

HOUSE BILL REPORT

SHB 2711

As Passed Legislature

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

Brief Description: Increasing equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education.

Sponsors: House Committee on Education (originally sponsored by Representatives J. Johnson, Corry, Stonier, Ormsby, Appleton, Caldier, Davis, Leavitt, Lekanoff, Ramel, Senn, Chopp, Goodman, Fey, Pollet, Callan and Chambers).

Brief History:

Committee Activity:

Education: 1/28/20, 2/6/20 [DPS];
Appropriations: 2/11/20 [DPS(ED)].

Floor Activity:

Passed House: 2/13/20, 97-0.
Senate Amended.
Passed Senate: 3/5/20, 49-0.
House Refused to Concur.
Senate Receded.
Senate Amended.
Passed Senate: 3/10/20, 46-0.
House Concurred.
Passed House: 3/11/20, 97-0.
Passed Legislature.

Brief Summary of Substitute Bill

- Requires the Office of the Superintendent of Public Instruction, in collaboration with specified state agencies, to convene a temporary work group to develop recommendations related to education outcomes and eliminating racial and ethnic disparities for students in foster care, experiencing homelessness, or both.
- Establishes duties for the work group, including reviewing student data, engaging stakeholders, and producing reports, and related directives for the Education Data Center.

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.

- Modifies provisions governing a biannual report for specified education outcome programs.
- Removes an expired reporting requirement regarding specific efforts to promote educational stability and improve education outcomes for children in foster care.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Santos, Chair; Dolan, Vice Chair; Paul, Vice Chair; Steele, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Bergquist, Caldier, Callan, Corry, Harris, Ortiz-Self, Rude, Stonier, Thai, Valdez and Ybarra.

Staff: Ethan Moreno (786-7386) and Riley O'Leary (786-7296).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Ormsby, Chair; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; Stokesbary, Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chopp, Cody, Corry, Dolan, Dye, Fitzgibbon, Hansen, Hoff, Hudgins, Kilduff, Kraft, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Schmick, Senn, Springer, Steele, Sullivan, Sutherland, Tarleton, Tharinger and Ybarra.

Minority Report: Do not pass. Signed by 1 member: Representative Chandler.

Staff: Jordan Clarke (786-7123).

Background:

Department of Children, Youth, and Families.

Legislation adopted in 2017 created the Department of Children, Youth, and Families (DCYF). The Children's Administration division is located within the DCYF and includes 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, promotes school stability, and improve academic performance. The OSPI designates a statewide education of homeless children and youth coordinator to review policies and create procedures to ensure that children and youth experiencing homelessness can attend school.

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.

Project Education Impact Work Group.

A 2018 budget proviso directed the DCYF in collaboration with the OSPI, the Office of Homeless Youth Prevention and Protection Programs of the Department of Commerce, and the WSAC, to convene the Project Education Impact Work Group (Work Group) with aligned nonprofit organizations to create a plan for children and youth experiencing foster care and homelessness, facilitate educational equity, and to close the disparities between racial and ethnic groups by 2027.

The Work Group submitted a report in January 2019 that recommended legislative and administrative changes necessary to achieve these goals. The report also recommended that the Work Group continue to convene to develop, implement and refine solutions, and to evaluate collective progress over time.

Programs of Education for Dependent Youth.

The OSPI and the WSAC are required to create and maintain outcome-driven services to support foster youth in completing high school and to enroll in and complete postsecondary education. These services include contracts between the DCYF and the OSPI, and the DCYF and the WSAC, that require partnership with at least one nongovernmental agency to administer an individualized education coordination program for dependent youth.

A report related to the collective progress toward making Washington first in the nation for foster care performance metrics must be submitted by the OSPI, the WSAC, and the DCYF to the Governor and Legislature biannually.

Education Data Center.

The Education Data Center (EDC) conducts collaborative analyses of early learning, kindergarten through grade 12, and higher education programs and education issues across the preschool, public school, and higher education systems. Among other duties, the EDC works with state agencies and qualifying private institutions to develop data-sharing and research agreements to facilitate the work of the EDC.

Summary of Substitute Bill:

Joint Agency Work Group.

The Office of the Superintendent of Public Instruction (OSPI), in collaboration with the Department of Children, Youth, and Families (DCYF), the Office of Homeless Youth Prevention and Protection Programs (OHY) of the Department of Commerce, and the Washington Student Achievement Council (WSAC) must convene a work group to address the needs of students in foster care, experiencing homelessness, or both. The work group must also include:

- representatives of nongovernmental agencies;
- representation from the Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC); and

- four legislators with experience in issues of education, the foster care system, and homeless youth, as appointed by the President of the Senate and the Speaker of the House of Representatives.

The work group, which must seek to promote continuity with efforts resulting from the 2018 budget proviso that created the Project Education Impact Work Group, is charged with developing recommendations to promote the following for students who are in foster care, experiencing homelessness, or both:

- the achievement of parity in education outcomes with the general student population; and
- the elimination of racial and ethnic disparities for education outcomes in comparison to the general student population.

In developing the recommendations, the work group must complete specified tasks, including:

- reviewing education outcomes by examining student data that is disaggregated by race and ethnicity, including data related to early grade reading and math skills, high school completion, postsecondary enrollment, school attendance, special education status, and school discipline;
- evaluating the outcomes, needs, and service array for students in foster care, experiencing homelessness, or both, and the specific needs of students of color and students with special education needs;
- engaging stakeholders to provide input on the development of recommendations; and
- preparing annual reports by October 31, 2021, 2022, and 2023 that identify progress toward achieving education parity, recommendations that can be implemented using existing resources and rules, and recommendations that would require policy, administrative, and resource allocation changes prior to implementation.

To assist the work group in its duties, the OSPI, the DCYF, the WSAC, and the OHY must provide updated education data and other necessary data to the Education Data Center (EDC). The EDC must provide annual reports to the work group regarding delineated education outcomes by March 31, 2021, 2022, and 2023.

The work group must submit a final report to the Governor, the appropriate committees of the Legislature, and the EOGOAC by July 1, 2024. The final report must include specified recommendations and may include a plan for achieving those recommendations.

Provisions establishing and governing the work group expire on December 31, 2024.

Biannual Report of the Department of Children, Youth, and Families, the Washington Student Achievement Council, and the Office of the Superintendent of Public Instruction.

Modifications are made to reporting requirements of the DCYF, the WSAC, and the OSPI by removing directives to report on collective progress related to becoming first in the nation in foster care according to specific performance metrics.

Cross-System Collaboration Reports.

An expired reporting requirement regarding the state's plan for cross-system collaboration to promote educational stability and improved educational outcomes for foster children is repealed.

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 (Education):

(In support) This bill is a solution to address need, trauma, and lack of access in our educational system. Students that are considered homeless or in foster care are regularly absent from school much more frequently than their general student peers. Many students are referred to the juvenile system, and a lot of them are experiencing homelessness, in foster care, or both. The Project Education Impact Work Group (Work Group) can help address the barriers that these students are experiencing and promote physical, mental, and social health of our young people.

The Work Group focuses on children and youth in foster care, experiencing homelessness, or both. These two populations experience similar educational challenges and outcomes that are grounded in instability and relocation from homes and schools. When students change districts, consistent records and appropriate services are difficult to maintain. The experiences of these two groups persist or worsen over time without adequate support. Extensive programs exist for these populations, and the goal of the Work Group is to bring these resources together. This bill creates a framework for sustainability and accountability in the event of an administration or leadership change and helps provide necessary data to achieve these goals. By establishing a Work Group at the state level, students are assured appropriate access to the resources available to them.

Necessary infrastructure is provided in this bill to address the federal mandate in the Every Student Succeeds Act and to reach goals related to state graduation rates.

(Opposed) None.

(Other) This bill allows for a full picture of the educational pipeline for student enrollment gaps through accurate and disaggregated data. The 2018 data was limited to a two-year scope and this helps address the short timeline restriction of the available data.

Staff Summary of Public Testimony (Appropriations):

(In support) Since 2018 the current workgroup has worked to achieve educational parity by 2027 for students in out-of-home placements and students experiencing homelessness. This is a balanced approach to addressing the educational challenges and needs of these student populations, especially because the two populations have similar educational outcomes. This bill creates a framework for success and accountability to help improve student outcomes.

This initiative has also received significant private investment to help improve the success of these student populations.

(Opposed) None.

Persons Testifying (Education): (In support) Representative Johnson, prime sponsor; Dawn Rains, Treehouse; Katara Jordan, Building Changes; Peggy Carlson, Office of the Superintendent of Public Instruction; and Alexandra Franks-Thomas, Washington State Association of School Psychologists.

(Other) Becky Thompson, Washington Student Achievement Council.

Persons Testifying (Appropriations): Katara Jordan.

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

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