



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
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**Agency Performance Oversight Hearing:
Office of the State Superintendent of Education**

**Judith Sandalow
Executive Director
Children's Law Center**

Good morning Chairman Catania and members of the Committee. My name is Judith Sandalow. I am the Executive Director of Children's Law Center¹ (CLC) and a resident of the District. I am testifying today on behalf of CLC, the largest non-profit legal services organization in the District and the only such organization devoted to a full spectrum of children's legal services. Every year, we represent more than 2,000 low-income children and families, focusing on children who have been abused and neglected, and children with special health and educational needs. Nearly all the children we represent attend DC public schools – whether traditional public schools, charter schools, or nonpublic special education schools funded by DC.

The Office of the State Superintendent of Education (OSSE) had a number of notable achievements during the past year. The agency expanded eligibility for early intervention services for infants and toddlers with disabilities, piloted an innovative model to bring the special education expertise of the nonpublic schools into the public schools, and finalized a long-awaited agreement with the Child and Family Services Agency to allow data sharing to monitor the education of students in foster care.² OSSE's Department of Transportation continued to provide timely and safe bus service. Credit for these achievements goes to the previous superintendent, Hosanna Mahaley Jones, and her strong senior management team, including Amy Maisterra, the Assistant Superintendent for Specialized Education, and Ryan Solchenberger, Director of Student Transportation.

I hope that the new superintendent, Jesus Aguirre, will lead the agency in building upon these achievements in the coming year. Though I am concerned about the number of transitions and vacancies in the senior leadership at OSSE, I am heartened that Dr. Maisterra and Mr.

Solchenberger are continuing on in their roles. In the coming year, I urge OSSE to focus on expanding special education capacity in the public schools, improving oversight of special education at the charter schools, and collaborating with the other education agencies to standardize high school graduation requirements in order to make a high school diploma more attainable for highly mobile students.

Special Education Capacity

Too often when special education is discussed, it is in the context of how much money could be saved by bringing children back from nonpublic schools to DC and their local schools. As you have said, Mr. Catania, this focus on costs and savings ignores the cause of the problem. DC has so many children in nonpublic placements out of state because we do not have schools and programs that can serve them locally. We agree that, all things being equal, children should be educated close to home. But in this case all things are not equal: many of the local schools do not offer the specialized supports necessary to educate children with complex disabilities. If DC is to succeed in significantly increasing the number of students with disabilities that can attend their local schools, it must develop specialized and well-resourced special education programs at those schools.

This is a long-standing and complex problem that cuts across agencies. Addressing it requires OSSE, the DC Public Schools (DCPS), the Public Charter School Board (PCSB), the individual public charter schools, and the Deputy Mayor for Education (DME) all to prioritize strategic planning and investment in special education. OSSE, as the State Education Agency (SEA), has a key leadership role to play. As the State Education Agency, OSSE has the ultimate responsibility for DC's compliance with the Individuals with Disabilities Education Act

(IDEA).³ That Act requires that each eligible student with a disability be provided a free appropriate public education (FAPE), consisting of the particular specialized instruction and related services that each student needs in order to make educational progress.⁴ DC's education system presents distinct challenges for OSSE's oversight. Although there are only approximately 80,000 schoolchildren in DC -- about half as many as in Montgomery County, Maryland -- they are spread among the DC Public Schools (DCPS), approximately 60 public charter school Local Education Agencies (LEAs), and dozens of nonpublic schools and residential treatment centers.⁵ These different schools vary widely in the demographics of the students they serve and in the resources they have available for students with special needs. Some of the smaller schools find it very difficult to provide a full continuum of special education services that students may need.

In its role as the State Education Agency, OSSE is responsible for ensuring that children enrolled in all of these different programs receive the special education and related services they need. This past year, OSSE funded two programs to increase the special education resources available in the city. While only one of them was successfully executed, we believe that both represent promising models that should be continued.

The successful program was a state-level consortium model through which a number of nonpublic schools, under the umbrella of the District of Columbia Association for Special Education (DCASE), provided expert special education training, technical assistance, evaluations, and direct services to about a dozen public schools.⁶ Both DCPS schools and public charter schools received the services. The DC Association for Special Education reported that they trained over 800 school staff members through the program and provided direct services to

over 30 students.⁷ They anticipate that they could serve even more staff and students in the future, as some schools were not able to make full use of the opportunity because they had insufficient notice of its availability. The Maryland Department of Education (MSDE) has for some time supported a similar program, operated through the Maryland Association of Nonpublic Special Education Facilities (MANSEF), which Maryland identifies as “instrumental in assisting [the Department in] reducing restrictive placements.”⁸ Given the success that the DC Association for Special Education Consortium experienced in its pilot year and the promising example from Maryland, I urge OSSE and the Council to provide the Consortium the necessary funding to continue and expand. Expanding the Consortium would both improve the services that individual students receive and, through staff training and technical assistance, expand the public schools’ capacity to serve students with special needs.

OSSE’s other innovation to increase the school system’s capacity to serve students with complex disabilities – the co-located classroom at Options Public Charter School— was not successful. It is important, however, not to give up on the model simply because the execution was faulty. The original model for a satellite special education classroom was developed by the Special Education Coop, a membership group of charter schools, and it included several elements missing from the model used by OSSE in the grant that was awarded to Options. In that original model, Local Education Agencies that sent students to a co-located classroom were also required to send their staff to the co-located classroom for regular training. This would allow the sending schools to prepare for the child’s return and also increase their capacity to serve students with similar disabilities. In the original model, a nonprofit such as the Special Education Coop could have applied to operate a co-located classroom at a charter school,

providing deeper special education expertise. We recommend that OSSE and the Council continue to fund co-located classrooms, but stay closer to the original model and ensure a stronger system of oversight.

In addition to expanding these two models, OSSE should take the lead in strategic planning to ensure that all Local Education Agencies provide high quality special education services and that the system as a whole provides the array of services necessary to meet DC students' diverse needs. As the State Education Agency, OSSE is uniquely positioned to globally assess the unmet needs of DC students and develop targeted plans to provide Local Education Agencies with the resources and technical assistance they require to meet those needs. Last year, OSSE commissioned the American Institutes of Research (AIR) to do a quality review of special education in a sample of 21 schools (this included 13 DC Public Schools, 6 charter schools, and 1 nonpublic school). AIR produced a report with a detailed and useful list of recommendations. They also developed a self-evaluation tool for schools to use to improve their special education programs and policies. A substantial investment of funds went into the report and self-evaluation tool, but it is not clear how effective these resources will be in practice. OSSE has provided little detail about how it is implementing the report's recommendations. Their plan is that the results of schools' self-evaluations will not be shared outside the schools; neither OSSE nor the public will have access to them. I urge OSSE to implement the recommendations of the American Institutes of Research report and keep the public fully informed as it does so.

In response to the Committee's oversight questions, OSSE and the Local Education Agencies provided an unprecedented level of detail about the special education needs of DC

students and the current capacity of the school system to meet them. In years past, advocates had been unable to obtain basic information about the special education offerings of many of the LEAs. With the additional information now available, parents will be better able to choose appropriate schools for their children. Just as importantly, this information will allow OSSE to identify gaps in available services. I urge OSSE to take the lead in analyzing the data on student needs and the system's current capacity to identify where additional resources and coordination are needed.

Finally, I am concerned about a new initiative that OSSE is undertaking with the Department of Behavioral Health (DBH) to move students out of nonpublic schools. At a recent DBH meeting, we learned that the two agencies are developing a plan to "move 20 youth from non-public schools to their least restrictive community school and reinvest the savings in educational and community supports."⁹ DBH would provide the students with community-based wraparound and OSSE would provide the students with "academic transition planning services." While I am no advocate of sending students to schools far from their communities, I am deeply concerned that this proposal seems to be more focused on removing students from nonpublic schools than on individually assessing students' needs. From the information I have received, I am not confident that the local schools will truly be able to serve the students returned to them. I urge the Committee to inquire further into this proposal to ensure that students' educations are not being sacrificed in the name of cost savings.

Expansion of Early Intervention (Part C of the IDEA)

One of the best ways to reduce the need for special education services is to catch developmental delays as early as possible. DC's Early Intervention Program (EIP) is designed to

do just that. Early intervention services help infants and toddlers with disabilities catch up to their peers before they start school. Brain science research in the past decade has shown definitively that children's experiences during their first years of life set the groundwork for their future success. Children who do not receive the specialized support they need as infants and toddlers have a much harder time making up lost ground later.¹⁰ However, when young children do receive the supports they need, the payoffs are enormous. Research on early intervention programs shows that they produce "long-lasting and substantial gains in outcomes such as special education placement[,] grade retention, high school graduation rates, labor market outcomes, social welfare program use, and crime."¹¹ RAND estimates that well-designed early childhood interventions generate a return to society ranging from \$1.80 to \$17.07 for every dollar spent.¹²

In recognition of the pivotal role that early intervention plays in helping today's infants and toddlers grow up into successful adults, OSSE last year significantly expanded the pool of children served by DC's Early Intervention Program. This was a smart and vital investment. Whereas the previous regulations made children eligible for early intervention services only if they had a developmental delay of over 50%, the new regulations extend eligibility to children with a 25% delay in two or more areas of development.¹³ Put another way, this means young children will no longer have to be performing at half their age level or less in order to receive services. While the new eligibility criteria still put DC behind at least 32 other states,¹⁴ they are an important step forward. As of mid-January 2014, 580 children were receiving early intervention services.¹⁵ This is an increase of approximately 100 over the 477 children served approximately one year ago.¹⁶ OSSE had originally projected that the eligibility criteria

expansion would double the number of children eligible, so we look forward to future reports that even more children are being served.

While we applaud OSSE's expansion of early intervention, we believe additional expansion is still needed. We understand that OSSE may need some time to scale up their staff and systems to accommodate the newly eligible children, but we urge OSSE to make concrete plans to catch up with the many other states that extend eligibility to children who have a 25% delay in just one area of development. A child who is 24 months old but functioning at the level of an 18-month-old in speech or walking is a child who needs extra help. OSSE should also follow the lead of a number of other states in expanding eligibility to include children at high risk of delay.

Special Education Transportation

Since OSSE took on responsibility for DC's special education transportation from DCPS, we have seen major improvements. The long-running *Petties* class action lawsuit closed in December 2012 after the court monitor and judge agreed that DC had substantially improved its transportation operations and would no longer need outside oversight.¹⁷ We credit Mr. Solchenberger and the skilled team he has assembled with bringing innovative and effective ideas to a system with a long history of dysfunction.

Last year, we noted that OSSE had a number of promising initiatives planned. This year, we are happy to report that many of them have gone into effect. OSSE designated call center representatives as points of contact for each school and upgraded the phone system to include optional call back, recordings of emergency and weather messages, and monitoring of calls in real time. OSSE also continued to invest in new buses. At this time, OSSE reports that more than

half their fleet of buses is less than 18 months old. OSSE is now preparing to roll out a system that will allow parents and school staff to sign up to receive automated text, email, and voice messages regarding inclement weather, bus delays, and other route-specific information.¹⁸

Our clients' experiences confirm that the transportation system is substantially improved. In fall 2012, many of our clients were hours late for school and even missed entire days of school for weeks at a time because their buses were not correctly routed. This school year, we have had only a handful such problems. On the few occasions where our clients have had concerns about their buses, the staff at OSSE DOT has generally provided quick and thorough responses. The data confirms that OSSE has improved its rate of on-time arrivals, which is impressive given that this year's weather has been colder and snowier than in years past.¹⁹

Our primary concerns about student transportation are now related to policy. We urge OSSE DOT to make the following changes to their policies:

- Provide transportation for partial-day inclusion programs. This would allow a student to attend a nonpublic school for part of the day and then be bused to his local public school for the remainder of the day. For many students, this is the best and most realistic way to prepare them to return to a public school. We understand that DCPS supports this model but cannot implement it without OSSE providing the transportation.²⁰ We anticipate that this proposed policy change would pay for itself in reduced nonpublic tuition costs by allowing more students to successfully transition back to the public schools. The nonpublic tuition savings would, however, need to be directed back to OSSE so that they did not revert into the general fund.

- Provide transportation home after extracurricular activities. OSSE's current policy is not to provide transportation from extracurricular activities unless the activity is identified as necessary by the students' IEP team. This prevents many students with disabilities from participating in extracurricular activities. Students placed at schools far from home because their local schools don't have the services they need and students who have disabilities that prevent them from using public transportation cannot participate in extracurricular activities unless the school system provides transportation. DC's failure to do so is arguably a violation of Section 504, the federal law that requires schools to provide students with disabilities equal access to school activities.²¹ We urge OSSE to develop a plan to provide this transportation by the start of the next school year.

- Limit ride times to 60 minutes for students who live and attend school in DC, with a waiver for extenuating circumstances. While the *Petties* order was in effect, ride times for students who lived and attended school in DC were limited to 60 minutes each way. After *Petties* closed, OSSE extended the ride time limit to 75 minutes each way. We have heard from some parents that their children are on the bus for over an hour each way even though they only live a few miles from school. At our request, OSSE provided us with preliminary data on the number of children whose rides are longer than an hour although they live and attend school in DC. OSSE estimates that there are 343 such children, which represents 14% of the total number of children receiving bus transportation who live and attend school in DC.²² We understand that in a few cases, children's homes and schools may be so far apart that there is no way

for them to have a shorter ride time, but we are concerned that children who live near their schools may also have long ride times. These long rides are harmful to students – they keep them from homework, sports, and time with their families. Accordingly, we recommend that OSSE return to the previous limit. In the few cases where distance and traffic make it truly impossible to cross town in 60 minutes, OSSE should be allowed to waive the limit with appropriate documentation provided to the IEP team.

- Allow parents to designate different pick-up and drop-off addresses. OSSE's new transportation policy limits students to one address for pick-up and drop-off. That address must be their address of District residency.²³ When this requirement goes into effect next fall, we expect it will impose a major hardship on many families. Children with divorced parents, children who need to be dropped off at after-school therapy appointments, and children who need to attend before or after care will all bear the burden. We urge OSSE to rescind this element of the transportation policy.

We have shared these recommendations with Mr. Solchenberger and he has indicated that he is open to considering them. We recognize that implementing these recommendations would require additional funding. We urge OSSE and the Committee to ensure that OSSE's Division of Student Transportation is provided the necessary funds in the FY15 budget to maintain its current level of services and make these expansions.

Transition Services

As I expressed at the Roundtable on Special Education last fall, I have serious concerns regarding the ability of DC schools to prepare students with disabilities for adulthood. I also see

significant opportunities for DC to improve in this area in the coming year. Under federal special education law, schools are obligated to provide special education students between 16 and 22 with “transition services.”²⁴ These services can include a wide range of activities to prepare students for independent living, employment, and further education. DC has for many years failed abjectly in meeting federal requirements for secondary transition. As of November 2013, only 47% of DC students aged 16 and older had IEPs that included appropriate transition goals and showed that the other basic procedural requirements for transition planning were met.²⁵ The Department of Education last summer directed DC to use \$250,000 of its federal special education funds to address noncompliance with these secondary transition requirements.²⁶

This is not to say that the District has made no progress regarding secondary transition. OSSE has brought a new focus to secondary transition, developing a secondary transition toolkit for schools, providing professional development training to school staff on transition services, and embarking on promising pilots to bring student-driven IEPs and the Circles model of transition planning to the District.²⁷ DCPS’s partnerships with Project Search and Marriott Bridges to provide employment training to students with disabilities have been very successful. However, these programs only serve a small percentage of the students who could benefit from such programs. Too often, our clients’ experiences with transition planning is exemplified by the approach taken at one high school, where a provider for one of our clients was told that the only transition planning available was help to fill out job applications.

At a time when the city is wisely focusing on developing career-readiness for young adults through RAISE DC, it is essential that OSSE guide DCPS and the charter schools in

expanding their vocational programs to meet the needs of the several thousand high school special education students.²⁸ Offering more programs that engage students in learning job skills will lead to fewer students dropping out, as we find that many of the teenagers we work with are very motivated by learning vocational skills even if they may have given up years ago on learning to read or do math. Integrating vocational programs into the curriculum will also improve students' academic skills, as we also find that many of our clients make more progress in academics when those academics are tied to practical skills. As a first step, we urge OSSE to assess the vocational and life skills training needs of DC students. OSSE should also direct the Local Education Agencies to assess the effectiveness of any vocational programs they operate or partner with. Based on the information from these assessments, OSSE should develop and implement a plan to expand the vocational and life skills training opportunities for special education students. This plan should be developed in coordination with the Rehabilitative Services Administration (RSA), the agency tasked with helping adults with disabilities obtain and maintain employment.

Graduation Requirements

This year, I urge OSSE, the DME and the State Board of Education (SBOE) to work together to ensure that Local Education Agencies' disparate graduation requirements do not prevent highly-mobile students from graduating from high school. Losing credits often leads to students becoming disengaged and failing to graduate.²⁹ In DC, we cannot afford to give students more reasons to drop out. This year's oversight data showed that one-third (1/3) of DC public charter high schools had dropout rates of over 25%.³⁰

The current DC policy of allowing each Local Education Agency to set its own requirements for high school graduation creates serious problems for students who change LEAs. If families choose voluntarily to move during high school, it may be reasonable to expect them to accept the educational consequences. But the several thousand DC students who are homeless or in foster care cannot control when they have to change schools. They should not be penalized as a result. OSSE reports that approximately 1,850 students attending DCPS and the charter schools are homeless.³¹ There are approximately 1,400 children in the care of CFSA in out-of-home placements and approximately 750 of these children are teens.³² These students should not have to lose credits when they involuntarily change schools, but often one Local Education Agency refuses to accept credits from another. LEAs also sometimes refuse to accept credits earned in Maryland public schools, which causes problems for the many children in foster care who are moved by CFSA from foster homes in Maryland to foster homes in DC.

Several states have taken different approaches to providing necessary flexibility for children in foster care. California has passed legislation requiring that schools accept partial credits for students in foster care and is currently considering expanding that protection to homeless students.³³ Other states have moved to awarding credit to students who can demonstrate mastery of course material.³⁴ DC should consider these different approaches in order to come up with a plan to ensure that students who change schools involuntarily do not fall behind. Specifically, DC should consider requiring Local Education Agencies to: 1) accept comparable credits from other LEAs even if the courses are not exactly the same; and 2) offer partial credit to students who move before completing a course.

Oversight of Special Education at Charter Schools

Right now, both OSSE and the Public Charter School Board take on some responsibility for ensuring that charter schools comply with the Individuals with Disabilities Education Act, but this shared oversight model does not appear to be successful. It has allowed some charter schools to get away with flagrant violation of federal law. This was vividly illustrated this past year by Options Public Charter School, where it took a *Washington Post* investigation before the Public Charter School Board took steps to close the school even though OSSE had documented for several years that the school had failed to comply with special education requirements. We have seen similar circumstances at other charter schools over the years. Although most of the offending charters were eventually closed, it was not until students had suffered without appropriate special education for years. On a few occasions, the Public Charter School Board has revoked schools' charters for reasons that included violation of special education law, but generally the special education violations were not the most significant factor leading to the revocation.

In practice, we understand that the Public Charter School Board does not proactively monitor charter schools' compliance with the Individuals with Disabilities Education Act. Instead, the Charter Board largely relies on data provided by OSSE to learn about schools that may be out of compliance. The triggers for the Board's audit policy are based on OSSE reports and other demographic data that schools submit routinely.

OSSE does regularly monitor to evaluate Local Education Agency compliance with the indicators required as part of the State's IDEA Performance Plan. The results of the monitoring are reported to the federal Office of Special Education Programs (OSEP). That monitoring includes records reviews and interviews. In most circumstances, Local Education Agencies are

informed of the date of the visit in advance and choose which parents and students OSSE staff will interview.³⁵

We have several recommendations for actions that OSSE should take to improve oversight of the charter schools with regard to special education:

- OSSE should revise its policy to allow the agency to conduct unannounced observations in more circumstances;
- The results of OSSE's observations and data reviews should be shared with the public in an accessible way that allows parents to use the information to inform their school choices; and
- OSSE should increase its use of the Individuals with Disabilities Education Act option of directing Local Education Agencies to spend their IDEA funding to remediate specific deficiencies identified by OSSE.

We also have several recommendations for how the Public Charter School Board should improve compliance monitoring that we will discuss at the upcoming Board oversight hearing.

Finally, I am concerned that OSSE and the Public Charter School Board have developed duplicative mechanisms for helping charter schools to improve their special education programs. Unlike the systems described above for monitoring compliance, these evaluation tools are voluntary for the Local Education Agencies. While OSSE is encouraging the LEAs to use the self-evaluation tool developed by the American Institutes for Research (called the Special Education Quality Review), the Charter School Board is encouraging charter schools to use its own system, the Special Education Quality Assistance Review (QAR).³⁶ The Charter School Board does share information obtained from its system with OSSE, but I remain

concerned that it is confusing and inefficient to have two separate quality review tools.³⁷ I also believe that the results of any quality reviews should be made available to the public.

Conclusion

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

¹ Children’s Law Center works to give every child in the District of Columbia a solid foundation of family, health and education. We are the largest provider of free legal services in the District and the only to focus on children. Our 80-person staff partners with local pro bono attorneys to serve more than 2,000 at-risk children each year. We use this expertise to advocate for changes in the District’s laws, policies and programs. Learn more at www.childrenslawcenter.org.

² OSSE FY13 Oversight Questions, Q62.

³ 20 U.S.C. § 1412(a)(11)(A)(i).

⁴ 20 U.S.C. § 1412(a)(1)(A).

⁵ OSSE FY 2012 Oversight Responses, Q3, p. 35. http://www.cps.edu/about_cps/at-a-glance/pages/stats_and_facts.aspx. Montgomery County’s enrollment is over 150,000. See <https://www.montgomeryschoolsmd.org/about/>.

⁶ OSSE FY 13 Performance Oversight Responses, Q37.

⁷ DCASE Special Education Consortium, Final Report, September 23, 2013, on file with Children’s Law Center.

⁸ Maryland FFY 2008 State Performance Plan and APR report, p. 46, available at http://mdideareport.org/SupportingDocuments/08-09_Part_B_APR.pdf.

⁹ Department of Behavioral Health, DC Gateway Project, Management and Implementation Meeting Minutes, December 19, 2013

¹⁰ See, e.g., Zero to Three Policy Center, “Improving Part C Early Intervention: Using What We Know about Infants and Toddlers with Disabilities to Reauthorize Part C of IDEA,” Jack Shonkoff et al, Feb. 2003; Robert Wood Johnson Foundation, “Early Childhood Experiences: Laying the Foundation for Health Across a Lifetime,” March 2011.

¹⁰ 34 C.F.R. § 303.321(c).

¹¹ “Proven Benefits of Early Childhood Interventions,” RAND Corporation Research Brief, available at http://www.rand.org/pubs/research_briefs/RB9145/index1.html.

¹² “Proven Benefits of Early Childhood Interventions,” RAND Corporation Research Brief, available at http://www.rand.org/pubs/research_briefs/RB9145/index1.html.

¹³ Proposed 5 DCMR § A-3108.3(b).

¹⁴ At least 32 other states extend eligibility to children with a delay of less than 50% in one area of development. Of those states, 17 – including Maryland and Virginia – extend Part C eligibility to children with a 25% delay in one area of development. Additionally, six states extend eligibility to children who are “at risk” of developmental delay, as permitted by the Individuals with Disabilities Education Act (IDEA). These children may be at risk of developmental delay because of biological and environmental factors including low birth weight, nutritional deprivation, or a history of abuse or neglect.

¹⁵ OSSE FY13 Oversight Questions, Q53.

¹⁶ OSSE was serving 477 children as of Dec. 1, 2012. OSSE FY 12 Performance Oversight Responses, p. 608.

¹⁷ “Judge dismisses long-running Petties case, gives final approval to D.C. control of special-ed buses,” Emma Brown, *Washington Post*, Dec. 19, 2012, available at http://www.washingtonpost.com/blogs/dc-schools-insider/post/judge-to-dismiss-long-running-petties-case-give-final-approval-to-dc-control-of-special-ed-buses/2012/12/19/5ef3e296-49fc-11e2-ad54-580638ede391_blog.html.

¹⁸ Information provided by OSSE Department of Student Transportation to Children’s Law Center on Feb. 20, 2014.

¹⁹ OSSE reports that their average on-time arrival rate for this year is 92.1%, an improvement over last year’s 90.5%. Information provided by OSSE Department of Student Transportation to Children’s Law Center on Feb. 20, 2014.

²⁰ This year, only one DC student has a partial-day inclusion schedule, but OSSE DOT does not provide that student with bus transportation.

²¹ 29 U.S.C. § 794.

²² Email from Ryan Solchenberger, Director of Student Transportation, Feb. 21, 2014, on file with the Children’s Law Center.

²³ OSSE Special Education Transportation Services Policy, Nov. 6, 2013, p. 8, available at http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Special%20Education%20Transportation%20Services%20Policy_v11.18.2013.pdf. The policy indicates that OSSE will make exceptions to the requirement that the address used for transportation be the address of District residency on a case-by-case basis for children in foster care or living in group homes.

²⁴ See 34 C.F.R. § 300.320(b)(2).

²⁵ November 2013, Results of Secondary Transition Review, shared at Secondary Transition Community of Practice meeting, on file with Children’s Law Center.

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- ²⁶ See July 1, 2013 letter from U.S. Department of Education to Superintendent Mahaley Jones, available at <http://www2.ed.gov/fund/data/award/idea/2013partb/dc-letter-2013b.doc>.
- ²⁷ OSSE also began a secondary transition focused monitoring pilot with three DCPS schools, in an effort to pinpoint the sources of noncompliance with secondary transition requirements. OSSE plans to expand the pilot to charter schools this spring. OSSE FY13 Oversight Questions, Q72.
- ²⁸ <http://dme.dc.gov/DC/DME/Programs/Raise%20DC%20-%20Partnership%20Summary%20FINAL.pdf>
- ²⁹ Elaine M. Allensworth, John Q. Easton, What Matters for Staying On- Track and Graduating in Chicago Public High Schools, Consortium on Chicago School Research at the University of Chicago (July 2007).
- ³⁰ OSSE FY13 Oversight Questions, Q36.
- ³¹ OSSE Guidance Regarding Graduation Fees for Students in Transitory Housing, available at: <http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Graduation%20Guidance%20October%202012.pdf>.
- ³² LaShawn A. v. Gray Progress Report for the period January 1-June 30, 2013, 99 (November 21, 2013).
- ³³ Ensuring Educational Rights and Stability for Foster Youth: AB 490 Summary, Youth Law Center/ Children’s Law Center of Los Angeles, http://www.youthlaw.org/fileadmin/ncyl/youthlaw/events_trainings/ab490/AB490_Summary.pdf. AB 1806 was introduced on Feb. 18, 2014 to would extend these protections to homeless children. Bill text available at http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1806.
- ³⁴ See “State Strategies for Awarding Credit to Support Student Learning,” National Governors Association Issue Brief, available at <http://www.edweek.org/media/23biz-state-1202educreditbrief.pdf>
- ³⁵ OSSE FY13 Oversight Questions, Q72 (indicating that OSSE conducts visits with short or no notice when they receive allegations implicating health or safety and when they receive complaints outside of the state complaint process). See also OSSE Special Education Monitoring & Compliance Manual (IDEA Part B), Sept. 2013.
- ³⁶ OSSE FY13 Oversight Questions, Q56.
- ³⁷ OSSE FY13 Oversight Questions, Q58.