

# HOUSE BILL REPORT

## ESHB 2356

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**As Passed House:**

February 14, 2002

**Title:** An act relating to school placement for school age children in foster care.

**Brief Description:** Creating a working group and pilot project to address school age children who enter short-term foster care.

**Sponsors:** By House Committee on Children & Family Services (originally sponsored by Representatives Kagi, McIntire, Santos, Dickerson, Tokuda, Darneille, Clements, Schual-Berke and Wood).

**Brief History:**

**Committee Activity:**

Children & Family Services: 1/21/02, 2/4/02 [DPS].

**Floor Activity:**

Passed House: 2/14/02, 98-0.

**Brief Summary of Engrossed Substitute Bill**

- Requires the Department of Social and Health Services (DSHS) to convene a work group to prepare a plan, within existing resources, for the Legislature addressing educational stability for children in short term foster care.
- Requires the implementation of a pilot project within existing resources to assist foster children to remain enrolled in the school they were attending before entering foster care.

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### HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Tokuda, Chair; Kagi, Vice Chair; Boldt, Ranking Minority Member; Darneille, Dickerson, Miloscia, Morell, Nixon and Orcutt.

**Staff:** Deborah Frazier (786-7152).

**Background:**

Each year in Washington, over 12,000 school age children enter state custody and the

foster care system because of abuse, neglect, abandonment or family conflict. Approximately half of these children leave state custody within 60 days.

The Washington State Institute for Public Policy completed a statutorily required study in November 2001, entitled "Educational Attainment of Foster Youth.– The study included a review of previous research in this area, and a statewide analysis of foster youth in the Washington public schools.

Among the study findings, researchers found that compared to their peers not in foster care:

- foster youth score 15-20 points below non-foster youth in statewide achievement tests;
- 59 percent of foster youth in eleventh grade complete high school on time, compared with 86 percent of non-foster youth;
- twice as many foster youth repeat a grade, change schools in a school year, or enroll in special education, compared with non-foster youth; and,
- a youth's length of stay in foster care does not appear to be related to educational attainment.

The study report identifies a number of factors that influence academic achievement for all youth. Of the five most important predictors of on-time high school graduation, the second most important factor was the number of times a child changes school during the school year. The study found that twice as many foster youth changed schools once during the school year, and three times as many foster youth changed schools twice, when compared to non-foster youth.

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

The DSHS is required, within existing resources, to convene a workgroup and prepare a plan on educational stability for children in short term foster care. The membership of the workgroup is described. The duties of the workgroup are:

- determine the current status of school placement for children placed in short term foster care;
- identify options and possible funding sources from existing resources which could be made available to assure that children placed in short term foster care are able to remain in the school where they were enrolled prior to placement;
- submit recommendations to the Legislature by November 1, 2002 to assure the best interest of the child receives primary consideration in school placement decisions.

The Nooksack Valley and Mount Vernon school districts are required to implement a pilot project within existing resources to assist children in foster care fewer than 75 days to continue attending the school in which they were enrolled prior to entering foster care. The school districts are required to provide data to the working group studying this issue.

The DSHS is required to negotiate a plan with the schools for transporting the child.

The bill contains an emergency clause.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** As a former foster child, I can tell you that my teachers and schools provided me a little bit of stability and sense of identity. That thread really helped me with the real trauma of being removed from my home. I remember to this day one teacher, in particular, who took the time to hug me, instead of punishing me when I was acting out due to my frustration with my situation. My stay in foster care would have been so much better if I'd been able to remain in one school. When kids have been removed from home, it is important that they have something to hang on to, both for the short term and for their future.

**Testimony Against:** None.

(With concerns) The department (DSHS) supports the concept of the bill. We'd like some clarification on a few points. Also, this measure is not included in the Governor's budget, so we have fiscal concerns. We have begun meetings with OSPI (the Office of the Superintendent of Public Instruction) on this topic. The OSPI believes a positive step has been taken by the creation of the study and this bill. We share some of the concerns cited by DSHS, including the fiscal impact. We look forward to continuing to work on this issue with the DSHS and the committee.

**Testified:** (In support) Representative Kagi, prime sponsor; Tess Thomas, Thomas House, Treehouse; Adam Cornell, citizen; Sherry Appleton, Washington Defender Association; Carol Taylor Cann, Washington State Parent Teacher Association; Stephanie Burbach, Families for Kids - Recruitment; Janis Avery, Jackie Estefan, and Phoebe Emerson, Treehouse; Darlene Flowers, Foster Parents Association; Dave Ashton, citizen; Laurie Lippold, Children's Home Society; Julie Walters, Court Appointed Special Advocates; and Dan Bilson, National Alliance for the Mentally Ill - Whatcom County.

(With concerns) La Verne Lamoureux and Sharon Young, Children's Administration, the Department of Social and Health Services; and Greg Williamson, the Office of Superintendent of Public Instruction.