and
- (2) work with the AOC to develop protocols to ensure that educational stability is addressed during the shelter care hearing.

2005

The Legislature enacted HB 1079 and 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 committee was also expanded to include promotion of opportunities for foster youth to participate in post-secondary education or training.

Summary of Substitute Bill:

Grants for Implementing School Stabilization Strategies

By August 1, 2007, the Oversight Committee must convene stakeholders to assist the committee with:

- (1) facilitating strategies for recruitment and retention of foster parents;
- (2) identifying and selecting strategies to be implemented and evaluated in the 10 school districts with the highest removal rates of school-age children; and
- (3) developing a request for qualification (RFQ) for grant funding to implement the strategies identified.

By October 31, 2007, the Oversight Committee will select grant recipients and begin disbursing funding to implement the strategies designed to stabilize school enrollment. To the extent possible, the committee will provide technical assistance with implementation and data collection.

By July 1, 2009, the Oversight Committee will report back to the Legislature with additional policy recommendations based on evaluation of the strategies implemented.

Data Sharing and Transfer of Education Records

The DSHS must request funding or resources to expedite the interface between the State Automated Child Welfare Information System (SACWIS) and the databases maintained by the OSPI. Pending completion of the interface, the OSPI must facilitate and execute a data sharing agreement with and between local school districts and the DSHS in order to:

- (1) promote school enrollment continuity for children in care; and
- (2) evaluate and analyze the impact of strategies implemented under the grant funding on the educational achievement of children in foster care.

School districts receiving requests from the CA for the educational records of children who enter foster care must provide the records to the CA within two school days.

Substitute Bill Compared to Original Bill:

The substitute adds a provision to clarify that the data sharing agreements will be consistent with the protocols developed between the DSHS regional offices and school districts.

Appropriation: None.

Fiscal Note: Requested on February 13, 2007.

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

Staff Summary of Public Testimony:

(In support) This bill represents the continuation of work done in the past to assure children in foster care have as much stability as possible. We should assume that foster children are our own children and we should work to provide them the same support with educational services and opportunities for college.

Only about one-third of children in foster care graduate on time. Foster children are more likely to switch schools frequently, be retained and repeat a grade, and score lower on standardized tests. The good news is that through the Casey Foundation we have seen the types of strategies that can change these outcomes.

For several years it has been the policy of the state of Washington to keep children in the same school when they are placed in foster care. But in practice, this is the case for only about a quarter of foster children. Now is the time to make this critical investment in moving this policy forward through the use of innovation grants to address challenges to implementing this policy. Grants could pay for strategic innovations as well as for transportation to ensure the child can remain in his or her school.

Data sharing has always been a critical component of improving school outcomes for foster children. Social workers need access to information on how well the children are doing in school. Stability of the K-12 placement is a critical piece of preparing for higher education. We need to have a consistent tracking and support program for those few students who do have to move to another school district.

Educational stability in foster care is important to the child's overall development while in care. Children in foster care want adults to support them in being successful in school. Innovation grants will allow communities to come together and make their systems work together for the good of foster children.

Children in foster care who have to change schools lose about four months at each change of school. When a child experiences numerous moves, the cumulative effect can leave the child years behind in their educational achievement. Children are sitting on hold right now waiting for adults to get their act together and support them in remaining in school and graduating on time. Stability and continuity of placement make a big difference in the outcomes for foster children. We need to continue moving forward with work that's been done by the education oversight committee. Communities can find ways to make things work to develop this policy more fully.

These innovation grants will help move us forward in meeting the benchmarks under Braam. The Braam Settlement Agreement focuses on the educational outcomes for foster children, including tracking the number of children who remain enrolled in the same school, who are enrolled in school within three days of placement, and who obtain a high school diploma.

(Opposed) The Department of Social and Health Services supports the sponsor's intent to maintain children in their home schools when they enter foster care. Until the SACWIS system is in place, however, this may not be the most opportune time to try and develop a new electronic data interface. Money for such an interface is not currently in the Governor's budget.

The OSPI and the Children's Administration currently are developing data sharing agreements and will continue to share data until we can complete an electronic data sharing process. As the unique student identifiers are implemented, this will improve our capacity to share data electronically.

Persons Testifying: (In support) Representative Roberts, prime sponsor; Delilah Bruskas and Vandara Tay, Connected Youth and Alumni Leaders of Tacoma; Molly Robertson, Community Youth Services; Janis Avery, Treehouse; Codie M. Jenkins; Laurie Lippold, Children's Home Society of Washington; Jemila Booker; Rob Credle, Treehouse; Jim Theofelis, Mockingbird Society; Janet Skreen, Superior Court Judges' Association; and Mary McGaugh, Foster Parents Association of Washington State.

(Opposed) Dawn Tatman, Department of Social and Health Services, Children's Administration.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Children's Services. Signed by 33 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Buri, Chandler, Cody, Conway, Darneille, Dunn, Ericks, Fromhold, Grant, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Kretz, Linville, McDermott, McDonald, McIntire, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist, P. Sullivan and Walsh.

Minority Report: Without recommendation. Signed by 1 member: Representative Anderson.

Staff: Ben Rarick (786-7349).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Early Learning & Children's Services:

The second substitute bill transfers responsibility for administering the grant program from the Education Oversight Committee to the Department of Social and Health Services.

Appropriation: None.

Fiscal Note: Available. Requested on Substitute bill on March 2, 2007.

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

Staff Summary of Public Testimony:

(In support) Educational excellence is a top priority for this Legislature, and this legislation provides critical tools for youth in foster care. These children have some of the worst educational outcomes of any demographic group. Stability in home and school environments is critical for the success of these children. Unfortunately, it is rarely provided. Interagency agreements were required several years ago but it hasn't happened quickly enough. We need an ambassador from the Office of the Superintendent of Public Instruction to oversee this process and see it through. We don't have solid data to show the effects of nonprofits and government entities on the outcomes for these kids. We need to look clearly at our results and we need the data tools that allow us to do that. School mobility is the second most influential factor in predicting graduation rates. Foster children experience lots of disruption in their schoolwork by virtue of moving from school to school. This legislation will help us provide stability for these kids.

(Opposed) None.

Persons Testifying: Laurie Lippold, Children's Home Society; and Janis Avery, Tree House.

Persons Signed In To Testify But Not Testifying: None.