



616 H Street, NW · Suite 300
Washington, DC 20001
T 202.467.4900 · F 202.467.4949

www.childrenslawcenter.org

Testimony Before the District of Columbia Council
Committee on Education
October 27, 2016

Public Roundtable Hearing:
“At-Risk Funding for Public Schools”

Renee Murphy
Senior Policy Attorney
Children’s Law Center

Good morning Chairperson Grosso and members of the Committee on Education. My name is Renee Murphy. I am a Senior Policy Attorney at 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 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. We represent children in foster care, some homeless children, and low-income children struggling in school.

Thank you for holding this hearing about at-risk student funding in public schools in both sectors – District of Columbia Public Schools (DCPS) and Public Charter Schools (PCS). We look forward to hearing from school leaders about how they have been able to utilize the funding and their data about the impact. It is difficult to find this information for all schools.

In 2014, the District wisely began to include funding for a new weight in the per-pupil funding formula for students considered "at-risk." The at-risk weight applies to students who are homeless, who are in the District's foster care system, who qualify for Temporary Assistance for Needy Families (TANF) or the Supplemental Nutrition Assistance Program (SNAP, also commonly known as food stamps), or high school students that are at least one year older than the expected age for the grade in which the students are enrolled.² The funding was intended to help schools narrow the

achievement and high school graduation gaps between low-income and high income students.³ The most recent statewide test data continues to show unacceptable achievement results for at-risk students, with only 13.2% proficient in English and 12.9% in Math over all grades, and less than 5% of at-risk high school students proficient in Math.⁴ According to the FY17 DC Budget, an additional \$2,120.36 will go toward each student in the at-risk category.⁵

Concerns about Current At-Risk Funding

Although this hearing seeks to answer some of the many questions that remain about how schools have been able to use to additional at-risk funding to help students, there are also concerns about the adequacy of funding. We know you have heard about the analysis of available DCPS school-level budgets by Mary Levy that raises concerns about at-risk funds being used to fund positions in DCPS's comprehensive staffing model, rather than supplementing the school budgets.⁶ DCPS's public budget guides also explain a few uses of the at-risk funding that seem like core school needs, such as supplies for classes, special education teachers, and content teachers for high schools.⁷

Secondly, the Office of the State Superintendent for Education only counts students verified as receiving TANF or SNAP benefits as at-risk.⁸ DC may be undercounting students truly at-risk because of their low family income, because some families who qualify for such assistance do not actually apply or receive them from the Department of Human Services (DHS). A variety of barriers, including long lines,

unprocessed documents, and language access issues at DHS, prevent families from actually receiving TANF or SNAP.⁹

In addition, the current level of at-risk funding is far less than the recommendation in the DC Education Adequacy Study Report of about \$4000 per student.¹⁰ When the at-risk supplement was created in 2014, summer school funding was absorbed in the at-risk supplement. Prior to 2014, schools received \$1582 per student who needed summer school.¹¹ The FY15 Budget at-risk weight became \$2079, only adding an additional \$497 per student who would have qualified for the summer school supplement, while the Adequacy Study recommended \$2324 more than summer school.¹² For students who need summer school *and* additional services, adding about \$500 was likely not enough to fund the types of interventions and staffing needed for these vulnerable populations.

Reforms for Impact on At-Risk Students

At-risk funding should be used in public schools in DC to fund a variety of additional supports to narrow the achievement gap for at-risk children, including trauma sensitive schools, additional mental health supports, alternatives to suspension, specific supports for children in foster care, and evidence-based academic supports. A large percentage of DC children live in poverty and face other stressors that impact their ability to learn and thrive.¹³ Children living in poor urban neighborhoods are more likely to experience potentially overwhelming stressors, such as family chaos,

conflict, violence and dissolution, victimization/incarceration and/or death of a family member, and neglect and/or maltreatment, than children raised in more affluent communities.¹⁴ Such stressors impact brain development, language development, mental health, behavioral challenges, and educational attainment.¹⁵ Children in foster care and experiencing homelessness face additional challenges due to increased school mobility or to distance from the school that can provide continuity.¹⁶ All of these factors impact a child's learning in school, and at-risk funds should be used to combat these issues in the following ways:

1. DC schools need to become trauma sensitive. The impact of trauma on children in schools have been extensively documented: children with traumatic histories are more likely to be referred for special education, have higher rates of school discipline referrals and suspensions, lower test scores and grades, and are less likely to graduate.¹⁷ Trauma sensitive schools create cultures where all routines and policies are sensitive, staff understand that children are not "bad" but something happened to them, educators are trained to recognize signs of trauma in behavior and with techniques to help children calm themselves, and resources are available to help staff members know how to respond.¹⁸ Helping children calm down and modulate behavior leads to calmer classrooms, making it easier for teachers to teach, and ultimately increasing academic performance across the school.¹⁹ DCPS has invested in several evidence-based trauma therapies

delivered by school clinicians, and in partnerships with other groups for school training. Other schools have, through grants funded by the Department of Health, brought trauma therapists from the Wendt Center into the schools, although applications for that program far exceeded supply. It is clear that this approach is a good use of at risk funds.

2. At risk funds should be used to provide additional mental health supports in school. School-based mental health resources are needed to address the high rates of trauma, chronic stress, and mental health concerns amongst all at-risk students.²⁰ We acknowledge that DCPS has used some at-risk funding for more school social workers and psychologists, and is investing in more evidence-based treatments in schools. Such resources for student treatment and to consult with educators are necessary for at-risk students.
3. Schools need to invest resources for alternatives to suspension and expulsion. Economically disadvantaged students are suspended at higher rates than the DC average, 12.2% overall.²¹ Children and youth in foster care are more than two times as likely to be suspended in DC, and homeless youth also more likely.²² Students who are suspended do more poorly in school and are more likely to drop out.²³ Some DCPS and PCS have begun restorative justice programs, with some support from OSSE's budget and private funding, to teach skills to school staff and students that foster relationships and accountability.²⁴ Other proven

programs, such as teacher training programs that decrease problem behavior in elementary age children, appear to have little investment in DC.²⁵ How much at-risk funding is devoted to restorative justice and other alternatives to suspension remains unclear. These are the types of programs that should be used to target the disproportionate rates of suspension that affect at-risk students.

4. Schools should provide additional school resources for transfers, credit recovery, and transportation assistance. These are needed to help highly-mobile children in foster care or homelessness. Although DC and Federal law encourages school stability for these children, too often, remaining in the same school becomes impractical as children move placements. When they must transfer, students struggle to keep up in school and on track to graduation. Too many of our clients in foster care have struggled to get past school records and to get appointments with school counselors to ensure they have appropriate schedules and that their prior transcript credits have been awarded. Schools need to invest in necessary personnel to ensure they receive the records from youth in foster care's past school districts within days of the students' arrival, to review those records, and meet with students about their credits in a timely fashion. Schools should also invest funds into ensuring that credit recovery, during summer and school year, is accessible to youth experiencing foster care or homelessness. Many youth need credit recovery to make up credits lost because of moves, but

also need special education services to access that education. Summer school in DCPS does not provide special education services, and extended school year special education does not award any credits. At risk funds could be leveraged to solve this problem. In addition, transportation is a challenge for children in foster care to participate in after school credit recovery or other enrichment activities when they are placed far from school. Currently, CFSA contracts with a transportation vendor to ensure that foster youth do not have to change schools while in foster care. However, the vendor does not drop off children at home after 6:00 PM, making it nearly impossible for children to remain after school for full programming. At-risk funds could be used to provide transportation that CFSA is not.

5. At risk funds should buy uniforms. Uniform banks and other ways of helping with clean uniforms such as laundry on-site, are often needed for at-risk students.²⁶ No low-income, homeless or foster child should be suspended or otherwise punished for not having enough clean uniforms when at-risk funds can be used to provide them.
6. Schools should invest in proven academic interventions. To narrow the achievement gap, at-risk funding should be buying evidence-based programs and practices. Unfortunately, our clients who need remediation have often been unable to get proven programs to remediate significant reading and math

deficits. Rigorous research has shown that struggling readers in elementary school benefit strongly from instructional practices such as structured phonics direct teaching and cooperative learning, one-on-one teacher instruction with phonics emphasis, and one-on-one paraprofessional tutoring using a structured phonetic program.²⁷ For middle and high school, research indicates that similar instructional and cooperative learning practices provide moderate benefit. We know that DCPS has invested in some programs that have some evidence base, including Read 180® in upper grades.²⁸ In two DCPS schools, Title I federal funding for one-on-one literacy teachers was included in FY17.²⁹ However, many programs that schools appear to be using, perhaps with at-risk funding, have little or no evidence of effectiveness, such as Lexia, SpellRead, and Failure-Free Reading.³⁰ Schools should report data on the success, or lack thereof, of such programs, so that the community and other schools can learn how best to target at-risk funding.

Conclusion

Schools should use the additional funds for “at-risk” students for these programs and services that will help close the achievement gap. The funds should not be used to fill core budget gaps, since at-risk students clearly need more than just core school staffing and services to succeed. The level of funding should also be examined to see if is

sufficient, or if other funding should be added either to the formula or to support specific programs.

Thank you for the opportunity to testify, and I look forward to answering 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 be the voice 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 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 DC Code § 38-2901(2A). *See also*, Deputy Mayor for Education, Frequently Asked Questions: Proposed FY15 Uniform per Student Funding Formula.

<http://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/Frequently%20Asked%20Questions%20Proposed%20FY15%20UPSFF%20with%20appendices.pdf>.

³ *See* DC Council Committee on Education, Committee Report on Bill 20-309, p.2, citing research by the Annie E. Casey Foundation and DC statewide proficiency test scores.

⁴ Detailed tables of the results of the 2015-16 and 2014-15 school year PARCC and MSAA test that include at-risk scores are available at <http://osse.dc.gov/node/1185345>. Performance of at-risk students is even worse than the 18.2% proficiency for economically disadvantaged students.

⁵ FY17 DCPS Proposed Budget, D-26.

⁶ Analysis completed by Mary Levy, April 2016. *See*, <http://www.dcfpi.org/analysis-of-fy-2017-dc-public-schools-at-risk-funds> for more information on calculations and definitions. *See* <http://www.dcfpi.org/wp-content/uploads/2016/03/Final-Proposed-Education-Toolkit-for-Posting1.pdf>

⁷ *See DCPS Fiscal Year 2017 School Budget Development Guide*, page 37, found at http://www.dcpsschoolbudgetguide.com/fy17_budget_guide.pdf; DCPS Budget Overview for FY16, page 7, found at <http://dcps.dc.gov/publication/fy16-dcps-school-budget-overview>.

⁸ OSSE UPSFF Working Group Meeting Draft Minutes, September 7, 2016, found at http://osse.dc.gov/sites/default/files/dc/sites/osse/release_content/attachments/UPSFF%20Working%20Group%20DRAFT%20MINUTES%2009-07-16.pdf.

⁹ *See* Wes Rivers and Chelsea Sharon, *Testimony for Public Oversight Hearing on the Performance of the Economic Security Administration of the Department of Human Services* (March 12, 2015). <http://www.dcfpi.org/wp-content/uploads/2015/12/Joint-ESA-Oversight-Testimony-from-Legal-Aid-and-DCFPI.pdf>

¹⁰ The Finance Project, *Cost of Student Achievement: Report of the DC Education Adequacy Study* (December 20, 2013), p. 24 found at

http://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/DC%20ADEQUACY%20STUDY_FULL%20REPORT.pdf

¹¹ FY 2014 Proposed Budget and Financial Plan at D-20, D-58.

¹² DCPS and PCS were projected to have 22,408 students needing summer school in FY14. The new at-risk criteria did substantially increase the number of eligible students for supplemental funding, to 37,064 in FY15. We acknowledge that schools thus receive more funding for many at risk students who would not previously have been funded for summer school. *Id.*, FY15 Proposed Budget and Financial Plan at E-1 and D-82.

¹³ <http://www.urban.org/uploadedpdf/412659-child-poverty-and-its-lasting-consequence-paper.pdf>

¹⁴ Laurel J. Kiser, *Clinical Psychology Review*, *Protecting Children from the Dangers of Urban Poverty* (2007) 27, 211-225. K. Collins et. al. Family Informed Trauma Treatment Center, *Understanding the impact of trauma and urban poverty on family systems: Risks, resilience, and interventions*. (2010), 4, available at: http://nctsn.org/nccts/nav.do?pid=ctr_rschrprod_ar or <http://fittcenter.umaryland.edu/WhitePaper.aspx>.

¹⁵ Ann Masten & J. Douglas Coatsworth, *The Development of Competence in Favorable and Unfavorable Environments: Lessons from Research on Successful Children*, *American Psychologist* (1998); Amy C. Tishelman et. al., *A Framework for School-based Psychological Evaluations: Utilizing a 'Trauma Lens,'* *Journal of Child and Adolescent Trauma* (2010), available at

http://www.bc.edu/content/dam/files/schools/cas_sites/psych/pdf/articles/tishelman_framework.pdf

¹⁶ Vera Institute of Justice, "Foster Children and Education: How You Can Create a Positive Educational Experience for the Foster Child," July 2004, https://storage.googleapis.com/vera-web-assets/downloads/Publications/foster-children-and-education-how-you-can-create-a-positive-educational-experience-for-the-foster-child/legacy_downloads/Foster_children.pdf, p. 2-3.

¹⁷ Amy C. Tishelman et. al., *A Framework for School-based Psychological Evaluations: Utilizing a 'Trauma Lens,'* *Journal of Child and Adolescent Trauma* (2010), available at

http://www.bc.edu/content/dam/files/schools/cas_sites/psych/pdf/articles/tishelman_framework.pdf;

citing John Eckenrode et. al. *School Performance and Disciplinary Problems Among Abused and Neglected Children*, *Developmental Psychology* (1993), available at

http://www.pupilbay.com/homework_data/pb100888-1.pdf; Susan M. Shonk & Dante Cicchetti, *Maltreatment, Competency Deficits, and Risk for Academic and Behavioral Maladjustment*, *Developmental Psychology*; and J. Leiter & M. Johnson, *Child Maltreatment and School Performance*, *American Journal of Education*, (2001).

¹⁸ Susan Cole et al., *Helping Traumatized Children Learn: Supportive School Environments for Children Traumatized by Family Violence*, Massachusetts Advocates for Children: Trauma and Learning Policy Initiative (2005), available at <http://traumasensitiveschools.org/wp-content/uploads/2013/06/Helping-Traumatized-Children-Learn.pdf>.

¹⁹ Although trauma sensitive schools are not generally a program, but rather a school-wide change, one similar program for elementary schools is Conscious Discipline (being implemented at Van Ness Elementary). SAMHSA found evidence of significant improvements on child social-emotional skills and pre-academics from Conscious Discipline. <http://nrepp.samhsa.gov/ProgramProfile.aspx?id=25>

²⁰ For example, Kristin Turney and Christopher Wildman, "Mental and Physical Health of Children in Foster Care," *Pediatrics* 138:5 (2016).

²¹ <http://www.learnDC.org/schoolprofiles/view?s=dc#equityreport>

²² *Reducing Out-of-School Suspensions and Expulsions in District of Columbia Public and Public Charter Schools*, Office of the State Superintendent of Education, (2014) available at: http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/OSSE_REPORT_DISCIPLINARY_G_PAGES.pdf

²³ "Out-of-school suspensions and expulsions can affect a student's future emotional and educational well-being, as research suggests that school exclusion actually increases the likelihood that students will

misbehave in the future, become truant, fail to graduate, develop substance abuse issues, or encounter the juvenile justice system.” Reducing Out-of-School Suspensions and Expulsions in District of Columbia Public and Public Charter Schools, Office of the State Superintendent of Education, (2014) available at: http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/OSSE_REPORT_DISCIPLINARY_G_PAGES.pdf.

²⁴ <http://www.schooltalkdc.org/restorative-dc/restorative-dc/>

²⁵ Incredible Years is rated Effective by the National Institute of Justice’s Crime Solutions (<https://www.crimesolutions.gov/ProgramDetails.aspx?ID=194>) and the Teacher Classroom Management component as Promising by the Blueprints for Healthy Youth Development at University of Colorado. <http://www.blueprintsprograms.com/>

²⁶ Petula Dvorak, “For homeless kids, school uniforms are just one more problem to overcome,” The Washington Post (September 1, 2016). https://www.washingtonpost.com/local/for-homeless-kids-school-uniforms-are-just-one-more-problem-to-overcome/2016/09/01/70d75758-705f-11e6-9705-23e51a2f424d_story.html?hpid=hp_local-news_dvorak-715pm%3Ahomepage%2Fstory

²⁷ Robert Slavin et al., *Effective Programs for Struggling Readers: A Best-Evidence Synthesis*, Johns Hopkins University Best Evidence Encyclopedia (2009). http://www.bestevidence.org/word/strug_read_Jul_07_2011.pdf. High evidence programs include Success for All, Direct Instruction/Corrective Reading, Peer Assisted Learning Strategies (PALS), Reading Recovery, Targeted Reading Intervention, Quick Reads, and several One-to-One Teacher or Paraprofessional Tutoring programs with Phonics Emphasis.

²⁸ See Robert Slavin, et al. (2008). Effective reading programs for middle and high schools: A best evidence synthesis. *Reading Research Quarterly*, 43, 3, 290-322; Institute of Education Sciences What Works Clearinghouse, Read180 Adolescent Literacy Evidence Snapshot (2009), <http://www.ies.ed.gov/ncee/wwc/EvidenceSnapshot/571>

²⁹ Reading Recovery, DCPS FY17 Budget Development Guide, page 36.

³⁰ Robert Slavin et al., *Effective Programs for Struggling Readers: A Best-Evidence Synthesis*, Johns Hopkins University Best Evidence Encyclopedia (2009).