

**Enrolled**  
**Senate Bill 279**

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CHAPTER .....

AN ACT

Relating to school attendance of children in foster care; and declaring an emergency.

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

**SECTION 1.** (1) As used in this section:

(a) “Foster care” has the meaning given that term in ORS 339.133.

(b) “Visitation” does not include medical appointments, court appearances or interviews with law enforcement or the Department of Human Services.

(2) When scheduling visitations for a child in foster care, the department must, to the extent practicable, schedule the visitations at times and places that do not require the child to miss part or all of a school day.

(3) If a child in foster care misses part or all of more than four school days in a semester due to visitations scheduled by the department, the child’s caseworker shall ensure that the department’s records regarding the child indicate the number of school days the child missed during that semester.

**SECTION 2.** (1) As used in this section, “foster care” and “visitation” have the meanings given those terms in section 1 of this 2021 Act.

(2) The Department of Human Services shall collect data regarding school days missed by children in foster care due to visitations scheduled by the department and report that data to the appropriate committees or interim committees of the Legislative Assembly at the conclusion of each semester during the 2021-2022 and 2022-2023 school years. The reports must describe:

(a) The number, age and grade of children in foster care who missed part or all of at least five but not more than six school days due to visitations scheduled by the department.

(b) The number, age and grade of children in foster care who missed part or all of at least seven but not more than eight school days due to visitations scheduled by the department.

(c) The number, age and grade of children in foster care who missed part or all of at least nine but not more than 10 school days due to visitations scheduled by the department.

(d) The number, age and grade of children in foster care who missed part or all of at least 11 but not more than 15 school days due to visitations scheduled by the department.

(e) The number, age and grade of children in foster care who missed part or all of more than 15 school days due to visitations scheduled by the department.

(f) The most common reasons given for why it was not practicable to schedule the visitations outside of school hours.

(3) Not later than September 1, 2022, the Department of Human Services shall provide a report to the interim committees of the Legislative Assembly regarding human services with information regarding the school days missed by children in foster care during the 2021-2022 school year due to visitations scheduled by the department. The report must include information about any initiatives the department plans to implement to address school absences during the 2022-2023 school year. The report may also include recommendations regarding policy initiatives to support the department's efforts to improve school attendance and the educational success of children in foster care and, if applicable, budgetary resources necessary to implement the recommendations.

**SECTION 3.** Section 2 of this 2021 Act is repealed on January 1, 2024.

**SECTION 4.** This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by Senate April 28, 2021

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 2, 2021

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

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Shemia Fagan, Secretary of State