

To: School Transportation Contacts

From: MOU Operations Team

Date: December 18, 2013

Changes have been made to the **DHS Transportation Protocol**. These changes incorporate federal legislation and address safety concerns and are set forth below. Additionally, Niene Pugliano's role as central Transportation Coordinator for DHS is changing. From this date forward, until further notification, the Transportation Point staff listed below are allowed to make and change transportation arrangements for students in foster care. Niene will continue to provide oversight and will continue to make some arrangements.

Gresham Joy Ross, 503-674-3610 joy.m.ross@state.or.us
Marc Shouse, 503-674-3610 marc.shouse@state.or.us

Alberta Nicole Kendall, 971-673-6860, nicole.kendall@state.or.us
Masheria Morton, 971-673-6771, masheria.l.morton@state.or.us

East Jane Bahr, 971-673-3101, jane.e.bahr@state.or.us
Heather Ritter, 971-673-2145, heather.ritter@state.or.us

Midtown Kimberly Kasper-Moon, 971-673-1473, Kimberly.j.kasper-moon@state.or.us
Melainie Wyand, 971-673-1854, Melanie.wyand@state.or.us

Hotline Shari Mickelson, 503-872-5257, shari.a.mickelson@state.or.us
Carla Simmons, (503) 872-6951, carla.simmons@state.or.us

The primary changes are:

1. The federal Fostering Connections Act expands the reach of ORS 339.133
2. School District designation of a single Central Dispatch for ALL transportation arrangements.
3. Agreement that School District Transportation Managers will inform DHS Transportation Point staff when student transport will begin prior to the start date, and identify the contractor providing the transport.
4. Definition of circumstances when a Caseworker or Foster Parent can make changes to transportation.
5. Documentation of specific information needed to make allowable changes.
6. Definition of specific information needed to make allowable changes when DHS staff or Foster Parent calls **after hours** to make a temporary cancelation.

Please note the amended protocol is referenced in the current DHS-District Transportation contracts and acknowledge receipt.

School Transportation for Students in Foster Children in Multnomah County, OR

The attached protocol sets out the process and changes in the school transportation policy due to the federal Fostering Connections Act (FCA). The FCA expands the reach of “ORS 339.133 – Determination of Residency for School Purposes.” Additionally, this protocol addresses safety concerns and changes in DHS central transportation coordination.

Background:

ORS 339.133 and Fostering Connections Act

We expect to continue to receive guidance from the state about how the act will roll out in Oregon, but here is some information gathered from our briefings on Fostering Connections, as well as through materials provided by the American Bar Association and other implementers.

- ☐ FC is similar to Oregon HB3075 in that it allows a child in foster care to maintain school residency (remain in their current school), but more expansive, since it **covers ALL students in foster care, including those making intra-district moves and does not distinguish grade levels**, allowing a child to stay with their school cohort unless it is no longer in their best interests.
- ☐ Transportation obligations rest with the student’s resident district (the district receiving state and federal schools funds).

ORS 339.133 (HB3075) states that the child’s “resident” school district is responsible for providing transportation when a child moves to another district and remains in their original school. For the most part this is clear and the rule is easily applied.

However, a handful of cases, especially where more than two districts are involved, have resulted in confusion. It’s important to remember in these cases that the statutory intent is to maintain children in their *current* (resident) *school*, and that the responsibility for providing transportation rests with the school/district that is receiving the funding for the child’s education. **In applying the statute it may be helpful to keep in mind that the word “resident” attaches to the school /district the child is attending, not the physical home (house) address of the student.** This is consistent with Fostering Connections. To help reduce confusion, in 2013-14 DHS began focusing on the school placement, rather than physical address, of the child coming into care. **Impact of subsequent moves while in care:** The original district does not have any responsibility to the student *if* they are no longer the district receiving state schools funds for the student.

Student Safety Concerns

The protocol for making changes to transportation arrangements is clarified in order to avoid situations where a non-custodial parent could interfere with transportation arrangements, another student could cancel transportation for a friend, or a child could be “missing” without anyone knowing. These changes ensure that only authorized parties can request and grant adjustments to transportation arrangements.

DHS Transportation Coordination

Beginning in 2013-14 Transportation arrangements will be coordinated by DHS Branch Transportation Points. Each of the four Multnomah County branches will have a lead point and a back-up supervisor. The names of the Transportation Points and Supervisors are provided above and school districts will be notified when there are changes.

**Protocol for Court Ordered School Transportation
of Foster Children in Multnomah County, OR**

Amended October 22, 2013

By federal law and state statute, children taken into Foster Care remain residents of their home school for education purposes unless it is no longer in their best interests. Where transportation is required it is the responsibility of the “resident/home” district to provide transportation from the child’s new residence back to their home school.¹ The school districts of Multnomah County have entered into agreement with the State Department of Human Services (DHS) to utilize available state and federal resources to offset the cost of transporting these students. Please refer to this protocol and the attached documents when arranging transportation of a student/foster child.

DHS:

Schools have been instructed to process only those transportation related requests received from designated Transportation Points from DHS. Caseworkers are instructed to follow the protocols developed by District 2 transportation coordinator Niene Pugliano.

School Districts:

1. Designate a Transportation Manager and Transportation Coordinator and share the contact with DHS.
2. Instruct school staff to route ALL transport calls, requests, and changes through the school district’s Transportation Coordinator or Transportation Manager.
3. Ensure all requests for transportation for children in foster care are arranged by designated DHS Educational Transportation Branch Points or Supervisors. If the request comes from another source (i.e., a caseworker), provide immediate notification that the request will not be processed unless made through correct channels.
4. Ensure that the **Court Order** and **name and contact information for the caseworker** is documented.
5. Inform the DHS Educational Transportation Coordinator (Niene Pugliano) when transport service will begin PRIOR to the start date AND identify the provider of the services.
6. Inform and enforce with transport service providers that all changes in transportation are to be arranged by the school district’s Transportation Manager/Department.
7. **Obtain and retain the student’s OR-Kids Person ID# AND the Student’s Date of Birth** before making any changes in transport. Callers who are unable to provide this information MUST be directed to contact the child’s caseworker.
8. **EXCEPTIONS:** in the following circumstances changes in transport, pick-up or drop-off location or time, or days of the week a child is transported can be made by:

Foster parents:

- a. The child is staying home due to illness for the day,

¹ For circumstances outside regular school placement or IEP-related services directly contact the Director of Student Service/Special Education.

- b. The first day of a suspension (subsequent days must be confirmed by the Caseworker or DHS Educational Transportation Branch Points), or
- c. The family is taking a short vacation (1-2 days).

Caseworker:

- a. The child is staying home due to illness for the day,
- b. The child is suspended,
- c. The family is taking a short vacation (1-2 days)
- d. The child has a visit, medical appointment, or
- e. The Caseworker is going to pick the child up after school.

Note: If DHS staff or Foster Parents call after hours and leave a voicemail, they are required to include the following in their message:

- a. Their full name, the student's full name, and their relationship to the child
- b. The student's OR-Kids Person I.D. # and their DOB
- c. Date they need canceled for the student and why (i.e. dentist, sick, suspension, vacation, family visit, etc.)

If the caller does not provide all of the above mentioned in their voice message:

- a. Attempt to contact the caller for the missing information; if the caller is unavailable,
- b. Deny the request and dispatch transportation as per existing arrangements, and
- c. Notify the DHS Educational Transportation Branch Point at the branch from which the original transportation request was received.

- 9. Document transportation services using the attached template for reimbursement.
- 10. Provide the attached template as an Excel sheet, not a PDF (so DHS can add client ID, caseworker and DHS Educational Transportation Branch Points), with a cover invoice to both Paul Mills, paul.mills@state.or.us and Niene Pugliano, niene.n.pugliano@state.or.us on the dates specified in the contract.

Related Document:

School District Template for Reimbursement

I have received this amended protocol.

_____ / _____

Signature/Date

District Transportation Contact

School District