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Committee of the Whole
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Deputy Mayor for Education
District of Columbia Public Schools
Office of the State Superintendent for Education

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Introduction

Good morning, Chairman Mendelson, Committee members and staff. My name is Danielle Robinette. I am a Senior Policy Attorney at Children's Law Center, and a former public school teacher. Children's Law Center believes every child should grow up with a strong foundation of family, health and education and live in a world free from poverty, trauma, racism, and other forms of oppression. Our more than 100 staff – together with DC children and families, community partners and pro bono attorneys – use the law to solve children's urgent problems today and improve the systems that will affect their lives tomorrow. Since our founding in 1996, we have reached more than 50,000 children and families directly and multiplied our impact by advocating for city-wide solutions that benefit hundreds of thousands more.

Thank you for the opportunity to testify today as part of the Council's performance oversight of the Deputy Mayor for Education (DME), District of Columbia Public Schools (DCPS), and the Office of the State Superintendent of Education (OSSE). Through our work, we represent DC students who regularly face barriers in accessing their education. Through our medical-legal partnership, Healthy Together, we represent parents who are fighting for their child's right to access special education services. Through our *Guardian ad litem* project, our clients in foster care face a myriad of challenges with their education including educational continuity. Our testimony and recommendations today arise from our experience representing students who are often furthest from opportunity.

In recent months, we have been glad to see the Council and the Executive Branch focus on examining the issues of student disengagement and barriers to regular school attendance.¹ We encourage continued examination of and investment in targeted attendance interventions like Student Support Teams (SSTs), Alternatives to Court Experience (ACE) or Parent and Adolescent Support Services (PASS).² However, we also urge District government to examine how current policies and practices create systemic barriers to attendance and further entrench student disengagement.

During the December attendance hearing, many testified that students disengage from school when their needs are not being met.³ These needs are diverse and unique to individual students and their family circumstances. While the education sector cannot meet all the needs of DC children, it must do a better job of meeting the needs that fall within their ambit. Our testimony raises several concerns:

- **Persistent failures to meet the needs of students with disabilities**
Students with disabilities face barriers throughout the school day – unreliable transportation to and from school, inadequate language access for students and families, and a complete lack of meaningful out-of-school time access.
- **Lack of support for students with physical and behavioral health needs**
OSSE’s long-delayed home and hospital instruction (HHI) rulemaking process has undermined the ability of LEAs to implement their HHI programs. Additionally, while the School-Based Behavioral Health (SBBH) program is well received by students and school staff, more is needed to meet the growing behavioral health needs of students in DC.⁴
- **Missed opportunities to support students in the care of DC**
Despite the DME’s creation of the Office of Students in the Care of DC (SCDC), the office does not currently have a Director and the statutorily

mandated coordinating committee⁵ has never met. As a result, there has been no progress on the legislative effort to address loss of academic credits that occurs when Students in Care experience educational disruptions.

- **Policy choices that exacerbate attendance and engagement concerns**

As the District seeks to address attendance and discipline challenges in our schools, the Council must ensure that legislative and policy changes do not further entrench student disengagement.

We urge the Council to use its oversight role to ensure that DC education agencies are fulfilling their obligations and supporting students at every available opportunity.

Before, During, and After School the District Creates Barriers to Education Access for Students with Disabilities

Each year, we come before this Committee to discuss the needs of students with disabilities and the ways in which DC's education sector falls short.⁶ The persistent failure to meet the needs of students with disabilities undoubtedly impacts their higher than average rates of chronic absenteeism and truancy as noted in OSSE's annual attendance reports.⁷ OSSE and LEAs must understand not only the fact that students with disabilities miss more school, but also how and why the needs of these students are not being met.

To improve the engagement and attendance of students with disabilities, DC's education sector must address the ways in which the needs of this student group are not being met. These needs start before the student even arrives at school. For more than a decade, the students and families we work with have struggled with unreliable busing from OSSE's Division of Student Transportation.⁸ Once they get to school, families face barriers to meaningful participation in Individual Education Program (IEP) meetings due

to inadequate language access supports in schools. And after school, families of students with disabilities are left with few, if any, out-of-school time programs that offer true inclusion. At each part of the day, students with disabilities and their families are reminded that they are an afterthought in DC's system of public education. It is no surprise that these students have a harder time maintaining regular school attendance.

OSSE's Division of Student Transportation Continues to Face Challenges in Meeting the Needs of Students with Disabilities

This time last year, we were discussing the acute crisis at OSSE's Division of Student Transportation (OSSE-DOT) that resulted in widespread delays and cancelation of bus routes.⁹ While OSSE does not track the impact of these delays and cancellations on attendance of affected students,¹⁰ the students we work with missed hundreds of hours of school time in the Spring of 2023. One student missed more than 70 school days in SY22-23 due to OSSE-DOT route issues. Another was late to school more than 25 times between January and March 2023 due to bus delays. While OSSE-DOT has made changes to address the acute failures that arose last January, significant systemic challenges persistently disrupt the education of students with disabilities in the District. The students and families we work with have faced these sorts of issues for more than a decade.¹¹ Each school year, we have dozens of cases in which OSSE transportation issues prevent a student from accessing their education. However, because OSSE does not track how many absences result from agency-caused transportation delays, it is difficult to determine how significant an impact transportation plays in the overall rate of

absenteeism among students with disabilities.¹² The Council cannot look away from the systemic harms suffered by students with disabilities in the District.

These failures cause real harm to students. These failures often mean that students with disabilities simply cannot get to school. For many of the families we work with, OSSE-DOT is the only way for their student to get to school because they cannot rely on public transportation due to their student's disability and they cannot afford costly ride share services. This creates further inequities in the experiences of students with disabilities from families with high incomes and those from families with low incomes.

OSSE-DOT's challenges fall into several categories. First, insufficient staffing has led to canceled or delayed routes. We recognize that districts across the country have been facing a national driver shortage¹³ and the DC area is no exception.¹⁴ OSSE-DOT reports that they struggle to fill vacancies and that they do not have enough drivers to cover when someone is sick or otherwise absent from work.¹⁵ At last year's oversight hearing, Superintendent Grant stated that OSSE-DOT "ha[s] a competitive compensation package [and is] offering a hiring bonus but we can't beat FedEx" and that WMATA offers a larger hiring bonus.¹⁶ If OSSE-DOT cannot "beat FedEx" or match the hiring bonus at WMATA, then the compensation package is not truly competitive. Even compared to other school bus driver positions, OSSE's compensation is not competitive. At \$22.48 per hour, OSSE-DOT's starting rate for a bus driver is one of the lowest in the region.¹⁷ The District cannot expect to recruit new drivers to fill vacancies if pay does not at least match

that in neighboring jurisdictions. Moreover, as the driver shortage persisted through FY23, OSSE-DOT contracted with private vendors to cover service gaps. These vendors charge rates as high as \$165 per hour.¹⁸ Between January and August 2023, OSSE awarded more than \$42 million in contracts for student transportation.¹⁹ Rather than increase driver pay to compete with regional alternatives, OSSE is spending millions on private vendors. Despite these expenditures, OSSE-DOT continues to report delayed routes and students with disabilities continue to miss school.

Second, inadequate routing systems and procedures continue to be a significant source of problems for the students and families we work with.²⁰ For example, it takes OSSE-DOT weeks to initiate a route when a student is newly identified as requiring transportation or there is a change to a student's pick up or drop off location. Also, OSSE-DOT apparently cannot create a transportation plan that picks up or drops off a student at different addresses on different days of the week, which means it is unable to accommodate students who split their time between households due to custody agreements, caregiving arrangements, or any number of common scenarios. Additionally, we have had students left off route manifests so the bus never picks them up and students who use mobility aids assigned to buses that cannot accommodate them. It is unclear to us whether the routing system is incapable of these tasks or whether OSSE-DOT needs additional support to operationalize the systems they have. Either way, these

limitations result in a system that does not meet the needs of DC students and families who rely on OSSE-DOT to ensure school attendance.

Third, poor record keeping makes it difficult to know how much school a student misses due to transportation issues. OSSE-DOT considers a bus “late” if it departs the terminal after its scheduled time.²¹ So, if a bus leaves the terminal on time, but then encounters traffic and arrives to its first stop 30 minutes after its scheduled window, that bus is still considered “on-time.” This metric not only masks issues in OSSE’s performance data, but also makes it impossible for parents to know when their student’s bus will arrive. Relatedly, OSSE-DOT’s daily records are kept on paper trip tickets maintained by the bus staff. When we request records for a student, OSSE-DOT must pull these paper trip tickets for the student’s route and redact the information for all other students on that route before sending them. This outdated mode of record keeping makes it hard for parents and OSSE alike to understand the system-wide issues that impact service delivery.

Last, poor communication has consistently been a concern raised by the students and families we work with. Buses regularly arrive outside their scheduled window without notifying parents. Generally, the only way to find out when your bus might come is to call the Parent Resource Center (PRC) and sit on hold with all the other parents wondering where their bus is. OSSE often points to their public-facing dashboard that reports when routes are late or down.²² However, this dashboard relies on the terminal

departure time, rather than real-time status, of a bus to define a late route. As a result, parents who check the site and expect an on-time bus may end up sitting around for half the morning waiting on a late bus. OSSE-DOT has long discussed plans for a parent-tracking app that would allow parents to know where the bus – and thus their child – is when their route is running behind. However, after a pilot program in Fall 2023 did not meet expectations, the long-awaited app is on hold yet again.²³

Additionally, we have had several client families report a lack of language access support when they contact OSSE-DOT. It seems that the PRC is not trained on the requirements of the Language Access law or how to use the Language Line Solutions services available to the DC government.²⁴ Our clients often tell us that their calls are put on long holds or dropped when the PRC cannot figure out how to communicate with a limited- or non-English proficient parent. Similarly, when OSSE-DOT sends text notifications to families, they are only sent in English. These communication issues only compound the stress and frustration that parents feel as they work to overcome barriers and get their student to school each day. In order to meet their obligations to students with disabilities, OSSE must make meaningful improvements in all of these areas. We strongly urge the Committee to press OSSE for details about any concrete changes that they are pursuing to improve service delivery.

Schools Frequently Violate the Language Access Rights of Students with Disabilities and Their Families

DC law requires covered entities – including DCPS – to provide language access services to all constituents who need assistance when conducting official business in English.²⁵ Limited- or non-English Proficient (LEP/NEP) families have the right to translation and interpretation, free of charge, as needed to receive equal access in public services.²⁶ Additionally, for students with disabilities, the Individuals with Disabilities Education Act (IDEA) requires schools to take “whatever action is necessary to ensure that the parent understands the proceedings” of the Individualized Education Program (IEP) team meeting, “including arranging for an interpreter for parents with deafness or whose native language is other than English.”²⁷

In our experience, however, implementation of language access services has been highly variable across public schools in the District. For example, IEP teams often do not translate relevant documents in families’ preferred language. Sometimes a school will translate the student’s IEP, but refuse to translate evaluations, progress reports, or other vital documents necessary for the family to meaningfully participate in the IEP team.²⁸

Even when LEP/NEP families of students with disabilities assert their rights under the language access law,²⁹ there are significant delays in receiving translated documents. In some cases, schools have outright denied the translation of IEPs and related documents, in direct violation of federal and local law as well as DCPS’s own Language Access Policy.³⁰ Additionally, we have seen school officials interfere with the oral interpretation of special education meetings, effectively excluding LEP/NEP families

from the decision-making process. In several cases where interpreters were present at IEP team meetings, our attorneys have observed school staff instructing the interpreter to omit parts of the conversation or failing to give the interpreter sufficient time to translate what is being said. These delays in, or denials of, language access not only cause LEP/NEP families and caregivers to feel isolated during IEP meetings but also prevent them from being meaningful participants in the IEP process as required under the IDEA.³¹

It is unclear whether school staff are simply unaware of their obligations under DC's language access law or whether they are not provided sufficient training and technical assistance to implement their responsibilities. Regardless of the cause, this is yet another way in which DC's education system prevents or disincentivizes students from engaging with their school.

DC's Out-of-School-Time Programming Does Not Provide Meaningful Access for Students with Disabilities

Issues of access persist after the school day ends. The families of students with disabilities are hard-pressed to find any out-of-school time (OST) programming that offer meaningful inclusion for their students. A search of the Learn24 online program finder found that of 115 total programs,³² only 31 are provided at an ADA accessible location³³ and only 23 provide service for children with disabilities.³⁴ Moreover, of the 23 programs that provide services for children with disabilities, only four are located east of the Anacostia River.³⁵ This is not to say that other programs explicitly exclude students with

disabilities. However, when the program or facility is not capable of supporting or accommodating their student's unique needs, families are understandably wary to enroll.

OST programming meets an important need for DC children and families. A recent national survey of parents found that afterschool programs provide the supports that parents seek to promote healthy development in their children.³⁶ Further, the report found that "parents of color and families with low incomes especially value the role of afterschool's role in supporting healthy development."³⁷ Additional research shows that OST programs can improve both academic and behavioral outcomes including increases in school-day attendance.³⁸ However, DC families of students with disabilities are too often excluded from the benefits of OST programming because they cannot find an option that can support their student.

Any efforts to expand OST availability in the District must anticipate additional barriers to access. The Afterschool Alliance parent survey identified cost and access as the top barriers to OST participation in DC.³⁹ Specifically, 2020 data show that 59% of surveyed parents noted a lack of available programs, 63% said programs are too expensive, and 71% cited transportation issues as a key barrier to participation.⁴⁰ A local survey conducted by Parents Amplifying Voices in Education (PAVE) asked parents about OST participation and found that "the most frequently mentioned concern was affordability, followed by transportation and difficulties getting into programs."⁴¹ Additionally, their results highlight that "more Ward 8 parents cite conflicts with work

schedules, lack of transportation, and programs being too far away”⁴² and that “Ward 4 had the highest share of parents who said that participation was hindered because programs could not meet students’ specific needs.”⁴³

Relatedly, students who receive special education transportation will be forced to waive afternoon transportation if they want to participate in afterschool programming.⁴⁴ For an OST program not located at the student’s school, OSSE-DOT will not provide transportation between the school and the program location.⁴⁵ OSSE-DOT has consistently told our clients that they cannot accommodate such drop-off locations. Further, for an OST program at their school, the student would likely have to decline OSSE-DOT transportation home in order to stay late for afterschool programming. For students who cannot take public transportation or whose parents cannot transport their student to and from these programs, the lack of transportation from OSSE-DOT will be a barrier to participation. While we have been glad to see the Deputy Mayor for Education (DME)⁴⁶ and the Council⁴⁷ focus on expanding access to OST programs in DC, we urge the education sector to ensure that every DC child – regardless of disabilities status – has access to these critical supports.

The District Must Do More to Eliminate Barriers to Attendance for Students with Physical and Behavioral Health Needs

Beyond the population of students with disabilities as defined by the IDEA, school attendance can be impacted by a student’s physical and behavioral health concerns. DCPS reported that “student health, including student mental health and COVID

concerns or diagnoses, is the most common barrier to regular attendance cited during the Student Attendance Conferences (SACs).⁴⁸ DC's education system already has two important tools to support students with unmet health needs – Home and Hospital Instruction Programs and the School-Based Behavioral Health program. While these tools represent crucial investments by the Council, their implementation must be improved in order to minimize the impact that student health needs have on attendance and engagement.

Regarding home and hospital instruction, OSSE's extensive delays throughout the rulemaking process have impacted LEAs' ability to implement their programs for students. For the School-Based Behavioral Health Expansion Program, teachers and students have both noted the benefits of the program. However, the District must find ways to overcome staffing issues to ensure that this resource is able to support more students and schools. As we look holistically at the ways in which we can improve student attendance and engagement, the District must effectively implement the programs and services that this Council has already created and funded and ensure that they are meeting their full potential.

OSSE Failed to Meet Their Rulemaking Obligation for Home & Hospital Instruction and Undermined the Ability of LEAs to Implement Their Programs

Home and hospital instruction (HHI) is a crucial form of education access for students who are unable to attend school in person due to a temporary or intermittent health condition. Students eligible for HHI may be hospitalized due to a planned medical

procedure (e.g., surgery) that requires a long hospital stay or they may have a chronic illness (e.g., sickle cell anemia) that causes them to have repeated, intermittent absences that total more than 10 school days. A school's "HHI program is designed to promote a participating student's academic progress by allowing the student to stay current with classroom instruction in core subjects, to the greatest extent possible."⁴⁹

The Students' Right to Home or Hospital Instruction Act of 2020 ("the Act") was passed by the Council on December 1, 2020 and became effective on March 16, 2021.⁵⁰ However, in the nearly three years since passage of the Act, nearly every phase of the regulatory rollout has been delayed by OSSE. These delays have meant that the majority of DC schools were out of compliance with the law for at least a full school year. Some continue to be out of compliance today.

The Act required that OSSE promulgate regulations to implement the law no later than January 29, 2022.⁵¹ The timeliness of these regulations was important to ensure that Local Education Agencies (LEAs) were able to adopt and implement their HHI programs by the beginning of school year 2022-2023 (SY22-23), as required by the law.⁵² However, OSSE did not publish a notice of proposed rulemaking until September 9, 2022⁵³ and, thus, LEAs had no implementation guidance prior to the start of SY22-23. Schools were left with two unenviable choices: 1) be out of compliance with the law or 2) develop and implement a program without guidance that could ultimately have to be discarded and redone if not aligned with OSSE's final rulemaking. After publication of the proposed

rulemaking, the public comment period was open for 30 days, closing on October 12, 2022. OSSE received only three comments for review.⁵⁴ However, OSSE did not publish a notice of final rulemaking until May 12, 2023 – eight months after the close of public comment and nearly the end of SY22-23.⁵⁵

In June 2023, Children’s Law Center and other advocates met with OSSE regarding the need for clear guidance to LEAs addressing the most common issues that we see in our HHI cases. We specifically highlighted the need for timeliness to ensure that schools would have time to review any guidance and develop their HHI policies with enough time to have them in place for the start of the SY23-24. However, OSSE did not publish their HHIP Guidance and Procedural Manual until August 2023⁵⁶, after most LEAs had already begun the new school year. At that time, LEAs were instructed to have their HHI policies submitted to OSSE and published on their website by September 30, 2023.⁵⁷ While it took OSSE nearly a year to develop proposed regulations, another eight months to finalize those regulations, and then three more months to publish the relevant guidance documents, they gave LEAs just six weeks (during one of the busiest parts of the school year) to review the guidance and adopt compliant policies. Given the significant delays from OSSE, it is not surprising that schools have largely been out of compliance with the requirement to have a HHI policy adopted and published on their website. As of this writing (February 27, 2024), we could find only 52 of 70 LEAs that have published an HHI policy on their website. As a result, three years after this Council passed and funded the

Act, we continue to see the same HHI problems that inspired the Act – a lack of transparency, HHI application denials and delays without justification, and a lack of legally enforceable minimum standards governing the quantity and quality of HHI.⁵⁸

Presently, our leading concern is that schools continue to second guess the medical opinion of students' doctors. Schools insist that they need to speak with the student's doctor and, when a school cannot get ahold of the doctor, they either delay their application decision or deny the application altogether. In a recent case, a school denied our client's HHI application because the school couldn't get ahold of the doctor within the timeline in which the school is required to approve or deny the application for HHI.⁵⁹ The school did not claim that anything was missing from the student's application, only that they had additional questions for the doctor. In their denial letter, DCPS claimed that **"the student was determined ineligible"** (emphasis in original) because "speaking with the treating physician who has completed the HHIP Physician Verification form is protocol in determining eligibility for HHIP services."⁶⁰ While the Act creates a presumption in favor of the medical certification of need when an LEA is deciding on an application for Home and Hospital Instruction,⁶¹ we continue to see schools deny HHI in cases where the school disagrees with the medical certification of need.

In our June 2023 meeting with OSSE, advocates raised this concern with the agency and urged them to address it in their guidance to LEAs. However, OSSE's HHIP manual simply restates the law without offering any additional context or explanation.⁶² The

absence of clear guidance from OSSE allows LEAs to continue with the same HHI practices that inspired the Council to pass the Act in the first place. In our June meeting, OSSE stated that there was little they could do to prevent violations of the HHI law and regulations until an appeal was filed. Although we disagree with OSSE's position that they are limited in their ability to provide proactive guidance, the ambiguity has become a barrier to educational access. As such, we urge the Council to close the relevant regulatory and legislative loopholes currently being used to prevent students with serious medical conditions from accessing their education.

In addition to these implementation concerns, we also draw the Council's attention to gaps in the law that undercut its enforcement. First, the law lacks a clear grant of authority to the appeals panel to grant remedies to students upon successful appeal. Second, the law does not clearly empower families to appeal the substance of inadequate HHI implementation plans. We have raised each of these concerns with OSSE and from our conversations with the agency, it is our understanding that they do not feel they are able to make additional regulatory changes without explicit legislative authority. Our written testimony for the Committee's hearing on Bill 25-0317 provides greater detail on our specific recommendations for how to close gaps in the law that require legislative clarification.⁶³ These amendments are necessary to improve DC's educational offerings for students experiencing serious medical concerns.

OSSE's rulemaking process for HHI has been impermissibly delayed and FY23 yielded only minimal progress in the implementation of the Students' Right to Home or Hospital Instruction Act of 2020. For students with serious medical concerns, barriers to or denials of HHI has continued to result in missed school and significant academic disruptions. At a time when families are reporting that student health concerns are a leading cause of absence from school, the District must do more to ensure that these students are able to engage with their education regardless of their health needs.

School-Based Behavioral Health Program Is a Critical Tool in Addressing the Increased Needs of Students after the Pandemic

The School-Based Behavioral Health (SBBH) Program is another tool that DC's education sector already has in place to support the needs of students. And we know that the need for behavioral health care is significant among DC children and youth. Even before the COVID-19 pandemic, an estimated one in five DC children had a mental, emotional, developmental, or behavioral problem.⁶⁴ Nearly half (47%) of DC's children have had adverse childhood experiences (ACEs), such as being exposed to abuse or unmet basic needs, which can negatively impact their well-being and behavior.⁶⁵ The 2021 Youth Risk Behavioral Survey (YRBS) revealed that a stunning 28% of DC middle school students and 18.3% of high schoolers said they have seriously thought about killing themselves.⁶⁶

Additionally, recent research has shown that students with behavioral health challenges miss more school than their peers and that absences due to behavioral health

issues account for more than 10% of all absences.⁶⁷ One way to address the connections between school engagement and behavioral health needs is to integrate systems of care.⁶⁸ DC has done this with the establishment and expansion of the SBBH program through the Department of Behavioral Health (DBH).

The goal of the SBBH program is to ensure students in every DC public school have access to the full range of behavioral health services. The Multi-Tier System of Supports model (MTSS) is administered by a licensed clinical social worker or therapist and funded by DBH through community-based organizations (CBO). Tier 1 and Tier 2 programming looks like school-wide skill-building or group sessions on special topics like conflict resolution, emotional intelligence, bullying, suicide prevention, coping mechanisms, and self-care.⁶⁹ Tier 3 services are one-on-one therapy for those with the most acute needs, with the ability to bill insurance for these clinical interventions.

After rolling out the program iteratively in four cohorts, every school has access to SBBH – in theory. However, the latest numbers show that only 172 of 254 schools (68%) are staffed with a clinician.⁷⁰ According to an analysis by DC Action for Children, coverage was better for high schools than elementary and middle schools. Schools in Wards 7 and 8 seemed just as likely to have a clinician as those in other wards. DC Action observed that DCPS schools were better staffed than charter schools – 62% versus 41%.⁷¹

Where staff are in place, and referrals are made, recent surveys of students, caregivers, school staff and Coordinators show high satisfaction with services. “Many

school staff who reported referring students for behavioral health services believed the students benefited from treatment services in several ways such as decreased behavior incidents and improved symptoms.”⁷² Unfortunately, due to the staffing issues, there are still major gaps in access to care in schools. About half of the students surveyed for a program evaluation were not confident about where to go for help. Caregivers were frustrated by the lack of marketing and transparency about available services. Students would also like better support for well-being after negative events. As one said in 2022, “one time we were promised a schoolwide session where we can express our mental grief with a school lockdown, and we never got it.”⁷³

A fully staffed program is foundational for success, and we will continue to advocate for adequate funding to attract and retain qualified clinicians, as well as ways to expand access to all three tiers of service.⁷⁴ However, schools and education agencies also have a major role to play implementing and communicating about available services to all staff, teachers, students, and families. Schools can be gatekeepers or gateways to the care that students and families need. DBH and the SBBH program give schools wide latitude to implement and measure programming; while the ability to tailor to each unique school is important, it also allows school leaderships to deprioritize or disregard the program without penalty. SBBH is only impactful if schools facilitate access to the clinicians, so we need consistent, meaningful engagement from all schools and education agencies to take advantage of the District’s investment.

The DME Has Neglected to Address the Needs of Students in Care

OSSE's annual attendance reports show that students under the care of CFSA consistently miss more school than their peers who are not in care.⁷⁵ In SY22-23, 54% of students in CFSA's care missed at least 10% of the school year⁷⁶ and were nearly three times more likely to face profound chronic absenteeism than their peers without CFSA involvement.⁷⁷ At Children's Law Center, we see similar trends among the children and youth in foster care with whom we work. Among our school age clients, approximately 47% missed ten or more school days in SY22-23. The District has long been aware of this issue, and yet year after year, including this past year, has failed to take available opportunities to support students in care. Specifically, the DME has yet to stand up the statutorily mandated Students in the Care of DC (SCDC) Coordinating Committee and, as a result, important work to improve educational access for students in care made no progress in FY23.

The DME Has Failed to Establish a Functioning Students in the Care of DC Coordinating Committee

In response to working group recommendations,⁷⁸ the Council passed the Students in the Care of D.C. Coordinating Committee Act of 2018 to establish a coordinating committee "to identify challenges and resolve issues that students in detainment, commitment, incarceration, and foster care face in order to improve educational outcomes."⁷⁹ However, more than 5 years after the Act was passed, the SCDC Coordinating Committee has never met.

The Act required the Mayor to “designate an agency in the education sector to provide staff assistance and administrative support to the Coordinating Committee.”⁸⁰ As a result, the Office of the Students in the Care of DC (SCDC) was established under the DME and an inaugural Executive Director was hired in January 2020.⁸¹ The Act also required the Mayor to “nominate individuals to serve as the nongovernmental voting members” within 60 days of the applicability date of the Act.⁸² However, the Mayor did not submit nominations to the Council until September 19, 2022.⁸³ We recognize that the onset of the COVID-19 pandemic likely impacted the Executive’s ability to quickly stand up SCDC and make some nominations. However, there was a 33-month delay between the hiring of SCDC’s first Executive Director and the first set of nominations to the SCDC Coordinating Committee. The Council held a confirmation hearing for several nominees in November of 2022 and another in November of 2023. However, as of the latter hearing, approximately half of the seats on the SCDC Coordinating Committee were vacant.⁸⁴ Moreover, the Executive Director position has been vacant since December 2023.⁸⁵

The purpose of the initial Working Group and the Coordinating Committee was to identify the needs of students in care and devise solutions to help improve their school engagement and academic outcomes. Unfortunately, this tool has been abandoned while the District continues to face the consequences of unmet needs among our young people.

The DME Has Stymied Efforts to Address Gaps in the Law Causing Students in Care to Unfairly Lose Academic Credit

Students in care are highly mobile and often move between placements and facilities.⁸⁶ During these placement changes, they often lose most, if not all, of the credits that they earned at their previous school. This credit loss has a direct impact on students' ability to stay on grade and with their peers. In addition, in a recent study of this credits issue, research notes that "there are real psychological consequences. Depression, anxiety, anger at the system that manifests itself in different ways. It is both traumatic in their experience by also in making them feel silenced."⁸⁷ Such behavioral health disorders are linked to lower grades, more absences, and increased dropout rates.⁸⁸

In November 2020, The Council's Committee on Education and Committee of the Whole held a joint hearing on B23-0921, the Education and Credit Continuity Amendment Act of 2020.⁸⁹ The bill sought to address inadequacies under the series of Memoranda of Agreement (MOAs) that currently govern the education of students in care.⁹⁰ Specifically, the bill sought to fill gaps that lead students in care to lose academic credit when they are moved between placements and have to change schools.

During the hearing on B23-0951, OSSE opposed the bill arguing that its requirements were duplicative of practices that the agency already undertakes. Ultimately, the work of the bill was passed to SCDC to strengthen the bill and ensure that the education sector was focused on identifying the needs of students in care and devising solutions to overcome barriers. Because the SCDC Coordinating Committee has not been operational, an ad hoc working group of public and private partners⁹¹ met to

draft improved legislation to address the needs of students in care as it relates to records transfer, course credits, and data sharing. However, after the working group sent its draft to the DME, there was no action to advance this work. Employees from across DC government invested their time and expertise to draft legislation that could improve the educational experiences of students in care. However, the DME has seemingly halted all work on the issues addressed by B23-0951. We urge the Council to seek answers from the DME as to why the SCDC Coordinating Committee has never been stood up and why the education credit continuity work has languished for so long.

The Education Sector Must Avoid Policies and Practices that Further Entrench Student Disengagement

We have been glad to see the Council and the Executive focus on the urgent need to address school attendance. As a part of these efforts to improve student engagement and attendance, we bring to the Council's attention certain policies and practices that further entrench student disengagement. Specifically, we highlight efforts to water down or circumnavigate the limitations on exclusionary discipline that the Council codified in the Student Fair Access to School Act. The purpose of this Act was to ensure that students were able to stay in school and receive the support that they need to overcome behavioral challenges.

Second, in the realm of attendance policy, the education sector must improve coordination between schools and the DC agencies that are best suited to address the needs of students with attendance concerns. Specifically, we urge the Council and the

education agencies to focus on implementation of supportive tools rather than doubling down on ineffective referrals to law enforcement and child welfare.

The Student Fair Access to School Amendment Act Was Designed to Keep Students in School, But Recent Discipline Trends Demonstrate Efforts to Push Students Out of School

A sense of safety is a crucial prerequisite to student engagement in their learning.⁹² However, physical safety – while important – is not the only necessary element. Students must also feel socially, emotionally, and academically safe.⁹³ Over the last five years, the Council has taken several important steps to foster nurturing and safe schools – including passage of the Student Fair Access to School Amendment Act of 2018 (SFASAA). The purpose of SFASAA was to promote positive school environments and engage all students in learning while limiting the use of exclusionary discipline to only the most serious circumstances and to ensure the safety of students. Since the District’s pivot to focus on reducing school exclusions, the use of out-of-school suspensions has consistently declined year to year.⁹⁴

SFASAA – applicable to both traditional public and public charter schools – places caps on the length of out-of-school suspensions, prohibits certain types of attendance-related discipline, requires differing disciplinary actions based on a student’s grade level, and limits how exclusionary disciplinary measures can be used.⁹⁵ However, in recent years, we have seen increasing instances of efforts to circumnavigate the requirements of the law. In previous years, we highlighted a concerning trend in which

students were subject to informal discipline measures that excluded students from the classroom without consideration for the process and protections mandated by SFASAA.⁹⁶

This past year, we have seen a concerning increase in the use of involuntary transfers. This trend appears to be yet another way of avoiding the limits on exclusionary discipline imposed by SFASAA. Involuntary transfers are a form of disciplinary unenrollment in which a student is removed from their school of enrollment for disciplinary reasons for the remainder of the school year, or longer, and enrolled in another school within the same LEA.⁹⁷ In practice, DCPS initiates an involuntary transfer when they want to remove a student from their current school without the consent of the student's caregiver. Under SFASAA, school discipline policies are only to "[p]ermit out-of-school suspension or disciplinary unenrollment as a disciplinary action only to ensure safety and in response to the most serious offenses." Moreover, DCPS's school discipline regulations state that "[e]xcept for those corrective and disciplinary measures permitted pursuant to § 2408 [Dress Code / Uniforms] of this title, involuntary transfers pursuant to Chapter 21 shall not be used as a disciplinary response."

We are not the only ones to notice this trend. In their 2022 Annual Report, the DC Office for the Ombudsperson for Public Education noted that "schools have used involuntary transfers and circumvented intervention requirements under the Student Fair Access Act."⁹⁸ Specifically, their report recommended that DCPS update their discipline regulations to resolve several inconsistencies in the provisions. Further, they

recommended that schools improve the implementation of their discipline policies in alignment with SFASAA.⁹⁹ Their report also notes that DCPS had failed to make information regarding involuntary transfers available to the public and that “many families were never informed of their right to a hearing.”¹⁰⁰ These concerning discipline practices are not only failures in SFASAA implementation, but they are poised to undermine years of work by the Council and the education sector to invest in positive school climates. These DCPS practices either push students out through the involuntary transfer process or effectively disengage families by fostering an environment that lacks transparency and due process. We urge the Council to use its oversight role to ensure that DCPS is fully implementing SFASAA and avoid any efforts to water down limits on exclusionary discipline.

The District Must Focus on Tools that Remove Barriers to Attendance and Increase Student Engagement

Absenteeism has long been a challenge for the District, and several programs currently exist to support students and families in overcoming their barriers to attendance. Over the years, the District has developed several tools to address student disengagement. However, the current system lacks the necessary interagency collaboration to easily connect students facing barriers to the supportive programming that could help them. We urge the Council to focus on better coordination among the District agencies that implement these supportive tools rather than doubling down on ineffective referrals to law enforcement and child welfare.

To remove barriers to attendance, the education sector must understand the unmet needs of students with the highest rates of absenteeism. For example, OSSE's annual attendance reporting consistently shows that at-risk students are more likely to incur absences compared to their peers.¹⁰¹ Moreover, at-risk students report higher instances of feeling unsafe due to bullying, harassment, and embarrassment.¹⁰² They are more frequently enrolled in schools with poor facility conditions, are more disconnected and disengaged from adults in the school community, have limited transportation options, and have additional familial responsibilities.¹⁰³ Moreover, OSSE's attendance data shows that "absenteeism is higher at schools with higher concentrations of at-risk students."¹⁰⁴ It is clear that these students need support in order to maintain regular school attendance. When a problem arises from unmet needs, the solution must meet the need.

Research shows that using the juvenile justice system to address absenteeism does not improve school attendance. In fact, a recent study found that "youth who became involved with the juvenile justice system missed, on average, five additional days of school—a statistically significant difference."¹⁰⁵ Policy tools that focus on accountability or compliance fail to address the underlying need and can, in turn, further exacerbate the problem by creating new needs or by making it harder to meet the existing needs.¹⁰⁶

Much the same can be said for referrals to the child welfare system. Any contact with CFSA, even an investigation where allegations are not substantiated, can be traumatic and damaging for children and families.¹⁰⁷ The vast majority of children who

miss 10 days of school over the entire school year are experiencing neither a threat to their health or safety nor educational neglect.¹⁰⁸ Additionally, the resources spent on reviewing and responding to the large number of referrals limits the ability of CFSA to reach children who are experiencing unsafe circumstances which require the type of intervention that CFSA is best equipped to provide. Chronic absenteeism is generally not due to child abuse or neglect, and therefore CFSA is not positioned to meaningfully support families in cases without a substantiated allegation of abuse or neglect. The child welfare system is not the “all-purpose agency” that many envision it to be.¹⁰⁹

Instead of subjecting students and families to prosecution or to the anxiety of family separation, we encourage the Council and DC’s education sector to pursue strategies that identify the root causes of absenteeism and connect students and families to interventions and supports that can support them. We recognize that schools are already bearing much of the responsibility for young people in our communities. And while we believe that schools are often best suited to identify the barriers that their students face, they may not always be best suited to remove or overcome those barriers.

We urge the Council, the education sector, and the human services agencies to examine how to better collaborate in their efforts to connect students and families to the programs that can meet their needs. For example, the 211 Warmline and Community Response Model voluntarily connects children, families, and community members to DC government systems of care and community-based services, and through this support,

prevent unnecessary calls to the Child Protective Services (CPS) Hotline.¹¹⁰ When needed, an individual or family calling 211 Warmline can connect with a Community Responder, who can provide more in-depth phone support or connect in-person with the family or individual to navigate District-funded and community-based services to address their needs such as food assistance, housing needs, or medical benefits.

Conclusion

Policies that destabilize a student's home life and/or break the bonds of trust between a student and their school will undermine any strides the District has made to reduce absenteeism. Improving student attendance will require investments of time and resources at the student- and sector-level. At the student-level, schools need the time and resources to work with individual students to uncover their unique barriers to attendance and connect them to programs that can meet their needs. At the sector-level, DC's education agencies must improve the implementation of programs designed to meet the needs of students facing systemic barriers to attendance.

Thank you for this opportunity to testify, and I welcome any questions.

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- ¹ Paul Kihn, Deputy Mayor for Education, testimony before DC Council’s Committee of the Whole, (Dec. 12, 2023), available for download at: <https://lims.dccouncil.gov/Hearings/hearings/171>.
- ² See Judith Sandalow & Danielle Robinette, Children’s Law Center, testimony before DC Council’s Committee of the Whole, (Dec. 12, 2023), available at: <https://childrenslawcenter.org/resources/hearing-committee-of-the-whole-chronic-absenteeism-truancy/>.
- ³ E.g., Eduardo Ferrer, Georgetown Law Juvenile Justice Initiative, testimony before DC Council’s Committee of the Whole, (Dec. 12, 2023), available for download at: <https://lims.dccouncil.gov/Hearings/hearings/171>; Bisi Oyedele, Education Forward DC, testimony before DC Council’s Committee of the Whole, (Dec. 12, 2023), available for download at: <https://lims.dccouncil.gov/Hearings/hearings/171>.
- ⁴ Department of Behavioral Health, *Behavioral Health Satisfaction Survey*, (FY2022), available at: https://dbh.dc.gov/sites/default/files/dc/sites/dmh/page_content/attachments/2022%20Behavioral%20Health%20Satisfaction%20Survey%20Report.pdf.
- ⁵ D.C. Law 22-303, § 2–1599.05, available at: <https://code.dccouncil.gov/us/dc/council/code/titles/2/chapters/15/subchapters/VIII>.
- ⁶ See, e.g., Danielle Robinette, Children’s Law Center, testimony before DC Council’s Committee of the Whole, (Feb. 2, 2021), available at: <https://childrenslawcenter.org/resources/testimony-special-education-roundtable/>; Sharra E. Greer, Children’s Law Center, testimony before DC Council’s Committee of the Whole, (Mar. 9, 2021), available at: <https://childrenslawcenter.org/resources/oversight-testimony-education-agencies/>.
- ⁷ See Office of the State Superintendent of Education, *District of Columbia Attendance Report*, at 38, 41 (Nov. 30, 2023), available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2022-23%20Attendance%20Report_FINAL_0.pdf.
- ⁸ See Emma Brown, “Forgotten-child incident in D.C. highlights special-ed busing concerns,” WASH POST (Nov. 29, 2012), available at: https://www.washingtonpost.com/local/education/forgotten-child-incident-in-dc-highlights-special-ed-busing-concerns/2012/11/29/005c77d4-3a48-11e2-8a97-363b0f9a0ab3_story.html
- ⁹ See Office of State School Superintendent, Responses to FY22 Performance Oversight Questions, Answer to Q85(k), available at: <https://dccouncil.gov/wp-content/uploads/2023/06/2023OS1.pdf>.
- ¹⁰ See Office of State School Superintendent, Responses to FY22 Performance Oversight Questions, Answer to Q85(i), available at: <https://dccouncil.gov/wp-content/uploads/2023/06/2023OS1.pdf>.
- ¹¹ See Emma Brown, “Forgotten-child incident in D.C. highlights special-ed busing concerns,” WASH POST (Nov. 29, 2012), available at: https://www.washingtonpost.com/local/education/forgotten-child-incident-in-dc-highlights-special-ed-busing-concerns/2012/11/29/005c77d4-3a48-11e2-8a97-363b0f9a0ab3_story.html
- ¹² See Office of State School Superintendent, Responses to FY22 Performance Oversight Questions, Answer to Q85(i)-(j), available at: <https://dccouncil.gov/wp-content/uploads/2023/06/2023OS1.pdf>.
- ¹³ See e.g., Cindy Long, “School Bus Driver Shortage Persists,” *neaToday* (Dec. 14, 2023), available at: <https://www.nea.org/nea-today/all-news-articles/school-bus-driver-shortage-persists#:~:text=The%20problem%20remains%20severe%20across,down%2015.1%25%20from%20September%202019>; Sebastian Martinez Hickey & David Cooper, “The School Bus Driver Shortage Remains Severe: Without Job Quality Improvements, Workers, Children, and Parents Will Suffer,” *Economic Policy Institute* (Nov. 14, 2023), available at: <https://www.epi.org/blog/the-school-bus-driver-shortage-remains-severe-without-job-quality-improvements-workers-children-and-parents-will-suffer/>.

¹⁴ Tisha Lewis, “School Bus Driver Shortage,” Fox5 (Sept. 1, 2023), *available at*: <https://www.fox5dc.com/video/1273263>.

¹⁵ See Christina Grant, State Superintendent of Education, testimony before DC Council’s Committee of the Whole, (Mar. 3, 2023, 06:16:34 – 06:17:24), *available at*: https://dc.granicus.com/MediaPlayer.php?view_id=4&clip_id=8136.

¹⁶ *Id.*

¹⁷

Jurisdiction / Employer	Starting Hourly Rate
OSSE ^a	\$22.48 (must have CDL with P and S endorsements)
WMATA ^b	\$20 (during training) \$29.49 (after graduation)
Montgomery County Public Schools ^c	\$24.89 (after completing training)
Prince George County Public Schools	\$20.32 (without CDL) ^d \$21.13 (CDL with no experience) ^e
Alexandria City Public Schools ^f	\$24.00 (without CDL) \$24.72 (CDL with no experience)
Arlington Public Schools ^g	\$16.97 (sub/trainee) \$23.05 (gen-ed, part-time) \$24.27 (gen-ed, full-time) \$24.68 (SPED, part-time) \$24.86 (retiree rehire) \$25.98 (SPED, full-time)
Fairfax County Public Schools ^h	\$24.55
Falls Church City Public Schools ⁱ	\$23.56 (with CDL)
Loudon County Public Schools ^j	\$25.71 (full-time) \$21.22 (part-time)

^a Office of the State Superintendent of Education, “Motor Vehicle Operator: RW-5703-07,” *available at*: https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/PDF%20-%20DOT%20MVO_soft%20posting%20%28REV3.6.23%29.pdf

^b Washington Metropolitan Area Transit Authority, “Become a Metrobus driver. No experience needed.,” *available at*: <https://www.wmata.com/about/careers/become-a-metrobus-operator.cfm#:~:text=Starting%20salary%20of%20over%20%2450,%3A%20Up%20to%20%2420%2Fhr.>

^c Montgomery County Public Schools, “Become a Bus Operator,” *available at*: <https://www.montgomeryschoolsmd.org/departments/transportation/jobs/>

^d Prince George’s County Public Schools, “Drive With Us,” at “Join Our Team of School Bus Drivers,” *available at*: <https://www.pgcps.org/offices/humanresources/careers/drive-with-us>

^e Prince George’s County Public Schools, “ACE/AFSCE, Local 2250, AFL-CIO, Transportation (500), July 1, 2023 – June 30, 2024,” pg. 5, *available at*: <https://www.pgcps.org/globalassets/offices/human-resources/docs--human-resources-operation-and-staffing/employee-and-labor-relations/pay-tables/fy-24-ace-afscme-local-2250-effective-07.01.23.pdf>

^f Compare Alexandria City Public Schools, “Bus Driver – For Immediate Hire – General Pool (2023-2024 SY),” *available at*: <https://acps.tedk12.com/hire/ViewJob.aspx?JobID=2954> (stating that an employee without a CDL will be placed on Step 1, Grade 3 during training while an employee with a CDL but

no commercial driving experience will be placed on Step 2, Grade 3 of the Transportation Salary Scale) with Alexandria City Public Schools, “2023-24 Transportation Salary Scale,” available at: <https://resources.finalsite.net/images/v1705082458/acpsk12vaus/ogz0hdmgguknhpxadgzl/FY24TransportationSalaryScales.pdf> (listing the hourly pay for Step 1, Grade 3 as \$24.00 and for Step 2, Grade 3 as \$24.72).

[§] Arlington Public Schools, “Pay Plan FY2024,” at 3, 14, 51, available at: <https://www.apsva.us/wp-content/uploads/sites/57/2024/01/Mid-Year-Pay-Plan-23-24-FINAL.pdf>

^h Fairfax County Public Schools, “School Bus Driver Employment Opportunities,” available at: <https://www.fcps.edu/careers/career-opportunities/bus-driver-employment-opportunities>

ⁱ Compare Falls Church City Public Schools, “Bus Driver,” available at: https://drive.google.com/file/d/14FQ7AaNiqYPHsvIwvfV8EJJeG_vZoEBG/view (noting position is at Payscale NE8) with Falls Church City Public Schools, “FY 2024 Classified Pay Scale,” available at: <https://drive.google.com/file/d/1TxeE2BM6ls5NevNqvmuq4dCgG2Z5Q3Lk/view> (listing the FY24 pay for NE8, Step 1 as \$23.56).

^j Compare Loudoun County Public Schools, “Bus Driver (PS4311),” available at: <https://www.lcps.org/cms/lib/VA01000195/Centricity/Domain/27218/Bus%20Driver%20Job%20Posting.pdf> (noting that pay in training and for full time is Universal Level 8 and for part time is Banded Level 7) with Loudoun County Public Schools, “FY24 Adopted Universal Salary Scale (Hourly Rates)” available at: <https://www.lcps.org/cms/lib/VA01000195/Centricity/Domain/27223/FY24%20Universal%20Scale%20Hourly%20Update.pdf> (listing the FY24 pay for Universal Level 8, Step 1 as \$25.71) and Loudoun County Public Schools, “FY24 Adopted Hourly Banded Rates,” available at: <https://www.lcps.org/cms/lib/VA01000195/Centricity/Domain/27223/FY24%20Banded%20Rates.pdf> (listing the FY24 pay for Band 7 as \$21.22).

¹⁸ Contract between OSSE and USA Guided Tours DC, p 3 (Nov. 27, 2023), available at: <https://contracts.ocp.dc.gov/contracts/attachments/O1cxMTAyMTLCpkJhc2UgUGVyaW9kwqZ7MUFDOTBEOEMtN0Y2My00MTQ2LTIGRTItMjdGNkO1RjI5N0MyfO==>

¹⁹ Office of Contracts and Procurement Transparency Portal, available at: <https://contracts.ocp.dc.gov/contracts/search>, (Enter in Contracts by Agency field “Special Education Transportation,” and the results will show CW110212, CW110208, CW110323, CW110210, CW104062, CW104101, equaling a contract total of \$42,389,804).

²⁰ Notably, a transition between routing systems was identified as the source of last year’s acute transportation crisis. Office of State School Superintendent, Responses to FY22 Performance Oversight Questions, answer to Q85(k), available at: <https://dccouncil.gov/wp-content/uploads/2023/06/2023OS1.pdf>.

²¹ See *id.*, answer to Q86(e). In previous years, OSSE defined “on-time performance” as “arriving at school no earlier than 30 minutes before the bell and no later than 10 minutes before the bell.” Office of State School Superintendent, Responses to FY21 Performance Oversight Questions, answer to Q88d, see also pg. 290. However, in FY22, OSSE “uncovered that previously reported metrics of on-time performance were based on a methodology that needs improvement.” See Office of State School Superintendent, Responses to FY22 Performance Oversight Questions, answer to Q86(e), available at: <https://dccouncil.gov/wp-content/uploads/2023/06/2023OS1.pdf>.

²² Office of the State Superintendent of Education, “Daily DOT Updates,” available at: <https://osse.dc.gov/page/daily-dot-updates>.

²³ See Office of State School Superintendent, Responses to FY23 Performance Oversight Questions, answer to Q116, available at: <https://lims.dccouncil.gov/Hearings/hearings/244>

²⁴ DC Language Access Act of 2004 requires DC government agencies, departments, and programs that furnish information or render services to provide oral language services to a person with limited or no-English proficiency who seek access or participation in work of the District entity. DC Code § 2-1931(2), 1932(a). LanguageLine Solutions is the city’s contracted telephonic interpretation vendor. *See* Office of Human Rights, “Language Access Information Portal: Requirements and Resources for Covered Entities,” available at: <https://ohr.dc.gov/page/LAportal/coveredentity>

²⁵ D.C. Code § 2-1901.

²⁶ *See* Office of Human Rights, “Know Your Rights: Language Access,” available at: <https://ohr.dc.gov/service/know-your-rights-language-access>.

²⁷ 34 CFR § 300.322(e).

²⁸ *Cf.* DCPS Language Access Policy, at IV(E)(1) available at: https://dcps.dc.gov/sites/default/files/dc/sites/dcps/page_content/attachments/Language-Access-Policy-Final-12-28-2020.pdf

²⁹ Notably, the Language Access Act of 2004 only applies to “covered entities” and charter LEAs are not considered “covered entities.” The Language Access in Education Amendment Act of 2018 extended language access protections to students enrolled in charter schools and required charters to meet the same requirements as OSSE and DCPS such as hiring a language access coordinator. *See* D.C. Code § 2-1935.01(a) (2)(A) [repealed]. Despite passing unanimously, this Act remained unfunded for nearly 2 years before being repealed in 2021 by the Fiscal Year 2022 Budget Support Emergency Act of 2021. *See* D.C. Act 24-159, §7171 (2021). Consequently, District charter schools remain outside the scope of the 2004 Act and are therefore not required to meet the language access needs of their LEP/NEP students and families apart from those requirements imposed by special education regulations. *See* D.C. Act 24-159, §7171 (2021); D.C. Mun. Regs. tit. 5, §3009 (2022).

³⁰ *See* DCPS Language Access Policy, *supra* note 27, at IV(E)(1).

³¹ The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children. The IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 7.5 million (as of school year 2020-21) eligible infants, toddlers, children, and youth with disabilities.

U.S. Dept. Of Edu., *About IDEA* (n.d.) available at: <https://sites.ed.gov/idea/about-idea/#:~:text=The%20Individuals%20with%20Disabilities%20Education,related%20services%20to%20thos e%20children>.

³² Learn24, *Program Finder*, searched on June 5, 2023, available at:

<https://learn24locator.cityspan.com/Web/public/finder.asp>; To determine the total number of programs, we searched the Learn24 database without any filters – 115 results were returned. On Feb. 25, 2024, we attempted to repeat this search for more recent results. However, the Program Finder website is “Under Construction” preventing a more up-to-date run of the search criteria. This total reflects only those programs listed in the Learn24 database. Yesim Sayin & Emilia Calma, *Needs Assessment of Out-of-School Time Programs in the District of Columbia*, D.C. Policy Center, at 28-29 (Apr. 18, 2023), available at: https://www.dcpolicycenter.org/wp-content/uploads/2023/04/OST-report_corrected-2023-09-23.pdf, identified a total of 474 programs offered by Community Based Organizations, DCPS, public charter schools, the Department of Parks and Recreation, and the Marion Barry Summer Youth Employment Program.

³³ Learn24, *Program Finder, Search, Services: ADA Accessible Location*, searched on June 5, 2023, available at: <https://learn24locator.cityspan.com/Web/public/finder.asp>.

³⁴ Learn24, *Program Finder, Search, Services: Service for Children with Disabilities*, searched on June 5, 2023, available at: <https://learn24locator.cityspan.com/Web/public/finder.asp>.

³⁵ *Id.*; Learn24's program finder results, filtered by those offering Service for Children with Disabilities, shows four locations east of the river (EotR). One location, Malcolm X ES at Green, has two programs listed but both are named KidPower with the same days, times, ages, and grades. We believe these be duplicative entries.

³⁶ Afterschool Alliance, *Promoting Healthy Futures: Afterschool Provides the Supports Parents Want for Children's Well-Being*, at 5 (Apr. 2022), available at: <http://afterschoolalliance.org/documents/AA3PM/AA3PM-Healthy-Futures-Report-2022.pdf>.

³⁷ *Id.*, at 7.

³⁸ See Valerie Evans & Tonya Wolford, *Out-of-School Time Participation and Student Outcomes: An Evaluation Brief*, 19 Soc. Innovations J., at Table 6, 7 (June 18, 2014), available at: <https://socialinnovationsjournal.org/editions/issue-19-summer-2014/76-featured-social-innovations/944-out-of-school-time-participation-and-student-outcomes-an-evaluation-brief>

³⁹ Afterschool Alliance & Washington DC After 3PM, *Promoting Healthy Futures*, at 3, (Apr. 2022), available at: http://afterschoolalliance.org/documents/AA3PM-2020/DC-AA3PM-Healthy-Futures-2022-Fact-Sheet.pdf?utm_source=dashboard&utm_medium=website&utm_campaign=AA3PM_HEALTHY&utm_content=dropdown.

⁴⁰ *Id.*

⁴¹ Yesim Sayin & Emilia Calma, *Needs Assessment of Out-of-School Time Programs in the District of Columbia*, D.C. Policy Center, at 6 (Apr. 18, 2023), available at: https://www.dcpolicycenter.org/wp-content/uploads/2023/04/OST-report_corrected-2023-09-23.pdf.

⁴² *Id.*, at 6-7.

⁴³ *Id.*, at 7.

⁴⁴ See Office of State Superintendent of Education, *Special Education Transportation Policy*, (Nov. 6, 2013), available at:

<https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/OSSE%20Transportation%20PolicyV07292014.pdf>.

⁴⁵ *Id.*, at 9, (stating that "OSSE DOT will not change a student's route to accommodate the student or parent for personal reasons (e.g., accommodations of non-FAPE related child care, [...]).").

⁴⁶ E.g., Press Release, Executive Office of the Mayor, *Mayor Bowser Awards \$3.6 Million to Support Organizations that Will Provide Summer Programming to More Than 2,900 Youth*, (Apr. 25, 2023), available at: <https://mayor.dc.gov/release/mayor-bowser-awards-36-million-support-organizations-will-provide-summer-programming-more>; see also, DC B25-0036, Out of School Time Special Education Inclusion and Standards Amendment Act of 2023 (under Council review), available at:

<https://lims.dccouncil.gov/Legislation/B25-0036>.

⁴⁷ See DC B25-0036, an out of school time bill introduced by Councilmember Henderson, and B25-0630, a bill aiming for universal out of school care introduced by Councilmember Frumin.

⁴⁸ Cinthia Ruiz, Chief Integrity Officer of DC Public Schools, testimony before DC Council's Committee of the Whole, at 3 (Dec. 12, 2023), available for download at: <https://lims.dccouncil.gov/Hearings/hearings/171>.

⁴⁹ Office of the State Superintendent of Education, *Students' Right to Home and Hospital Instruction Act of 2020: Guidance and Procedural Manual*, at 2 (Aug. 2023), available at:

https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/Home%20and%20Hospital%20Instruction%20Guidance%20Manual.pdf

⁵⁰ See Council of the District of Columbia, Legislative Information Management System, B23-0392 – Students’ Right to Home or Hospital Instruction Act of 2019, *available at*:

<https://lims.dccouncil.gov/Legislation/B23-0392>

⁵¹ See D.C. Code § 38.251.10. Required OSSE to promulgate regulations no later than 120 days after the applicability date of the act, *see* Students’ Right to Home or Hospital Instruction Act of 2020, D.C. Code § 38-251.10 (2021). The law’s applicability date would have been October 1, 2021, the start of the fiscal year in which it was funded. *See* Students’ Right to Home or Hospital Instruction Act of 2020, D.C. Law 23-204, § 12, 67 DCR 14756; *see also* Email from Christina Setlow, Deputy Comm. Dir., Comm. of the Whole, Council of the District of Columbia, to Danielle Robinette, Policy Attorney, Children’s Law Center (Dec. 15, 2021, 14:55 EST) (on file with author) (noting that the permanent version of the FY22 BSA was not effective until 11/13/21, but the Council passed an emergency version that was effective on 10/1/21 and the HHIP law was not specifically excepted from the emergency bill). the law was funded in the FY22 Budget, *see* Fiscal Year 2022 Budget Support Act of 2021, Subtitle I. Subject -to-Appropriations Repeals and Modifications, D.C. Law 24-45, § 7201, 68 DCR 010163 (Nov. 13, 2021); *see also* Council of the District of Columbia, Complete List of Legislation Passed Subject to Funding, at 20 (revised July 6, 2023), *available at*: <https://dccouncil.gov/wp-content/uploads/2023/10/2023-10-15-Subject-to-Funding-Legislation-quarterly-report.pdf>.

⁵² See D.C. Code § 38.251.02(a).

⁵³ See Office of the State Superintendent of Education, Notice of Proposed Rulemaking, 69 D.C. Reg. 011081 (Sept. 9, 2022).

⁵⁴ See Office of the State Superintendent of Education, Notice of Final Rulemaking, 70 D.C. Reg. 006851. Children’s Law Center was one of the three commenters. *See* Children’s Law Center, Comment Letter on Proposed Rulemaking for 5A DCMR Chapter 25 Students’ Right to Home and Hospital Instruction (Oct. 11, 2022) (on file with author).

⁵⁵ See OSSE, Notice of Final Rulemaking, *supra* note 51.

⁵⁶ See Office of State Superintendent of Education, *Students’ Right to Home and Hospital Instruction Act of 2020: Guidance and Procedural Manual*, (Aug. 2023) *available at*: https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/Home%20and%20Hospital%20Instruction%20Guidance%20Manual.pdf.

⁵⁷ See Office of the State Superintendent of Education, “LEA Look Forward,” (Aug. 18, 2023), *available at*: <https://us4.campaign-archive.com/?u=8d76b5a43735fbd6449d7cf3&id=7b84c7dc02#Grants>

⁵⁸ See B23-0392, the “Students’ Right to Home or Hospital Instruction Act of 2019 Joint Public Hearing Before the Comm. of the Whole and the Comm. on Educ., D.C. Council, (Oct. 21, 2019) (testimony of Charles (Buck) Logan) at 2. *Available at*: <https://childrenslawcenter.org/wp-content/uploads/2021/07/CLC-Testimony-on-HHIP-Bill-B23-392-Final.pdf>.

⁵⁹ See DC Code § 38–251.03(b)(2).

⁶⁰ District of Columbia Public Schools, Office of Teaching and Learning, Home and Hospital Instruction Program (HHIP), “No Service Form” (2023) (on file with author).

⁶¹ See DC Code § 38–251.03(a)(3).

⁶² See Office of State Superintendent of Education, *Students’ Right to Home and Hospital Instruction Act of 2020: Guidance and Procedural Manual*, *supra* note 53, at 3-4.

⁶³ Danielle Robinette, Senior Policy Attorney at Children’s Law Center, testimony before DC Council’s Committee of the Whole, (Nov. 30, 2023), *available at*: <https://childrenslawcenter.org/resources/testimony-committee-of-the-whole-public-hearing/>.

⁶⁴ Children’s Law Center, *A Path Forward – Transforming the Public Behavioral Health System for Children and their Families in the District*, (Dec. 2021) available at: https://childrenslawcenter.org/wp-content/uploads/2021/12/BHSystemTransformation_Final_121321.pdf.

⁶⁵ *Id.*, at 10.

⁶⁶ In addition to increased suicidality, the 2021 DC Youth Risk Behavior Survey (YRBS) revealed that about 12% of middle and high school students had taken prescription pain medicine without a prescription. Over 19% of middle school students and over 25% of high schoolers reported that their mental health was not good most of the time, or always (including stress, anxiety, and depression). One-fifth (20%) of high school students went without eating for 24 hours or more to lose weight or to keep from gaining weight. In the general population, only 20% of children with a behavioral health disorder will ever receive care from a specialized provider. The unmet need is worse for children of color. See OSSE, *2021 DC YRBS Middle School Trend Analysis Report*, QN29, p. 8, QN62, p. 17, available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2021DCBM%20Trend%20Report.pdf; OSSE, *2021 DC YRBS High School Trend Analysis Report*, QN49, p. 14, QN106, p. 32, available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2021DCBH%20Trend%20Report.pdf; American Academy of Child and Adolescent Psychiatry, *Best Principles for Integration of Child Psychiatry into the Pediatric Health Home*, (June 2012), available at: https://www.aacap.org/App_Themes/AACAP/docs/clinical_practice_center/systems_of_care/best_principles_for_integration_of_child_psychiatry_into_the_pediatric_health_home_2012.pdf; Vikki Wachino, et al., *The Kids Are Not All Right: The Urgent Need to Expand Effective Behavioral Health Services for Children and Youth*, USC-Brookings Schaeffer on Health Policy (December 22, 2021), available at: <https://www.brookings.edu/blog/usc-brookings-schaeffer-on-health-policy/2021/12/22/the-kids-are-not-all-right-the-urgent-need-to-expand-effective-behavioral-health-services-for-children-and-youth/>.

⁶⁷ See Christopher A Kearney, et al., *School Attendance Problems and Absenteeism as Early Warning Signals: Review and Implications for Health-Based Protocols and School-Based Practices*, 8 *Frontiers in Educ.*, at 4 (Aug. 30, 2023), available at: <https://www.frontiersin.org/articles/10.3389/feduc.2023.1253595/full> (citing David Lawrence, et al., *Impact of Mental Disorders on Attendance at School*, 63.1 *Austl. J. of Educ.* 5 (Mar. 14, 2019), available at: <https://journals.sagepub.com/doi/full/10.1177/0004944118823576>).

⁶⁸ See *id.*, at 9.

⁶⁹ Strengthening Families through Behavioral Health Coalition, *How Does School-Based Behavioral Health Work?*, <https://www.strengtheningfamiliesdc.org/how-does-sbbh-work>.

⁷⁰ Coordinating Council slides, January 16, 2024

⁷¹ Rachel Metz, *DC Must Continue Tackling the Youth Mental Health Crisis*, DC Action for Children Blog (Aug. 21, 2023), available at: <https://www.wearcdaction.org/blog/dc-must-continue-tackling-youth-mental-health-crisis>.

⁷² DBH Coordinating Council on School Behavioral Health slides, presented May 15, 2023, on file with the Children’s Law Center.

⁷³ School Behavioral Health Expansion Evaluation, *Summary of Findings from SY 2021-2022: Providing Multi-tiered Support for Behavioral Health*, Child Trends and DC Department of Behavioral Health, 2023, obtained via the Freedom of Information Act.

⁷⁴ Strengthening Families through Behavioral Health Coalition, Letter to Mayor Bowser (Dec. 1, 2023), available at: <https://static1.squarespace.com/static/61fc198478b173509177a060/t/659eb6ec4f60b73a019c67db/1704900332399/SFC+FY25+Letter+to+Mayor+Bowser+Dec+2023.pdf>.

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- ⁷⁵ See e.g., OSSE, *District of Columbia Attendance Report: 2022-23 School Year*, *supra* note 7, Figure C.4 at 39, Figure C.5 at 32.
- ⁷⁶ See *id.*, at Figure C.10 at 42 (percentage calculated by adding percentages for moderate, severe, and profound chronic absence).
- ⁷⁷ See *id.* (calculated by dividing the rate of profound chronic absence for students under care of CFSA by that for students not under the care of CFSA).
- ⁷⁸ See Students in the Care of the District of Columbia Working Group, *Students in the Care of the District of Columbia: Working Group Recommendations*, at 37 (July 18, 2018), available at: <https://www.scribd.com/document/384151747/Students-in-the-Care-of-the-District-of-Columbia-Working-Group-Recommendations-July-18-2018>.
- ⁷⁹ DC Act 22-640, available at: <https://lms.dccouncil.gov/Legislation/B22-0950>. Council passed the Act on December 18, 2018, and it became effective on April 11, 2019. The Act was funded through the Fiscal Year 2020 Local Budget Act of 2019 (See DC Council, “Currently Unfunded Laws – Legislation Passed Subject to Funding,” at 38, available at: <https://dccouncil.gov/wp-content/uploads/2023/07/2023-7-15-Subject-to-Funding-Legislation-quarterly-report.pdf>).
- ⁸⁰ *Id.* Sec. 3 (d).
- ⁸¹ Office of the Deputy Mayor for Education, Responses to FY22 Performance Oversight Questions, at 17, available at: https://dccouncil.gov/wp-content/uploads/2021/03/DME_FY20-Performance-Oversight-Responses_FINAL.pdf.
- ⁸² DC Act 22-640 Sec. 4(b)(1).
- ⁸³ See, e.g., Mayor Muriel Bowser, *Letter of Introduction for PR-24-0938 Students in the Care of D.C. Coordinating Committee Claire Blumenson Confirmation Resolutions of 2022* (Sept. 19, 2022), available at: <https://lms.dccouncil.gov/downloads/LIMS/51285/Introduction/PR24-0938-Introduction.pdf?Id=145839>
- ⁸⁴ See DC Council Committee of the Whole, Report on PR 25-389, the “Students in the Care of D.C. Coordinating Committee Nickie Cardamone Confirmation Resolution, Table A (Nov. 7, 2023), available at: https://lms.dccouncil.gov/downloads/LIMS/53855/Committee_Report/PR25-0389-Committee_Report1.pdf?Id=182832.
- ⁸⁵ See Office of the Deputy Mayor for Education, Responses to FY23 Performance Oversight Questions, at 34, available at: <https://lms.dccouncil.gov/Hearings/hearings/244>
- ⁸⁶ See Child and Family Services Agency, “Educational Supports for Students in Foster Care,” at slide 3 (Apr. 15, 2019), available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/service_content/attachments/CFSA%20Community%20Schools%20-%20April%2015%202019.pdf.
- ⁸⁷ Juvenile Law Center, et al., *Credit Overdue: How States Can Mitigate Academic Credit Transfer Problems for Youth in the Juvenile Justice System*, 14 (Oct. 8, 2020), available at https://www.splcenter.org/sites/default/files/credit_overdue.pdf (hereinafter cited as “*Credit Overdue*”)
- ⁸⁸ See Interagency Working Group on Youth Programs, youth.gov, “How Mental Health Disorders Affect Youth,” available at: https://youth.gov/youth-topics/youth-mental-health/how-mental-health-disorders-affect-youth#_ftn
- ⁸⁹ B23-0921, available at: <https://lms.dccouncil.gov/Legislation/B23-0921>.
- ⁹⁰ See Danielle Robinette, Children’s Law Center, Testimony before the DC Council’s Committee of the Whole and Committee Education, (Nov. 24, 2020), available at: <https://childrenslawcenter.org/resources/testimony-education-and-credit-continuity-amendment-act-2020/>.
- ⁹¹ Members of ad hoc group included DME, OSSE, PCSB, DCPS, Department of Corrections, DYRS, CFSA, the DC Public Defender Service, Children’s Law Center, and School Justice Project.

⁹² See generally Susan F. Cole, et al., “Creating and Advocating for Trauma-Sensitive Schools,” Trauma and Learning Policy Initiative (2013), available at: <https://traumasensitiveschools.org/wp-content/uploads/2013/11/HTCL-Vol-2-Creating-and-Advocating-for-TSS.pdf>.

⁹³ Id. at 19.

⁹⁴ Office of the State Superintendent, *State of Discipline*, (June 2023), available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2021-22%20Discipline%20Report_2.pdf.

⁹⁵ DC Law 22-157.

⁹⁶ Danielle Robinette, Children’s Law Center, Testimony before the District of Columbia Council Committee on Judiciary and Public Safety, (Feb. 2, 2022), available at: https://childrenslawcenter.org/wp-content/uploads/2022/02/CLC-Testimony_Special-Education-Roundtable-2.2.22_Final.pdf; Sharra E. Greer, Children’s Law Center, testimony before DC Council’s Committee of the Whole, (Mar. 9, 2021), available at: <https://childrenslawcenter.org/resources/oversight-testimony-education-agencies/>.

⁹⁷ DC Code § 38-236.01(3), (10).

⁹⁸ DC Office of the Ombudsman for Public Education, *2022 Annual Report*, at 23 (Oct. 1, 2022) available at: <https://educationombudsman.dc.gov/sites/default/files/dc/sites/educationombudsman/DCO%202022%20Annual%20Report%20%282%29.pdf>

⁹⁹ Id., at 24

¹⁰⁰ Id.

¹⁰¹ See e.g., OSSE, *District of Columbia Attendance Report: 2022-23 School Year*, *supra* note 7, at Appendix B. See also Office of Superintendent of Schools, *District of Columbia Attendance Report: 2021-22 School Year*, available at: <https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2021-22%20Attendance%20Report%20%28Nov%2028%202022%29.pdf>; Office of Superintendent of Schools, *District of Columbia Attendance Report: 2020-21 School Year*, available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2020-21%20Attendance%20Report_FINAL.pdf

¹⁰² See Valerie L. Marsh, *Understanding Chronic Absenteeism: What Research Tells Us about Poor Attendance at School*, American Federation of Teachers (AFL-CIO) (Winter 2019–2020) available at: <https://www.aft.org/ae/winter2019-2020/marsh>.

¹⁰³ Id.

¹⁰⁴ See Office of the State Superintendent of Education, *District of Columbia Attendance Report: School Year 2021-22*, at 21 (Nov. 30, 2022), available at: <https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2021-22%20Attendance%20Report%20%28Nov%2028%202022%29.pdf>.

¹⁰⁵ Josh Weber & Rebecca Cohen, *Rethinking the Role of the Juvenile Justice System: Improving Youth’s School Attendance and Educational Outcomes*, at 9-10, The Council of State Governments Justice Center (Sept. 2020), available at: https://csgjusticecenter.org/wp-content/uploads/2020/09/CSG_RethinkingtheRoleoftheJuvenileJusticeSystem_15SEPT20.pdf.

¹⁰⁶ Former Attorney General Racine recognized that “prosecuting children or their parents long after children have started missing school is not a particularly effective means of improving attendance.” (Dana Edwards, Office of the Attorney General for the District of Columbia, Testimony Before the Council of the District of Columbia, Comm. of the Whole, Public Roundtable on Attendance, Chronic Absenteeism, and Truancy in the District (Nov. 30, 2022), available at: <https://oag.dc.gov/release/oag-testimony-attendance-chronic-absenteeism-and#:~:text=Under%20Attorney%20General%20Racine's%20leadership,causing%20kids%20to%20miss%20school>). In response, OAG “shifted to using prosecution as a last resort, and OAG now looks for

proactive approaches to reduce truancy—approaches that address the actual barriers that are causing kids to miss school.” Id. This strategy is consistent with trends seen across the country where jurisdictions are moving away from punitive attendance policies in favor of systems that offer wraparound services to students facing barriers. See Phyllis Jordan & Hedy Chang, *State Strategies for Fighting Chronic Student Absenteeism* (Aug. 23, 2023), available at: <https://www.future-ed.org/state-strategies-for-fighting-chronic-student-absenteeism/>. A national review of attendance-related legislation found that: “With no evidence that punishing students for missed days leads to better attendance, some states are scaling back their punishments and moving toward more holistic approaches to reducing absenteeism. Texas, which in the past treated truancy as a criminal offense, decriminalized it in 2015 and required districts to provide behavior improvement plans, school-based community service, or counseling referrals. Ohio in 2016 required districts to provide truancy intervention plans. California in 2020 made it harder to send truant students to juvenile court.” Josh Weber & Rebecca Cohen, *Rethinking the Role of the Juvenile Justice System: Improving Youth’s School Attendance and Educational Outcomes*, at 9-10, The Council of State Governments Justice Center, (Sept. 2020), available at: https://csgjusticecenter.org/wp-content/uploads/2020/09/CSG_RethinkingtheRoleoftheJuvenileJusticeSystem_15SEPT20.pdf

¹⁰⁷ See Casey Family Programs, *Issue Brief: How does investigation, removal, and placement cause trauma for children?* (Updated May 2018), available at: https://www.casey.org/media/SC_Investigation-removal-placement-causes-trauma.pdf.

¹⁰⁸ See Office of State School Superintendent, Responses to FY22 Performance Oversight Questions, Answer to Q20, available at: https://dccouncil.gov/wp-content/uploads/2023/02/CFSA-FY22-Performance-Oversight-Hearing-Pre-Hearing-Responses-to-Questions_2-17-2023-FINAL-1.pdf.

¹⁰⁹ See Dorothy Roberts, TORN APART: HOW THE CHILD WELFARE SYSTEM DESTROYS BLACK FAMILIES – AND HOW ABOLITION CAN BUILD A SAFER WORLD, 168 (2022) (citing Kelley Fong, *Getting Eyes in the Home: Child Protective Services Investigations and State Surveillance of Family Life*, 84.4 AM. SOCIOLOGICAL REV. 610, 620 (Aug. 2020)). The primary function of child welfare agencies like CFSA is to receive and investigate reports of child abuse or neglect and, when necessary, to provide safe out-of-home care for a child removed from their family. See Child and Family Services Agency, “About CFSA,” available at: <https://cfsa.dc.gov/page/about-cfsa>. Although CFSA may be able to refer families with attendance concerns to other services and programs (if schools provide sufficient information and detail in their referral), the Agency typically does not assign a social worker or offer case management without substantiating an allegation of abuse or neglect against the parents.

¹¹⁰ The 211 Warmline, which soft launched in October 2023, is a partnership between CFSA and the Office of Unified Communications (OUC) to serve as the District’s unified social service resource and referral line. See Child and Family Services Agency Presentation, on file with the Children’s Law Center.