

HOUSE BILL REPORT

4SHB 1999

As Passed House:
February 12, 2016

Title: An act relating to coordinating services and programs for foster youth in order to improve educational outcomes.

Brief Description: Coordinating services and programs for foster youth in order to improve educational outcomes.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Carlyle, Kagi, Lytton, Walsh, Sawyer, Pettigrew, Ortiz-Self, Dent, Parker, Caldier, Goodman and Jinkins).

Brief History:

Committee Activity:

Early Learning & Human Services: 2/17/15, 2/20/15 [DPS], 1/13/16, 1/15/16 [DP3S];
Appropriations: 2/26/15, 2/27/15 [DP2S(w/o sub ELHS)], 2/4/16, 2/9/16 [DP4S(w/o sub ELHS)].

Floor Activity:

Passed House: 3/5/15, 95-3.

Floor Activity:

Passed House: 2/12/16, 94-2.

Brief Summary of Fourth Substitute Bill

- Moves responsibility for the demonstration sites to improve educational outcomes for foster youth from the Department of Social and Health Services (DSHS) to the Office of Superintendent of Public Instruction (OSPI).
- Moves responsibility for the Supplemental Educational Transition Program for foster youth from the DSHS to the Washington Student Achievement Council (WSAC).
- Requires that the DSHS, the WSAC, and the OSPI submit reports to the Governor and appropriate committees of the Legislature regarding these programs and educational outcomes of foster youth by November 1, 2016, and twice yearly thereafter.

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.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by 10 members: Representatives Kagi, Chair; Senn, Vice Chair; Walsh, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Hawkins, Kilduff, McCaslin, Sawyer, Scott and Walkinshaw.

Staff: Luke Wickham (786-7146).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The fourth substitute bill be substituted therefor and the fourth substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by 28 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Cody, Dent, Fitzgibbon, Hansen, Harris, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, MacEwen, Magendanz, Pettigrew, Robinson, Sawyer, Schmick, Senn, Springer, Stokesbary, Sullivan, Tharinger, Van Werven and Walkinshaw.

Minority Report: Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Haler and Taylor.

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

Staff: Mary Mulholland (786-7391).

Background:

Education Coordination Program for Dependent Youth.

In 2012 the Legislature enacted Substitute House Bill 2254, which requires the Department of Social and Health Services (DSHS) to contract with at least one nongovernmental entity that has demonstrated success in working with foster care youth in improving educational outcomes. The nongovernmental entity must:

- administer a program of educational coordination for foster youth in Washington from birth through twelfth grade;
- engage in a public-private partnership with the DSHS;
- raise a portion of the funds needed for service delivery, administration, and evaluation;
- provide services to support individual youth upon a referral by a social worker with the DSHS or nongovernmental agency;
- be co-located in the offices of the DSHS to provide timely consultation and in-service training; and
- report outcomes to the DSHS twice per year.

Demonstration Site to Improve Educational Outcomes for Dependent Youth.

The 2013-15 Operating Budget provided funding for the Children's Administration to contract with a nongovernmental entity to improve educational outcomes of dependent students by providing individualized education services and monitoring and supporting the completion of educational milestones, remediation needs, and special education needs of these students. The 2015-17 Operating Budget provided funding for a second demonstration site to be implemented no earlier than July 1, 2016. These contracts are performance-based with a stated goal of improving the graduation rates of foster youth by 2 percent per year over five school years.

The services required by the demonstration site include:

- direct advocacy for foster youth to eliminate barriers to educational access and success;
- consultation with the DSHS case workers to develop educational plans for and with participating youth;
- monitoring educational progress of participating youth;
- providing participating youth with school and local resources that may assist in educational access and success; and
- coaching youth, caregivers, and social workers to advocate for dependent youth in the educational system.

Passport to College Promise Scholarship Program.

The Passport to College Promise Scholarship program (Passport program) was established in 2007 to help dependent students attend and succeed in college. The three primary components of this program are administered by the Washington Student Achievement Council (WSAC) and include:

- a student scholarship;
- campus incentive funding to provide recruitment and retention services; and
- a partnership with the College Success Foundation to provide support to students and training.

In the 2012-13 academic year, 404 students were served through the Passport program.

Supplemental Education Transition Program.

The Supplemental Education Transition Program is part of the Passport program that is managed by the DSHS, and requires the DSHS to contract with at least one nongovernmental entity to develop, implement, and administer a program of supplemental educational transition planning for youth beginning at age 14 in foster care.

The supplemental transition planning must include:

- comprehensive information regarding postsecondary educational opportunities;
- how and when to apply to postsecondary educational programs;
- what precollege tests a foster youth should take based on his or her postsecondary plans;
- what courses a foster youth should take based on his or her postsecondary plans;
- issues that impact college students and their success rates; and
- which websites, nongovernmental entities, public agencies, and other foster youth support providers specialize in which services.

Summary of Fourth Substitute Bill:

Program of Education Coordination for Dependent Youth.

The DSHS must contract with the Office of Superintendent of Public Instruction (OSPI), which in turn must contract with a nongovernmental entity to administer a program of education coordinator for dependent youth. The OSPI must comply with all requirements necessary to maximize federal funding for this program. A requirement is added to this contract, requiring that the contract be outcome-driven with a stated goal of reducing educational barriers to youth success.

Demonstration Sites to Improve Educational Outcomes for Dependent Youth.

The current demonstration program to improve educational outcomes for foster youth is maintained and expanded to include a second site. The second site must be implemented after July 1, 2016. The agency contracting with the nongovernmental agency for this purpose is changed from the DSHS to the OSPI and the resulting contract must be outcome-driven. The nongovernmental agency must engage in a public-private partnership with the OSPI and is responsible for raising a portion of the funds needed for service delivery, administration, and evaluation.

The youth eligible for referral are expanded to include youth ages 13 through 21.

Supplemental Education Transition Planning Program.

The Supplemental Education Transition Planning Program (SETuP) is moved from the DSHS to the WSAC. The youth served by this program are ages 13 through 21 and are not served by the demonstration sites described above. The contract for this service must be outcome-driven with a stated goal of improving the graduation rates and postsecondary plan initiation of eligible youth by 2 percent per year over five school years starting with the 2015-16 school year.

The SETuP program shall include:

- consultation with schools and the DSHS social workers to develop educational plans for and with participating youth;
- age-specific developmental and logistical tasks to be accomplished for high school and postsecondary success;
- facilitating youth participation with appropriate school and local resources that may assist in educational access and success; and
- coordinating with youth, caregivers, schools, and social workers to support youth progress in the educational system.

The SETuP program may be co-located in the DSHS, and the nongovernmental entity must report outcomes to the WSAC and the DSHS twice per year.

Memoranda of Understanding.

The DSHS, the WSAC, and the OSPI shall enter into, or revise existing memoranda of understanding that:

- facilitate student referral, data and information exchange, agency roles and responsibilities, and cooperation and collaboration among state agencies and nongovernmental agencies; or

- effectuate transfer of responsibilities from the DSHS to the OSPI for the program of education coordination and demonstration sites described above and from the DSHS to the WSAC for the SETuP program.

By November 1, 2016, and twice a year thereafter, the DSHS, the WSAC, and the OSPI shall submit a report to the Governor and appropriate committees of the Legislature regarding these programs and educational outcomes of foster youth. The DSHS, the WSAC, and the OSPI, in consultation with the nongovernmental entities, are also required to submit a report by November 1, 2018, to the Governor and the Legislature regarding whether the transfer of programs from the DSHS has resulted in better coordinated services for youth.

Child Welfare Records.

The DSHS may disclose only those confidential child welfare records that pertain to or assist with meeting the educational needs of foster youth to another state agency or state agency's contracted provider responsible for assisting foster youth in attaining educational success and those records retain their confidentiality.

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 (Early Learning & Human Services):

(In support) This bill demonstrates an effort to make sure that educational services for foster youth are coordinated in a holistic fashion. The services impacted by the bill are intensive, wrap-around services. The silos of educational outcomes of foster youth need to be broken down. There is inconsistency in the eligibility for many programs for foster youth. For all of the programs that exist for foster youth, there are very few people who communicate the availability of these programs to youth. There are thousands of people in foster care who rely on government for their help. This bill establishes coordinated educational programs for foster youth to ensure the best educational services for foster youth. The agencies that contract with SETuP are prepared to work with the WSAC. The Attorney General's Office has provided the revision in the substitute bill relating to the sharing of limited child welfare records. After working with the SETuP program, my grades improved and I became more aware of opportunities available to foster youth. The SETuP program helped me when there have been challenges to get back on track. It is important that all foster youth have access to these programs. In partnership with the WSAC, the College Success Foundation has increased post-secondary opportunities for foster youth. It is critical that there is seamless support for foster youth moving from high school to post-secondary education. It is important that the eligibility for the SETuP program expands to allow 13 to 21 year olds to participate. Currently there is no way to track whether SETuP participants are matriculating and using supports available to foster youth. The College Success Foundation is prepared to support the transition of this program and the requirement to be outcome-driven. The changes made by the interim work group increase the effectiveness of these programs.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) Eight years ago, the high school graduation rate for foster youth in Washington was in the twenties. Today it is in the forties because legislators have put forth legislation that is causing progress to be made in the state. An earlier version of the bill passed the House of Representatives by 95-3 in 2015.

Senator Carlyle's goals for youth in foster care are inspiring. The policy changes the territory for children in foster care. It is a plain, good government bill that would: provide more efficient, coordinated services; leverage philanthropic funding at a 3:1 ratio for government investment; and improve outcomes for children in foster care. More collaboration is enabled between state agencies and nongovernmental service providers. King County, the location of the first pilot project to improve educational outcomes for foster youth, has been successful and is at a 68 percent foster youth graduation rate after three years of work. Stakeholders are thrilled to be expanding that program to Spokane and Tacoma to serve an additional 250 students.

Two issues are addressed. First, better contract management is enabled. A three-way contract is created between the DSHS, the OSPI, and a nongovernmental entity to provide educational advocacy services. This structure helps to preserve funding for the program's operations. Second, the bill addresses a barrier to information sharing. Confidentiality requirements currently restrict the sharing of child welfare records. The DSHS would be able to share limited child welfare information with the OSPI, the Washington Student Achievement Council, and the contracted nongovernmental entity as appropriate for the purpose of facilitating a foster youth's educational success. School districts and the OSPI will know who foster students are, and this will open doors for schools to direct additional support services to those students and will enable the OSPI to do required reports on foster youth educational outcomes.

(Opposed) None.

Persons Testifying (Early Learning & Human Services): Senator Carlyle, prime sponsor; Janis Avery, Treehouse; Saibian Hart, Mockingbird Society; Katie Kaiser, College Success Foundation; Maddy Thompson, Washington Student Achievement Council; and David Del Villar Fox, Department of Social and Human Services.

Persons Testifying (Appropriations): Senator Carlyle, prime sponsor; Janis Avery, Treehouse; and Deb Came, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying (Early Learning & Human Services): None.

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