

Laurie Price, Director of Child Welfare

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Number: CW-IM-17-009

Issue date: 08/29/2017

Topic: Foster Care

Subject: School of Origin and Statewide School Transportation Plan

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental |
| <input type="checkbox"/> Self Sufficiency Programs | Disabilities Services(ODDS) |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> ODDS Children’s Intensive |
| <input type="checkbox"/> ODDS Children’s | In Home Services |
| <input type="checkbox"/> Residential Services | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Child Welfare Programs | <input type="checkbox"/> Other (<i>please specify</i>): |

Message: Best Interest Findings for School of Origin and Transportation Plan

New Federal Law; Every Student Succeeds Act (ESSA), school districts have new responsibilities for educating students who are in the custody of DHS/Child Welfare (foster student). In particular, ESSA includes a new requirement aimed at improving the educational stability for foster students. Oregon also passed Senate Bill 20, during the 2017 legislative session, to comply with federal education laws, which addresses school residency and school of origin requirements. The DHS Office of Child Welfare Programs has worked with the Oregon Department of Education (ODE) to jointly implement the new procedures.

Senate Bill 20 passed during legislative session, which changes the process for determining “School of Origin”. These changes are effective for the 2017-2018 school year. ORS 339.133 now reads:

An individual who is between the ages of 4 and 21 and who is placed in foster care shall be considered a resident of:

(A) The school district of origin; or

(B) The school district where the individual resides, due to placement by the Department of Human Services or a tribal child welfare agency. If a juvenile court determines it is not in the best interest of the individual to continue attending the School of origin or any other school in the school district of origin, based on consideration of all factors relating to the individual’s best interests.

(b) If a juvenile court makes a determination that it is not in the best interest of the individual to continue attending the School of origin, the individual shall be immediately enrolled in a new school, even if the individual is unable to produce records normally required for enrollment.

(c) Individuals who are residents of their school district of origin pursuant to paragraph (a) (A)

of this subsection shall:

(A) Remain in the individual's school district of origin and, if applicable, the individual's school of origin for the duration of the individual's time in foster care; and

(B) Be provided, free of charge, transportation between the individual's home and the individual's school district of origin or, if applicable, the individual's school of origin.

In order to assist in keeping foster students in their school of origin, DHS and ODE have created a shared cost transportation plan. Please note the following changes:

- Students in child welfare or tribal foster care will automatically be able to remain their School of Origin, *without* a Best Interest Finding from the Juvenile Court. This includes initial foster home placements and placement moves within foster care.
- Students in foster care will need a Best Interest Finding from the Juvenile Court to move a child to the school/school district where they are physically living.
- School of Origin now applies to foster students ages 4 through 21. School of Origin also applies to *public preschool* education.
- Each School District now has a Foster Care Point of Contact, who should be the point person for school notification letters and transportation requests.
- Students needing transportation to remain in their School of Origin, will use the new Statewide Transportation Plan, developed between DHS and Oregon Dept. of Education.
- Students in foster care must be immediately enrolled in a new school, and cannot be delayed due to lack of records.

Shared Cost, School of Origin Transportation Plan

Students in foster care, who are physically living in their school boundaries, will continue to receive transportation through the normal school district process, arranged between the school district and foster parents. The branch can also decide to pay for public transportation or foster parent mileage reimbursement, when appropriate for the student.

Due to the short transition time for implementation, students initially placed into foster care **or** had a foster care placement change over the summer of 2017 **and** a Best Interest Determination was not obtained from the Juvenile Court because Senate Bill 20 was not yet in effect, the school district/school of origin will be the school district/school in which the student is enrolled at the beginning of the 2017-2018 school year. All other students in foster care, school of origin is determined by existing Best Interest findings or the school attended during the 2016-2017 school year.

If a student in foster care needs transportation to remain in their School of Origin please complete the following:

- Fill out the attached [transportation request form](#)
- Send the form to the School District Point of Contact (see attached list [Foster Care POC](#))
- DHS may need to provide transportation, for a short period of time, until transportation can be arranged.
- ODE will bill DHS, Office of Child Welfare Programs, directly.
- Notify the Foster Care Point of Contact when transportation is no longer needed.

Due to the quick turn-around for implementation, more information will be forthcoming, including rule revisions. This process is new for school districts as well, so patience is appreciated.

If you have any questions about this information, contact:

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