

SB 279 STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Prepared By: C. Ross, Counsel

Meeting Dates: 2/23, 4/13

WHAT THE MEASURE DOES:

Requires Department of Human Services (DHS) to avoid causing children in foster care to miss school to make certain appointments, to the extent practicable. Prohibits DHS from causing child to miss more than two school days per semester except for emergencies. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Prioritizing childhood; prioritizing a child's schedule and education to the extent possible, the same as or over adults' schedules
- Particular concern for academic success of young children
- Foster youth with regular parental visits during school hours, that would otherwise be considered unexcused or chronically absent
- Pending amendment to exclude medical appointments, court dates; intent to apply generally to visits with parents
- Need for further amendment

EFFECT OF AMENDMENT:

[-1 amendment dated 3/18/21] Narrows slightly, removing reference to "appointments" generally, leaving only the reference to scheduled visitation. Increases maximum number of days that may be missed from two, to no more than all or part of five school days.

[-2 amendment dated 3/30/21] Incorporates/duplicates -1 amendment. Replaces maximum number of days that may be missed except for emergencies, from more than all or part of five school days, with direction to DHS to ensure its records of absences are accurate if a child misses more than part or all of four days per semester. Directs Board of Education to adopt rules requiring school districts to report foster child visitation absences to DHS every semester of the 2021-2022 and 2022-2023 school years. Describes minimum content of such reports, to include the number, age, grade level of children absent due to visitation on a graduated basis based on number of absences starting at all or part of five days, to more than all or part of 15 days, and the most common reason why visitations were not scheduled outside school hours. Requires DHS report to the legislature by September 1, 2022, as specified. Sunsets reporting requirements January 1 2024. Defines terms.

[-3 amendment dated 4/9/21] Incorporates/duplicates -2 amendment. Replaces Board of Education rulemaking and reporting to DHS every semester, with DHS collecting data and reporting to legislature every semester.

BACKGROUND:

Frequent absences from school can result in less instruction overall but also an inability to build on previous instruction, as well as lost opportunities for social interaction and enrichment. Absences from elementary school in particular can impact basic skills and compound a child's difficulty and fear as they fall behind. Foster youth already experience increased barriers to success generally, as compared to peers outside the child welfare system. According to the American Academy of Pediatrics, a best practice that supports foster children and youth with regularly-scheduled visits with their parents, is to avoid disrupting the child's or youth's routine by not scheduling such visits during school hours or after-school activities, or late at night.

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Senate Bill 279 requires the Department of Human Services (DHS) to avoid causing children in foster care to miss school to make certain appointments, to the extent practicable, and in no event more than two school days per semester except for emergencies.