

## Karen B. Salmon, Ph.D. State Superintendent of Schools

BILL: House Bill 258 DATE: January 20, 2021

**SUBJECT:** State Child Welfare System – **COMMITTEE:** Ways & Means

Reporting

**POSITION:** Information Only

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## **EXPLANATION:**

The Maryland State Department of Education (MSDE) is providing information for consideration regarding **House Bill (HB) 258** – *State Child Welfare System* – *Reporting*, which requires the MSDE to develop and submit a report by December 1 of each year on several data elements that are not currently reported including, but not limited to: the stability of school placements, the number of children with individualized education plans, the number of children with a plan under Section 504 of the Federal Rehabilitation Act, the number of children who have been retained in a grade (disaggregated by grade), the number of children who graduate from high school, dropout rates, the number of children who are truant, rates of absenteeism, rates of suspension, rates of expulsion, and the number of school-based arrests. The scope of the request will require additional resources to write code to extract data, generate reports, and support local school systems in implementing changes that will be needed for local school system reports to the MSDE.

House Bill 258 also seeks information regarding, "children and foster youth in the State child welfare system." The MSDE has data on children in foster care as defined by federal law. This may not include children in the, "State child welfare system" but not captured under the federal definition. In the federal definition, a "y" or an "n" indicates that the student is in foster care. Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and preadoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal, or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (45 C.F.R. § 1355.20(a)

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Many of the data elements included in HB 258 are currently available on the Maryland Report Card website and are disaggregated at the State, school system, and school levels by foster status, per the federal definition. These data elements include attendance, student mobility, graduation, and dropout data. HB 258 would require that some data be available for students that are in more than one student group, e.g. foster care and students with disabilities.

In the publicly available data for students receiving special services, students in foster care are included. However, an actual number of students in foster care is not provided for any Maryland public school, due to data suppression requirements that protect student privacy. HB 258 seeks a count of the number of children in foster care that would be fewer than the number in any one school, making it unlikely that any of the data sought could be publicly released.

Each local school system maintains its own student information system (SIS) and sends certain data elements to the MSDE for each student. These SISs currently send foster status for each student to the MSDE but do not provide further information about student involvement in the state child welfare system. Unique protocols for the transmission of these data would therefore be required. The MSDE would need to develop the protocol standards, convey those standards to local school systems, and work with local school systems to ensure that each SIS could produce and transmit the required data to the MSDE.

The MSDE respectfully requests that this information be considered during deliberation of **HB 258**. For further information, please contact Zachary Hands by phone at 410-767-0504 or by email at <u>zachary.hands1@maryland.gov</u>.