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Testimony Before the District of Columbia Council
Committee of the Whole
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Public Hearing:
B26-0403, the Education Continuity for Students in the Care of D.C. Amendment Act of 2025

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Introduction

Good morning, Chairman Mendelson, members of the Committee, and staff. My name is Danielle Robinette, and I am a Senior Policy Attorney at Children's Law Center. 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 regarding Bill 26-0403, the Education Continuity for Students in the Care of D.C. Amendment Act of 2025. Children's Law Center attorneys serve as *guardians ad litem* (GALs) for children in the care and custody of CFSA.¹ Currently, we represent approximately half the children involved with CFSA – several hundred children in foster care and protective supervision each year.² Through this work, we regularly see children in foster care fall through the cracks of DC's education system.

Students in care³ are highly mobile, meaning that they change schools often due to changes in residence.⁴ With each school transition, their education is disrupted and they become less likely to graduate on time, or at all. This is not an inevitable consequence. DC's current system is unreliable and often leaves students in limbo. Poor inter-agency coordination and failure to plan for known placement changes creates additional barriers that undermine school engagement. B26-0403 seeks to address these barriers by creating a more robust support system

for students in the care of DC. This legislation is long overdue. For years, the District has acknowledged that we are not doing enough for students in care.⁵ While much has been discussed in various work groups and committees, little has been changed to improve the system. We urge the Council to avoid further delay in advancing the present legislation. The District cannot continue to kick the can down the road while students in care navigate the maze of unreliable and unenforceable bureaucratic processes.

Students in Care Routinely Face Educational Disruptions as a Result of Placement Changes

Students in care move frequently – between foster homes in and outside of DC, to psychiatric residential treatment facility (PRTF), to residential treatment centers (RTC), or other out-of-state alternatives. Placement instability is a chronic issue for DC foster youth. In FY25 alone, 234 youth (46%) in CFSA care experienced at least one placement change.⁶ Of those, 109 were of compulsory school age (5-17).⁷ Shockingly, 66 youth (13%) experienced 5 or more placement changes in a single year; 48 were school-aged.⁸ Moreover, CFSA’s placement change data does not include instances in which a child in care remains in a hospital or residential treatment facility past the discharge date due to difficulty finding a placement; when a client sleeps at CFSA’s offices; or when a client is placed at the Sasha Bruce homeless shelter.⁹

With each placement change, there is a risk of educational disruption. While foster youth are entitled to remain in their school of origin, school changes are common. For SY24-25, CFSA reported that 121 youth started the year at a new school and another 37 students changed schools during the school year.¹⁰ These transitions are further complicated by DC’s porous borders and the fact that nearly 50% of DC foster youth are placed in Maryland.¹¹ For FY25, CFSA reported 70 youth enrolled in either Prince George’s County Public Schools (44) or public schools in other

surrounding counties/state (26).¹² For any student, changing schools – especially in the middle of a school year – is highly disruptive to educational progress.

Education research has long discussed the connections between school mobility and negative outcomes for students.¹³ Not only do school changes sever relationships with teachers and peers, but disruptions are compounded by the administrative milieu of these transitions. “For example, when children switch schools, it takes time for the schools to acquire student records [...]. There may also a discontinuity in learning environments, goals, and assessments between the old and new school. This can make it difficult to catch up on coursework both because students have to learn about the new expectations for academic performance and behavior at the school, but also because students may miss learning about key concepts in the time lost between transitions.”¹⁴ This disruption is not trivial. Changing schools during high school was found to increase dropout rates by between 6 and 9%.¹⁵ For DC foster youth, graduation rates are concerningly low. Of the cohort of students who started 9th grade in SY21-22, children in foster care were significantly less likely to graduate in four (24.3%) or five (30.8%) years as compared to the rates for all students (78.7% and 80.2%, respectively).¹⁶

Understandably, priority is placed on ensuring youth are safe while educational needs often fall to the wayside. For years, District agencies have long acknowledged that students in care have unique educational needs that deserve attention.¹⁷ However, little has been done to meaningfully change to status quo. Frustratingly, it seems that the District has accepted educational disruption as an unavoidable reality for students in care. A 2020 report by the Juvenile Law Center noted that “the systemic problems that prevent youth from receiving

academic credit for completed work can only be addressed through significant systemic reforms.”¹⁸

The District Fails to Adequately Support the Educational Needs of Students in Care

Experience in foster care engenders countless challenges for children and families. However, the dismal graduation rates reflect more than the tumultuous realities of students in care. Current District practices create barriers that impede academic progress and undermine school engagement. As was the case in 2020, the education of students in care is governed by a series of Memoranda of Agreement (MOAs) between different networks of government agencies.¹⁹ As we shared in our testimony on B23-0921, we find in our cases that these MOAs are not routinely followed and are not enforceable. Moreover, even if these agreements were followed and enforced with fidelity, there are gaps in the patchwork that fail to anticipate the full array of placement and school changes that students in care regularly experience.

For example, when a student in CFSA care is expected to be discharged from a psychiatric residential treatment facility (PRTF) or a residential treatment center (RTC), the relevant MOA requires DC Public Schools (DCPS) to “convene a meeting to ensure an appropriate educational placement is identified prior to the student’s discharge.”²⁰ Even if this requirement were met, and in our experience it often is not, the MOA does not ensure that anyone is responsible for enrolling the youth in the identified appropriate placement. For students exiting a PRTF or RTC, it is unlikely that a traditional public school will be an appropriate educational placement. These students will need a therapeutic placement or a nonpublic special education school. For many such facilities, applications must come from the student’s current Local Education Agency (LEA). Per the relevant MOA, DCPS is the LEA for foster youth in residential treatment facilities.²¹

However, in practice we have found that DCPS does not consistently or timely meet its obligation to process these applications. As a result, students discharged from PRTFs or RTCs frequently experience significant delays in accessing appropriate educational services.

Such delays have lasting negative effects on the academic and behavioral health outcomes of these students. For example, a twelve-year-old client spent 22 months in a PRTF. Per the relevant MOA, DCPS was responsible for monitoring her education while she was placed at an out-of-state facility. Despite DCPS's participation in several transition planning meetings during the six months prior to the student's discharge, DCPS failed to establish an appropriate school placement for the student whose Individualized Education Program (IEP) required a therapeutic day school. The student's GAL sent requests and offers of assistance to DCPS; however, DCPS did not timely submit the application, and this student was without a school placement of any kind for almost two months. This deprivation of educational and behavioral health services contributed to the child's destabilization. They suffered several mental health crises which ultimately resulted in a stay at a psychiatric hospital.

In another case, DCPS was given four months' notice that transfer to a new PRTF was required. Yet, they failed to identify a new treatment facility prior to discharge. As a result, the student was out of school for five months. Without a new educational placement, there was nowhere to transfer records, and the student received no credit for any coursework completed at the previous placement; losing an entire year of high school. Despite DCPS's agreed-upon obligations,²² the relevant MOA does not include any sort of enforceability mechanism by which to hold DCPS accountable for their inaction.

Additionally, the current system lacks a uniform procedure for transcript evaluations which leads to arbitrary decisions regarding how coursework is to be credited. While the relevant MOA designates DCPS as the oversight body for children and youth attending public schools outside of the District, their proactive obligations are limited to specific subsets of students.²³ For example, the MOA requires DCPS to conduct a transcript evaluation for high-school-aged students who return from RTCs, PRTFs, and nonpublic day schools.²⁴ However, there is no similar obligation for students in care returning from an out-of-state public school;²⁵ this is particularly concerning given the scores of DC foster youth attending public schools in neighboring jurisdictions. Similarly, DCPS is only required to obtain and review records for students in out-of-state public schools if they receive IEP or 504 services.²⁶ For all other students in care attending an out-of-state public school, the MOA is silent.

In 2020, I testified about a twenty-year-old client who was a high school senior. While in foster care, this student attended 3 comprehensive high schools, 2 nonpublic schools in Maryland, and 2 opportunity academies. With each school transfer, several completed classes were credited as general electives, rather than as the relevant course equivalent. To progress toward graduation, the student had to retake multiple course – most notably, taking and passing Spanish 1 three times. Under the relevant MOA, only two of the six school changes required the LEA to conduct a transcript evaluation. The GAL repeatedly asked DCPS to audit all the student’s transcripts and to apply completed coursework toward the graduation requirements. Ultimately, neither the student nor the GAL were provided with an explanation of how or why credits were evaluated with each school change.

Today, nearly six years later, my colleague Megan Conway will share similar client stories.²⁷ Under the current system, students in care are made to either fight for evaluations and credit or submit to the whims of their new school. Even with the support of GALs and court-appointed education attorneys, students are enrolled in the wrong classes; lose credit for completed coursework; and are made to repeat courses they have already passed. For students in care who frequently change schools, the sum of these bureaucratic challenges leads to disengagement from school or dropping out. The District must do better.

Understandably, ensuring safety is the first priority for youth in CFSA care. However, we cannot continue to allow their educational needs to fall to the wayside. For years, District agencies have acknowledged that students in care have unique educational needs that deserve attention.²⁸ However, little has been done to meaningfully change to status quo. Frustratingly, it seems that the District has accepted educational disruption as an unavoidable reality for students in care.

B26-0403 Addresses Gaps in the Current System Through Intentional Planning and Predictable Processes

In 2020, the Juvenile Law Center published a report and recommendations for how states can mitigate the credit transfer issues faced by youth in care. The report noted that “the systemic problems that prevent youth from receiving academic credit for completed work can only be addressed through significant systemic reforms.”²⁹ The legislation before the Committee today seeks to provide precisely this sort of systemic overhaul.

B26-0403, the Education Continuity for Students in the Care of D.C. Amendment Act of 2025 seeks to create a framework by which relevant agencies can better support the District’s most vulnerable students.³⁰ Moreover, the bill aligns with the recommendations made by the Juvenile

Law Center. This includes the formalization of roles dedicated to coordinating educational transitions and a requirement of inter-agency cooperation to facilitate the transmission of records that are required for students to enroll in a new school.³¹ The bill would also require OSSE to develop, publish, and regularly update a general course catalogue and course equivalency table that would serve as a rubric by which evaluators could interpret and apply credits.³² From there, LEAs would be required to adopt a uniform procedure for evaluating transcripts of coursework completed elsewhere.

Additionally, the legislation seeks to address the issue of credit loss that occurs when a school refuses to award partial credits. When a student's placement at a PRTF or in a secure facility is less than a full school year, the student's new school may not award any credit for the coursework completed at the temporary placement. As such, the coursework that the student completed is not credited toward graduation and a student will have to repeat a course that they have already taken and passed. By requiring that LEAs grant partial credits and that the credits be applied to the nearest applicable graduation requirement, this section of the bill ensures that students in care are not made to repeat courses again and again.³³ Cumulatively, the implementation of these changes would address many of the systemic credits issues faced by students in care by creating a process that is predictable and uniformly applied.

Legislation to Strengthen Educational Continuity for Students in Care Is Long Overdue

Today's hearing is the culmination of years of work to address educational barriers faced by DC students involved in the child welfare and/or juvenile criminal legal systems. In November 2020, this Committee held a joint hearing on B23-0921, the Education and Credit Continuity Amendment Act of 2020.³⁴ Like the present legislation, B23-0921 sought to address inadequacies

under the series of Memoranda of Agreement (MOAs) that currently govern the education of students in care.³⁵ During that hearing, the government witnesses acknowledged various gaps or obstacles in the current system.³⁶ However, they each asked the Council for more time to leverage SCDC to coordinate the relevant stakeholders and develop solutions for students in care.³⁷

Despite arguments that the SCDC Coordinating Committee was the better venue for this work, the group was unable to meet for years because they could not establish a quorum. The Mayor did not submit nominations to the Council until September 19, 2022.³⁸ Of course, the onset of the COVID-19 pandemic could explain some delay in the Executive's ability to stand up SCDC. However, it would be unreasonable to blame the pandemic for the full 33-month delay between the hiring of SCDC's first Executive Director and the first set of nominations to the SCDC Coordinating Committee. During this period of delay, an *ad hoc* working group of public and private partners³⁹ met to draft improved legislation to address the needs of students in care as it relates to transfer of educational records, course credits, and data sharing. However, after this working group sent its draft to the DME, no further action was taken to advance that version of the legislation. More than a year of work was shelved indefinitely.

After this, the role of Executive Director of SCDC sat vacant for nearly a year and, thus, no progress was made. Once a new Director was hired, the Coordinating Committee held its inaugural meeting in November 2024. In its first year of work, the Coordinating Committee developed several recommendations to improve education for students in care – including an updated version of B23-0921. However, before the final vote on which recommendations to include in the Coordinating Committee's first annual report, the revised legislation was removed from the list of recommendations to be voted on by members. Instead, in March 2026, members

voted to approve an annual report that contained several recommendations related to educational continuity for students in care but did not include the revised legislation developed by the group. This final report was finally transmitted to the Council on June 25, 2026.

While agencies and advocates have struggled to coordinate, students in the care of DC continued to suffer educational disruptions. The Education Continuity for Students in the Care of D.C. Amendment Act of 2025 provides a framework that will undoubtedly need to adapt over time to meet the needs of a unique population of students. Going forward, SCDC can and should continue to identify concerns faced by students in care and to recommend legislative and policy changes to better support this population.

As the District continues a broader conversation about supporting teens and older youth, the present legislation serves as a crucial tool to bolster school engagement among a population furthest from opportunity. This work will require a careful balance between the unique needs of students in care and the pragmatic realities of schools. Ultimately, we want legislation that creates a workable system. Reasonable amendments to the current version of the bill may be necessary. However, we urge the Committee to stay focused on the central goals: 1) minimizing educational disruption during school changes, 2) ensuring students receive credit for completed coursework, and 3) facilitating collaboration among the agencies responsible for the wellbeing and education of students in care.

Thank you, and I welcome any questions.

¹ Children’s Law Center attorneys represent children who are the subject of abuse and neglect cases in DC’s Family Court. CLC attorneys fight to find safe homes and ensure that children receive the services they need to overcome the trauma that first brought them into the child welfare system. DC Children’s Law Center, About Us, available at: <https://www.childrenslawcenter.org/content/about-us>. The term “protective supervision” means a legal status created by Division order in neglect cases whereby a minor is permitted to remain in his home under supervision, subject to return to the Division during the period of protective supervision. D.C. Code § 16-2301(19).

² See DC Children’s Law Center, About Us, available at: <https://www.childrenslawcenter.org/content/about-us>.

³ DC Code § 2-1599.01 defines “Students in the Care of D.C.” to mean “District residents under 25 years of age who are incarcerated or detained by, committed to and under the custody of, or otherwise under the supervision of, the: (A) Department of Youth Rehabilitation Services; (B) Court Services and Offender Supervision Agency; (C) Pretrial Services Agency for the District of Columbia; (D) Family Court Social Services Division; (E) Child and Family Services Agency; (F) Department of Corrections; or (G) Federal Bureau of Prisons.”

⁴ See United States Department of Education, Office of Special Education and Rehabilitative Services, “Letter to State Directors of Special Education on Ensuring a High-Quality Education for Highly Mobile Children.” OSEP Policy Support 22-02 (November 10, 2022), available at: <https://sites.ed.gov/idea/idea-files/letter-to-state-directors-of-special-education-on-ensuring-a-high-quality-education-for-highly-mobile-children-november-10-2022/>.

⁵ See e.g., Students in the Care of the District of Columbia Working Group, “Working Group Recommendations” (July 2018), available at: https://dme.dc.gov/sites/default/files/dc/sites/dme/page_content/attachments/SCDC%20Working%20Group%20Recommendations.pdf.

⁶ Tanya Torres Trice, Child and Family Services Agency, “Performance Oversight Hearing Fiscal Year 2025-2026: Responses to Pre-Hearing Questions,” Q130, p. 204, 183, available for download at: <https://lms.dccouncil.gov/Hearings/hearings/2122>.

⁷ Id.

⁸ Id.

⁹ Compare Tanya Torres Trice, Child and Family Services Agency, “Performance Oversight Hearing Fiscal Year 2025-2026: Responses to Pre-Hearing Questions,” *supra* note 6 at Q130, p. 204 with Internal Children’s Law Center Data Collection, “GAL Deep Dive,” October 1, 2024, through September 30, 2025 (on file with author).

¹⁰ Tanya Torres Trice, Child and Family Services Agency, “Performance Oversight Hearing Fiscal Year 2025-2026: Responses to Pre-Hearing Questions,” *supra* note 6 at Q69, p. 120.

¹¹ Compare the average number of youth served by CFSA out of their home in FY25 (572), see CFSA Data Dashboard, Total Children and Families Served in Foster Care, available at: <https://cfsadashboard.dc.gov/page/total-children-and-families-served-foster-care>, with the Total Unique Children Placed with PSI in FY25 (35) and the Total Unique Children Placed with NCCF in FY25 (249), see Tanya Torres Trice, Child and Family Services Agency, “Performance Oversight Hearing Fiscal Year 2025-2026: Responses to Pre-Hearing Questions,” *supra* note 6 at Q125a, Q128a, pg. 179, 183, (Calculation: $35 + 249 = 284$; $284 / 572 = 0.4965 \times 100 = 49.65\%$).

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- ¹² Tanya Torres Trice, Child and Family Services Agency, “Performance Oversight Hearing Fiscal Year 2025-2026: Responses to Pre-Hearing Questions,” *supra* note 6 at Q150h, p. 241.
- ¹³ See e.g., Joseph Gasper, et al., “Switching Schools: Reconsidering the Relationship Between School Mobility and High School Dropout,” 49(3) Am. Educ. Res. J. 487 (Jun. 2012), available at: https://krieger.jhu.edu/sociology/wp-content/uploads/sites/28/2012/02/Switching-High-Schools_Reconsider-Reconsidering-the-Relationship-between-School-Mobility-and-Dropout.pdf.
- ¹⁴ *Id.*, at 492.
- ¹⁵ *Id.*, at 512.
- ¹⁶ See DC School Report Card, DC Overall, Graduation, available at: <https://schoolreportcard.dc.gov/state/report#measure-109> (comparing 4-Year and 5-Year Graduation Rate (2021-22 First Ninth Grade Year) for Children in Foster Care) (last accessed July 6, 2026).
- ¹⁷ See e.g., Students in the Care of the District of Columbia Working Group, “Working Group Recommendations” *supra* note 5, at 5-6.
- ¹⁸ Juvenile Law Center, et al., *Credit Overdue: How States Can Mitigate Academic Credit Transfer Problems for Youth in the Juvenile Justice System*, p. 21 (October 8, 2020), available at: https://www.splcenter.org/sites/default/files/credit_overdue.pdf.
- ¹⁹ See “Memorandum of Agreement Between the Office of the State Superintendent of Education, the Department of Youth Rehabilitation Services, and the District of Columbia Public Schools Related to: Educational Services for Youth Committed to and/or in the custody of the Department of Youth Rehabilitation Services,” (2021), available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/MOA%20for%20Education%20Services%20for%20Youth%20Committed%20to%20or%20in%20the%20Custody%20of%20DYRS.pdf; see also “Memorandum of Agreement Between the District of Columbia Department of Corrections (DOC), the See Forever Foundations, and District of Columbia Office of the State Superintendent of Education (OSSE) Related to: Educational Services for Pretrial Residents Incarcerated at DOC Detention Facilities,” (2023), available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/OSSE%20DOC%20SFF%20MOA%20fully%20executed%2012.20.23.pdf and “Memorandum of Agreement (MOA) Between The Office of the State Superintendent of Education (OSSE), The District of Columbia Public Schools (DCPS), And The District of Columbia Child and Family Services Agency (CFSA) Related to the Provision of Specialized Education Services for Children and Youth in care and custody of the Child and Family Services Agency,” (2017), available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/MOA%20for%20Education%20Services%20for%20Children%20and%20Youth%20Committed%20to%20the%20Child%20and%20Family%20Services%20Agency%20%28CFSA%29_0.pdf.
- ²⁰ “MOA Between OSSE, DCPS, and CFSA Related to the Provision of Specialized Education Services for Children and Youth in care and custody of the Child and Family Services Agency,” at § V.A.5, p. 6 (2017), available at: https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/MOA%20for%20Education%20Services%20for%20Children%20and%20Youth%20Committed%20to%20the%20Child%20and%20Family%20Services%20Agency%20%28CFSA%29_0.pdf.
- ²¹ See *id.*, at § V.A, p. 5-6.
- ²² See *id.*, at § V.A.5, p. 6.
- ²³ See *id.*, at § IV.B, p. 4.
- ²⁴ See *id.*, at § IV.B, p. 4-5.
- ²⁵ See *id.*, at § V.A.6, p. 6.

²⁶ Id., at § IV.B.2, p. 4.

²⁷ See Megan Conway, Children’s Law Center, Testimony before the DC Council’s Committee of the Whole, Public Hearing on B26-0403 the Education Continuity for Students in the Care of DC Amendment Act of 2025 (July 6, 2026), available at: <https://lims.dccouncil.gov/Hearings/hearings/2340>.

²⁸ See e.g., Students in the Care of the District of Columbia Working Group, “Working Group Recommendations” *supra* note 5, at 5-6.

²⁹ Juvenile Law Center, et al., *Credit Overdue: How States Can Mitigate Academic Credit Transfer Problems for Youth in the Juvenile Justice System*, 21 (October 8, 2020), available at: https://www.splcenter.org/sites/default/files/credit_overdue.pdf.

³⁰ B26-0403, the Education Continuity for Students in the Care of D.C. Amendment Act of 2025, available at: <https://lims.dccouncil.gov/Legislation/B26-0403>.

³¹ B26-0403, at line 114-238.

³² B26-0403, at line 241-52.

³³ B26-0403, at line 272-96.

³⁴ B23-0921, the Education and Credit Continuity Amendment Act of 2020, available at: <https://lims.dccouncil.gov/Legislation/B23-0921>.

³⁵ See Danielle Robinette, Children’s Law Center, Testimony before the DC Council’s Committee of the Whole and Committee Education, Joint Public Hearing (Nov. 24, 2020), available at: <https://childrenslawcenter.org/resources/testimony-education-and-credit-continuity-amendment-act-2020/>.

³⁶ See Testimony Before DC Council, Committee of the Whole and Committee Education, Joint Public Hearing, (Nov. 24, 2020), recording available at: https://dc.granicus.com/player/clip/5938?view_id=2&redirect=true (focusing on testimony of Shana Young, Interim State Superintendent of Education, Office of the State Superintendent of Education, at 01:51:22, 1:55:54; LaShunda Hill, Executive Director, Office of Students in the Care of DC, Office of the Deputy Mayor for Education, at 1:59:26; and Adam Aljoburi, Chief of Staff, Department of Youth Rehabilitation Services at 2:05:57, 2:08:21).

³⁷ See *id.*, Shana Young (OSSE) at 1:55:58; LaShunda Hill (SCDC/DME) at 2:02:38-2:02:50; and Adam Aljoburi (DYRS) at 2:06:05, 2:07:31.

³⁸ 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://lims.dccouncil.gov/downloads/LIMS/51285/Introduction/PR24-0938-Introduction.pdf?Id=145839>

³⁹ 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.