

Senate Bill 265

Sponsored by Senators GELSER, DEMBROW, OLSEN (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Human Services to conduct monthly, in-person visits with child or ward in substitute care that include updates on academic status and progress. Directs department to conduct exit interview with child or ward before department removes child or ward from substitute care placement.

Directs department to ensure that child or ward is not placed in more restrictive setting than child or ward was placed in at resident school district nor in self-contained classroom as opposed to all-inclusive placement.

Requires department to ensure that child or ward 16 years of age or older has opportunity to create facilitated person centered plan before leaving substitute care.

A BILL FOR AN ACT

Relating to the well-being of children in substitute care placements.

Be It Enacted by the People of the State of Oregon:

SECTION 1. When a child or ward five years of age or older is in the legal custody of the Department of Human Services as provided in ORS 418.015 or 419B.337 and has been placed in substitute care, the department shall:

(1) Conduct monthly, in-person visits with the child or ward that include updates on the academic status and progress of the child or ward. If the monthly visit reveals that the child or ward is experiencing difficulties in school or is not likely to graduate in a timely manner, the department must:

(a) Take steps to ensure that the child or ward receives the necessary support and services needed to achieve academic success and to graduate; and

(b) Prepare a written plan for how the child or ward will be supported to graduate from high school in a timely manner and that will become a part of any other case planning that has been done by the department for the child or ward.

(2) Conduct an exit interview with the child or ward before the department removes the child or ward from the placement, whether the removal is for the purpose of reunification with the family of the child or ward, a different substitute care placement, adoption or other reason for termination of wardship under ORS 419B.328. The exit interview must assess, at a minimum, the following:

(a) The child's or ward's perception of the safety of the placement;

(b) Extracurricular activities that the child or ward participated in while in the placement, including the frequency of participation and whether transportation was provided for the child or ward;

(c) Whether the child or ward would be permitted to leave the placement with all of the personal belongings of the child or ward;

(d) Improvements the child or ward believes should be made to the placement;

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (e) Strengths of the placement;

2 (f) Whether the child or ward experienced any physical discipline during the placement
3 and, if so, the nature of the physical discipline; and

4 (g) Whether the child or ward experienced physical or sexual abuse or neglect during the
5 placement.

6 (3) With respect to school placement of a child or ward, ensure that the child or ward
7 is not placed:

8 (a) In a more restrictive setting than the child or ward was placed in at their resident
9 school district unless evidence exists that the academic needs of the child or ward have
10 changed; and

11 (b) In a self-contained classroom with only children of similar substitute care placement
12 circumstances as opposed to an all-inclusive placement with children who are not in substi-
13 tute care unless evidence exists, after a meeting that includes the child's or ward's foster
14 parents, court appointed special advocate, attorney and special education advocate or edu-
15 cational surrogate, that the self-contained placement is required solely because of the child's
16 or ward's needs and not because of the particular structure of the school district.

17 **SECTION 2.** (1) In addition to any other case planning done by the Department of Human
18 Services for a child or ward 16 years of age or older who is in the legal custody of the De-
19 partment of Human Services as provided in ORS 418.015 or 419B.337 and who has been placed
20 in substitute care, including but not limited to case planning done pursuant to ORS 419B.343
21 that addresses the ward's needs and goals for a transition to successful adulthood, the de-
22 partment shall ensure that each child or ward has the opportunity to create a facilitated
23 person centered plan before leaving substitute care. The facilitated person centered plan
24 must, at a minimum, identify:

25 (a) Life goals, personal strengths and aptitudes;

26 (b) Resources available to the child or ward after leaving substitute care;

27 (c) A strategic plan to meet goals and develop personal strengths and aptitudes; and

28 (d) Information about resources to pay for higher education opportunities and assist with
29 college planning and completion of college applications.

30 (2) The child or ward shall be allowed to invite any individual to the process involved in
31 creating the facilitated person centered plan that the child or ward believes may be able to
32 provide assistance and support.

33 **SECTION 3.** Sections 1 and 2 of this 2017 Act apply to children and wards in the legal
34 custody of the Department of Human Services and in substitute care on or after the effective
35 date of this 2017 Act.

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