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Testimony Before the District of Columbia Council
Committee on Education and Committee of the Whole
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District of Columbia Public Schools

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Introduction

Good afternoon, Chairman Mendelson and Chairman Grosso and members of the Committees. My name is Michael Villafranca. I am a Policy Analyst at the Children's Law Center¹ and a resident of the District. I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With almost 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. Many of the children we represent attend DC Public Schools (DCPS).

I appreciate this opportunity to testify regarding the Mayor's proposed FY20 budget for DCPS. To say that we are disappointed by this budget would be an understatement. To quote Benjamin Franklin, "An investment in knowledge always pays the best interest." This budget, however, does not reflect that value. What the proposed budget does reflect is a continued inability to listen to, and fully address, the needs of our youth, their families, and the educators that have devoted their careers to shaping their future. The focus of my testimony today is on the greatest of those unmet needs—adequate mental health supports and positive approaches to student discipline. The rest of my testimony discusses other budget-related shortfalls, including:

- Lack of funding for the School Safety Omnibus Act; and
- Continued lack of budget transparency in our public schools.

Increase Mental Health Supports and Positive Approaches to Student Discipline

One of the greatest ongoing needs for our District's youth is access to adequate mental and behavioral health supports. In fact, this need has gone unaddressed for so long, that we can honestly call this a crisis, which is why you have heard, and will continue to hear, many parents, educators, and advocates raise this issue.

Many of the children and youth we work with at Children's Law Center only need our help because their mental health needs have gone unaddressed for so long. Many have faced, and continue to face, traumatic childhood experiences. Traumatic experiences like witnessing gun violence in their neighborhoods and domestic violence in their homes. Traumatic experiences compounded by the cumulative effect of often overlapping traumas like poverty, homelessness, or placement in foster care.²

Traumatic experiences that these children and youth bring with them into the classroom everyday—impacting their behavior and ability to learn.

To alleviate this impact, our children and youth need access to timely, quality and appropriate mental health services. One of the best ways to improve access to mental health care for children is to provide services where they are. The benefits of access to school-based mental health services are many, including improvement in students' physical and psychological safety and social-emotional learning. But, such benefits require adequate and consistent staffing levels of school-based mental health providers, especially in schools that serve our highest-need populations. DC has been

in the process of implementing a public health-based approach to the expansion of school based mental health services. The Mayor's FY20 Budget includes an enhancement of \$6,089,694 and 1 Full Time Employee (FTE) to continue the expansion of this program through the Department of Behavioral Health (DBH).³ While this is an important and necessary investment, it is only a fraction of what is necessary for a large-scale impact and is only one piece of the puzzle.

Not all youth who bring trauma into the classroom have identified mental health needs. Most school staff, however, are not trained to identify trauma much less address any negative behaviors resulting from it. Therefore, it is imperative that school staff, especially educators, be supported through high-quality professional development on issues of trauma, restorative justice, and other evidence-based practices and receive ongoing coaching and support to implement those practices.

Safeguarding the social and emotional well-being of our youth is a critical and complex component of the work that our schools must do. However, this budget, along with the budgets over the past several years, ignores the severity of our current crisis—leaving our students continuing to struggle. The funding level for the at-risk weight of the Uniform Per Student Funding Formula (UPSFF) is just one example. Students identified as at-risk account for almost half of the student population in the District's schools,⁴ which makes it highly likely that most educators have at least one at-risk student in their classroom. Students identified as at-risk are also more than twice as

likely to be suspended from school as their peers who are not identified as at-risk and make up 70% of all disciplined students.⁵ However, we have a proposed budget that, aside from increasing the UPSFF by a mere 2.2 percent, makes no increase in the at-risk weight—a weight that, according to recommendations by a 2013 Adequacy Study, should be at 0.37,⁶ not the 0.224 it's currently sitting at. In fact, a recommendation from the new UPSFF Working Group report that was just released over a month ago reiterated that “the needs of at-risk students remain significant, and that current performance measures justify increasing the at-risk weight.”⁷

Attempting to address this crisis with the current level of funding is like trying to help a student trapped in a pitch black maze by handing her an unlit candlestick knowing you have an extra flashlight with fully charged batteries. We can, and must, do better by our youth, their families, and our educators. We adamantly request that full funding of the Student Fair Access to School Amendment Act,⁸ which this Council unanimously passed, be made a priority in this budget, including a significant enhancement of the UPSFF at-risk weight so schools can help ensure that students get the targeted supports they need to succeed in the classroom.

The School Safety Omnibus Act Needs to Be Funded

This past December, the DC Council unanimously passed the School Safety Omnibus Act (School Safety Act)—making it clear that safety for students is a priority and that all students deserve safe and healthy learning environments.⁹ DCPS has a vital

role in ensuring the successful implementation of the School Safety Act. The Act requires schools to provide child sexual abuse training and instruction for all staff, students, and parents and build parental awareness of the community-based supports and services. Through our work in preventing child sex trafficking, we know that several community-based experts have been shouldering the work of pushing education about sex trafficking into schools for several years now (i.e., the Exodus Project, Courtney's House, Amara Legal, and FAIR Girls). By including sex trafficking in the definition of sex abuse and requiring schools to educate students and parents, the School Safety Act will help ensure that all DC schools are able to access the knowledge and training that these committed experts can offer.

However, along with our allies at the DC Coalition Against Domestic Violence (DCCADV), we are very disappointed that funding for implementation of this Act was not included in the Mayor's proposed FY20 budget. We ask that the Council fund full implementation of the School Safety Act and ensure that this legislation is not just an empty promise.

Transparency in DCPS's Budget, and Across ALL Public Schools, Is a Must

I'd like to end my testimony with a plea for greater transparency, not only in DCPS's budget, but across all public schools. Although my colleagues and I have spent a lot of time examining DCPS's budget each year, we continue to have many questions that the DCPS budget, as structured, does not answer. Every year, we look to the

budget to determine what supports are planned for the District's most vulnerable youth—youth with disabilities, youth in foster care, parenting youth, and youth who are homeless. Robust funding, staffing, and other supports are necessary for these students, who face the largest academic achievement gaps,¹⁰ large disparities in suspension and expulsion,¹¹ and biggest challenges to school attendance and completion.

One example of the obscurity issues we consistently face is in the budget for DCPS's Home and Hospital Instruction Program (HHIP), which provides educational access to students who are too ill to travel to and attend school on-site. We have testified many times over the years about this program's failings, including inconsistent and subjectively-made eligibility determinations, as well as poor provision of services to students found eligible. Students are often expected to do all their learning remotely from computers without the support of a human educator. While, this is problematic in and of itself, the laptops issued to HHIP students are also often broken or lack software needed for students to access their lessons. These are just two examples of HHIP problems with budgetary implications.

Children's Law Center sees too many children who should be served by DCPS' HHIP program fall through the cracks and fall irreparably behind their peers. However, the opacity of DCPS's budget makes it impossible for organizations like ours to discern the scope of DCPS's investment in a struggling program like HHIP. We

hope these committees will follow up with DCPS to confirm the amount allocated to HHIP in this FY20 budget, as well as in FY19 and FY18, broken down by category and subcategory, and ensure DCPS's FY20 budget for this program is sufficient to ensure all children who qualify promptly receive high quality services that will enable them to seamlessly transition back to school once they are healthy again.

Again, lack of clear budget lines, among other things, make DCPS's budget incomprehensible. It is hard to see what increases or reductions are contemplated for different important programming and staffing; or how DCPS is prioritizing funds to improve outcomes. Therefore, we urge this Council to help create a uniform budget framework that is comparable across all schools in the District and provides in-depth information on funding and program expenses that is both accessible and easy to understand.

Conclusion

Thank you again for the opportunity to testify and I welcome any questions.

¹ Children's Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to advocate for children who are abused or neglected, who aren't learning in school, or who have health problems that can't be solved by medicine alone. With almost 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² As members of the Special Education Advocates' Coalition, we feel these (and other) traumatic examples of instability should be top priorities of this Administration and this Council.

³ DBH FY20 Proposed Budget, p. 14.

⁴ The total projected student enrollment for DCPS and public charter schools is 95,820 students with the projected at-risk student enrollment for both sectors totaling 43,591, which calculates at-risk students representing 45.5% of the projected student enrollment for the FY20. See DCPS FY2020 Agency Budget Chapter (GA0), retrieved from https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/ga_dcps_chapter_2020m_GA0%20Revised%203-20-19.pdf; see also DC Public Charter Schools FY2020 Agency Budget Chapter (GC0), retrieved from https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/gc_dcpcs_chapter_2020m.pdf.

⁵ In SY2017-2018, student identified as at-risk were 2.39 times more likely to receive at least one out-of-school suspension compared to students who are not at-risk. See OSSE (2019). *State of Discipline: 2017-18 School Year*, p. 31. Retrieved from https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2017-18%20School%20Year%20Discipline%20Report.pdf.

⁶ The Finance Project (December 20, 2013). *Cost of Student Achievement: Report of the DC Education Adequacy Study*, p. 116. Retrieved from https://osse.dc.gov/sites/default/files/dc/sites/osse/release_content/attachments/DC%20Adequacy%20Study_Full%20Report.pdf.

⁷ OSSE (January 2019). *Report of the Uniform Per Student Funding Formula (UPSFF) Working Group*. Retrieved from <http://lims.dccouncil.us/Download/41770/RC23-0020-Introduction.pdf>.

⁸ Law 22-0157, the Student Fair Access to School Amendment Act of 2018. Retrieved from <http://lims.dccouncil.us/Legislation/B22-0594?FromSearchResults=true>.

⁹ Act 22-0624, School Safety Omnibus Amendment Act of 2018. Retrieved from <http://lims.dccouncil.us/Legislation/B22-0951?FromSearchResults=true>.

¹⁰ Only six percent of DCPS students with disabilities are proficient in English/Language Arts (ELA) and seven percent in Math, compared to 35% ELA and 31% Math for all DCPS students. Similarly, only 17% percent of DCPS students identified as at-risk are proficient in English/Language Arts (ELA) and 13% percent in Math, compared to 35% ELA and 31% Math for all DCPS students. See OSSE (August 16, 2018). *DC's 2018 PARCC Results*. Retrieved from https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2018%20PARCC%20Results%20Release%20%28Aug.%2016%2C%202018%29.pdf

¹¹ In SY2017-2018, at-risk students were 2.39 times more likely to received at least one out-of-school suspension compared to students who are not at-risk. Additionally, students with disabilities were 1.83 times more likely to received at least one out-of-school suspension compared to students not having a disability. See OSSE (2019). *State of Discipline: 2017-18 School Year*. Retrieved from https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2017-18%20School%20Year%20Discipline%20Report.pdf.