

Legislation Text

File #: 171142, **Version:** 0

Authorizing the Committee on Children and Youth to hold public hearings reviewing the quality of services, and namely the quality of education, that residential placements contracted with the City of Philadelphia provide for the care, treatment, and development of Philadelphia youth.

WHEREAS, A substantial number of Philadelphia youth are sent to institutional residential placements each year. Youth are sent to placement for a myriad of reasons, some overlapping: last year over 750 youth were committed for behavioral and emotional challenges, 950 youth were sentenced for juvenile delinquency, and still others are placed due to the lack of a parent or guardian to care for them; and

WHEREAS, Youth in residential placements are disproportionately people of color and those who identify as LGBT or gender expansive; many have suffered abuse, neglect, trauma, or violence; and

WHEREAS, Oversight of residential placements for Philadelphia youth is provided by Pennsylvania Department of Human Services, who licenses the placements, as well as Philadelphia's Departments of Human Services (DHS) and Behavioral Health and Intellectual Disability Services (DBHIDS) and Community Behavioral Health (CBH), who contract with the placements; additionally, the Pennsylvania Department of Education licenses most of the schools located in such placements; and

WHEREAS, While significant work has been done to reduce the number of youth in residential placements over the last ten years, the DHS "Needs Based Budget for Fiscal Year 18-19" estimates that Philadelphia youth will spend a total of 408,114 days of care in residential placements next year: 252,434 for juvenile justice placements, and 155,680 for child welfare placements; and

WHEREAS, According to estimates, the School District of Philadelphia is mandated to pay \$60 million per school year for the educational expenses of youth in residential placements despite having no control over which placements are selected, the quality of those placements, or the length of time for a placement. The daily education costs per student vary widely among placement-based schools, without clear justification of need or accountability for performance; and

WHEREAS, The October 2016 suffocation death of 17-year-old David Hess at Wordsworth, a now-closed residential treatment facility that had housed over 80 Philadelphia youth, prompted investigative reporting that revealed a ten-year history of safety issues; and

WHEREAS, Since the closure of Wordsworth, DHS, DBHIDS, and CBH have engaged in intensive inspections and evaluations of all contracted in-state Psychiatric Residential Treatment Facility provider agencies, issuing a report on November 13, 2017 entitled "Psychiatric Residential Treatment Facility Observations and Recommendations Summary"; and

WHEREAS, DHS, DBHIDS, and CBH have shown strong leadership in committing to a goal of shortening the time that children stay in these facilities and diverting children to community-based options when possible, as

well as of eliminating the use of restraints, implementing a workforce strategy, changing payment structure and incentives, creating a specialized evaluation team, and increasing coordination and communication among key regulators and stakeholders; and

WHEREAS, While focusing on best practices related to safety, physical plant, and family engagement, the report does not address the quality of educational services in these on-site facilities; and

WHEREAS, Although Pennsylvania law allows youth who reside in residential placements to attend public schools in the school district in which these facilities are located, and federal law requires students with IEPs to be placed in the least restrictive environment, many youth nonetheless attend school on-site; and

WHEREAS, A 2009 Stoneleigh Foundation report, for example, found that 71 percent of Pennsylvania youth residing in residential placements reported that their schooling was directly provided by their residential placement. These schools operate as private academic schools and are not required to follow state curriculum requirements or academic standards, and receive minimal oversight by state and local regulators; and

WHEREAS, Facility-run private schools are often inferior to public schools. The School District of Philadelphia (SDP) presented a report to the School Reform Commission in 2013 that reviewed such outside educational institutions, and concluded that they lack academic rigor, quality instruction, and special education compliance, as well as timely access to students' educational records, and that they have weak data, reporting, progress monitoring, and credit-granting requirements. Similarly, the Education Law Center of Pennsylvania reports that residential facilities' on-ground schools provide schoolwork far below grade-level to students taught in multi-grade classrooms by uncertified teachers, and that they fail to provide adequate special education services; and

WHEREAS, When students return to the SDP from facility-run private schools, their school records are often incomplete or delayed, and they frequently do not receive credit for all work done at the facility and lack core courses needed to graduate on time; and

WHEREAS, Project U-Turn, a citywide, cross-sector collaborative tasked with reducing Philadelphia's school dropout rate, has identified that about 56% of foster care-involved youth, and 64% of youth with juvenile justice involvement, drop out of high school after returning home from placement; and

WHEREAS, Philadelphia's youth in residential placements are isolated from family and community and are dependent upon the City and the Courts to keep them safe, meet their needs, and provide for their education, health, and treatment; and

WHEREAS, Education is a human right, and residential placements contracting to care for Philadelphia youth must be subject to a high standard of scrutiny and accountability to ensure that youth entrusted to the City's care are being provided with high-quality, meaningful, appropriate education to advance their well being; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Does hereby authorize the City Council Committee on Children and Youth to hold public hearings reviewing the quality of services, and namely the quality of education, that residential placements contracted with the City of Philadelphia provide for the care, treatment, and development of Philadelphia youth.

