

2010 -- S 2872

LC02633

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

JOINT RESOLUTION

CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE TASK FORCE ON THE EDUCATION OF CHILDREN AND YOUTH IN THE CARE OF THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES"

Introduced By: Senators Perry, Miller, Blais, C Levesque, and Maher

Date Introduced: May 12, 2010

Referred To: Senate Constitutional & Regulatory Issues

1           WHEREAS, In FY 2008 there were 10,763 children and youth active with the  
2 Department of Children, Youth, and Families (DCYF), and of those there were 4,677 out-of-  
3 home placements made, including placement at the Thomas C. Slater Training School for Youth  
4 (Training School); and

5           WHEREAS, In FY 2008 a subset of 1,332 youth were placed at the Training School, and  
6 of these 238 were adjudicated and 1,094 were placed in detention only; and

7           WHEREAS, Children and youth involved with DCYF, especially those placed in out-of-  
8 home settings including the Training School, often are faced with significant educational  
9 challenges, including being identified as in need of special education services and/or at risk for  
10 not completing high school; and

11           WHEREAS, Numerous national studies have shown that children and youth in the  
12 juvenile justice and child welfare systems move foster care placements one to two times per year,  
13 and those moves usually involve a change in educational placement; and

14           WHEREAS, Studies further indicate that frequent school changes negatively affect  
15 students' educational growth and graduation rates; and

16           WHEREAS, Even when educational placement changes are in the best interest of the  
17 child or youth involved, enrollment in the new educational placement disrupts their academic  
18 progress, important student records do not follow the child, and appropriate credit for work  
19 previously completed is not always given; and

1           WHEREAS, Residency determination and funding for the education of children and  
2 youth involved with DCYF are based on the location of the out-of-home placement and not on the  
3 determination of the child's or youth's best interest in terms of educational placement; and

4           WHEREAS, Ensuring that children and youth in DCYF care enter school ready to learn  
5 and that they receive the supports they need while in school to graduate on time maximizes their  
6 chances of entering adulthood ready to lead productive lives; and

7           WHEREAS, The Federal Fostering Connections Act of 2008 recognizes the importance  
8 of educational stability and success for children and youth in foster care and places a greater  
9 burden on each state to ensure the educational stability and success of children and youth who are  
10 placed in the state's foster care system; and

11           WHEREAS, The General Assembly of the State of Rhode Island and Providence  
12 Plantations recognizes that ensuring the educational stability and success of children and youth  
13 involved with DCYF requires the collaboration and commitment of not only DCYF, but also  
14 numerous other partners, including the Rhode Island Department of Elementary and Secondary  
15 Education (RIDE), the Office of Higher Education, local school districts, advocates who work  
16 directly with youth, youth involved with DCYF, and the families of youth involved with DCYF;  
17 now, therefore be it

18           RESOLVED, That a special legislative task force be and the same is hereby created  
19 consisting of twenty-one (21) members; one of whom shall be a member of the House of  
20 Representatives, to be appointed by the Speaker of the House; one of whom shall be a member of  
21 the House of Representatives, to be appointed by the House Minority Leader; one of whom shall  
22 be a member of the Senate, to be appointed by the President of the Senate; one of whom shall be  
23 a member of the Senate, to be appointed by the Senate Minority Leader; one of whom shall be the  
24 Director of the Department of Children, Youth, and Families, or designee; one of whom shall be  
25 the Commissioner of the Rhode Island Department of Elementary and Secondary Education, or  
26 designee; one of whom shall be the Commissioner of the Office of Higher Education, or  
27 designee; two (2) of whom shall be the co-chairpersons of the Educational Stability  
28 Subcommittee of the DCYF Child Welfare Advisory Committee; one of whom shall be the  
29 Executive Director of the Urban League of Rhode Island, or designee; one of whom shall be the  
30 Executive Director of the Center for Hispanic Policy and Advocacy (CHisPA), or designee; one  
31 of whom shall be the Executive Director of the Socio-Economic Development Center for  
32 Southeast Asians (SEDC), or designee; two (2) of whom shall be appointed by the Chairperson of  
33 the Rhode Island Association of School Committees, provided that one of these shall be from an  
34 urban district and the other from a suburban/rural district; two (2) of whom shall be appointed by

1 the Chairperson of the Rhode Island Association of School Superintendents, provided that one of  
2 these shall be from an urban district and the other from a suburban/rural district; two (2) of whom  
3 shall be youth involved or formerly involved with DCYF and who shall be appointed by The  
4 Voice, the advocacy group for youth in DCYF care; two (2) of whom shall be parents of children  
5 involved with or formerly involved with DCYF and who shall be appointed jointly by the  
6 Chairpersons of the Parent Support Network and the Parent Information Networks; and one of  
7 whom shall be a foster parent who shall be appointed by the Chairperson of the Rhode Island  
8 Foster Parents' Association.

9 Directors of state departments, or their designees, shall serve as ex-officio members at the  
10 request of the chair of said task force.

11 In lieu of any appointment of a member of the legislature to a permanent advisory  
12 commission, a legislative study commission, or any commission created by a General Assembly  
13 resolution, the appointing authority may appoint a member of the general public to serve in lieu  
14 of a legislator, provided that the Majority Leader or the Minority Leader of the political party  
15 which is entitled to the appointment consents to the appointment of the member of the general  
16 public.

17 The purpose of said task shall be to make a comprehensive study and make  
18 recommendations for:

19 (1) Identifying challenges to ensuring the educational stability and success of children  
20 and youth involved with DCYF from pre-K through college undergraduates, including, but not  
21 limited to, the following related issues:

22 (i) Determining when a child's and/or youth's educational placement is not in their best  
23 interest;

24 (ii) Ensuring that transportation issues are addressed to assist in maintaining educational  
25 stability;

26 (iii) Immediate transfer of student records and collaboration between schools on the  
27 provision of student information when a student needs to move schools;

28 (iv) Ensuring the portability of student credits and graduation requirement expectations  
29 when a student's educational placement changes;

30 (v) Identifying issues related to school residency and/or educational funding issues  
31 related to youth involved with DCYF; and

32 (vi) Issues related to ensuring the stability of educational placements unless they are not  
33 in the best interest of the child; and ensuring that schools and school districts collaborate in  
34 sending and obtaining the information and records necessary when a child/youth moves schools;

1           (2) Identifying and recommending to the General Assembly strategies to address the  
2 above issues.

3           Forthwith upon passage of this resolution, the members of the task force shall meet at the  
4 call of the Speaker of the House and the President of the Senate and organize and shall select,  
5 from among the legislators, a chairperson. Vacancies in said task force shall be filled in like  
6 manner as the original appointment.

7           The membership of said task force shall receive no compensation for their services.

8           All departments and agencies of the state shall furnish such advice and information,  
9 documentary and otherwise, to said commission and its agents as is deemed necessary or  
10 desirable by the commission to facilitate the purposes of this resolution.

11          The Joint Committee on Legislative Services is hereby authorized and directed to provide  
12 suitable quarters for said commission; and be it further.

13          RESOLVED, That the commission shall report its findings and recommendations to the  
14 General Assembly no later than March 22, 2011, and said commission shall expire on May 31,  
15 2011.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
JOINT RESOLUTION  
CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE TASK  
FORCE ON THE EDUCATION OF CHILDREN AND YOUTH IN THE CARE OF THE  
DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES"

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1           This resolution would create a twenty-one (21) member special legislative commission  
2 whose purpose it would be to make a comprehensive study of challenges to ensuring the  
3 educational stability and success of children and youth involved with DCYF from pre-K through  
4 college undergraduates, and who would report back to the General Assembly no later than March  
5 21, 2011, and whose life would expire May 31, 2011.

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