Good morning, Chairman Mendelson and Committee Chairman Grosso, and members and staff of the DC Council. My name is Judy Berman and I am Deputy Director of DC Appleseed, a non-profit research and advocacy organization dedicated to making the District a better place to live and work for all. In our 25-year history, DC Appleseed has undertaken several efforts to help improve education in the District, from writing a report on how best to manage the District’s state and local educational functions, to helping reduce the District’s reliance on due process hearings to address special education disputes. A number of issues that we currently work on fall within the authority of the Office of the State Superintendent of Education (OSSE), including early childhood education, special education, adult integrated education and training, post-secondary education and, something my colleagues will address in separate testimony today, health education. I plan to focus my comments today on improving early care and education, and reducing the achievement gap between students with and without disabilities.

**Early Care and Education**

DC Appleseed is part of the Birth to Three Policy Alliance which is a growing network of organizations committed to transforming how DC invests in infants, toddlers, and families from formative prenatal stages through age three. As you know, high-quality health, education, and developmental support for the first 1,000 days of a child’s life is vital to ensuring that all babies in DC get a fair shot at success in school and in life. The District must address racial inequities where they begin, in prenatal care and in the cradle and not the pre-k classroom. We applauded the Council’s unanimous passage of the Birth to Three for All Act last year and look forward to working with you to ensure full funding for that program.
I am testifying today to lift up some efforts by OSSE’s Division of Early Learning that are moving the District in the right direction in terms of how we approach investments in our birth to three system and also to bring attention to ongoing challenges where the Council could play an important role. Attention to these early education issues is an incredibly important step in reducing education achievement gaps and making DC a city that works for all, regardless of race, wealth, or zipcode.

**Early Childhood Workforce**

One area that we have focused on with intention is the value and needs of the early childhood workforce. The District needs to invest heavily in our early childhood educators, because the quality of the care and education they deliver is the promise and potential of early education to ensure that all children reach their developmental potential. OSSE’s Division of Early Learning took the important step of implementing post-secondary education requirements for early childhood educators. This has not been without controversy, but we fully support it. And we also believe that these educators deserve as much support as we can provide to achieve these new, higher standards. OSSE has done an outstanding job of

1. investing in scholarships and other supports for educators who need to increase their educational attainment;
2. Improving strategies to meet the needs of educators as adult learners;
3. recognizing that educators needed more information about the scholarships and other supports that are available to them; and
4. conducting proactive outreach to help educators access the information and services.

**Reimbursement Rates**

As part of our advocacy on behalf of early childhood educators, we have advocated for increased subsidy program reimbursement rates. Our research has demonstrated that childcare rates are kept artificially low through the systematic undervaluing of early childhood professionals. In FY19, with combined support from the Mayor and the Council, OSSE was able to increase reimbursements to subsidy program providers, a step toward the goals of the Birth
to Three for All Act. As an informal follow-up to our 2016 study, *Solid Footing*, in which we explored with directors of high-quality centers the tradeoffs they made in order to balance their books while still meeting quality expectations, we plan to survey the field again to understand the impact these increased rates are having on the choices that programs are continually making. In the meantime, I want to share the following anecdote.

When asked how the funds were being used, one program director said that with the increased rates, she was able to 1. avoid laying off staff; 2. provide staff with a cost-of-living increase; and 3. make open slots available to the community. In other words, the increase prevented job loss, increased wages and maintained supply. She regretted that she was not able to make retirement contributions for her staff as intended, so clearly they are not as financially secure as they deserve to be, but this is a step in the right direction. Kudos to OSSE for completing the updated cost modeling study, and getting the funds into the hands of early childhood educators, where it is most needed. We look forward to seeing the compensation study, required by the Birth to Three for All Act, which is due out this spring and will move us closer to the goal of compensation parity among early childhood educators across sectors.

**Care During Non-traditional Hours**

In 2017, the Council passed the Child Care Study Act, requiring OSSE to commission a supply and demand study of ECE services during non-traditional hours. That study, conducted by the Urban Institute, was recently released to the public. The study was thorough, and creative, which it had to be to find ways to measure something that is often managed through private networks of family and friends. The question has always been whether the strategy to manage care in early mornings, later evenings, overnights and weekends was managed privately by choice or necessity, and the study does not provide a definitive answer. It does, however, provide some data to use moving forward and, I think, points to a ripe opportunity.

Just as our public workforce development system is increasingly recognizing the need to follow the leadership of business in designing and implementing education and training strategies, ECE needs to understand the industries that constitute our local economy in order to meet the needs of families who work in those industries. Not only does the study point to patterns of
need for early morning and/or evening hours among certain industries, like swing shifts from 3pm-11pm for hotel employees, and 12 hour shifts from 7 pm – 7 am for healthcare providers, it also notes that some ECE providers have identified particular industries to which they cater, such as one home provider that caters to security service workers. The study also articulates some of the challenges on the supply side that mitigate against increasing the number of slots, as well as the challenges for families and providers when subsidies for non-traditional hours are tied to monthly schedules. OSSE needs to take this knowledge of families and the childcare industry and work with the Workforce Investment Council, the Department of Employment Services OES and UDC Community College to engage with industry advisory councils and worker organizations to build solutions that will ensure that any parent that wants to work is not inhibited from applying for or accepting a particular job or type of job because of limited childcare.

This is a tremendous opportunity that OSSE, in partnership with the DME and the newly structured education cluster, can take advantage of. Businesses need workers to grow; workers need safe, reliable and affordable childcare to work. There’s a marriage here that needs to be brokered and, though we are committed to viewing birth to three services as part and parcel of an education continuum rather than simply a work support, looking at the non-traditional hours issue from a workforce development lens could be particularly helpful. Council has an important role to play in ensuring that this work is addressed from all the essential angles.

**Special Education**

I'd like to turn now to Special Education. This is an area that DC Appleseed has been working on since 2002. The District has plenty of challenges in its preK-12 system but one that often gets overlooked is the achievement gap between students with and without disabilities. Perhaps it’s because the term “disability” suggests that an achievement gap should be expected. But the most common disabilities, learning disabilities like dyslexia for example, are ones that should not in any way impact a child’s potential or trajectory any more than race or income should. And the same goes for most other disabilities as well. Yet, students with
Individual Educational Programs (IEPs) are still achieving proficiency at rates one-fifth and one-sixth that of their non-disabled peers. Fewer than four percent of District high school students with an IEP are achieving proficiency, as measured by the PARCC. The table provides just a sample of proficiency data (scores of 4 or 5) from the SY17-18 PARCC.

<table>
<thead>
<tr>
<th>Data from PARCC SY17-18 OSSE report</th>
<th>District Public and Public Charter Schools</th>
<th>District HS</th>
<th>DC students with IEPs</th>
<th>DC HS Students with IEPs</th>
<th>Approx Ratio of SpEd to Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELA</td>
<td>33.30%</td>
<td>29.30%</td>
<td>5.70%</td>
<td>3.80%</td>
<td>1 in 6</td>
</tr>
<tr>
<td>Math</td>
<td>29.40%</td>
<td>13.60%</td>
<td>6.40%</td>
<td>1.30%</td>
<td>1 in 5</td>
</tr>
</tbody>
</table>

https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachr

As we have testified before, DC Appleseed believes it is time for the District to adopt standards for a Free and Appropriate Public Education that are measured in outcomes for students rather than procedures for schools. The March 2017 Supreme Court decision, *Endrew F*, requires that we do so, that we no longer accept “de minimus” progress as evidence that a student is receiving FAPE. This is particularly important when you factor in that the average student in DC is more than 3 years behind by the time an IEP is put in place. If we don’t plan for more than one year of progress each year, these students are essentially doomed to failure.

OSSE is doing a great job reaching out to special education coordinators and other LEA reps to help them understand what the decision in *Endrew F* means for the practice of writing IEP goals and documenting progress. But as a system, we need to move from compliance to principles and from principles to results because to continue to accept this huge and unjustifiable achievement gap between students with and without disabilities is to shortchange thousands of capable students who, even if they graduate, will lack the tools they need to live successful, independent lives. We call on OSSE and the Council to codify *Endrew F* in a way that lets families of students with IEPs understand and believe that they have a chance at success.

Thank you for the opportunity to testify.