

Educational Outcomes of Youth in State Care Commission

RE: Office of the Child Advocate – Recommended Legislative Changes

1. **Amendment of the Trauma-Informed Schools Act and Commission:** R.I.G.L. § 16-21-40 and R.I.G.L. § 16-21-41.
 - a. R.I.G.L. § 16-21-41 established The Rhode Island Trauma-Informed Schools Commission. The Commission was charged with developing recommendations for implementing trauma-informed practices in Rhode Island schools. However, there is no requirement that the recommendations be implemented.
 - b. We would propose a modification to R.I.G.L. § 16-21-40(b) which states “... the commissioner of elementary and secondary education shall develop a trauma-informed schools implementation plan, as well as necessary administrative guidance, professional development materials, and other resources to enable all elementary and secondary schools to:”
 - c. We would propose the following modifications:
 - i. Link the implementation plan to the one created by the Trauma-Informed Schools Commission
 - ii. Modify the language in R.I.G.L. § 16-21-40(b) to read “...as well as necessary administrative guidance, professional development materials, and other resources to **require and** enable all elementary and secondary schools to:”
 - iii. Amend the statute to add a date for compliance.
2. **Amendment of the Trauma-Informed Schools Act:** R.I.G.L. § 16-21-40 to include a mandatory trauma assessment for youth in foster care to determine need for additional supports and services to support academic performance. This would mirror legislation in Georgia.
 - a. Would need to carve out role and responsibility for assessments and implementation of recommendations (in Georgia it is the SEA and local school districts).
 - i. Would need to determine a funding stream to support this work.
 - b. Sample Georgia legislation for reference is Part 3 of Article 6 of Chapter 2 of Title 20
 - i. Additional documentation for reference is the guidance on implementation for the legislative change in Georgia, which focuses on ways to prevent re-traumatization through the assessment process.
 1. <https://gaappleseed.org/wp-content/uploads/Trauma-Impact-Rule-QuickGuide.pdf>
3. **Higher Education Curriculum:** Legislation requiring all RI state colleges/universities who offer a teaching degree or public-school administration degree to add courses to their curriculum about trauma informed practices.
 - a. It was discussed at one of our prior meetings that RI College is already exploring this. However, we thought it might be beneficial to explore legislation to create consistency across the state.

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4. **Every Student Succeeds Act (ESSA):**

- a. Propose amendments to the Rhode Island ESSA State Plan to align with the [guidance issued by the U.S. Department of Education in November 2024](#).
 - i. We would recommend an inter-agency conversation, to include expertise from DCYF regarding the experiences of children and youth involved with the child welfare, children’s behavioral health and juvenile justice system.
- b. For permanency plans and hearings DCYF would be required to document efforts made to ensure educational stability for the child, including efforts made to keep the child in the school in which the child is enrolled at the time of placement or that remaining in the school is not in the best interest of the child. This would provide routine updates to Rhode Island Family Court regarding the child’s education.
 - i. Mirror legislation in [Idaho code § 16-1622](#).
 - ii. This would go along with DCYF policy recommendation (i) below.
- c. *Corresponding DCYF Policy Recommendations:*
 - i. Explore the completion of ESSA calls for a Best Interest Determination to be done more routinely. As of right now, a call is scheduled when there is a change in placement. Initial decisions could be reviewed routinely (i.e. with permanency hearings) to review whether the school continues to be in the child’s best interest.
 - ii. Better defined appeals process, which outlines a hierarchy and timeline for review. The appeal should not be reviewed by the same individual who made the initial decision. The process should include both DCYF administration and RIDE.
 - iii. Requiring involvement from the child (unless it is deemed that participation is not in the child’s best interest), family and other pertinent individuals working as a part of the child and family’s team. It is imperative that all necessary individuals are incorporated as part of the process and have an opportunity to be heard.
 1. Child and family involvement may require exploring different strategies for scheduling and engagement to make accessible to all.

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5. **Sponsor Education Stability legislation:** If a child or youth in foster care are moved to a new LEA through the ESSA process and that child or youth are reunified prior to the end of that school year, the legislation would require the child or youth to be provided the option to remain in the ESSA designated school of origin through that school year at child and caregiver discretion. As of right now, this is only an option if the student is a senior.
 - a. **Note:** There will need to be considerations for transportation. Consider: [Washington RCW 28A.225.350 \(2018\)](#) as a model for addressing transportation in this case. This requires the district of origin and district of placement to agree on a method to divide the responsibility and costs for transporting the student. If they can't agree, then the responsibility and costs are shared equally between districts. The state child welfare department will reimburse districts for half of excess transportation costs.
6. **Sponsor Education Attendance legislation:** Children and youth in care often struggle with truancy and punctuality, particularly those who move to multiple placements. This legislation would require limiting punitive consequences such as suspensions and expulsions when addressing truancy and punctuality for youth in foster care.
 - a. This is a recommendation from the U.S. Department of Education 2024 ESSA Guidance referenced above.
7. **Sponsor Graduation Stability legislation:** Meeting graduation requirements can be increasingly difficult for youth experiencing state care. When a youth's school placement is changed, this can impose new graduation requirements and create barriers for meeting them timely or at all.
 - a. Legislation would require a more individualized approach to graduation planning for youth experiencing state care.
 - b. This legislation would require LEAs to waive any graduation requirements for a youth placed in a new LEA during their senior year if the graduation requirements would impose an additional burden on the youth or present an obstacle to the youth graduating on time.
 - i. Sample legislation: [Pennsylvania Act 1 \(2022\)](#).

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8. **Sponsor Graduation Stability legislation:** Meeting graduation requirements can be increasingly difficult for youth experiencing state care. When a youth's school placement is changed, this can impose new graduation requirements and create barriers for meeting them timely or at all.
 - a. Legislation would require a more individualized approach to graduation planning for youth experiencing state care.
 - b. This legislation would require LEAs to waive any graduation requirements for a youth placed in a new LEA during their senior year if the graduation requirements would impose an additional burden on the youth or present an obstacle to the youth graduating on time.
 - i. Sample legislation: [Pennsylvania Act 1 \(2022\)](#)
 - ii. Sample legislation: Maine Sec. 1. 20-A MRSA §257-A:
Allows students who are unable to obtain a local school diploma because of education disruption to receive an alternate state-issued education diploma if they meet state requirements, or to graduate from their previous school if they meet those requirements.
9. **Legislation for Education Liaison position at RIDE and LEAs:**
 - a. The positions at the LEAs would be responsible for connecting directly with youth experiencing state care within the district. Also connecting with and facilitating communication with the youth's team. The position could also:
 - i. Monitor timely registration and collection of records.
 - ii. Track and monitor educational progress and outcomes for youth in state care.
 - iii. Report data pursuant to R.I. Gen. Laws § 16-22-9.1
 - iv. Individualized planning for each youth to ensure they are on track for educational performance and progress.
 - v. Coordination with DCYF, RIDE, and the child's team.
 - vi. Participate in all student meeting (i.e. IEP/504 meetings, disciplinary meetings).
 - vii. Monitor needs of the student to determine whether additional supports or services may be required.
 - viii. Monitor special education needs.
 - ix. Check-in with guidance regarding the student.

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- x. Monitor attendance for each child.
 - xi. Monitor professional development for administration and staff regarding laws and regulations pertaining to foster care and trauma-informed practices.
 - xii. Coordinate with receiving LEA if student is transferring.
- b. In some districts, where the need may not be as demanding, this could be coupled with other federally mandated roles such as the ESSA Point of Contact or McKinney Vento Point of Contact.
 - i. Potentially explore federal funding streams to support this work (i.e. ESSA technical assistance funds?)
- c. The liaisons at RIDE would be responsible for monitoring this function statewide, reviewing and analyzing statewide data, reviewing policies and practices pertaining to this populations, ensuring compliance with R.I. Gen. Laws § 16-22-9.1 and coordination with DCYF and other agencies as necessary.
- d. **Sample Legislation:**
 - i. [Arkansas Code § 9-28-113\(c\)](#): Requires each school district to identify a foster care liaison and outlines their responsibilities, including facilitating the timely school enrollment of each student in foster care, and assisting in the record transfer process when a child changes schools.
 - ii. [Washington SB 5184 \(2021\)](#): In addition to state and local education agency points of contact for students in foster care, this bill requires each K-12 public school to have a school building-level point of contact.

10. **Amendment of R.I. Gen. Laws § 16-22-9.1 Foster Care Youth Academic Reports:**

- a. We would support all the proposed changes to § 16-22-9.1 presented at our last meeting. Upon review of the changes and some of the questions for considerations, here are some additional recommendations:
 - i. There should be definition section to clearly define a child who would be considered as a child experiencing “foster care”. Also consider defining other terms such “alternative services”, “suspension”.
 - ii. When tracking suspension data, we suggest tracking by infraction type.

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iii. Require RIDE to develop a template form for both the annual report and remediation plan with input from DCYF and LEA's. The OCA would also welcome the opportunity to provide input.

iv. Provide specific elements required in a remediation plan and the process for approval and submission by/to RIDE.

1. First need to understand the current expectations and process.

v. Also, suggesting that an annual report analyzing the data provided for the year be published and sent to all parties proposed in amended section (c).

1. This could mirror legislation in Michigan about data collection and sharing: [Michigan HB 4677 \(2024\)](#).

b. Additional suggestion: if we pursue legislation for foster care liaisons in each district, we could reference the role of the liaisons in supporting the work required by this statute.

11. **Uninterrupted Scholars Act:** We could explore legislation reflecting the changes imposed by this Act. Additionally, other states have heightened standards within state law for record distribution to include specific timelines.

12. **Data Sharing:** Legislation providing prescriptive requirements for data and information sharing between agencies.

a. MOUs could be explored as well between RIDE and DCYF.

b. The OCA has also requested exploration of an MOU between RIDE and the OCA. This would provide access to the portal to track data and outcomes for the youth we serve in real-time.

c. **Sample Legislation:** [California AB 2083 \(2019\)](#): Requires each county to have a memorandum of understanding (MOU) setting forth the roles and responsibilities of agencies and other entities that serve children and youth who have experienced severe trauma, including the child welfare agency and office of education. The MOU must include processes for screening, assessment, and entry to care; alignment and coordination of transportation and other foster youth services; information and data sharing agreements; financial resource management and cost sharing; and dispute resolution. Each county must also establish an interagency leadership team.