

ODHS *Updated* Back to School Guidance March 2021 through June 2021

On March 12, 2021, Governor Brown published [Executive Order 21-06](#), which orders public school districts and charter schools to offer fully On-Site or Hybrid in-person instruction to students.

Oregon Department of Education (ODE) updated their [Ready Schools, Safe Learners](#) guidance on March 15, 2021. The new guidance addresses school re-openings and required safety protocols for schools.

As Oregon students go back to in-person learning, ODHS Child Welfare is updating education guidance, unique to students in ODHS care and custody. This guidance will be in effect, through the rest of this school year, ending in June 2021.

Return to On-Site Instruction Dates (subject to county health metrics)

Many parts of the state have already been operating with some forms of on-site instruction, available to students. For school districts not currently offering on-site education, the following dates are outlined in the executive order:

Public Elementary Schools: No later than the week of March 29, 2021

Public Middle and High Schools: No later than the week of April 19, 2021

School Type Selection (In-Person vs Comprehensive Distance Learning)

School districts in Oregon are local control, so every school district, will have different options available to students for on-site learning. Some districts may go back to full-time in-person, while other districts may operate on a hybrid model. Full-time, Comprehensive Distance Learning (CDL), will still be available for families for the remainder of the school year (if selected by the family).

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 (In-Person vs CDL), the caseworker should include considerations in a collaborative decision-making process. Decisions should be documented in OR-Kids and considerations should include:

- Input from Tribes, when applicable.
- Input from the student.
- Input from the student's team, when possible (child's attorney/CASA/parent/surrogate parent).
- Input from the Resource Parent, Proctor Parent, or CCA.
- Health and safety risk factors of other's living in the resource family's home or residential program (children and adults), and include the resource 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 placement move.
- Consult with the School District Foster Care Point of Contact for questions specific questions related to the model.

For resource parents or CCA's wishing to continue Comprehensive Distance Learning (CDL), the following considerations should be closely examined by the caseworker:

- Does the student have special education needs that are difficult to access through CDL?
- Does the student have English Language Learner (ELL) needs that are difficult to access through CDL?
- How is the student doing with CDL? Are they failing classes or at risk of losing credits?
- Would the student benefit from more socialization and interaction with their peers?

Virtual Charter Schools: If the student has already been approved for year-round virtual charter school or home schooling, no further action is needed.

Best Interest Findings: If a student is changing placements, and the plan is for the student to change schools, a Best Interest Finding will be necessary, unless it falls under one of the exceptions outlined in the [ODHS Education Rules](#). The student should continue to be enrolled in their current school, until that process is completed.

School Notification Forms

Ensure that ODHS, sent 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. If a student that meets high-risk status for COVID-19 or has other health needs, please use the "medical provider and any medical special needs" section of the form, to notate that information, for students who will be receiving in-person learning.

It is very important, for schools to know which students are in the care and custody of ODHS, as school districts are receiving federal funding, to assist in a variety of ways. The school notification form needs to be resubmitted when there is a placement change, reunification with parent, and/or the agency no longer has custody.

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>

Transportation

Many school districts have limited transportation options, for the remainder of the school year. Additionally, school districts are encouraging families to transport their students as much as possible, as a way of lowering COVID-19 exposure risks. Students in the care of ODHS will be able to access transportation services, even if they live out of the school district. The ODE [Foster Care Transportation Guidance](#) is posted on their website.

School of Origin transports (students living outside their school/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, if they are moving from Comprehensive Distance Learning to In-Person learning. Please ensure this is submitted, as soon as possible, so the school can coordinate the transportation. If the resource parent prefers to transport the student themselves, they can be reimbursed for mileage, through this process. The [Transportation Request Form \(de2885\)](#) can be found in the Forms Directory.

Please note: Due to COVID-19 and health and safety plans, transportation may look different. For instance, many districts used to be able to transport students in resource care, to/from after-school activities and sports. School districts will try to accommodate these transportations, but they might not always be available (due to staffing changes/hybrid schedules, etc).

Students living in their school/school district boundaries: For the remainder of this school year, ODHS will reimburse resource parents for mileage reimbursement, if this is the preferred transportation option. This mileage reimbursement will go through the branch mileage reimbursement process. *Please note, this is temporary, for the remainder of the school year.* Otherwise, the school district will provide transportation.

Health and Safety

All schools (public and private) will be expected to follow health and safety guidance, put forth by Oregon Department of Education and Oregon Health Authority, and outlined in the Ready Schools, Safe Learners Guidance.

COVID-19 testing consents: School Districts may be using rapid COVID-19 testing, as an extra measure to manage safety. Students who are 15 and over, may consent to their own COVID-19 testing. Otherwise, resource parents or ODHS caseworkers may consent to testing measures.

IDEA and Special Education

Comprehensive Distance Learning (CDL), has been difficult for many students who receive special education services. ODE has outlined the following guidance regarding IEP's and 504 plans:

Schools and districts must comply with the established IEP/504 plan prior to the closure of in-person instruction in March of 2020, or the current plan in effect for the student if appropriately developed after March of 2020.

The person acting as the parent (resource/surrogate/legal parent) can request an IEP team meeting, to address outstanding concerns, as students return to the classroom.

[FACT Oregon](#) is a good resource for family's with children who experience disabilities. Their website has trainings, template documents, and consultation about how to navigate the special education process.

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 and when, the student is attending in-person learning. If a student is attending school on premises, it will be important for the CPS worker to know which days and times, 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.

CARES Act and ESSER Funding (federal aid)

School Districts will be receiving funding through the CARES Act and the Elementary and Secondary School Emergency Relief Fund (ESSER), to assist schools and students impacted by the past year. Each school district will be developing plans of how to use funding. Summer school, credit recovery, other intensive supports are examples of ways school may plan to

address learning gaps. As more information becomes available, plans will be publicly communicated.

Child Nutrition/Free and Reduced Meals

All students in resource 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 resource parent needing to fill out an application. School Districts will notify resource parents on how to access meals, whether enrolled in Hybrid or Comprehensive Distance Learning. The USDA has recently announced, they will continue free meals through the summer of 2021.

Technology

As the school-year comes to an end, please ensure that any checked-out technology, is returned to the school. This is, especially important to remember, for students who've had placement changes and/or the caseworker checked out the technology.

Resources

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 resource 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.

ODHS Education Rules: [EDUCATIONAL SERVICES FOR A CHILD OR YOUNG ADULT](#)

ODHS Contacts for Questions and/or Consultation

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

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OCWP (Central Office) Nurse: Rebecca (Becky) Long; (503) 979-9789;

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