

## **ODHS Child Welfare Education Guidance for the 2020-2021 School Year Based Upon Ready Schools, Safe Learners Guidance by ODE August 2020**

The Oregon Department of Human Services (ODHS) Child Welfare education guidance, is based upon, the most recent version of Oregon Department of Education's (ODE) [Ready Schools, Safe Learners Guidance](#) (version 3.7.4), [Ensuring Equity and Access Companion Guide](#), and the [Comprehensive Distance Learning Guidance](#). Guidance is subject to change and will be updated accordingly. Updates can be found on the [ODE website](#).

The 2020-2021 school year is going to present unique challenges for students in foster care and for our foster families and contracted Child Caring Agencies (CCA's). School decisions should be made, not only in the student's best interest, but also considering the health and safety factors of the entire family. This will require good communication with foster care providers, certification and permanency staff, and utilizing the child's team for decision-making.

- Every School District will create an Operational Blueprint for Re-entry based on ODE guidance.
- School District Plans will vary across the state, tailored to local context and will be reviewed by the local, public health authority.
- Each blueprint will be reviewed monthly.
- Each School District will develop four models of instruction: Onsite Instructional, Hybrid, Comprehensive Distance Learning, and short-term distance learning. Throughout the school year, the model of instruction could change, based upon local public health changes.
- Local school districts will have enhanced resources for their students. The school district website will be the best place to find information regarding local supports. Each School District has a Foster Care Points of Contact, who can assist foster parents and caseworkers for all questions and concerns.

### **Equity and Foster Care**

Historically, students in foster care, have poorer education outcomes than students who do not experience foster care. ODE has included foster care in their equity guidance:

*To live into an equity stance, Oregon schools must heighten attention to groups of students who bear the burden of an inequitable health and educational system. Through all of this work, educators must recognize the strengths and meet the needs of students of color, including students who are African-American/Black, Alaska Native and American Indian, Asian Pacific Islander, Refugee, Latino/a/x, Compact of Free Association (COFA) citizens, students who are emergent bilinguals (English Learners), students of migrant and farmworker families, students experiencing disability, students who are LGBTQ2SIA+, students in foster care, students who have an incarcerated loved*

*one, students experiencing houselessness, and students navigating poverty. **It is not enough to make statements about equity without following those statements with concrete actions.** Equity must live at the heart of every decision and every action in service of students.*

### **High Risk Populations**

Understanding the health risks of students in foster care, will be an important factor in decision-making, as well as understanding the health risks of the entire foster family household.

High Risk Populations as Defined in Guidance based upon CDC recommendations (recently updated).

- Age 65 years or older
- Cancer
- COPD (chronic obstructive pulmonary disease)
- Serious heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies
- Immunocompromised state (weakened immune system) from solid organ transplant
- Obesity (body mass index [BMI] of 30 or higher)
- Type 2 diabetes mellitus
- Chronic kidney disease
- Sickle cell disease
- Other conditions or risk factors identified by OHA, CDC, or a licensed healthcare provider

ODE is requiring that school districts, “Serve students in high-risk population(s) whether learning is happening through On-Site, Hybrid (partially On-Site and partially Comprehensive Distance Learning models), or Comprehensive Distance Learning models.”

### **School Model Selection**

Foster parents are currently in the process of needing to register students for school. There have been many inquiries around Hybrid model, Comprehensive Distance Learning (for the full school year), Home Schooling, Charter Schools and Alternative Schools. For the purposes of this guidance, it is important to distinguish between Hybrid/Comprehensive Distance Learning through the current school/school district and home schooling as defined in statute.

**School of Origin (ORS 339.133):** These laws are not impacted by the Ready Schools, Safe Learners guidance. Caseworkers will continue to obtain a Best Interest Finding to change the school of origin, for students in foster care, when required. If there will be a change to the school of origin, for the coming school year, it is important to obtain the Best Interest Finding from the juvenile court, before the school year begins. ODE’s guidance outlines their commitment to school stability:

*Districts must maintain educational stability for children in foster care to provide students with the opportunity to achieve at the same high levels as their peers during the 2020-21 school year. This includes limiting educational disruption by keeping children who move while in foster care (due to entering the foster care system or changing placements) in their schools of origin, unless their best interest is to change schools.*

Most school/school districts are offering two options for the coming school year, for which caseworkers and foster parents or CCA's need to make collaborative decisions about. These options will look different across the state, as school districts are local control, but are generally referred to as: Hybrid and Comprehensive Distance Learning (full year). These specific options are not impacted by school of origin, nor are they considered home schooling. *A Best Interest Finding is not needed, to continue a distance learning program through the current school/school district.*

**Hybrid:** will be a combination of in-person classroom and distance learning. Most likely, students will continue to have contact with their teachers, and persons with whom they have existing relationships. If the school year starts in full-time distance learning, once the school district is approved for in-person learning, the student will transition to a combination of classroom and distance learning.

**Comprehensive Distance Learning:** This option is meant to be for the full school year. Each school district has a different name for these programs (ex: Edge, Flex). It is unclear, how easy or difficult, it will be to move students from Comprehensive Distance Learning to a Hybrid model (or vice versa). Stability, of the student's foster care placement, should be one consideration in opting for this option.

### **ODHS Rules and Caseworker Authorization**

Current rule, [Requirements Regarding the Education of a Child or Young Adult](#) (413-200-0354) requires that certified family's must:

Enroll the *child or young adult* in their school or educational placement when directed by the *Department*. The *Department* must authorize enrollment of a *child or young adult* for any school placement not authorized by the *child or young adult's* Individualized Education Plan (IEP) team.

When determining and authorizing the type of school program (Hybrid or Comprehensive Distance Learning), the caseworker should include considerations in a collaborative decision-making process with the foster parent or CCA. Decisions should be documented in OR-Kids and should include:

- Input from Tribes, when applicable.
- Input from the child's team, when possible (child's attorney/CASA/parent/surrogate parent).

- Consider health and safety risk factors of other’s living in the foster family’s home or residential program (children and adults), and include the foster home certifier, when necessary.
- Consult with the child’s medical provider or OCWP (Central Office) nurse or nurse manager, when a student meets the high-risk status criteria.
- Consult with the OCWP (Central Office) Nurse or Nurse Manager, for Medically Fragile, complex, and Nursing-Dependent students.
- Consider the student’s permanency plan. A Comprehensive Distance Learning option (for the full year), may not be the best option, if there is a known placement change or reunification occurring soon.
- Assess whether the school type decision might result in a foster care placement move.
- Consult with the School District Foster Care Point of Contact for questions specific questions related to the model.

For the following school placements, the approval process outlined in the [Educational Services for a Child or Young Adult in Substitute Care](#) rules, still apply:

- Charter School (including virtual charter school)
- Alternative School
- Private School
- Home School
- Online Schools not accredited in Oregon
- GED Program
- International Study Program

\*Many foster parents have already registered for school and selected a Hybrid or Comprehensive Distance Learning model. If registration has occurred, the caseworker can review this plan, and changes should be able to be made, if necessary. School Districts needed early registration to get a sense of the number of students who would be enrolling, and to be able to make staffing decisions.

## **Communication and School Planning**

### **Enrollment**

Since this school year will look different, it is more important than ever, to make sure schools know which students are in ODHS care/custody. ODHS must send the, [School Notification Form \(0338\)](#), to the School District Foster Care Point of Contact. If this is being sent via email, it should be done using the secure email system. The school notification form has been updated in the ODHS Forms directory. If a student that meets high-risk status for COVID-19, please use the “medical provider and any medical special needs” section of the form, to notate that information, especially if they will be attending the Hybrid model or receive Limited In-person Instruction.

Every School District has a Foster Care Point of Contact, and the updated list can be found on the ODE website: <https://www.oregon.gov/ode/students-and-family/fosteringconnections/Pages/default.aspx>

It is also very important to update the school information in the OR-Kids Education Person Management tab of OR-Kids. This information is necessary for federal reporting and funding. If a student is enrolled in the Hybrid or Comprehensive Distance Learning option, through their school/district, the school should still be listed. School districts receive extra federal funding for foster students, so it is important to have the correct school information in OR-Kids. Do not identify the student as home schooled, unless the student is enrolled through a home school program, not affiliated with their school/school district.

### **Unenrollment**

One big change, for this school year, is the 10-day drop rule is expected to be suspended. This may benefit students in foster care, who are highly mobile or on runaway status. This rule also makes it very important, that caseworkers notify the School District Foster Care Point of Contact, when a student is changing schools (using the School Notification Form).

*For the 2020-21 school year, the ODE plans to temporarily suspend the “10-day drop,” pending approval from the State Board of Education, with the expectation that a student will only be unenrolled when a school or district has received notice that they’ve been enrolled in another setting.*

If for some reason, a student is not engaging with their Hybrid or Comprehensive Distance Learning, please inform the School District Foster Care Point of Contact of the current reasons or circumstances. Examples may include runaway status; illness; transitioning foster homes.

### **Attendance**

The Ready Schools, Safe Learners guidance outlines how attendance will be counted for both Hybrid and Comprehensive Distance Learning. This attendance structure looks very different, than what was required last spring. Each school district will be developing and communicating their attendance requirements, to parents and foster parents:

*Provide families with clear and concise descriptions of student attendance and participation expectations as well as family involvement expectations that take into consideration the home environment, caregiver’s work schedule, and mental/physical health.*

The expectation, is that foster parents will comply with the attendance requirements, set forth by the local school district. If a student in foster care, is unable to attend classes, this should be communicated to the school.

## **Cohorting**

For students attending the Hybrid model, once students can attend in-person, stable cohorts will be established, to reduce the spread of disease. Each school/district will establish their own cohorting methods. ODHS requested, and ODE agrees, that there should be flexibility when establishing cohorts for foster families. Contact the Foster Care Point of Contact at the school district, if assistance is necessary. Examples could look like:

- Having students in a foster home attend school on the same days to accommodate work or other schedules.
- If a foster family has students in multiple school districts, they may request to have students attend on the same days or different days, to keep family schedules more manageable.
- Flexibility for families that have multiple high needs students in the home.

## **Transportation**

Students whom live within their school boundaries, will continue to receive transportation through their school district.

Students who receive School of Origin transportation, will need to submit a new transportation request, to the School District Foster Care Point of Contact. These requests need to be resubmitted every year. The [Transportation Request Form \(de2885\)](#) has been updated and can be found in the Forms Directory.

## **Logistics**

### **Visitors & CPS Investigations**

Schools will be limiting non-essential visitors at schools, to help limit potential exposure of COVID-19. CPS workers and law enforcement will be considered “essential visitors,” which means child abuse investigations can still occur on school premises, when school is in-person. Visitors will be expected to comply with all screening and social distancing measures, required by the school district.

Prior to conducting a child abuse investigation at a school, CPS workers should consider calling the school or Foster Care Point of Contact, to determine whether the student is attending Hybrid or Comprehensive Distance Learning. If a student is attending school on premises, it will be important for the CPS worker to know which days, a student will likely be in attendance. This will decrease unnecessary visits to the school.

CPS workers should also consider whether any of the collateral school interviews, can be done by phone or video conference, to decrease in-person contact. CPS workers doing phone/video meetings or interviews with school staff, should send a photo of their ODHS Child Welfare badge via state email, for identification purposes.

ODHS and ODE are in the process of developing a communication to schools, clarifying ID requirements for Child Welfare staff. There have been concerns about staff being required to have their personal driver's license, put on record. The Child Welfare badge is preferred.

Other ODHS staff (Caseworkers and SSA's) who plan to visit a school or pick-up/drop off a student, should familiarize themselves with the school district's visitor protocols and safety measures. These can be found on the school/school district website.

### **Technology**

Students in foster care, should be able to access their technology needs, through the school/school district. Technology may include hot spots, if WIFI is limited, where the student is living. If a student moves to a new foster home or reunifies with their parent, and continues at their same school, it will be important that technology is checked out to the new placement. Please ensure communication with the school or Foster Care Point of Contact, if there are questions.

ODE included in their Foster Care guidance, that schools/districts should work with caseworkers to check out technology, when there is not a foster parent available. Temporary lodging or shelter placements are examples of when a caseworker could be the point person for technology check-out.

### **Child Caring Agency (CCA) Placements**

Students in CCA placements are served by a variety of education programs across the state. Some CCA's have one educational setting as part of their programming, while others may have multiple educational options. Caseworkers need to collaborate with the program in those instances to ensure the most appropriate educational setting is selected.

Residential programs that are served by the local school district, should reach out to their school district/Foster Care Point of Contact, to determine the best way to serve students and whether extra student supports are available. CCA programs served by the local school district, will need to adhere to the same requirements for schools, set forth by the school district, if learning occurs on premises.

Proctor foster homes should work with the ODHS caseworker to determine the appropriate school model selection for the student.

Programs that have flexibility around the educational model, may be able to access the distance learning program, from the student's school of origin. The program and caseworker will need to communicate with the school of origin, to determine feasibility.

A Best Interest Finding, from the Juvenile Court, will still be necessary, when required by ORS 339.133.

## **Temporary Lodging Placements & Shelter Care**

If a student in foster care, needs to move to a temporary lodging or shelter care placement, notify the School District Foster Care Point of Contact to discuss the following:

- Can the student's technology be checked out through the ODHS caseworker, to follow the student?
- Can the student continue to attend via distance learning?
- If the student has special education needs that need parent approvals, ask the juvenile court to assign an educational surrogate (ODHS caseworkers cannot sign for IEP's, special education assessment, etc.
- If a student attends distance learning while in temporary lodging or shelter care, staff should familiarize themselves with the attendance policies outlined by the school district.

## **School-based Services**

### **Child Nutrition/Free and Reduced Meals**

All students in foster care, automatically qualify for Free and Reduced Meals, if their school participates in the program. ODHS and ODE have a data sharing agreement, which automatically qualifies the student, without the foster parent needing to fill out an application. School Districts will notify foster parents on how to access meals, whether enrolled in Hybrid or Comprehensive Distance Learning.

### **School Based Health Services and Immunizations**

The statute requirements around immunizations and school enrollment, remain the same, even if a student is planning to receive Comprehensive Distance Learning.

Some Student Health Centers will be open and available to students, even if a student is enrolled in Comprehensive Distance Learning:

*School based health centers and community based health programs may be able to provide telehealth and COVID-19 testing services. Oregon's certified SBHCs may serve as resources for students and community members for services such as:*

- *Somatic health care*
- *Mental health/behavioral health services*
- *Urgent care services*
- *Dental and vision services*
- *Immunizations*

The School District website will be the best place, to see which health centers are open.

## **IDEA and Special Education**

School Districts must continue to serve students with special education needs. There are allowances for Limited In-Person instructions for students with disabilities, once all school district criteria are met, even during Comprehensive Distance Learning.

Schools will focus on special education assessments, that were delayed or disrupted, when schools moved to distance learning, in the spring. School Districts will be reviewing IEP's to determine fit with current instructional models.

Comprehensive guidance around IDEA and special education can be found in ODE's [Ensuring Equity and Access Companion Guidance](#).

## **Sports and Extra-curricular Activities**

Oregon School Activities Association (OSAA) has made the decision to shift and condense the school sports calendar. School sports are now set to run from late December through June. Some practices may continue to occur, as allowable under the Governor's orders, and will vary by county. Sports clubs, not related to school, may also be operating in accordance with local allowances.

413-200-0356 [Requirements Regarding Extracurricular, Enrichment, Cultural, and Social Activities](#) states:

*Apply the reasonable and prudent parent standard, as well consulting with the child or young adult's caseworker when determining whether to allow a child or young adult in substitute care to participate in extracurricular, enrichment, cultural, and social activities.*

ODHS caseworkers should be working with foster parents to approve sports and extracurricular activities, in accordance with health and safety risks. These decisions should be documented in OR-Kids. If there are questions or concerns, caseworkers can consult with the student's medical provider, OCWP Nurse, or OCWP Nurse Manager.

## **Out of State Placements**

If a student in foster care is placed out of state, the education laws in that state apply. Foster parents must also follow the Certification Standards, as directed in that state, around education. Federal, School of Origin laws, may look different, state-by-state.

## **Training**

ODHS recognizes that foster parents may have different training needs, with students engaged in Distance Learning. School Districts are also aware that families need basic technology training to facilitate distance learning. Training resources through the school district may be available. ODHS is also working to assess foster parent needs and will continue to communicate updates with foster families.

## **Resources**

ODHS is working on resources to support students and foster families. The Foster Parent Retention and Recruitment Champions are working with foster parents to determine needs and resources. These will be added, as they become available.

**School District Foster Care Point of Contacts:** Every school district has a Foster Care Point of Contact. They should be utilized as our primary contact for problem solving. They will also have a good understanding of district resources that are available for students in foster care. The most up-to-date list can be found on the ODE website (second bullet down):

<https://www.oregon.gov/ode/students-and-family/fosteringconnections/Pages/default.aspx>

**Local School District Websites:** In Oregon, school districts have local control. This means that each school district has its own policies and procedures, which fall comply with state requirements. Each school district will have different resources, available to assist families. The school district websites are the best places to find information about local operations and resources.

**School District Blueprint links:** <https://www.oregon.gov/ode/students-and-family/healthsafety/Pages/2020SYDistrictPlanningLinks.aspx>

**ODHS Child Welfare COVID-19 resource website:** An education section will be added to the Child Welfare COVID-19 webpage. It will be located at:

<https://www.oregon.gov/DHS/CHILDREN/Pages/COVID-19.aspx>

**FACT Oregon:** FACT Oregon is a good resource for parents (including foster parents) of children experiencing disabilities. They offer virtual trainings, a helpline, and toolkits for everything relating to special education. <https://factoregon.org/>

**Child Care and Alternative Care Services:** [OAR 413-090-0010 Authorized Payments](#) (pgs 13-14) outlines the process for child care and alternative care dollars available to foster parents.

**Independent Living Program (ILP) Discretionary Funds:** may be accessed for foster youth ages 14 – 20. These are flexible funds to assist a youth with achieving their goals for transition (education, employment, transportation, housing, supportive relationships, health, misc. life skills and extra-curricular activities). These are accessed through the ODHS caseworker.

## **Contacts for Consultation**

**DHS Statewide Education Point of Contact:** Catherine Stelzer; cell: (503)569-0747;

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**Child Welfare Education Points of Contacts:** Supervisors in the field offices are being identified as Education Points of Contacts. This contact list will be posted, upon completion.