

SB 574 A STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Human Services**Action Date:** 03/06/23**Action:** Do pass with amendments and requesting subsequent referral to Ways and Means be rescinded. (Printed A-Eng.)**Vote:** 4-0-1-0**Yeas:** 4 - Gelser Blouin, Manning Jr, Prozanski, Weber**Exc:** 1 - Robinson**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Iva Sokolovska, LPRO Analyst**Meeting Dates:** 2/20, 3/6**WHAT THE MEASURE DOES:**

Permits a school district to use public funds to place a student of any age in an out-of-state child-caring agency only if the agency is licensed by the Department of Human Services (DHS) and is in a contract with the school district under specific requirements; provides exemptions. Directs the school district to review contract with any out-of-state child-caring agency prior to student placement. Permits DHS to charge school districts for the costs for licensing, investigation, and oversight of out-of-state child-caring agencies. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Residential placement for children sent across state lines
- Effective date of bill
- Number of children affected by out-of-state school placement

EFFECT OF AMENDMENT:

Permits a school district to use public funds to place a student of any age in an out-of-state child-caring agency only if the agency is licensed by the Department of Human Services (DHS) and is in a contract with the school district. Specifies requirements of contract. Permits DHS to charge school districts for the costs for oversight of out-of-state child-caring agencies.

BACKGROUND:

The Oregon Department of Education (ODE) contracts with local educational agencies to provide education programs for students who have been placed by other state agencies, school districts, or private placement in day and residential treatment facilities. These educational programs are designed to serve children who require schooling in a protected environment in order to protect the health and safety of themselves and/or others and allow the treatment process to extend into the school day. Oregon Law (ORS 418.321) allows the Department of Human Services (DHS) to place a child in an out-of-state child-caring agency only if the agency is licensed by the department, has a current contract with the department, and satisfies the same requirements as the agency that was located in Oregon. Senate Bill 1605 (2020 1st Special Session) allowed DHS to make placements of children or youth in child-caring agencies outside of Oregon if the placement complies with Oregon requirements, if DHS has a contract with the child-caring agency, and if such contract meets specified requirements. Current Oregon law requires that DHS ensure all in-state resources have been exhausted prior to the placement and requires DHS to accompany children and youth when they are placed in or moved to a child-caring agency outside of Oregon. DHS must notify the placement authorities of any other state retaining jurisdiction of children in child-caring agencies in Oregon upon awareness of a report of suspected child abuse, and to commence an investigation of a report of

SB 574 A STAFF MEASURE SUMMARY

suspected abuse if the reported abuse occurred in Oregon or in an out-of-state child-caring agency with Oregon children.

Senate Bill 574 A prohibits use of public funds for out-of-state residential placement of students in programs that are not licensed by DHS and in contract with ODE.