

Lois A. Day, Administrator
Office of Safety & Permanency for Children

Authorized Signature

Number: CW-AR-10-007

Issue Date: 11/15/2010

Topic: Foster Care

Due Date: 12/15/2010

Subject: Education and School Attendance

Applies to (check all that apply):

- | | | | |
|-------------------------------------|-------------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | All DHS employees | <input type="checkbox"/> | County Mental Health Directors |
| <input type="checkbox"/> | Area Agencies on Aging | <input type="checkbox"/> | Health Services |
| <input checked="" type="checkbox"/> | Children, Adults and Families | <input type="checkbox"/> | Seniors and People with Disabilities |
| <input type="checkbox"/> | County DD Program Managers | <input type="checkbox"/> | Other (please specify): |

Action Required:

Child welfare supervisors who are supervising units for children in substitute care are to review with their unit staff the federal requirements regarding school attendance for a child in substitute care.

Reason for Action:

Under Federal - Public Law 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008, in order to claim IV-E reimbursement, the state must provide assurances; "that each child who has attained the minimum age for compulsory school attendance under State law, and with respect to whom there is eligibility for a payment under the State [Title IV-E] plan is a full-time elementary or secondary school student or has completed secondary school, and, for the purpose of this paragraph, the term 'elementary or secondary school student' means, with respect to a child, that the child is";

(A) enrolled or in the process of enrolling in an institution which provides elementary or secondary education, as determined under the law of the State or other jurisdiction in which the institution is located;

(B) instructed in elementary or secondary education at home in accordance with a home school law or the State or other jurisdiction in which the program is located, which is administered by the local school or school district; or

(C) in an independent study elementary or secondary education program in accordance with the law of the State or other jurisdiction in which the program is located, which is administered by the local school or school district; or

(D) incapable of attending school on a full-time basis due to the medical condition of the child, which incapability is supported by regularly updated information in the case plan of the child.

Please refer to current policy I-E.8 Educational Services for a Child in Substitute Care. This policy is anticipated to be updated in 2011, which will incorporate some of these new assurances.

Field/Stakeholder review: Yes No

If yes, reviewed by:

If you have any questions about this action request, contact:

Contact(s):	Kevin George		
Phone:	503-945-5987	Fax:	503-945-6969
E-mail:	Kevin.george@state.or.us		