

## Legislative Recommendations

*Although agencies shared that they would need to review final language before determining their position, the Working Group discussed the following legislative recommendations that should be considered for introduction by Councilmember David Grosso:*

### Create a Standing Coordinating Committee

The purpose of the permanent Standing Coordinating Committee is to allow agencies, LEAs, attorneys, advocates, and former students to continue to identify challenges and resolve issues that students in the care of D.C. face in order improve educational opportunities and student achievement.

***Legislation:*** The vision of the Students in the Care of D.C. Coordinating Committee is to improve educational opportunities and student achievement for justice-involved youth and youth in foster care. The Coordinating Committee shall be headed by a director who shall be appointed by and serve at the pleasure of the Mayor. The duties of the Coordinating Committee shall be as follows:

1. Identify and assess challenges to educational success;
2. Establish an agreed upon list of educational records that should be transferred between schools;
3. Recommend practices to help achieve better educational outcomes for youth;
4. Gather and analyze data, and make recommendations regarding the exchange and sharing of education-related data;
5. Provide technical assistance, training, and capacity building to governmental and nongovernmental bodies on best practices;
6. Foster collaborative relationships with agency counterparts in Maryland and Virginia to facilitate the efficient transfer of students moving in and out of the District of Columbia;
7. Report on the implementation of all MOAs;
8. Establish a set of outcomes that each participating agency is responsible for improving;
9. Establish a clear and effective system of monitoring students; and
10. Within 12 months of the effective date, and at least three years thereafter, draft and approve a strategic plan to improve educational opportunities and student achievement for justice involved youth and youth in foster care in D.C. that encourages interagency and community coordination and promotes and provides high-quality educational, workforce, and career development opportunities with needed accommodations and supports;

The Coordinating Committee shall consist of 25 members who are appointed by the Mayor. It will consist of the following voting members or their designee:

1. The Director of the Coordinating Committee;

2. The State Superintendent of Education or designee;
3. The Director of the D.C. ReEngagement Center or designee;
4. The Director of the D.C. Department of Youth Rehabilitation Services or designee;
5. The Director of the D.C. Child and Family Services Agency or designee;
6. The D.C. Department of Corrections or designee;
7. The Chancellor of D.C. Public Schools or designee;
8. The Executive D.C. Director of the Public Charter School Board or designee;
9. The President of University of the District of Columbia Community College or designee;
10. The Director of Court Social Services or designee;
11. Two representatives from the Superior Court of the District of Columbia, including the chief of the family division, or their designee, and the chief of the criminal division, or their designee;
12. The Executive Director of the Corrections Information Council or designee;
13. The Director of the D.C. Department of Behavioral Health or designee;
14. The Director of the D.C. Department of Disability Services or designee;
15. The Director of the Public Defender Service for the District of Columbia or designee;
16. Two local charter education agencies.

The Mayor shall appoint at least one D.C. resident from each of the following categories:

17. A family whose children have been in the care of the District of Columbia;
18. Former students in the care of the District of Columbia;
19. A provider of services;
20. An attorney representing:
  - A. Youth in juvenile justice cases;
  - B. Youth in CFSA care; and
  - C. Parents or Educational Decision Makers of government care.
21. An advocacy organization.

The Mayor shall transmit to the Council, within 90 days of the effective date of this act, nominations for each nongovernmental member of the Coordinating Committee, and thereafter upon a member's resignation or the expiration of a member's term.

### **Implement a Partial Credit System**

Some working group participants voiced a desire to implement a partial credit system so that students can earn credits for the work they complete. While the partial credit system would directly benefit students in the care of D.C., it would also benefit many other students that are highly mobile within the public-school system. However, there are some considerations that need to be taken into account when implementing a partial credit system. DCPS and public charter LEAs would need to work collaboratively to ensure that students receive partial and full credit for comparable curriculum. A partial credit system would not impact students that are placed outside of its jurisdiction and are seeking credit. Therefore, it is critical that D.C. agencies

work collaboratively with placements outside of D.C. to establish ways for students to receive credit.

***Legislation:*** Youth who transfer schools mid-semester have a right to receive full or partial credits, based on seat-time or competency, for all work satisfactorily completed before transferring schools. Upon receiving notification that a youth is transferring schools, a sending school must issue transfer/withdrawal paperwork, grades, and full or partial credits on an official transcript. The receiving school must accept all transfer/withdrawal grades and credits, apply them to the same or equivalent courses, and immediately enroll youth in the same or equivalent classes as they were enrolled in at the sending school. In order to comply with the law, LEAs must issue partial credits pursuant to their own calculation method or use the Partial Credit Model Policy.<sup>58</sup> Note: The D.C. Public Charter School Board and DCPS requested that this legislative recommendation is removed so they can facilitate their own independent collaboration with DYRS.

### **Require a Court-Appointed Special Education Panel for 18-22-year olds in Criminal Court**

Working group participants reached consensus that 18-22-year olds, who are eligible for special education services, should have access to special education attorneys if desired. The Criminal Justice Act of the District of Columbia<sup>59</sup> ensures that persons charged with crimes, who are financially unstable to obtain an adequate defense are provided legal representation. On July 17, 2000, the Superior Court created panels through which indigent people may access different forms of representation. The panels provide appointed legal representation to indigent people in D.C. who have been charged with a felony or misdemeanor or face the possibility of such charges and require counsel. Pursuant to D.C. Code §16-2304, Administrative Order 02-15, a Family Court Panel Committee created panels of attorneys to represent indigent parties in Family Court proceedings. As a result, the Family Court Panel Committee created a panel of special education advocates ("SEA Panel") as well as three other panels (juvenile proceedings panel; guardian ad litem panel, and neglect and termination of parental rights panel) from which Family Court counsel appointments can be made. Unlike in Family Court, where judges may appoint special education attorneys to ensure that students' education rights are enforced, Criminal Division judges do not appoint special education attorneys to defendants under the age 22, even though they are owed special education services pursuant to IDEA.

***Legislation:*** Establish a pilot program that creates an attorney panel to represent students with special education needs who are involved in the criminal justice system.

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<sup>58</sup> Alliance for Children's Rights, Association of California School Administrators, California Department of Education, California School Board Association, California County Superintendents Educational Services Agency, County Welfare Directors Association, and Child Welfare Council. "[Foster Youth Education Toolkit.](#)" p. 53-57

<sup>59</sup> D.C. Code § 11-2601 et seq. (2001).