

Date of Hearing: January 28, 2008

Committee: Senate Education/Human
Services and Public Housing

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent

L A T E

Title: S.B. 2821, Relating to Education

Purpose: Provides educational stability for foster children by requiring decisions made on where a child will be enrolled for school be based on the best interests of the child. Requires that foster children, including those living outside the geographic area of the school district, receive services comparable to those for children living within the school district. Appropriates funds for school transportation services for foster children.

Department's Position: The Department of Education (Department) supports S.B. 2821 to allow foster children to remain in their "school of origin" until the end of the school year. However, under the best circumstances, the decision should be a collective agreement among those individuals who are vested in meeting the educational needs of the child. This would include, but not be limited to, social worker, teacher(s), administrator, parent(s) or guardian, and as appropriate the child. It should also be acknowledged that the decision should be made on a

case-by-case basis with consideration of the educational, social, emotional, and physical needs of the child.

With respect to the provision of transportation for the foster child, the Department would recommend that young children, under the age of 10, not be subjected to rides longer than 30 minutes, from home to school. Additionally, transportation services normally take 5-7 days to arrange, such that temporary transportation arrangements would need to be made to allow the child to maintain regular school attendance. Special requests for transportation beyond the regular morning and afternoon pick-ups are more challenging to arrange and are often more costly.

The Department remains committed to working with other state agencies—the Department of Human Services (DHS) and the Family Court—to ensure that the needs of foster children are appropriately addressed.

TESTIMONY IN SUPPORT OF
SB2821 - RELATING TO EDUCATION

January 28, 2008 at 3:45 p.m.

The Legal Aid Society of Hawaii hereby provides testimony to the Senate Committees on Education and Human Services & Public Housing on SB2821 – Relating to Education, in strong support of the bill.

The Legal Aid Society of Hawaii is the largest non-profit provider for direct civil legal services in the State. Further, since 1996, we have assisted over 2,000 children as guardian ad litem on Oahu, Maui, Hawai'i, Moloka'i and Lāna'i, a significant number of whom have aged out in foster custody.

Based on our experience, we believe that this bill is important for ensuring foster children receive a meaningful education. When foster children are removed from their homes, they frequently lose all stability in their life. They are removed from the adults that they know and trust and taken out of their community. This Bill reduces that instability in a crucial area for future success: education.

This bill will provide increased stability for foster children by maintaining them in their schools. Education is a building process. Teachers build on concepts taught throughout the year and those building blocks are different from classroom to classroom. When a child changes schools, they spend a period being the new kid and adjusting to the new rules and new peers. Then, they must try and catch on to the teacher's style and pick up any new concepts that other children already learned in the new classroom. Studies show that this process causes children to fall approximately four to six (4-6) months behind every time they change schools. U.S. Dept of Education, *Report to the President and Congress On the Implementation of the Education for Homeless Children and Youth Program Under the McKinney-Vento Homeless Assistance Act* at 15 (2006). For foster children who sometimes change placement two or more times in a year, they spend all their time being the new kid and none actually learning.

Further, instability of school placement hurts the schools. Frequent turnover in student body makes it difficult for teachers to follow a curriculum and harder for administrators to set high standards as they are always dealing with an influx of new students.

Enacting this bill will reduce stress to foster children from moves, keep them from being cut-off from their community, and provide a modicum of stability in an otherwise unstable life.

For these reasons, we support SB2821. Thank you for this opportunity to testify.

Sincerely,

Nalani Fujimori
Deputy Director
527-8014