Chapter 417

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Interstate Compacts on Juveniles and Children; Children and Family Services

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INTERSTATE COMPACT ON JUVENILES

417.010 "Juvenile" defined for ORS 417.010 to 417.080. As used in ORS 417.010 to 417.080, "juvenile" includes any person who is within the jurisdiction of the juvenile court. [1959 c.434 §8]

417.020 Declaration of public policy. (1) It hereby is found and declared that:

(a) Juveniles who are not under proper supervision and control, or who have absconded, escaped or run away, are likely to endanger their own health, morals and welfare, and the health, morals and welfare of others; and

(b) The cooperation of this state with other states is necessary to provide for the welfare and protection of juveniles and of the people of this state.

(2) It is therefore the policy of this state, in adopting the Interstate Compact on Juveniles, to cooperate fully with other states in returning juveniles to such other states whenever their return is sought, to accept the return of juveniles whenever a juvenile residing in this state is found or apprehended in another state and to take all measures to initiate proceedings for the return of such juveniles. [1959 c.434 §1]

417.030 Interstate Compact on Juveniles. The Governor hereby is authorized and directed to execute for, on behalf of and in the name of the State of Oregon, a compact with any state or states legally joining therein in the form substantially as follows:

The contracting states solemnly agree:

ARTICLE I

FINDINGS AND PURPOSES

That juveniles who are not under proper supervision and control, or who have absconded, escaped or run away, are likely to endanger their own health, morals and welfare, and the health, morals and welfare of others. The cooperation of the states party to this compact is therefore necessary to provide for the welfare and protection of juveniles and of the public with respect to (1) cooperative supervision of delinquent juveniles on probation or parole; (2) the return, from one state to another, of delinquent juveniles who have escaped or absconded; (3) the return, from one state to another, of nondelinquent juveniles who have run away from home; and (4) additional measures for the protection of juveniles and of the public, which any two or more of the party states may find desirable to undertake cooperatively. In carrying out the provisions of this compact the party states shall be guided by the noncriminal, reformative and protective policies which guide their laws concerning delinquent, neglected or dependent juveniles generally. It shall be the policy of the states party to this compact to cooperate and observe their respective responsibilities for the prompt return and acceptance of juveniles and delinquent juveniles who become subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the foregoing purposes.

ARTICLE II

EXISTING RIGHTS AND REMEDIES

That all remedies and procedures provided in this compact shall be in addition to and not in substitution for other rights, remedies and procedures and shall not be in derogation of parental rights and responsibilities.

ARTICLE III

DEFINITIONS

That, for the purposes of this compact, "delinquent juvenile" means any juvenile who has been adjudged delinquent and who, at the time the provisions of this compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or the jurisdiction or supervision of an agency or institution pursuant to an order of such court; "probation or parole" means any kind of conditional release of juveniles authorized under the laws of the states party hereto; "court" means any court having jurisdiction over delinquent, neglected or dependent children; "state" means any state, territory or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; and "residence" or any variant thereof means a place at which a home or regular place of abode is maintained.

ARTICLE IV

RETURN OF RUNAWAYS

(a) That the parent, guardian, person or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, guardian, person or agency may petition the appropriate court in the demanding state for the issuance of a requisition for the return of the juvenile. The petition shall state the name and age of the juvenile, the name of the petitioner and the basis of entitlement to the juvenile's custody, the circumstances of the running away of the juvenile, location if known at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering the welfare of the juvenile or the welfare of others and is not an emancipated minor. The petition shall be

verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the document or documents on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letter of guardianship, or custody decrees. Such further affidavits and other documents as may be deemed proper may be submitted with such petition. The judge of the court to which this application is made may hold a hearing thereon to determine whether for the purposes of this compact the petitioner is entitled to the legal custody of the juvenile, whether or not it appears that the juvenile has in fact run away without consent, whether or not the juvenile is an emancipated minor, and whether or not it is in the best interest of the juvenile to compel a return to the state. If the judge determines, either with or without a hearing, that the juvenile should be returned, the judge shall present to the appropriate court or to the executive authority of the state where the juvenile is alleged to be located a written requisition for the return of such juvenile. Such requisition shall set forth the name and age of the juvenile, the determination of the court that the juvenile has run away without the consent of a parent, guardian, person or agency entitled to legal custody, and that it is in the best interest and for the protection of such juvenile that the juvenile be returned. In the event that a proceeding for the adjudication of the juvenile as a delinquent, neglected or dependent juvenile is pending in the court at the time when such juvenile runs away, the court may issue a requisition for the return of such juvenile upon its own motion, regardless of the consent of the parent, guardian, person or agency entitled to legal custody, reciting therein the nature and circumstances of the pending proceeding. The requisition shall in every case be executed in duplicate and shall be signed by the judge. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of such court. Upon the receipt of a requisition demanding the return of a juvenile who has run away, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing the person to take into custody and detain such juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No juvenile detained upon such order shall be delivered over to the officer whom the court demanding shall have appointed to receive the juvenile, unless the juvenile shall first be taken forthwith before a judge of a court in the state, who shall inform the juvenile of the demand made for the return of the juvenile, and who may appoint counsel or guardian ad litem for the juvenile. If the judge of such court shall find that the requisition is in order, the judge shall deliver such juvenile over to the officer whom the court demanding shall have appointed to receive the juvenile. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a juvenile who has run away from another state party to this compact without the consent of the parent, guardian, person or agency entitled to legal custody, such juvenile may be taken into custody without a requisition and brought forthwith before a judge of the appropriate court who may appoint counsel or guardian ad litem for such juvenile and who shall determine after a hearing whether sufficient cause exists to hold the person, subject to the order of the court, for the person's own protection and welfare, for such a time not exceeding 30 days as will enable the return to another state party to this compact pursuant to a requisition for the return from a court of that state. If, at the time when a state seeks the return of a juvenile who has run away, there is pending in the state wherein the juvenile is found any criminal charge, or any proceeding to have the juvenile adjudicated a delinquent juvenile for an act committed in such state, or if the juvenile is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference. Upon the return to the state from which the juvenile ran away, the juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) That the state to which a juvenile is returned under this Article shall be responsible for payment of the transportation costs of such return.

(c) That "juvenile" as used in the Article means any person who is a minor under the law of the state of residence of the parent, guardian, person or agency entitled to the legal custody of such minor.

ARTICLE V

RETURN OF ESCAPEES AND ABSCONDERS

(a) That the appropriate person or authority from whose probation or parole supervision a delinquent juvenile has absconded or from whose institutional custody the juvenile has escaped shall present to the appropriate court or to the executive authority of the state where the delinquent juvenile is alleged to be located a written requisition for the return of such delinquent juvenile. Such requisition shall state the name and age of the delinquent juvenile, the particulars of adjudication as a delinquent juvenile, the circumstances of the breach of the terms of probation or parole or of escape from an institution or agency vested with legal custody or supervision, and the location of such delinquent juvenile, if known, at the time the requisition is made. The requisition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the judgment, formal adjudication, or order of commitment which subjects such delinquent juvenile to probation or parole or to the legal custody of the institution or agency concerned. Such further affidavits and other documents as may be deemed proper may be submitted with such requisition. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of the appropriate court. Upon the receipt of a requisition demanding the return of a delinquent juvenile who has absconded or escaped, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing the person to take into custody and detain such delinquent juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No delinquent juvenile detained upon such order shall be delivered over to the officer whom the appropriate person or authority demanding shall have appointed to receive the juvenile, unless the juvenile shall first be taken forthwith before a judge of an appropriate court in the state, who shall inform the juvenile of the demand made for the return and who may appoint counsel or guardian ad litem. If the judge of such court shall find that the requisition is in order, the judge shall deliver such delinquent juvenile over to the officer whom the appropriate person or authority demanding the juvenile shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with legal custody or supervision in any state party to this compact, such person may be taken into custody in any other state party to this compact without a requisition. But in such event, the juvenile must be taken forthwith before a judge of the appropriate court, who may appoint counsel or guardian ad litem for such person and who shall determine, after a hearing, whether sufficient cause exists to hold the person subject to the order of the court for such a time, not exceeding 90 days, as will enable detention under a detention order issued on a requisition pursuant to this Article. If, at the time when a state seeks the return of a delinquent juvenile who has either absconded while on probation or parole or escaped from an institution or agency vested with legal custody or supervision, there is pending in the state wherein the juvenile is detained any criminal charge or any proceeding to have the juvenile adjudicated a delinquent juvenile for an act committed in such state, or if the juvenile is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the delinquent juvenile being returned, shall be permitted to transport such delinquent juvenile through any and all states party to this compact, without interference. Upon the return to the state from which the juvenile escaped or absconded, the delinquent juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) That the state to which a delinquent juvenile is returned under this Article shall be responsible for payment of the transportation costs of such return.

ARTICLE Va

INTERSTATE RENDITION OF JUVENILES ALLEGED TO BE DELINQUENT

(a) This amendment shall provide additional remedies, and shall be binding only as among and between those party states which specifically execute the same.

(b) All provisions and procedures of Articles V and VI of the Interstate Compact on Juveniles shall be construed to apply to any juvenile charged with being a delinquent by reason of a violation of any criminal law. Any juvenile, charged with being a delin-

quent by reason of violating any criminal law, shall be returned to the requesting state upon a requisition to the state where the juvenile may be found. A petition in such case shall be filed in a court of competent jurisdiction in the requesting state where the violation of criminal law is alleged to have been committed. The petition may be filed regardless of whether the juvenile has left the state before or after the filing of the petition. The requisition described in Article V of the Compact shall be forwarded by the judge of the court in which the petition has been filed.

ARTICLE VI

VOLUNTARY RETURN PROCEDURE

That any delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with legal custody or supervision in any state party to this compact, and any juvenile who has run away from any state party to this compact, who is taken into custody without a requisition in another state party to this compact under the provisions of Article IV (a) or of Article V (a) of this compact, may consent to the immediate return to the state from which the juvenile absconded, escaped or ran away. Such consent shall be given by the juvenile or delinquent juvenile and counsel or guardian ad litem if any, by executing or subscribing a writing, in the presence of a judge of the appropriate court, which states that the juvenile or delinquent juvenile and counsel or guardian ad litem, if any, consent to the return to the demanding state. Before such consent shall be executed or subscribed, however, the judge, in the presence of counsel or guardian ad litem, if any, shall inform the juvenile or delinquent juvenile of the rights under this compact. When the consent has been duly executed, it shall be forwarded to and filed with the compact administrator of the state in which the court is located and the judge shall direct the officer having the juvenile or delinquent juvenile in custody to deliver the juvenile to the duly accredited officer or officers of the state demanding the return, and shall cause to be delivered to such officer or officers a copy of the consent. The court may, however, upon the request of the state to which the juvenile or delinquent juvenile is being returned order the juvenile to return unaccompanied to such state and shall provide the juvenile with a copy of such court order; in such event a copy of the consent shall be forwarded to the compact administrator of the state to which such juvenile or delinquent juvenile is ordered to return.

ARTICLE VII

COOPERATIVE SUPERVISION OF PROBATIONERS AND PAROLEES

(a) That the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state") may permit any delinquent juvenile within such state, placed on probation or parole, to reside in any other state party to this compact (herein called "receiving state") while on probation or parole, and the receiving state shall accept such delinquent juvenile, if the parent, guardian or person entitled to the legal custody of such delinquent juvenile is residing or undertakes to reside within the receiving state. Before granting such permission, opportunity shall be given to the receiving state to make such investigations as it deems necessary. The authorities of the sending state shall send to the authorities of the receiving state copies of pertinent court orders, social case studies and all other available information which may be of value to and assist the receiving state in supervising a probationer or parolee under this compact. A receiving state, in its discretion, may agree to accept supervision of a probationer or parolee in cases where the parent, guardian or person entitled to the legal custody of the delinquent juvenile is not a resident of the receiving state, and if so accepted the sending state may transfer supervision accordingly.

(b) That each receiving state will assume the duties of visitation and of supervision over any such delinquent juvenile and in the exercise of those duties will be governed by the same standards of visitation and supervision that prevail for its own delinquent juveniles released on probation or parole.

(c) That, after consultation between the appropriate authorities of the sending state and of the receiving state as to the desirability and necessity of returning such a delinquent juvenile, the duly accredited officers of a sending state may enter a receiving state and there apprehend and retake any such delinquent juvenile on probation or parole. For that purpose, no formalities will be required, other than establishing the authority of the officer and the identity of the delinquent juvenile to be retaken and returned. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive upon and not reviewable within the receiving state, but if, at the time the sending state seeks to retake a delinquent juvenile on probation or parole, there is pending against the juvenile within the receiving state any criminal charge or any proceeding to have the juvenile adjudicated a delinquent juvenile for any act committed in such state, or if the juvenile is

suspected of having committed within such state a criminal offense or an act of juvenile delinquency, the juvenile shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of the sending state shall be permitted to transport delinquent juveniles being so returned through any and all states party to this compact, without interference.

(d) That the sending state shall be responsible under this Article for paying the costs of transporting any delinquent juvenile to the receiving state or of returning any delinquent juvenile to the sending state.

ARTICLE VIII

RESPONSIBILITY FOR COSTS

(a) That the provisions of Articles IV (b), V (b) and VII (d) of this compact shall not be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

(b) That nothing in this compact shall be construed to prevent any party state or subdivision thereof from asserting any right against any person, agency or other entity in regard to costs for which such party state or subdivision thereof may be responsible pursuant to Articles IV (b), V (b) or VII (d) of this compact.

ARTICLE IX

DETENTION PRACTICES

That, to every extent possible, it shall be the policy of states party to this compact that no juvenile or delinquent juvenile shall be placed or detained in any prison, jail or lockup nor be detained or transported in association with criminal, vicious or dissolute persons.

ARTICLE X

SUPPLEMENTARY AGREEMENTS

That the duly constituted administrative authorities of a state party to this compact may enter into supplementary agreements with any other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles whenever they shall find that such agreements will improve the facilities or programs available for such care, treatment and rehabilitation. Such care, treatment and rehabilitation may be provided in an institution located within any state entering into such supplementary agreement. Such supplementary agreements shall (1) provide the rates to be paid for the care, treatment and custody of such delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished; (2) provide that the delinquent juvenile shall be given a court hearing prior to the juvenile being sent to another state for care, treatment and custody; (3) provide that the state receiving such a delinquent juvenile in one of its institutions shall act solely as agent for the state sending such delinquent juvenile; (4) provide that the sending state shall at all times retain jurisdiction over delinquent juveniles sent to an institution in another state; (5) provide for reasonable inspection of such institutions by the sending state; (6) provide that the consent of the parent, guardian, person or agency entitled to the legal custody of said delinquent juvenile shall be secured prior to the juvenile being sent to another state; and (7) make provision for such other matters and details as shall be necessary to protect the rights and equities of such delinquent juveniles and of the cooperating states.

ARTICLE XI

ACCEPTANCE OF FEDERAL AND OTHER AID

That any state party to this compact may accept any and all donations, gifts and grants of money, equipment and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of the purposes and functions of this compact, and may receive and utilize the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

ARTICLE XII

COMPACT ADMINISTRATORS

That the governor of each state party to this compact shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE XIII

EXECUTION OF COMPACT

That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

ARTICLE XIV

RENUNCIATION

That this compact shall continue in force and remain binding upon each executing state until renounced by it. Renunciation of this compact shall be by the same authority which executed it, by sending six months'

notice in writing of its intention to withdraw from the compact to the other states party hereto. The duties and obligations of a renouncing state under Article VII of this compact shall continue as to parolees and probationers residing therein at the time of withdrawal until retaken or finally discharged. Supplementary agreements entered into under Article X of this compact shall be subject to renunciation as provided by such supplementary agreements, and shall not be subject to the six months' renunciation notice of this Article.

ARTICLE XV

SEVERABILITY

That the provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the Constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

[1959 c.434 §2; 1979 c.288 §4]

417.040 Juvenile Compact Administrator and staff; rules. (1) The office of Juvenile Compact Administrator hereby is created. The Director of Human Services shall be ex officio Juvenile Compact Administrator, with no additional compensation. The administrator shall act jointly with like officers of other party states in promulgating rules and regulations to carry out more effectively the terms of the compact. The administrator shall cooperate with all departments, agencies and officers of the government of this state and its subdivisions in facilitating the proper administration of the compact or of any supplementary agreement or agreements entered into by this state thereunder.

(2) The Juvenile Compact Administrator shall appoint a Deputy Juvenile Compact Administrator to serve at the pleasure of the administrator. The deputy shall be appointed on the basis of personal qualifications in accordance with standards fixed by the Department of Human Services. The department shall fix the salary of the deputy. Subject to the approval of the department, and at salaries fixed by it, the administrator may employ such other personnel as may be necessary to accomplish the purposes of ORS 417.010 to 417.080. The administrator shall prescribe the duties of the deputy and such other personnel, and they shall be subject to the control and under the immediate supervision of the administrator. Personnel other than the administrator and the deputy shall be subject to any applicable provision of the State Personnel Relations Law. Subject to the approval of the department, the administrator may also provide necessary offices, supplies and equipment. [1959 c.434 §3; 1971 c.401 §11]

417.050 Supplementary agreements. The Juvenile Compact Administrator may enter into supplementary agreements with appropriate officials of other states under the compact. In the event that a supplementary agreement requires or contemplates the use of any institution or facility of this state or requires or contemplates the providing of any service by this state, the supplementary agreement shall have no force or effect until approved by the head of the department or agency under whose jurisdiction the institution or facility is operated or whose department or agency will be charged with the providing of the service. [1959 c.434 §4]

417.060 Proceedings for recovery of expenses in enforcing compact and agreements. The Juvenile Compact Administrator may recover from parents or guardians any moneys expended by this state or any of its subdivisions in returning a delinquent or nondelinquent juvenile to this state, for care pending the return of the juvenile to this state or for care provided pursuant to any supplementary agreement. Proceedings to recover such moneys shall be brought before the juvenile court, which shall, upon the parent, parents or guardian being duly summoned or voluntarily appearing, enter such order or judgment as is equitable in the premises. The order or judgment may be enforced by execution or in any manner in which a court of equity may enforce its orders or judgments. No property belonging to persons subject to the order or judgment shall be exempt from levy and sale under execution. [1959 c.434 §5; 2003 c.576 §444]

417.070 Juvenile court jurisdiction. The juvenile courts of this state have jurisdiction of juveniles within the operation of ORS 417.010 to 417.080. [1959 c.434 §7]

417.080 Enforcement of compact. The courts, departments, agencies and officers of this state and its subdivisions shall enforce this compact and shall do all things appropriate to the effectuation of its purposes and intent which may be within their respective jurisdictions. [1959 c.434 §6]

INTERSTATE COMPACTS FOR ADOPTION ASSISTANCE

417.090 Definitions for ORS 417.090 to 417.105. As used in ORS 417.090 to 417.105:

(1) "Adoption assistance" means financial and medical assistance to an adoptive family to assist the family with the costs associated with the needs of the adoptive child.

(2) "Adoption assistance state" means the state that has signed an adoption assistance agreement in a particular case.

(3) "Medical assistance" means programs for payment of medical and remedial care provided to eligible individuals.

(4) "Residence state" means the state in which a child who is the subject of an adoption assistance agreement is living.

(5) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands or a territory or possession of, or administered by, the United States. [1999 c.859 §1]

417.095 Authority to enter into interstate compacts. (1) The Department of Human Services may develop, participate in the development of, negotiate and enter into one or more interstate compacts on behalf of this state with other states to:

(a) Provide adoption assistance and other necessary services for children who are the subjects of adoption assistance agreements in one state and are residing in another state; and

(b) Establish procedures for efficient interstate delivery of adoption assistance and related services and benefits that will protect the interests of adopted children who move from one state to another.

(2) When the department enters into an interstate compact under this section, the compact has the force and effect of law for as long as it remains in effect. [1999 c.859 §2]

417.100 Requirements for interstate compacts. (1) A compact entered into under ORS 417.095 must contain all of the following:

(a) A provision making the compact available for joinder by all states.

(b) A provision for withdrawal from the compact upon written notice to the parties with a period of one year between the date of the notice and the effective date of the withdrawal.

(c) A requirement that, notwithstanding a state's withdrawal from the compact, the state shall continue to provide the protections afforded by the compact for the duration of any adoption assistance agreement to all children and their adoptive parents who, on the effective date of the state's withdrawal, are receiving adoption assistance from a state other than the residence state.

(d) A requirement that:

(A) Each instance of adoption assistance to which the compact applies be covered by an adoption assistance agreement;

(B) An adoption assistance agreement be in writing and signed by the adoptive parents and the child welfare agency of the state that undertakes to provide the adoption assistance; and

(C) An adoption assistance agreement is intended expressly for the benefit of the adopted child and is enforceable by the adoptive parents and the state agency providing the adoption assistance.

(2) A compact entered into under ORS 417.095 may contain:

(a) Provisions necessary to administer the compact.

(b) Provisions establishing procedures for and entitlement to medical and necessary social services for a child when the child and the adoptive parents are living in a state other than the state responsible for or providing the services or the funds to pay part or all of the costs of the services. [1999 c.859 §3]

417.105 Medical assistance identification document; penalty for false, misleading or fraudulent statement; rules. (1) The Department of Human Services shall issue a medical assistance identification document to a child who is living in this state if the child:

(a) Is the subject of an adoption assistance agreement with another state;

(b) Is eligible for medical assistance in the other state; and

(c) Files with the department a certified copy of the adoption assistance agreement obtained from the adoption assistance state.

(2) The department shall consider the holder of a medical assistance identification document issued under this section to be the same as a holder of any other medical assistance identification document issued under other laws of this state. The department shall process and make payment on claims on behalf of the holder in the same manner and subject to the same conditions and procedures as for other recipients of medical assistance.

(3) The department shall provide coverage and benefits for a child who is in another state and is covered by an adoption assistance agreement made by the department if the coverage or benefits are not provided by

the residence state. The adoptive parent may submit to the department evidence of payment for services or benefit amounts that are not payable in the residence state. The department shall reimburse the adoptive parent for services and benefit amounts covered by this state's medical assistance program. However, the department may not reimburse the adoptive parent for services or benefit amounts covered under any insurance or other third-party medical contract or arrangement held by the child or the adoptive parent. The additional services and benefit amounts provided under this subsection are for services for which there is no federal contribution toward the cost of the services, or for services for which there is a federal contribution toward the cost of the services but the services are not provided by the residence state.

(4)(a) For purposes of subsection (1) of this section, the department by rule may require the adoptive parents to show, at least annually, that the adoption assistance agreement is in force.

(b) The department shall adopt rules implementing subsection (3) of this section. The department shall include in the rules procedures for obtaining prior approval for services in those instances when approval is required for the assistance.

(5) A person who submits a false, misleading or fraudulent claim for payment or reimbursement for services or benefits under this section, or makes a false, misleading or fraudulent statement in connection therewith, commits a Class C felony if the person knows or should know that the claim or statement is false, misleading or fraudulent. [1999 c.859 §4]

INTERSTATE COMPACT ON PLACEMENT OF CHILDREN

417.200 Interstate Compact on Placement of Children. The Interstate Compact on the Placement of Children is enacted into law and entered into on behalf of this state with all other jurisdictions legally joining therein in form substantially as follows:

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

ARTICLE I

PURPOSE AND POLICY

It is the purpose and policy of the party states to cooperate with each other in the interstate placement of children to the end that:

(a) Each child requiring placement shall receive the maximum opportunity to be placed in a suitable environment and with persons or institutions having appropriate qualifications and facilities to provide a necessary and desirable degree and type of care.

(b) The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.

(c) The proper authorities of the state from which the placement is made may obtain the most complete information on the basis on which to evaluate a projected placement before it is made.

(d) Appropriate jurisdictional arrangements for the care of children will be promoted.

ARTICLE II

DEFINITIONS

As used in this compact:

(a) "Child" means a person who, by reason of minority, is legally subject to parental, guardianship or similar control.

(b) "Sending agency" means a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings, or causes to be sent or brought any child to another party state.

(c) "Receiving state" means the state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.

(d) "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution but does not include any institution caring for the mentally ill, mentally defective or epileptic or any institution primarily educational in character, and any hospital or other medical facility.

ARTICLE III

CONDITIONS FOR PLACEMENT

(a) No sending agency shall send, bring, or cause to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption unless the sending agency shall comply with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein.

(b) Prior to sending, bringing or causing any child to be sent or brought into a re-

ceiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intention to send, bring, or place the child in the receiving state. The notice shall contain:

(1) The name, date and place of birth of the child.

(2) The identity and address or addresses of the parents or legal guardian.

(3) The name and address of the person, agency or institution to or with which the sending agency proposes to send, bring, or place the child.

(4) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made.

(c) Any public officer or agency in a receiving state which is in receipt of a notice pursuant to paragraph (b) of this article may request of the sending agency, or any other appropriate officer or agency of or in the sending agency's state, and shall be entitled to receive therefrom, such supporting or additional information as it may deem necessary under the circumstances to carry out the purpose and policy of this compact.

(d) The child shall not be sent, brought, or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.

ARTICLE IV

PENALTY FOR ILLEGAL PLACEMENT

The sending, bringing, or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact shall constitute a violation of the laws respecting the placement of children of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving state. Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation shall constitute full and sufficient grounds for the suspension or revocation of any license, permit, or other legal authorization held by the sending agency which empowers or allows it to place, or care for children.

ARTICLE V

RETENTION OF JURISDICTION

(a) The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care, treatment and disposition of the child which it would have had if the child had remained in the sending agency's state, until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement. Nothing contained herein shall defeat a claim of jurisdiction by a receiving state sufficient to deal with an act of delinquency or crime committed therein.

(b) When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for the sending agency.

(c) Nothing in this compact shall be construed to prevent a private charitable agency authorized to place children in the receiving state from performing services or acting as agent in that state for a private charitable agency of the sending state; nor to prevent the agency in the receiving state from discharging financial responsibility for the support and maintenance of a child who has been placed on behalf of the sending agency without relieving the responsibility set forth in paragraph (a) hereof.

ARTICLE VI

INSTITUTIONAL CARE OF DELINQUENT CHILDREN

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard, prior to being sent to such other party jurisdiction for institutional care and the court finds that:

(1) Equivalent facilities for the child are not available in the sending agency's jurisdiction; and

(2) Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.

ARTICLE VII

COMPACT ADMINISTRATOR

The executive head of each jurisdiction party to this compact shall designate an officer who shall be general coordinator of activities under this compact in the jurisdiction of the officer and who, acting jointly with like officers of other party jurisdictions, shall

have power to promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE VIII

LIMITATIONS

This compact shall not apply to:

(a) The sending or bringing of a child into a receiving state by a parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or guardian and leaving the child with any such relative or nonagency guardian in the receiving state.

(b) Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between said states which has the force of law.

ARTICLE IX

ENACTMENT AND WITHDRAWAL

This compact shall be open to joinder by any state, territory or possession of the United States, the District of Columbia, Commonwealth of Puerto Rico, and, with the consent of Congress, the Government of Canada or any province thereof. It shall become effective with respect to any such jurisdiction when such jurisdiction has enacted the same into law. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until two years after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other party jurisdiction. Withdrawal of a party state shall not affect the rights, duties and obligations under this compact of any sending agency therein with respect to a placement made prior to the effective date of withdrawal.

ARTICLE X

CONSTRUCTION AND SEVERABILITY

The provisions of this compact shall be liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

[1975 c.482 §1]

417.210 Financial responsibility for placed children. (1) Financial responsibility for any child placed pursuant to the provisions of the Interstate Compact on the Placement of Children shall be determined in accordance with the provisions of Article V thereof in the first instance. However, in the event of partial or complete default of performance thereunder, the provisions of ORS chapter 110 and any other applicable laws also may be invoked.

(2) The "appropriate public authorities" as used in Article III of the Interstate Compact on the Placement of Children shall, with reference to this state, mean the Department of Human Services and the department shall receive and act with reference to notices required by Article III thereof.

(3) As used in paragraph (a) of Article V of the Interstate Compact on the Placement of Children, the phrase "appropriate authority in the receiving state" with reference to this state shall mean the Department of Human Services. [1975 c.482 §2; 1995 c.608 §39; 1999 c.59 §109; 2001 c.900 §250]

417.220 Agreements with other states; effect of financial provisions. The officers and agencies of this state and its subdivisions having authority to place children are authorized to enter into agreements with appropriate officers or agencies of or in other party states pursuant to paragraph (b) of Article V of the Interstate Compact on the Placement of Children. Any such agreement which contains a financial commitment or imposes a financial obligation on this state or subdivision or agency thereof shall not be binding unless it has the approval in writing of the State Treasurer in the case of the state and of the chief local fiscal officer in the case of a subdivision of the state. [1975 c.482 §3]

417.230 Compliance with visitation, inspection or supervision requirements. Any requirements for visitation, inspection or supervision of children, homes, institutions or other agencies in another party state which may apply under ORS 418.250, 418.255 and 418.260 shall be considered to be met if performed pursuant to an agreement entered into by appropriate officers or agencies of this state or a subdivision thereof as contemplated by paragraph (b) of Article V of the Interstate Compact on the Placement of Children. [1975 c.482 §4]

417.240 Placement of children in institutions in other states. Any court having jurisdiction pursuant to ORS 419B.100 or 419C.005 to place children may place a child in an institution in another state pursuant to Article VI of the Interstate Compact on the Placement of Children and shall retain jurisdiction as provided in Article V thereof. [1975 c.482 §5; 1993 c.33 §324]

417.250 "Executive head" defined. As used in Article VII of the Interstate Compact on the Placement of Children, the term "executive head" means the Governor. The Governor is authorized to appoint a compact administrator in accordance with the terms of said Article VII. [1975 c.482 §6]

417.260 ORS 418.290 inapplicable to children placed pursuant to compact. The provisions of ORS 418.290 do not apply to a child placed or proposed to be placed in Oregon pursuant to the Interstate Compact on the Placement of Children. Application of the requirement contained in paragraph (d) of Article III of the Interstate Compact on the Placement of Children shall be in lieu of the requirements of ORS 418.290. [1975 c.482 §7]

POLICIES ON PROVIDING SERVICES TO CHILDREN AND FAMILIES

417.270 Policy on equal access; documentation of expenditure for males and females; identification of disparities; equal access plan. (1) The Legislative Assembly hereby acknowledges that females under 18 years of age often lack equal access, both individually and as a group, when compared with males under 18 years of age, to the facilities, services and treatment available through human services and juvenile corrections programs provided by or funded by the State of Oregon.

(2) The Legislative Assembly therefore declares that, as a matter of statewide concern, it is in the best interests of the people of this state that equal access for both males and females under 18 years of age to appropriate facilities, services and treatment be available through all state agencies providing or funding human services and juvenile corrections programs for children and adolescents.

(3) Recognizing this concern, the Legislative Assembly further declares that:

(a) Any state administrative agency that regularly provides services to minors shall, when the agency submits its annual budget to the Legislative Assembly, specify the percentages of moneys allocated to, and expended for, the two separate groups, males under 18 years of age and females under 18 years of age;

(b) All state agencies providing human services and juvenile corrections programs shall identify existing disparities in the allocations of moneys and services to, and expended for, the two groups, males under 18 years of age and females under 18 years of age, and shall document such disparities, if any, for the purpose of reporting the information to the next session of the Legislative Assembly; and

(c) The state agencies described in subsection (1) of this section shall:

(A) Develop a plan to implement equal access to appropriate services and treatment, based on presenting behaviors, for both males under 18 years of age and females under 18 years of age, by January 1, 1995; and

(B) Monitor the implementation and results of newly enacted legislation intended to improve services for females under 18 years of age.

(4) As used in subsection (3)(b) of this section, disparities include, but are not limited to, disparities in:

(a) The nature, extent and effectiveness of services offered for females under 18 years of age within the areas of teen pregnancy, physical and sexual abuse, alcohol and drug abuse, services offered for runaway and homeless females under 18 years of age and services offered for females under 18 years of age who are involved in gangs or other delinquent activity; and

(b) The equity of services offered to at-risk children and youth with respect to gender within the areas of physical and sexual abuse, alcohol and drug abuse and services offered to runaway and homeless children and youth. [1993 c.461 §1]

417.300 Purpose of ORS 417.305. The purpose of ORS 417.305 is to establish a state policy for serving Oregon's children and families, in recognition that addressing the needs, strengths and assets of children necessarily requires addressing the needs, strengths and assets of families and communities, and to direct state agencies to work in partnership with local communities to plan, coordinate and provide programs accordingly. [1989 c.834 §2; 1999 c.1053 §1]

417.305 Legislative findings relating to serving children and families. (1) The Legislative Assembly finds and declares that:

(a) Children are our future;

(b) Healthy children and families are of fundamental importance to the vitality of Oregon;

(c) Children are entitled to safety and health;

(d) All children deserve love, respect and guidelines for responsible behavior;

(e) Families should be supported and strengthened;

(f) Communities provide the context for healthy children and families, and strong families and healthy communities are interdependent; and

(g) Economic opportunity and social cohesion are essential for healthy communities.

(2) The Legislative Assembly recognizes that demands on families, created in part by changes in family structures and relationships, intensify the need for Oregon to support children and families toward the goals of family stability and broader access for children, youth and families to:

(a) The best possible physical and mental health;

(b) Adequate food and safe physical shelter;

(c) A safe and healthy environment;

(d) The highest quality child care;

(e) The highest quality of educational opportunity;

(f) Quality education;

(g) Effective training, apprenticeship and productive employment;

(h) A range of civic, cultural, educational, family support and positive youth development programs and activities that promote self-esteem, involvement and a sense of community;

(i) Community services that are efficient, coordinated and readily available; and

(j) Genuine participation in decisions concerning the planning and managing of their lives and respect for such decisions.

(3) In the interest of ensuring coordination of all children and family services and education programs provided by or funded by the state and the effective use of state resources, the state shall:

(a) Develop a plan for appropriating adequate funds;

(b) Develop a cooperative partnership among state agencies that serve children, youth and families;

(c) Establish state priorities; develop and implement service standards that reflect a balanced and comprehensive range of services for all children, youth and families; monitor and evaluate services and ensure accessibility of services for all children, youth and families; and

(d) Actively seek the advice of local governmental jurisdictions, providers of services, educators, the private business sector, citizens and youth in effecting this subsection.

(4) The Legislative Assembly finds that, in order to fulfill the purposes of this section, service delivery systems for children and families shall include:

(a) Cooperative partnerships among state agencies that serve children, youth and families;

(b) Methods of accountability to measure effectiveness of state-funded programs; and

(c) Use of public resources for programs and services that move the state toward meeting the goals described in subsection (2) of this section. [1989 c.834 §3; 1991 c.715 §1; 1999 c.1053 §2; 2001 c.182 §1; 2001 c.831 §10a; 2003 c.293 §1]

417.310 [1989 c.834 §4; 1991 c.715 §2; 1995 c.440 §49; repealed by 1999 c.1053 §51]

417.315 [1989 c.834 §5; 1991 c.715 §3; 1993 c.676 §41a; repealed by 1999 c.1053 §51]

417.320 [1989 c.834 §6; repealed by 1999 c.1053 §51]

417.325 [1989 c.834 §7; repealed by 1999 c.1053 §51]

417.330 [1989 c.834 §8; repealed by 1993 c.676 §53]

417.335 [1989 c.834 §1; repealed by 1993 c.676 §53]

FAMILY SUPPORT SERVICES

417.340 Definitions for ORS 417.340 to 417.349. As used in ORS 417.340 to 417.348 and 417.349:

(1) "Family" means the unit that consists of:

(a) A member with a disability or chronic illness; and

(b) One or more related persons who reside in the same household.

(2) "Family member with a disability or chronic illness" means a person who has a disability or chronic illness that:

(a) Is likely to continue indefinitely;

(b) Results in substantial functional limitations in one or more of the following areas of major life activity:

(A) Self-care;

(B) Receptive and expressive language;

(C) Learning;

(D) Mobility;

(E) Self-direction;

(F) Capacity for independent living; or

(G) Economic self-sufficiency; and

(c) Reflects the person's need for special, interdisciplinary or generic care, treatment or other services that are of lifelong duration and must be individually planned and coordinated. [1991 c.122 §1; 2001 c.900 §251]

417.342 Family support services; principles. (1) Family support services are based on the belief that all people, regardless of disability, chronic illness or special need, have the right to a permanent and stable familial relationship in the community. How-

ever, nothing in ORS 417.340 to 417.348 or 417.349 is intended to keep a family member with a disability or chronic illness in the family home or to require any person with a disability or chronic illness to live in the family home.

(2) Family support services can provide the support necessary to enable the family to meet the needs of caring for a family member with a disability or chronic illness at home and, subject to available funds, shall be based on the following principles:

(a) Family support services may use private and volunteer resources, publicly funded services and other flexible dollars to provide a family with the services needed to care for the family member with a disability or chronic illness.

(b) Family support services must be sensitive to the unique needs, strengths and multicultural values of an individual and the family rather than fitting the individual and family into existing services.

(c) Family support services must be built on a relationship of respect and trust that recognizes that families are better able to determine their own needs than have their needs determined by the state or a public agency.

(d) Family support services shall be provided in a manner that develops comprehensive, responsive and flexible support to families in their role as primary caregivers for family members with disabilities or chronic illnesses.

(e) Family support services shall focus on the entire family and be responsive to the needs of the individual and the family.

(f) Family support services may be needed throughout the lifespan of the individual family member living at home who has a disability or chronic illness.

(g) Family support services shall be available to families before they are in crisis.

(h) Family support services may be a service option offered to families, but not imposed on them.

(i) Family support services shall encourage maximum use of existing social networks and natural sources of support and should encourage community integration.

(j) Family support services shall not be confined to a single program or set of services but shall be a philosophy that permeates all programs and services. [1991 c.122 §2; 2001 c.900 §252]

417.344 Types of services included. Family support services may include but are not limited to:

(1) Family support consultation;

(2) Information and referral;

(3) Financial assistance;

(4) Emergency and outreach services; and

(5) Individual and family centered assistance, including but not limited to:

(a) Purchase of special equipment;

(b) Respite care;

(c) Recreation;

(d) Transportation;

(e) Special dietary needs;

(f) Dependent care;

(g) Medical services;

(h) Housing modification;

(i) Counseling; and

(j) Support groups. [1991 c.122 §3; 1995 c.278 §48]

417.346 Duties of Director of Human Services; rules. Subject to the availability of funds therefor, the Director of Human Services shall:

(1) Identify current programs and potential resources available to families providing care for a family member with a disability or chronic illness.

(2) Develop a biennial plan for adequate funding and recommend budgetary priorities for family support services.

(3) Develop a biennial cooperative plan for assuring a statewide interagency system of family support services.

(4) Adopt rules for family support services that are guided by the goals and principles set forth in ORS 417.340 to 417.348. These rules shall contain a grievance procedure.

(5) Make a biennial report to the Legislative Assembly on the state of the family support system, including strengths, deficiencies, cost savings and recommendations. This report shall include a comprehensive statement of the efforts of the Department of Human Services to carry out the policies and principles set forth in this legislation. The report shall include but not be limited to a list of family support services, a summary of costs and the number of clients served.

(6) Establish a Family Support Advisory Council whose purpose is to review and comment on plans and services provided or contracted for family support by state agencies and advise the director on the state plans for coordinated family support services.

(a) The council shall meet a minimum of four times per year.

(b) The membership of the council shall be 51 percent consumers of family support services.

(c) The remaining membership shall be composed of representatives of agencies providing family support services and representatives of advocacy groups. One member shall be a representative of the Department of Education. [1991 c.122 §4; 2001 c.900 §109]

417.348 Eligibility requirements. Subject to the availability of funds therefor, a family shall be eligible to receive family support services and goods if the family meets any of the following requirements:

(1) The family has a family member requiring long term care due to disability or chronic illness whom the family desires to keep at home or return to the home from an institution or other out-of-home placement.

(2) The family desires to care for the dependent family member at home if financial, physical or other barriers are reduced or eliminated and adequate community based support services are provided.

(3) The family is caring for a family member who is waiting for residential or vocational services.

(4) Other requirements established by the Department of Human Services. The requirements must be reviewed by the Family Support Advisory Council. [1991 c.122 §5; 2001 c.900 §110]

417.349 Department of Human Services to provide family support services. In accordance with ORS 417.342 and 417.344, the Department of Human Services shall provide family support services throughout the department. Notwithstanding ORS 430.640, the department may contract directly with community organizations for the provision of family support services. [2001 c.900 §6]

417.350 Family support services as social benefits. Funds, goods and services provided to families under ORS 417.340 to 417.348 are social benefits for the promotion of general welfare. The benefits may not be used to replace or reduce other state or federal benefits provided the families under Oregon law. [1993 c.241 §1]

417.355 Principles of family law system. The Sixty-eighth Legislative Assembly accepts the recommendations of the Task Force on Family Law and recognizes that a comprehensive family law system must reflect the following principles:

(1) The welfare of children shall be paramount in the resolution of family conflicts.

(2) Children must learn to develop healthy relationships and to resolve conflicts in peaceful ways.

(3) Whenever possible and appropriate, children shall continue to have both parents in their lives and parents shall be encouraged to work out agreements between themselves regarding their children.

(4) The safety and economic well-being of family members shall be given priority.

(5) Family members in conflict must have appropriate forums in which to grieve and accept change.

(6) All families deserve respect and the support of social policy. [1995 c.800 §1]

FAMILY- OR CLIENT-CENTERED SERVICE SYSTEM

417.360 Findings and policy. (1) The Legislative Assembly finds that:

(a) The current delivery system for human services is fragmented and uncoordinated, producing service duplication and inappropriate or inadequate responses to individuals and to families;

(b) Clients with multiple needs must interact with a variety of agencies and frequently feel powerless to negotiate the complicated array of services;

(c) The system is too often perceived as victimizing the persons it is intended to serve;

(d) Dedicated direct service workers become the target of disillusionment by clients even though the workers are equally frustrated by their lack of control over bureaucratic requirements; and

(e) The state needs to rethink and restructure traditional methods of delivering human services. Organizations that have traditionally not viewed themselves as partners, such as social services and education, must be strongly encouraged to integrate their programs.

(2) It shall be the policy of this state to foster a family- or client-centered service delivery system at the community level with the goal of providing more efficient and responsive services, driven by the needs of the individuals and families served and not by funding tied to traditional, categorical programs. Family services available through community level delivery systems should include, but need not be limited to, education, information and referral services. [1991 c.359 §1; 1995 c.800 §1a]

417.362 System requirements. A family- or client-centered service system must be a system that:

(1) Insures active participation of clients in service planning, decision making and service delivery;

(2) Empowers direct service workers to gain access to a broad continuum of services and flexible funding to meet the needs of individuals and families served;

(3) Pools funds of multiple service delivery agencies;

(4) Generates policies for program planning and implementation at the community level rather than mandating policies at the state level; and

(5) Supports and enhances family harmony with the goal of preserving the health and integrity of all family units. [1991 c.359 §2; 1995 c.800 §2]

417.364 [1991 c.359 §3; repealed by 1993 c.676 §53]

FAMILY DECISION-MAKING MEETING

417.365 "Family decision-making meeting" defined for ORS 417.365 to 417.375. As used in ORS 417.365 to 417.375, "family decision-making meeting" means a family-focused intervention facilitated by professional staff that is designed to build and strengthen the natural caregiving system for the child. Family decision-making meetings may include family group conferences, family unity meetings, family mediation or other professionally recognized interventions that include extended family and rely upon the family to make decisions about planning for its children. The purpose of the family decision-making meeting is to establish a plan that provides for the safety, attachment and permanency needs of the child. [1997 c.799 §1]

417.368 Consideration of meeting required for certain cases. (1) The Department of Human Services shall consider the use of a family decision-making meeting in each case in which a child is placed in substitute care for more than 30 days.

(2) When the department determines that the use of a family decision-making meeting is appropriate, the meeting shall be held, whenever possible, before the child has been in substitute care for 60 days.

(3) If the department elects not to conduct a family decision-making meeting, the reasons for that decision shall be clearly documented in the written service plan of the child developed by the department. [1997 c.799 §2]

417.371 Notice to family members of meeting; definitions. (1) If the Department of Human Services determines that the use of a family decision-making meeting is appropriate, the department shall conduct and document reasonable inquiries to promptly locate and notify the parents, grandparents and any other family member who has had significant, direct contact with the child in the year prior to the substitute care placement.

(2) All family members notified by the department may attend the meeting unless the department determines that the safety of any attendee will be compromised by the attendance of any family member.

(3) Any family member the department deems a safety risk may provide written statements that address the subject of any family decision-making meeting, including the determination of placement of the child or components of a service plan for the child and family members.

(4) As used in this section:

(a) "Family member" means any person related to the child by blood, marriage or adoption, including but not limited to parents, grandparents, stepparents, aunts, uncles, sisters, brothers, cousins or great-grandparents. "Family member" also includes a child 12 years of age or older, or a child younger than 12 years of age when appropriate.

(b) "Reasonable inquiries" means efforts that involve reviewing the case file for relevant information, contacting the parents or guardians and contacting additional sources of information that may lead to ascertaining the whereabouts of family members, if necessary. [1997 c.799 §3]

417.375 Development of family plan; contents. (1) If the Department of Human Services conducts a family decision-making meeting under ORS 417.365 to 417.375, the meeting shall result in the development of a written family plan that may include a primary permanent plan, concurrent permanent plan, placement recommendations and service recommendations. The family plan or service agreement shall also include:

(a) The expectations of the parents of the child and other family members;

(b) Services the department will provide;

(c) Timelines for implementation of the plan;

(d) The benefits of compliance with the plan;

(e) The consequences of noncompliance with the plan; and

(f) A schedule of subsequent meetings, if appropriate.

(2) Any family member participating in a family decision-making meeting shall sign a written acknowledgment of the content of the family plan developed at the family decision-making meeting and their attendance at the meeting.

(3) The department shall incorporate the family plan developed at the family decision-making meeting into the department's service plan for the child to the extent that the family plan protects the child, builds on family strengths and is focused on achieving

permanency for the child within a reasonable time.

(4) If the family plan is not incorporated in the department's service plan for the child, the department shall document the reasons in the service plan.

(5) The department shall send a copy of the family plan to the family participants, including those family members who participated in writing pursuant to ORS 417.371 (3), no later than 21 days after the conclusion of the family decision-making meeting. [1997 c.799 §4; 2001 c.686 §18]

417.400 [1979 c.682 §1; 1989 c.835 §2; repealed by 1993 c.676 §53]

417.405 [1979 c.682 §3; 1985 c.631 §6; 1989 c.835 §3; 1991 c.581 §7; 1993 c.33 §325; 1993 c.546 §121; repealed by 1993 c.676 §53]

417.410 [1979 c.682 §2; 1985 c.499 §1; repealed by 1993 c.676 §53]

417.415 [1979 c.682 §8; repealed by 1993 c.676 §53]

417.420 [1979 c.682 §9; 1981 c.383 §1; 1989 c.835 §14; repealed by 1993 c.676 §53]

417.425 [1979 c.682 §10; 1981 c.383 §2; 1989 c.835 §15; repealed by 1993 c.676 §53]

417.430 [1979 c.682 §11; 1981 c.383 §3; 1985 c.618 §9; 1989 c.835 §16; 1993 c.33 §361; repealed by 1993 c.676 §53]

417.435 [1979 c.682 §12; 1985 c.499 §2; repealed by 1993 c.676 §53]

417.440 [1979 c.682 §13; 1989 c.835 §17; repealed by 1993 c.676 §53]

417.445 [1979 c.682 §14; 1985 c.499 §9; 1989 c.835 §18; 1991 c.581 §8; repealed by 1993 c.676 §53]

417.450 [1979 c.682 §15; 1981 c.383 §4; 1983 c.283 §1; 1985 c.499 §7; repealed by 1989 c.119 §1]

417.455 [1979 c.682 §16; 1981 c.383 §5; 1985 c.499 §5; 1989 c.835 §21; repealed by 1993 c.676 §53]

417.475 [1979 c.682 §4; 1989 c.835 §4; 1991 c.581 §9; repealed by 1993 c.676 §53]

417.480 [1979 c.682 §5; repealed by 1993 c.676 §53]

417.485 [1979 c.682 §6; repealed by 1993 c.676 §53]

417.490 [1979 c.682 §7; 1981 c.869 §6; 1985 c.499 §6; 1987 c.320 §157; 1989 c.834 §16; 1989 c.835 §22; 1991 c.581 §10; repealed by 1993 c.676 §53]

417.500 [Repealed by 1993 c.676 §53]

417.510 [1989 c.835 §1; repealed by 1993 c.676 §53]

417.600 [1987 c.906 §1; repealed by 1993 c.33 §373]

417.610 [1987 c.906 §2; repealed by 1993 c.33 §373]

417.620 [1987 c.906 §3; repealed by 1993 c.33 §373]

417.630 [1987 c.906 §4; repealed by 1993 c.33 §373]

417.640 [1987 c.906 §5; repealed by 1993 c.33 §373]

417.650 [1987 c.906 §6; repealed by 1993 c.33 §373]

417.660 [1987 c.906 §7; repealed by 1993 c.33 §373]

417.670 [1987 c.906 §9; 1989 c.994 §1; repealed by 1993 c.33 §373]

417.672 [1991 c.747 §1; repealed by 1993 c.33 §373 and 1993 c.676 §53]

417.700 [1991 c.265 §§1,2; 1993 c.18 §102; 1993 c.676 §42; renumbered 417.900 in 1993]

SERVICES TO CHILDREN AND FAMILIES

(Generally)

417.705 Definitions for ORS 417.705 to 417.797. As used in ORS 417.705 to 417.797:

(1) "Community mobilization" means government and private efforts to increase community awareness and facilitate the active participation of citizens and organizations in projects and issues that will have positive impact on the well-being of children, families and communities.

(2) "Efficiency" means a measurable indicator of the amount of resources required to produce an output.

(3) "High-level outcome" means the Oregon benchmarks adopted by the Oregon Progress Board and any other measurable indicators of societal well-being.

(4) "Intermediate outcome" means a measurable indicator of the effort by an agency or other entity toward achieving a high-level outcome target.

(5) "Local commission" means a local commission on children and families established pursuant to ORS 417.760.

(6) "Local coordinated comprehensive plan" or "local plan" means a local coordinated comprehensive plan for children and families that is developed pursuant to ORS 417.775 through a process coordinated and led by a local commission and that consists of:

(a) A community plan that identifies the community's needs, strengths, goals, priorities and strategies for:

(A) Creating positive outcomes for children and families;

(B) Community mobilization;

(C) Coordinating programs, strategies and services for children who are 0 through 18 years of age and their families among community groups, government agencies, private providers and other parties; and

(D) Addressing the needs of target populations; and

(b) The service plans listed in ORS 417.775 (6) that designate specific services for the target populations identified in the community plan.

(7) "Outcome" means the measure of a desired result.

(8) "Output" means the amount or frequency of products or services delivered by an agency or other entity.

(9) "Performance measure" includes outcomes, outputs and efficiencies that indicate how well an agency or other entity is carrying out its mission and achieving its goals.

(10) "Services for children and families" does not include services provided by the Department of Education or school districts that are related to curriculum or instructional programs.

(11) "State commission" means the State Commission on Children and Families established under ORS 417.730.

(12) "Target" means a specific level of achievement desired for a specific time, expressed numerically. [1993 c.676 §30; 1999 c.1053 §3; 2003 c.148 §1; 2003 c.553 §1]

Note: Section 45, chapter 1053, Oregon Laws 1999, provides:

Sec. 45. Report to Legislative Assembly. (1) The State Commission on Children and Families, the Juvenile Crime Prevention Advisory Committee and the Governor's Council on Alcohol and Drug Abuse Programs shall report to the Seventy-second Legislative Assembly, and to the Seventy-third Legislative Assembly by February 1, 2005, on the implementation of chapter 1053, Oregon Laws 1999, on both the state and local levels.

(2) The State Commission on Children and Families shall include in the report recommendations on any additional proposals contained in "A Positive Future for Oregon's Children and Families" by the 1991-1992 Oregon Children's Care Team Interim Task Force that should be undertaken. [1999 c.1053 §45; 2003 c.148 §5]

417.707 Duty of state agencies providing services for children and families. The purpose of ORS 417.705 to 417.797 and 419A.170, as described in ORS 417.708 to 417.725, shall be implemented by all state agencies providing services for children and families to guide the providing of those services. [Formerly 417.755]

417.708 Legislative findings relating to young children. The Legislative Assembly finds:

(1) The first three years of life are a crucial period in a child's life, and during this period a child is sensitive to the protective mechanisms of parental and family support.

(2) Brain development that takes place during the first year of life is rapid and extensive and has implications for lifelong physical, social-emotional and cognitive well-being. [2001 c.831 §2]

417.710 Statement of purpose. Subject to the availability of funds therefor and the specific provisions of ORS 417.705 to 417.797 and 419A.170, it is the purpose of ORS 417.705 to 417.797 and 419A.170 to:

(1) Authorize the State Commission on Children and Families to set statewide guidelines for the planning, coordination and delivery of services for children and families in conjunction with other state agencies and other planning bodies;

(2) Vest in local commissions on children and families the authority to distribute state and federal funds allocated to the local commissions to supervise services or to purchase services for children and families in the local area and to supervise the development of the local coordinated comprehensive plan;

(3) Provide a process for comprehensive local planning for services for children and families to provide local services that are consistent with statewide guidelines;

(4) Retain in the state the responsibility for funding of services for children and families through a combination of local, state and federal funding, including the leveraging of public and private funds available under ORS 417.705 to 417.797 and 419A.170; and

(5) Retain state supervision of child protection and other services that should be uniform throughout the state and that are necessarily the state's responsibility. [1993 c.676 §1; 1999 c.1053 §4; 2003 c.553 §2]

417.715 Policy; service system values and goals. (1) It is the intent of the Legislative Assembly to enable families and communities to protect, nurture and realize the full physical, social, emotional, cognitive and cultural developmental potential of children in Oregon. Toward this end, the Legislative Assembly shall develop and implement a statewide system of services that is preventive, integrated in local communities and accessible to children and families and that focuses on promoting the wellness of Oregon's children.

(2) The service system shall be based on promoting the wellness of Oregon's children and families. The following values shall guide the design and implementation of this system:

(a) A commitment to children that ranks them as Oregon's first priority;

(b) A commitment to reducing the number of Oregon's children and families living in poverty;

(c) A commitment to equitable treatment of gender in both services and funding;

(d) A view that strengthening families is of paramount concern, but that child safety must come first if a conflict between the well-being of a child and the well-being of a family arises;

(e) A recognition of the central role of families as the best place for children to develop;

(f) A realization that good parenting skills are fundamental to a healthy society;

(g) A sensitivity to diversity that requires culturally competent services respectful of genders, cultures, orientations and disabilities;

(h) An offering of opportunities for children to develop self-worth and concern for others, and to reach their full potential;

(i) A fundamental assumption that children should be provided the means to attain safety and good health; and

(j) A commitment to early detection and treatment of families at risk for child abuse and neglect.

(3) The service system shall emphasize:

(a) Services designed to identify risks and nurture potential at the earliest time in a child's life;

(b) Services designed to respond to and reduce risks at the earliest possible point of detection;

(c) A comprehensive continuum of services such as prevention, early intervention and treatment for children in all age groups;

(d) The realization that funding one age group or gender of children at the expense of another is destructive of the wellness of children; and

(e) That maintenance and enhancement of treatment services and augmentation of preventive services are paramount to the effective delivery of services to children and families.

(4) The service system must begin at the local level, through cooperation and integration of all local and state providers, treat the whole person and be built on the strengths and natural supports of neighborhoods and communities. [1993 c.676 §1a]

417.720 Characteristics of service system. The characteristics of the service system developed and implemented under ORS 417.705 to 417.797 and 419A.170 are that the system:

(1) Is nonstigmatizing;

(2) Is available and accessible when needed and is based on the perspective of children and families and, whenever possible, allows families to design their own service programs, based on assessment of their needs and their solutions and resources for change;

(3) Is outcome-oriented;

(4) Is integrated;

(5) Recognizes the contributions of the system's workers;

(6) Promotes in the community a sense of responsibility for self and others and is committed to the well-being of children as well as support for families;

(7) Emphasizes local planning for children and families and integrates local needs with statewide goals;

(8) Provides services locally in a process that encourages partnerships, alliances and efficient use of resources; and

(9) Provides local service delivery systems that build on the unique strengths of the county or community. [1993 c.676 §2]

417.725 Key elements of system; family resource and community learning centers. (1) Key elements of the service system developed and implemented under ORS 417.705 to 417.797 and 419A.170 are:

(a) A two-to-seven-year incremental implementation process with measurable outcomes;

(b) An implementation process resulting in a voluntary system based on nurturing human development; and

(c) A service continuum based on promoting wellness for the children of Oregon whose parents have given their express written consent. Family resource centers and community learning centers as defined in ORS 329.007 are a viable, but not the exclusive, structure for delivering a service continuum.

(2) If a system of family resource centers and community learning centers is selected by a local commission on children and families established pursuant to ORS 417.760 to deliver services, the centers:

(a) May serve as the prevention arm of the voluntary delivery system and may link and integrate neighborhood-based services with the intent that services be available to all families who have given their express written consent to promote their children's wellness;

(b) Shall involve parents in the care and education of their children;

(c) Shall involve the local community in developing and overseeing family resource center programs and community learning center programs;

(d) Shall be consistent with the local coordinated comprehensive plan; and

(e) Shall incorporate the requirements specified for community learning centers under ORS 329.156. [1993 c.676 §3; 2001 c.831 §10; 2003 c.153 §1]

417.727 Oregon Early Childhood System. Based on the findings expressed in ORS 417.708, there is created the Oregon Early Childhood System. The goals of the system are to:

(1) Prevent child abuse and neglect;

(2) Improve the health and development of young children;

(3) Promote bonding and attachment in the early years of a child's life;

(4) Support parents in providing the optimum environment for their young children;

(5) Link and integrate services and supports in the voluntary statewide early childhood system pursuant to ORS 417.728;

(6) Link and integrate services and supports in the voluntary local early childhood system pursuant to ORS 417.777;

(7) Ensure that children are entering school ready to learn; and

(8) Ensure that children receive quality child care. [2001 c.831 §4]

417.728 Statewide early childhood system; requirements. (1) The State Commission on Children and Families, the Department of Education, the Employment Department and the Department of Human Services shall lead a joint effort with other state and local early childhood partners to establish the policies necessary for a voluntary statewide early childhood system that shall be incorporated into the local coordinated comprehensive plan.

(2) The voluntary statewide early childhood system shall be designed to achieve:

(a) The appropriate early childhood benchmarks jointly identified by the State Commission on Children and Families, the Department of Education, the Employment Department and the Department of Human Services, with input from early childhood partners, as the appropriate benchmarks; and

(b) Any other early childhood benchmark or intermediate outcome jointly identified by the State Commission on Children and Families, the Department of Education, the Employment Department and the Department of Human Services, with input from early childhood partners, as an appropriate benchmark or outcome.

(3) The voluntary statewide early childhood system shall include the following components:

(a) A process to identify as early as possible children and families who would benefit from early childhood services;

(b) A plan to support the identified needs of the child and family that coordinates case management personnel and the delivery of services to the child and family; and

(c) Services to support children who are zero through eight years of age and their families who give their express written consent, including:

(A) Screening, assessment and home visiting services pursuant to ORS 417.795;

(B) Specialized or targeted home visiting services;

(C) Community-based services such as relief nurseries, family support programs and parent education programs;

(D) High quality child care, as defined by the Commission for Child Care;

(E) Preschool and other early education services;

(F) Health services for children and pregnant women;

(G) Mental health services;

(H) Alcohol and drug treatment programs;

(I) Developmental disability services; and

(J) Other state and local services.

(4) The State Commission on Children and Families, the Department of Education, the Employment Department and the Department of Human Services shall jointly:

(a) Consolidate administrative functions relating to the voluntary statewide early childhood system, to the extent practicable, including but not limited to training and technical assistance, planning and budgeting. This paragraph does not apply to the administrative functions of the Department of Education relating to education programs;

(b) Adopt policies to establish training and technical assistance programs to ensure that personnel have skills in appropriate areas, including screening, family assessment, competency-based home visiting skills, cultural and gender differences and other areas as needed;

(c) Identify research-based age-appropriate and culturally and gender appropriate screening and assessment tools that would be used as appropriate in programs and services of the voluntary statewide early childhood system;

(d) Develop a plan for the implementation of a common data system for voluntary early childhood programs as provided in section 7, chapter 831, Oregon Laws 2001;

(e) Coordinate existing and new early childhood programs to provide a range of community-based supports;

(f) Establish a common set of quality assurance standards to guide local implementation of all elements of the voluntary statewide early childhood system, including voluntary universal screening and assessment, home visiting, staffing, evaluation and community-based services;

(g) Ensure that all plans for voluntary early childhood services are coordinated and consistent with federal and state law, including but not limited to plans for Oregon prekindergarten programs, federal Head Start programs, early childhood special edu-

cation services, early intervention services and public health services;

(h) Identify how the voluntary statewide early childhood system for children who are zero through eight years of age will link with systems of support for older children and their families;

(i) Contract for an evaluation of the outcomes of the voluntary statewide early childhood system; and

(j) During January of each odd-numbered year, report to the Governor and the Legislative Assembly on the voluntary statewide early childhood system. The report shall include the evaluation described in paragraph (i) of this subsection.

(5) The State Commission on Children and Families, the State Board of Education, the Employment Department and the Department of Human Services when adopting rules to administer voluntary early childhood programs under their individual authority shall adopt rules that are consistent with the requirements of the voluntary statewide early childhood system created under this section.

(6) Information gathered in conjunction with the voluntary comprehensive screening and assessment of children and their families may be used only for the following purposes:

(a) Providing services to children and families who give their express written consent;

(b) Providing statistical data that are not personally identifiable;

(c) Accomplishing other purposes for which the family has given express written consent; and

(d) Meeting the requirements of mandatory state and federal disclosure laws. [Formerly 417.748; 2003 c.293 §2]

(State Commission)

417.730 State Commission on Children and Families; members; appointments; qualifications. (1) There is established a State Commission on Children and Families consisting of:

(a) The Director of Human Services;

(b) The Superintendent of Public Instruction;

(c) The Director of the Employment Department or, at the Governor's direction, the chairperson of the Commission for Child Care;

(d) One member appointed by the President of the Senate, who shall be a member of the Senate and who shall be a nonvoting, advisory member;

(e) One member appointed by the Speaker of the House of Representatives, who shall be a member of the House of Representatives and who shall be a nonvoting, advisory member; and

(f) Twelve members appointed by the Governor.

(2) The appointments made by the Governor shall reflect the state's diverse populations and regions and shall include representatives with expertise along the full developmental continuum of a child from the prenatal stage through 18 years of age. The members appointed by the Governor shall include:

(a) One representative from the Oregon Juvenile Department Directors' Association, from which the Governor may solicit suggestions for appointment;

(b) Six public members who have demonstrated interest in children, with consideration given to a youth member and persons from the education community;

(c) Two members from local commissions on children and families, one from a rural area and one from an urban area;

(d) One social service professional; and

(e) Two members from the business community who have demonstrated interest in children.

(3) The term of office of each member appointed by the Governor is four years. Before the expiration of the term of an appointed member, the Governor shall appoint a successor whose term begins on October 1. An appointed member is eligible for reappointment. If there is a vacancy in an appointed position for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(4) The appointments by the Governor to the state commission are subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

(5) An appointed member of the state commission who is not a member of the Legislative Assembly is entitled to compensation and expenses as provided in ORS 292.495. Members who are members of the Legislative Assembly shall be paid compensation and expense reimbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative Assembly.

(6)(a) The majority of the members of the state commission shall be laypersons.

(b) As used in this subsection, "layperson" means a person whose primary income is not derived from either offering direct service to children and youth or being an administrator for a program for children

and youth. [1993 c.676 §4; 1999 c.1053 §5; 2001 c.104 §146; 2003 c.293 §3]

417.733 State Commission on Children and Families Account. The State Commission on Children and Families Account is established separate and distinct from the General Fund. All moneys received by the State Commission on Children and Families, other than appropriations from the General Fund, shall be deposited into the account and are continuously appropriated to the commission to carry out the duties, functions and powers of the commission. [2001 c.716 §14]

Note: 417.733 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 417 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

417.735 Duties of state commission. (1) The State Commission on Children and Families shall promote the wellness of children and families at the state level and shall act in accordance with the principles, characteristics and values identified in ORS 417.708 to 417.725. The state commission shall provide no direct services.

(2)(a) Funds for local commissions shall consist of payments from moneys appropriated therefor to the State Commission on Children and Families by the Legislative Assembly. The state commission shall develop an equitable formula for the distribution of funds to counties or regions for services for children and families, and a minimum annual grant shall be provided to each county or region.

(b) The state commission shall provide technical assistance and research-based information to local commissions to support the development of county goals, performance measures and outcomes for services and programs.

(c) The state commission may withhold funds from a local commission if services and programs funded through the local commission do not meet appropriate performance measures and outcomes.

(3) The state commission shall:

(a) Set guidelines for the planning, coordination and delivery of services by local commissions in partnership with other planning bodies and agencies providing services for children and families. The guidelines shall be consistent with the key elements of the service system developed and implemented under ORS 417.705 to 417.797. In conjunction with other planning bodies and agencies providing social supports, the state commission shall use the local coordinated comprehensive plans to advise agencies, the Legislative Assembly and the Governor;

(b) Advise the Legislative Assembly and the Governor concerning possible solutions to problems facing children and families;

(c) In consultation with other agencies, identify high-level and intermediate outcomes relating to children and families and monitor the progress of local coordinated comprehensive plans in meeting intermediate outcome targets;

(d) Encourage the development of innovative projects, based on proven practices of effectiveness, that benefit children and families;

(e) Ensure that all services for children and families are integrated and evaluated according to their outcomes;

(f) Compile, analyze and distribute information that informs and supports statewide coordinated planning;

(g) Establish a uniform system of reporting and collecting statistical data from counties and other agencies serving children and families;

(h) Provide a process whereby the Department of Human Services, Juvenile Crime Prevention Advisory Committee, Oregon Youth Authority, Department of Education, Department of Community Colleges and Workforce Development, Employment Department, Housing and Community Services Department and Economic and Community Development Department review all findings from data collected by the local commissions through the local coordinated comprehensive plans. The information gathered in this review shall be considered by those agencies in designing future economic resources and services and in the coordination of services;

(i) Make recommendations to the Commission for Child Care for the development of the state's biennial child care plan; and

(j) Communicate information and policy advice on current research and proven practices of effectiveness, from both inside and outside the state, including successful local strategies, to local commissions, the Governor, the Legislative Assembly, state agencies and the public. The information shall include progress in meeting intermediate outcome targets identified in the local coordinated comprehensive plans.

(4)(a) The state commission shall develop a review and approval process for local coordinated comprehensive plans that includes:

(A) A requirement that the local plan has been approved by the board or boards of county commissioners;

(B) Assurance that the local plan meets essential criteria and approval required by appropriate entities and meets appropriate systems and planning connections; and

(C) Review of state expenditures of resources allocated to the local commissions on children and families.

(b) The state commission shall develop the process under this subsection in consultation with other entities involved in the review and approval process.

(c) The state commission shall act on any waiver request from a local commission within 90 days after receipt of the request.

(d) The state commission may disapprove a local plan for failure to address the elements described in paragraph (a) of this subsection within 90 days after receipt of the request.

(5) The state commission, in coordination with the local commissions on children and families, shall:

(a) Assist the local commissions in the development and implementation of performance measures and outcomes for evaluating services at the local level;

(b) Monitor the progress in meeting intermediate outcome targets in the local coordinated comprehensive plans;

(c) In conjunction with the Department of Human Services and using the staff resources and other resources of the state commission, educate, inform and provide technical assistance to local commissions, including but not limited to technical assistance with:

(A) Federal and state laws, regulations and rules, and changes therein, governing the use of federal and state funds;

(B) Facilitation;

(C) Planning;

(D) Policy development;

(E) Proven practices of effectiveness;

(F) Local systems development;

(G) Community problem solving and mobilization; and

(H) Other services, as appropriate;

(d) Conduct research and disseminate information to local commissions on children and families;

(e) Negotiate federal waivers in consultation with the Department of Human Services; and

(f) Develop a process for reviewing requests for waivers from requirements of the state commission. Requests for waivers shall be granted or denied as a part of the approval process for a local coordinated comprehensive plan. The state commission shall not grant a request for waiver that allows funds to be used for any purpose other than early childhood prevention, intervention and treatment programs.

(6) The state commission shall employ a staff director who shall be responsible for hiring and supervising any additional personnel necessary to assist the state commission in performing its duties. The staff director shall be responsible for management functions of the state commission subject to policy direction by the state commission.

(7) To the extent that federal funding is not jeopardized, the State Commission on Children and Families shall enter into an interagency agreement with the Department of Human Services in which they agree on a system to:

(a) Distribute all Title XX Social Services Block Grant funds;

(b) Ensure that federal and state requirements are met for federal funds administered by the state commission; and

(c) Carry out the necessary auditing, monitoring and information requirements for federal funds distributed by the state commission.

(8) In addition to the authority under subsection (5)(e) of this section, the state commission may direct the Department of Human Services or the appropriate state department providing services for children and families to negotiate federal waivers. If the Department of Human Services or any other state agency does not pursue a federal waiver recommended by the state commission, the state commission may ask the Governor to direct the Department of Human Services or other state agency to apply for and negotiate the waiver.

(9) If the Department of Human Services or any other state agency refuses to distribute state or federal funds as requested by the state commission, the state commission may ask the Governor to direct the Department of Human Services or other state agency to distribute the funds.

(10) The programs shall be funded as fully as possible by Title XX of the federal Social Security Act, consistent with the terms and conditions of the block grant program and the local coordinated comprehensive plans that reflect community priorities established by the local planning process.

(11) In conjunction with the Department of Human Services, the state commission, as soon as possible, shall develop a plan to reengineer and integrate the data processing systems related to children's programs with the objective of making management information more accessible. The state commission shall make regular presentations to the Joint Legislative Committee on Information Management and Technology on its progress in developing and implementing the plan.

(12) Before each regular session of the Legislative Assembly, the state commission shall report, to the Governor and to the appropriate joint interim committee as determined by the Speaker of the House of Representatives and the President of the Senate, the following:

(a) Any additional proposals contained in "A Positive Future for Oregon's Children and Families" by the 1991-1992 Oregon Children's Care Team Interim Task Force that should be undertaken;

(b) The status in all counties of local service systems related to the health and wellness of children and the adequacy of financial resources to deliver services;

(c) The progress in achieving desired outcomes, including but not limited to the statewide guidelines set by the state commission under ORS 417.710 (1);

(d) Barriers to achieving intermediate and high-level outcome targets as identified in local coordinated comprehensive plans;

(e) Proposed solutions to barriers identified under paragraph (d) of this subsection, including proven, effective and innovative strategies; and

(f) County and community mobilization to increase public awareness and involvement and funding of community determined priorities.

(13)(a) The state commission may solicit, accept and receive federal moneys or moneys or other property from persons or corporations, public or private, for the purpose of carrying out the provisions of ORS 417.705 to 417.797 and 419A.170.

(b) All federal moneys collected or received under paragraph (a) of this subsection shall be accepted and transferred or expended by the state commission upon such terms and conditions as are prescribed by the federal government.

(c) All moneys and other property accepted by the state commission under this subsection shall be transferred, expended or used upon such terms and conditions as are prescribed by the donor in a manner consistent with applicable law. [1993 c.676 §5; 1995 c.800 §3; 1997 c.249 §129; 1997 c.707 §30; 1999 c.1053 §6; 2001 c.831 §10b; 2001 c.905 §1; 2003 c.148 §2; 2003 c.293 §4]

417.740 Officers; quorum; meetings. (1) The Governor shall select a chairperson for the State Commission on Children and Families who shall be a layperson as defined in ORS 417.730 (6)(b). The state commission shall select one of its members as vice chairperson. The chairperson and vice chairperson shall serve for such terms and with such duties and powers as the state commission determines to be necessary to perform the functions of their offices.

(2) A majority of the members of the state commission constitutes a quorum for the transaction of business. The affirmative vote of a majority of the members of the state commission is required for action by the state commission.

(3) The state commission shall meet once a month for the first year and then at least once every three months at a place, day and hour determined by the state commission. The state commission also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the commission. [1993 c.676 §7]

417.745 Rules. In accordance with applicable provisions of ORS chapter 183, the State Commission on Children and Families may adopt rules necessary to administer the duties of the state commission. [1993 c.676 §8]

417.747 Foster care demonstration projects. (1) The Department of Human Services, in consultation with local commissions on children and families, may establish community-based foster care demonstration projects. The purposes of the demonstration projects are to:

(a) Promote strategies that keep abused and neglected children in their familiar surroundings and neighborhood schools;

(b) Recruit community volunteers to serve as foster parents for abused and neglected children who live in the community;

(c) Identify barriers to recruiting community foster parents and recommend strategies to address those identified barriers; and

(d) Create a community-based system of support for foster children and community foster parents.

(2) A demonstration project shall be subject to federal requirements and the restrictions agreed upon between the department and the county where the demonstration project is located. [1993 c.676 §28(3); 1999 c.1053 §7; 2001 c.189 §1; 2001 c.900 §226]

417.748 [1999 c.1053 §20; 2001 c.831 §5; renumbered 417.728 in 2001]

417.750 Advisory and technical committees; expenses of committee members. (1) To aid and advise the State Commission on Children and Families in the performance of its functions, the state commission may establish such advisory and technical committees as it considers necessary. The state commission shall determine the representation, membership, terms and organization of the committees and shall appoint the members. The advisory and technical committees shall include members of local commissions on children and families.

(2) Members of committees are not entitled to compensation, but at the discretion

of the state commission may be reimbursed from funds available to the state commission for actual and necessary travel and other expenses incurred in the performance of their official duties, subject to ORS 292.495. [1993 c.676 §9; 1999 c.1053 §8]

417.755 [1993 c.676 §10; 1999 c.1053 §10; renumbered 417.707 in 2001]

(Local Commissions on Children and Families)

417.760 Local commissions; members; staff director; approval of local plan; revised or amended plans. (1) The board of county commissioners of a county or the boards of county commissioners of contiguous counties that agree to appoint a regional commission:

(a) Shall appoint a chairperson and a minimum of eight members to a local commission on children and families in the manner described in ORS 417.765.

(b) Shall appoint a local staff director. The staff director shall hire and supervise any other support staff necessary for operation of the local commission. The staff director and staff are subject to county personnel policies and other administration policies and ordinances. The staff director shall be responsible for all management functions of the local commission.

(c) Must approve the local coordinated comprehensive plan before it may be submitted to the State Commission on Children and Families. If the local plan has been revised or is amended, the revised or amended local plan must be submitted to the board or boards for approval before it is submitted to the state commission.

(2) The board or boards of county commissioners must approve any transfer of responsibility for a state service and its funding to a local commission.

(3) Funds payable to implement local coordinated comprehensive plans shall be paid to the county. The board or boards of county commissioners are responsible for the expenditure of such funds subject to county budget and fiscal operating procedures. [1993 c.676 §12; 1999 c.59 §110; 1999 c.1053 §11]

417.765 Qualifications of members; terms. (1) A majority of a local commission on children and families, including the chairperson, shall be laypersons as defined in ORS 417.730 (6)(b). Appointments to the local commission shall reflect the county's or counties' diverse populations and shall reflect expertise along the full spectrum of developmental stages of a child, from the prenatal stage through 18 years of age. Members shall include persons who have knowledge of the issues relating to children and families in the affected communities, including education, municipal government and the court system.

(2) Members of the local commission shall be appointed to four-year terms. The appointing board or boards of county commissioners may appoint a member for additional terms or may limit the number of terms that a member may serve. [1993 c.676 §13; 1999 c.528 §1; 1999 c.1053 §12]

417.770 Regional commissions appointed pursuant to intergovernmental agreement. (1) The boards of county commissioners of contiguous counties that agree to appoint a regional commission by intergovernmental agreement authorized by ORS chapter 190 shall provide in the agreement for the following:

(a) The appointment of the chairperson and members of the regional commission in the manner described in ORS 417.760;

(b) The adoption of procedures and policies to govern the regional commission, which adoption may be subject to concurrence by the boards of county commissioners;

(c) The hiring and supervision of support staff necessary for the operation of the regional commission pursuant to ORS 417.760;

(d) The methods for adoption of a budget for the regional commission, the expenditure of funds and fiscal operating procedures; and

(e) Other conditions and procedures necessary for the cooperation of a regional agency.

(2) The agreement may require the prior approval of the boards of county commissioners for the participating counties to transfer a state service and its funding to the regional commission. [1993 c.676 §13a]

417.775 Purpose and duties of local commission; local coordinated comprehensive plan; community plan. (1) Under the direction of the board or boards of county commissioners, and in conjunction with the guidelines set by the State Commission on Children and Families, the main purposes of a local commission on children and families are to promote wellness for children of all ages and their families in the county or region, if the families have given their express written consent, to mobilize communities and to develop policy and oversee the implementation of a local coordinated comprehensive plan described in this section. A local commission shall:

(a) Inform and involve citizens;

(b) Identify and map the range of resources in the community;

(c) Plan, advocate and fund research-based initiatives for children who are 0 through 18 years of age and their families;

(d) Develop local policies, priorities, outcomes and targets;

(e) Prioritize activities identified in the local plan and mobilize the community to take action;

(f) Prioritize the use of nondedicated resources;

(g) Monitor implementation of the local plan; and

(h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving outcomes.

(2)(a) A local commission may not provide direct services for children and their families.

(b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct services for children and their families for a period not to exceed six months if:

(A)(i) The local commission determines that there is an emergency;

(ii) A provider of services discontinues providing the services in the county or region; or

(iii) No provider is able to offer the services in the county or region; and

(B) The family has given its express written consent.

(3) The local commission shall lead and coordinate a process to assess needs, strengths, goals, priorities and strategies, and identify county or regional outcomes to be achieved. The process shall be in conjunction with other coordinating bodies for services for children and their families and shall include representatives of education, mental health services, developmental disability services, alcohol and drug treatment programs, public health programs, local child care resource and referral agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities, local governments, faith-based organizations, businesses, families, youth and the local community. The process shall include populations representing the diversity of the county or region.

(4) Through the process described in subsection (3) of this section, the local commission shall coordinate the development of a single local plan for coordinating community programs, strategies and services for children who are 0 through 18 years of age and their families among community groups, government agencies, private providers and other parties. The local plan shall be a comprehensive area-wide service delivery plan for all services to be provided for children and their families in the county or region, if the families have given their express written consent. The local plan shall be designed to achieve state and county or regional outcomes based on state policies and guidelines and to maintain a level of services consistent with state and federal requirements.

(5) The local commission shall prepare the local coordinated comprehensive plan and applications for funds to implement ORS 417.705 to 417.797 and 419A.170. The local plan, policies and proposed service delivery systems shall be submitted to the board or boards of county commissioners for approval prior to submission to the state commission. The local plan shall be based on identifying the most effective service delivery system allowing for the continuation of current public and private programs where appropriate. The local plan shall address needs, strengths and assets of all children, their families and communities, including those children and their families at highest risk.

(6) Subject to the availability of funds:

(a) The local coordinated comprehensive plan shall include:

(A) Identification of ways to connect all state and local planning processes related to services for children and their families into the local coordinated comprehensive plan to create positive outcomes for children and their families; and

(B) Provisions for a continuum of social supports at the community level for children from the prenatal stage through 18 years of age, and their families, that takes into account areas of need, service overlap, asset building and community strengths as outlined in ORS 417.305 (2).

(b) The local coordinated comprehensive plan shall reference:

(A) A voluntary local early childhood system plan created pursuant to ORS 417.777;

(B) Local alcohol and other drug prevention and treatment plans developed pursuant to ORS 430.258;

(C) Local service plans, developed pursuant to ORS 430.630, for the delivery of mental health services for children and their families;

(D) Local public health plans, developed pursuant to ORS 431.385, that include public health issues such as prenatal care, immunizations, well-child checkups, tobacco use, nutrition, teen pregnancy, maternal and child health care and suicide prevention; and

(E) The local high-risk juvenile crime prevention plan developed pursuant to ORS 417.855.

(7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to support the local commission on

children and families. The list shall indicate the status of each position as a percentage of full-time equivalency dedicated to the implementation of the local coordinated comprehensive plan. The county board or boards of commissioners shall be responsible for providing the level of staff support detailed in the local plan and shall ensure that funds provided for these purposes are used to carry out the local plan.

(8) The local coordinated comprehensive plan shall:

(a) Improve results by addressing the needs, strengths and assets of all children, their families and communities in the county or region, including those children and their families at highest risk;

(b) Improve results by identifying the methods that work best at the state and local levels to coordinate resources, reduce paperwork and simplify processes, including data gathering and planning;

(c) Be based on local, state and federal resources;

(d) Be based on proven practices of effectiveness for the specific community;

(e) Contribute to a voluntary statewide system of formal and informal services and supports that is provided at the community level, that is integrated in local communities and that promotes improved outcomes for Oregon's children;

(f) Be presented to the citizens in each county for public review, comment and adjustment;

(g) Be designed to achieve outcomes based on research-identified proven practices of effectiveness; and

(h) Address other issues, local needs or children and family support areas as determined by the local commission pursuant to ORS 417.735.

(9) In developing the local coordinated comprehensive plan, the local commission shall:

(a) Secure active participation pursuant to subsection (3) of this section;

(b) Provide for community participation in the planning process, including media notification;

(c) Conduct an assessment of the community that identifies needs and strengths;

(d) Identify opportunities for service integration; and

(e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of a county or region.

(10) The state commission may disapprove the part of the local coordinated comprehensive plan relating to the planning process required by this section and the voluntary local early childhood system plan.

(11)(a) The state commission may disapprove the planning process and the voluntary local early childhood system plan only upon making specific findings that the local plan substantially fails to conform to the principles, characteristics and values identified in ORS 417.708 to 417.725 and 417.735 (4) or that the local plan fails to conform with the planning process requirements of this section. The staff of the state commission shall assist the local commission in remedying the deficiencies in the planning process or the voluntary local early childhood system plan. The state commission shall set a date by which any deficient portions of the planning process or the voluntary local early childhood system plan must be revised and resubmitted to the state commission by the local commission.

(b) The state commission does not have approval authority over the following service plans referenced in the local coordinated comprehensive plan:

(A) The local alcohol and other drug prevention and treatment plans developed pursuant to ORS 430.258;

(B) Local service plans, developed pursuant to ORS 430.630, relating to the delivery of mental health services;

(C) Local public health plans developed pursuant to ORS 431.385; and

(D) Local high-risk juvenile crime prevention plans developed pursuant to ORS 417.855.

(12) The state commission, the Governor's Council on Alcohol and Drug Abuse Programs, the Department of Human Services and the Juvenile Crime Prevention Advisory Committee may jointly approve the community plan that is part of the local coordinated comprehensive plan, but may not jointly approve the service plans that are referenced in the local plan. If the community plan is disapproved in whole, the agencies shall identify with particularity the manner in which the community plan is deficient and the service plans may be implemented. If only part of the community plan is disapproved, the remainder of the community plan and the service plans may be implemented. The staff of the agencies shall assist the local commission in remedying the disapproved portions of the community plan. The agencies shall jointly set a date by which the deficient portions of the community plan shall be revised and resubmitted to the agencies by the local commission. In reviewing the community plan, the agencies

shall consider the impact of state and local budget reductions on the community plan.

(13) If a local commission determines that the needs of the county or region it serves differ from those identified by the state commission, it may ask the state commission to waive specific requirements in its list of children's support areas. The process for granting waivers shall be developed by the state commission prior to the start of the review and approval process for the local coordinated comprehensive plan described in ORS 417.735 (4) and shall be based primarily on a determination of whether the absence of a waiver would prevent the local commission from best meeting the needs of the county or region.

(14) From time to time, the local commission may amend the local coordinated comprehensive plan and applications for funds to implement ORS 417.705 to 417.797 and 419A.170. The local commission must amend the local plan to reflect current community needs, strengths, goals, priorities and strategies. Amendments become effective upon approval of the board or boards of county commissioners and the state commission.

(15) The local commission shall keep an official record of any amendments to the local coordinated comprehensive plan under subsection (14) of this section.

(16) The local commission shall provide an opportunity for public and private contractors to review the components of the local coordinated comprehensive plan and any amendments to the local plan, to receive notice of any component that the county or counties intend to provide through a county agency and to comment publicly to the board or boards of county commissioners if they disagree with the proposed service delivery plan. [1993 c.676 §14; 1999 c.1053 §13; 2001 c.179 §1; 2001 c.276 §2; 2001 c.831 §11; 2003 c.148 §3; 2003 c.293 §5; 2003 c.553 §3]

Note: Section 4, chapter 553, Oregon Laws 2003, provides:

Sec. 4. The amendments to ORS 417.775 by section 3 of this 2003 Act apply to local coordinated comprehensive plans in effect on or after January 1, 2005. [2003 c.553 §4]

Note: Sections 2 and 4, chapter 564, Oregon Laws 2003, provide:

Sec. 2. (1) The requirements of this section apply only to local commissions on children and families located in a county that includes an attendance area for a school in which 70 percent or more of the students enrolled at the school are eligible for free and reduced price meals under the United States Department of Agriculture's current Income Eligibility Guidelines.

(2) Prior to June 1, 2004, each local commission on children and families shall place on the agenda of at least one meeting of the local commission a discussion of the coordination and provision of summer food service programs to children. Each school district that is within the attendance area served by the local commission and that has a school with a student population in which 70 percent or more of the students enrolled at the school are eligible for free and reduced price meals shall have a representative of the school district at the meeting. [2003 c.564 §2]

Sec. 4. Sections 1 to 3 of this 2003 Act are repealed on July 1, 2005. [2003 c.564 §4]

417.777 Local early childhood system plan. (1) Each local commission on children and families, as part of the local coordinated comprehensive plan developed under ORS 417.775 for the county or region, shall lead and coordinate the development of a voluntary local early childhood system plan that shall focus on the needs of children who are zero through eight years of age and their families. Local Oregon prekindergarten programs, early childhood special education programs and early intervention services shall collaborate and participate with the local commission in the development and implementation of the voluntary early childhood system plan.

(2) In the process of developing the voluntary local early childhood system plan, a local commission shall include parents, youth, community representatives and representatives of local providers of early childhood services that reflect the diversity of the county or region, including but not limited to representatives from:

(a) Hospitals and the health professions;

(b) Local interagency coordinating councils;

(c) Oregon prekindergarten programs;

(d) Contractors who are designated by the Superintendent of Public Instruction to be responsible for the administration of early childhood special education and early intervention services in a service area;

(e) Community corrections agencies;

(f) Mental health services;

(g) County health departments;

(h) Healthy Start Family Support Services programs;

(i) Alcohol and drug treatment programs;

(j) Local child care resource and referral agencies;

(k) Child care providers;

(L) Developmental disability services;

(m) The kindergarten through grade 12 education community;

(n) Faith-based organizations; and

(o) Other providers of prenatal and perinatal services.

(3) A voluntary local early childhood system plan shall:

(a) Provide for the coordination of early childhood programs by creating a process to

connect children and families with the most appropriate supports;

(b) Include a description of how the components of the voluntary statewide early childhood system specified in ORS 417.728 will be implemented in the county or region;

(c) Build on existing programs;

(d) Identify ways to maximize the use of volunteers and other community resources; and

(e) Ensure that the diverse populations within a community receive services that are culturally and gender appropriate.

(4) Local communities are encouraged to:

(a) Use private nonprofit organizations to raise community awareness and support for the voluntary local early childhood system; and

(b) Involve the medical community to ensure appropriate referrals to services and supports that are provided through the voluntary local early childhood system. [2001 c.831 §9; 2003 c.293 §6]

417.780 State funds not replacement for county moneys; waiver for financial hardship. Funds received by a county or counties from the state to implement ORS 417.705 to 417.797 and 419A.170 shall not be used to replace county general fund moneys, other than federal or state funds, currently being used by the county for existing programs for children and youth. However, in case of severe financial hardship demonstrated by a county or counties, the State Commission on Children and Families may waive the requirements of this section in approving the local coordinated comprehensive plan. [1993 c.676 §15; 1999 c.1053 §15]

417.785 Local commission as recommended structure; approved alternative structure allowed. A local commission is the recommended local structure for implementation of ORS 417.705 to 417.797 and 419A.170. However, a county or counties may elect to offer another structure but shall submit only one local coordinated comprehensive plan. The alternative structure must be approved by the State Commission on Children and Families. [1993 c.676 §16; 1999 c.1053 §16]

417.787 Transfer of funds to local commission; transfer of services. The State Commission on Children and Families shall:

(1) Determine when funds for services for children and families not described in ORS 409.010 (2)(a) and 430.215 are to be transferred to the local commission. If a local commission with an approved local coordinated comprehensive plan requests a transfer, the state commission shall determine whether funds can be transferred.

(2) Determine which, if any, services for children and families that are not described in ORS 409.010 (2)(a) and 430.215 are not to be transferred to local commissions but are to remain state responsibilities. [1993 c.676 §29; 1999 c.1053 §17; 2001 c.900 §227]

(Programs and Services)

417.788 Relief nurseries. (1) The State Commission on Children and Families shall support relief nurseries statewide through local commissions on children and families as funding becomes available. Local commissions may establish relief nurseries for young children who are at risk and their families. Local commissions in adjoining counties may choose to establish regional relief nurseries. The relief nurseries shall:

(a) Be consistent with the voluntary early childhood system plan that is part of the local coordinated comprehensive plan; and

(b) Involve the parents of children served by the relief nurseries.

(2) Programs at the relief nurseries shall include:

(a) Therapeutic early childhood education programs; and

(b) Parent education, training and support.

(3) Each relief nursery that receives state funding shall have financial support from the community that is at least equal to 25 percent of any state allocation. [1999 c.1053 §22; 2001 c.831 §12]

417.790 Grants for services and initiatives, Great Start and juvenile services. The State Commission on Children and Families shall:

(1) Make grants to local commissions on children and families to fund research-based services and initiatives to improve outcomes for children, youth or families. The state commission shall assist counties in the implementation of community services that are efficient, accountable, coordinated and readily available. Grants for services and initiatives to support children, youth or families shall be used at the local level according to the county's local coordinated comprehensive plan. These services shall be provided in accordance with ORS 417.715 and 417.720.

(2) Make Great Start grants to local commissions on children and families to fund community-based programs for children who are newborn through eight years of age. A county or region shall use Great Start grant funds to provide research-based early childhood programs in community settings and to

provide services that have proven to be successful and that meet the needs of the community as described in the county's local coordinated comprehensive plan. These services shall be provided in accordance with ORS 417.728. [1993 c.676 §31; 2001 c.976 §1]

417.793 Parents-as-teachers programs. The State Commission on Children and Families shall support parents-as-teachers programs statewide through local commissions on children and families as funding becomes available. If a local commission offers a program, the program shall be part of a comprehensive, research-based approach to parent education and support. The program shall be consistent with the voluntary early childhood system plan that is part of the local coordinated comprehensive plan. [2001 c.831 §12b]

417.795 Healthy Start Family Support Services programs; standards; coordination. (1) The State Commission on Children and Families established under ORS 417.730 shall establish Healthy Start Family Support Services programs through contracts entered into by local commissions on children and families in all counties of this state as funding becomes available.

(2) These programs shall be nonstigmatizing, voluntary and designed to achieve the appropriate early childhood benchmarks and shall:

(a) Ensure that express written consent is obtained from the family prior to any release of information that is protected by federal or state law and before the family receives any services;

(b) Ensure that services are voluntary and that, if a family chooses not to accept services or ends services, there are no adverse consequences for those decisions;

(c) Offer a voluntary comprehensive screening and risk assessment of all newly born children and their families;

(d) Ensure that the disclosure of information gathered in conjunction with the voluntary comprehensive screening and risk assessment of children and their families is limited pursuant to ORS 417.728 (6) to the following purposes:

(A) Providing services under the programs to children and families who give their express written consent;

(B) Providing statistical data that are not personally identifiable;

(C) Accomplishing other purposes for which the family has given express written consent; and

(D) Meeting the requirements of mandatory state and federal disclosure laws;

(e) Ensure that risk factors used in the risk assessment are limited to those risk factors that have been shown by research to be associated with poor outcomes for children and families;

(f) Identify, as early as possible, families that would benefit most from the programs;

(g) Provide parenting education and support services, including but not limited to community-based home visiting services and primary health care services;

(h) Provide other supports, including but not limited to referral to and linking of community and public services for children and families such as mental health services, alcohol and drug treatment programs, child care, food, housing and transportation;

(i) Coordinate services for children consistent with the voluntary local early childhood system plan developed pursuant to ORS 417.777;

(j) Provide follow-up services and supports from birth through five years of age;

(k) Integrate data with any common data system for early childhood programs implemented pursuant to section 7, chapter 831, Oregon Laws 2001;

(L) Be included in a statewide independent evaluation to document:

(A) Level of screening and assessment;

(B) Incidence of child abuse and neglect;

(C) Change in parenting skills; and

(D) Rate of child development;

(m) Be included in a statewide training program in the dynamics of the skills needed to provide early childhood services, such as assessment and home visiting; and

(n) Meet voluntary statewide and local early childhood system quality assurance and quality improvement standards.

(3) The Healthy Start Family Support Services programs, local health departments and other providers of prenatal and perinatal services in counties, as part of the voluntary local early childhood system, shall:

(a) Identify existing services and describe and prioritize additional services necessary for a voluntary home visit system;

(b) Build on existing programs;

(c) Maximize the use of volunteers and other community resources that support all families;

(d) Target, at a minimum, all first birth families in the county; and

(e) Ensure that home visiting services provided by local health departments for children and pregnant women support and are coordinated with local Healthy Start Family Support Services programs.

(4) Through a Healthy Start Family Support Services program, a trained family support worker or nurse shall be assigned to each family assessed as at risk that consents to receive services through the worker or nurse. The worker or nurse shall conduct home visits and assist the family in gaining access to needed services.

(5) The services required by this section shall be provided by hospitals, public or private entities or organizations, or any combination thereof, capable of providing all or part of the family risk assessment and the follow-up services. In granting a contract, a local commission may utilize collaborative contracting or requests for proposals and shall take into consideration the most effective and consistent service delivery system.

(6) The family risk assessment and follow-up services for families at risk shall be provided by trained family support workers or nurses organized in teams supervised by a manager and including a family services coordinator who is available to consult.

(7) Each Healthy Start Family Support Services program shall adopt disciplinary procedures for family support workers, nurses and other employees of the program. The procedures shall provide appropriate disciplinary actions for family support workers, nurses and other employees who violate federal or state law or the policies of the program. [1993 c.677 §1; 1999 c.1053 §21; 2001 c.831 §14; 2003 c.14 §209]

(Evaluation of Local Plans)

417.797 Responsibility; requirements; review of outcomes. (1) Each state agency or other entity that is responsible for a component of the local coordinated comprehensive plan shall ensure that a biennial evaluation of the plan component is conducted according to a consistent framework. The program evaluation shall include:

(a) An identified goal and associated Oregon benchmarks;

(b) Proven practices of effectiveness and related Oregon data;

(c) A target population and a description of local service systems that may be used in identifying, screening, recruiting and serving the target population;

(d) Specific intermediate outcomes that measure progress in addressing risk contributors or developing core supports and competencies and specific tools and data sources to measure the intermediate outcomes;

(e) Baseline data about the incidence of risk and asset and support factors with the goal of measuring change over time, including an assessment of local need;

(f) Measures of fiscal accountability;

(g) Identified roles and responsibilities for state agencies and local partners and performance measures to evaluate effectiveness in agreed-upon roles; and

(h) Measures of the change in coordination among service providers and programs as a result of the local plan, including increases in access to services.

(2) The State Commission on Children and Families shall disclose the results of the evaluations to any person upon request.

(3) The Oregon Progress Board shall conduct a review of the intermediate outcome targets achieved by local coordinated comprehensive plans in accordance with ORS 417.735 (3)(c) for the purpose of identifying progress in achieving outcomes specified in local plans. The Oregon Progress Board shall coordinate the review with the evaluations conducted according to subsection (1) of this section. [1999 c.1053 §19; 2003 c.148 §4]

(Office of Children's Advocate)

417.805 Toll-free child abuse hotline. The Office of Children's Advocate shall maintain a state toll-free telephone line to allow the public to:

(1) Access information and be referred to the appropriate services in matters of child abuse.

(2) Voice concerns regarding the actions and conduct of the Department of Human Services relating to child abuse.

(3) Have a single place to file complaints concerning the actions and conduct of the Department of Human Services relating to child abuse. [1993 c.678 §7; 2003 c.591 §3]

417.810 Office of Children's Advocate established; appointment; staff. (1) The Office of Children's Advocate is established in the Department of Human Services. The office is under the supervision and control of the Children's Advocate, who is responsible for the performance of the duties, functions and powers of the office. With the concurrence of the Governor, the Director of Human Services shall appoint the Children's Advocate and may terminate the Children's Advocate.

(2) Subject to available funds and the applicable provisions of ORS chapter 240, the Children's Advocate may hire staff to carry out the duties, functions and powers of the office and shall prescribe their duties and fix their compensation.

(3) The Children's Advocate shall be a person who has background and experience in:

(a) Law enforcement with particular emphasis on crimes involving child victims; or

(b) Social work with particular emphasis on child abuse. [1993 c.678 §8; 2003 c.591 §4]

417.815 Duties of office; confidentiality; protection for person filing complaint. (1) The Office of Children's Advocate shall be accessible to the public through the state toll-free telephone line maintained pursuant to ORS 417.805 and through other electronic and written forms of communication. The office shall:

(a) Disseminate information and educate the public about the detection and prevention of child abuse and about the prosecution of persons accused of child abuse;

(b) Cooperate with other units within the Department of Human Services and law enforcement officials in performing duties under ORS 418.747 to 418.749 and 419B.005 to 419B.050 when the investigation involves alleged child abuse;

(c) Provide technical assistance in the development and implementation of state and local programs that relate to child abuse;

(d) In cooperation with the department, objectively review the department's systems for handling child abuse cases; and

(e) Analyze data collected by the office to discern general patterns and trends, chronic problems and other systemic difficulties in the detection, reporting, investigation, prosecution and resolution of cases of child abuse.

(2) In addition to the duties required under subsection (1) of this section, the office shall:

(a) Review any complaint regarding the department's involvement in a specific child abuse case, unless the office determines there is an adequate remedy for the complaint;

(b) Make any appropriate referrals of the complaint or complainant at the time the office receives the complaint or during the office's review process;

(c) Inform the complainant of the referral of the complaint or any other action taken by the office on the complaint;

(d) Inform the department of the office's intention to review the department's action, unless the office determines that advance notice will unduly hinder the review; and

(e) Conduct a review of the department's action when appropriate, and inform the department of the results of the review, including any recommendation the Children's Advocate believes would resolve any case or any systemic issues identified in the review.

(3) If the office has knowledge of confidential information relating to a child involved or allegedly involved in child abuse, the office shall keep the information confidential from public disclosure. However, the office is subject to legal mandates in ORS 418.747 to 418.749 and 419B.005 to 419B.050.

(4) A person who files a complaint under this section or ORS 417.805 or participates in any investigation under this section may not be, because of that action:

(a) Subject to any penalties, sanctions or restrictions imposed by the department;

(b) Subject to any penalties, sanctions or restrictions connected with the person's employment; or

(c) Denied any right, privilege or benefit.

(5) If deemed necessary by the Children's Advocate for the purposes of carrying out the duties of the office, the office may conduct criminal records checks on subject individuals pursuant to ORS 181.537 through the Law Enforcement Data System maintained by the Department of State Police or through a qualified vendor. [1993 c.678 §§9,10; 1995 c.79 §211; 2003 c.591 §5]

417.825 Portions of certain filing fees dedicated to office. (1) In addition to any other fees provided by law, the appropriate agency:

(a) When birth certificates are registered with the state, shall pay a $1 fee on each birth certificate registered with the agency.

(b) That issues birth certificates for the state or a county, shall collect a $1 fee on each birth certificate issued by the agency.

(c) When adoptions and divorces are filed with the court, shall collect a $1 fee on each adoption and divorce filed with the agency.

(2) The agencies paying or collecting the fees described in subsection (1) of this section shall transfer moneys from the fees imposed by this section to the State Treasurer for deposit in the Department of Human Services Account established under ORS 409.060. The moneys deposited under this section are appropriated continuously to the Department of Human Services for use by the Office of Children's Advocate for the administration of ORS 417.805, 417.810 and 417.815. [1993 c.678 §11; 2003 c.591 §6]

(Deschutes County Demonstration Project)

417.830 Authority of Deschutes County to establish demonstration project; plan. (1) Consistent with the requirements of ORS 417.715 to 417.725, the governing body of Deschutes County may establish a demonstration project that authorizes the county to:

(a) Within the county, assume responsibility for providing or obtaining some or all services to children and families that primarily focus on the welfare of the child and that would otherwise be provided or obtained by or through one or more state agencies with the exception of child protective services as described in ORS 418.747 to 418.749 and 418.780 to 418.796; and

(b) During the time the county assumes responsibility for the services and according to the provisions of the intergovernmental agreement by which the county assumes those responsibilities, receive the moneys available to state agencies to provide or obtain those services. If the moneys therefor are not transferred, the county is not required to assume responsibility for the service.

(2) In order to exercise authority under subsection (1) of this section, the local commission appointed under ORS 417.833 shall develop for the governing body of Deschutes County a plan for assuming the responsibilities described in subsection (1)(a) of this section. The plan shall establish standards by which the appropriate state agencies may monitor and assure performance of the demonstration project. The standards shall not establish requirements for how the county provides or obtains the service, but shall address expected outcomes and goals. The plan may provide for the transfer of employees involved in the services. The provisions of ORS 423.549 shall apply to any transferred employees of the Department of Corrections and the provisions of ORS 236.605 to 236.640 apply to all other transferred employees.

(3) The plan shall be submitted to the county governing body and may be submitted to the presiding judge for the judicial district for approval. No portion of the plan that relates to the administration, procedures or programs of the courts shall be submitted to the county governing body without the concurrence of the presiding judge for the judicial district.

(4) The plan shall be specific about the services for which the county assumes responsibility and shall provide measures by which the state can assure that services are not being diminished from the level provided or obtained by the state. [1993 c.675 §1; 1995 c.161 §1; 1995 c.781 §48a]

417.833 Appointment of local commission; duties; staff director. (1) The governing body of the county shall appoint a chairperson and a minimum of eight members to a local commission to develop and implement the plan. No member shall be appointed to the commission whose primary income is derived from either offering direct service to children and youth or being an administrator for a program for children and youth. Members of the commission shall be appointed to four-year terms. A member is eligible for reappointment.

(2) There shall be a staff director for the local commission. The governing body shall hire the staff director. The staff director shall be supervised by the local commission. The staff director shall hire and supervise any other support staff necessary for operation of the local commission. Such staff shall be county employees subject to county personnel rules.

(3) The governing body of the county may include the presiding judge for the judicial district in the appointment of the chairperson and members of the local commission, the hiring of the staff director and the approval of the plan.

(4) The local commission shall establish a local advisory council to aid and advise the commission. Affected state, county and local agencies shall participate in activities of the council and shall identify current delivery systems and attached resources. [1993 c.675 §2; 1995 c.161 §2; 1995 c.781 §49]

417.836 Intergovernmental agreement; federal waivers. (1) The governing body of Deschutes County shall:

(a) Submit a request for an intergovernmental agreement to each state agency responsible for the services the county has determined to assume responsibility to provide or obtain. The request for intergovernmental agreement shall describe how the county developed the plan and include a proposal for the intergovernmental agreement. The county shall submit the request to the administrative head of the appropriate state agency then responsible for the services for which the county has determined to assume responsibility; and

(b) Enter into an intergovernmental agreement with the appropriate state agencies to assume responsibility for the services by implementing the plan developed by the county. If the county submits a request under this subsection, each state agency receiving the request shall work in good faith to develop an intergovernmental agreement to transfer responsibility for such services to the county and to transfer to the county the moneys available to state agencies to provide and obtain those services.

(2) Before the agreement becomes operative, all federal waivers necessary to enable the state to operate under the agreement without loss of federal funds shall be obtained. The county and state agencies shall cooperate in obtaining any necessary federal waivers. [1993 c.675 §3]

417.839 Limitations on county's authority. The authority of Deschutes County under ORS 417.830 (1) is subject to the following limitations:

(1) Unless specifically authorized by the Superintendent of Public Instruction, Deschutes County shall not assume responsibility for any services provided or obtained by the Department of Education.

(2) Unless specifically authorized by the State Court Administrator, Deschutes County shall not assume responsibility for any services provided or obtained by the Judicial Department or any court, division or agency within the Judicial Department. [1993 c.675 §4; 2001 c.962 §94]

417.842 Reports to Legislative Assembly; legislative committee to monitor resources, provide forum and advise county. (1) Deschutes County and any state agency from which the county proposes to assume responsibility for services under ORS 417.830 to 417.842 shall report to the appropriate committees of the Legislative Assembly both during the regular session of the Legislative Assembly and during the legislative interim concerning the progress of the demonstration project and any problems or successes of the demonstration project.

(2) In addition to any other duties the committees might have, the committees to which the Speaker of the House of Representatives and the President of the Senate assign the responsibility for monitoring the progress of the demonstration project under this section shall also:

(a) Monitor the identification of resources available to be transferred to Deschutes County when it assumes responsibilities for services under this section; and

(b) Provide a forum for presenting and discussing problems that arise between Deschutes County and state agencies when the county proposes to assume responsibilities for services under ORS 417.830 to 417.842. When requested by the county or a state agency during the process of the county's proposal to assume responsibilities under ORS 417.830 to 417.842, the committee shall give advice as to the resolution of any conflict concerning the proposal. [1993 c.675 §5]

JUVENILE CRIME PREVENTION

417.845 Juvenile Crime Prevention Advisory Committee; membership; chairperson; staffing. (1) The Juvenile Crime Prevention Advisory Committee is created within the Oregon Criminal Justice Commission.

(2) The committee shall have the following members:

(a) The Director of the Oregon Youth Authority or a designee of the director;

(b) The staff director of the State Commission on Children and Families or a designee of the staff director;

(c) The Director of Human Services or one or more designees of the director, one of whom has expertise in treatment and prevention of substance abuse;

(d) The executive director of the Oregon Criminal Justice Commission or a designee of the executive director;

(e) The Superintendent of Public Instruction or a designee of the superintendent;

(f) The Superintendent of State Police or a designee of the superintendent;

(g) The Director of the Department of Corrections or a designee of the director;

(h) One designee of the Governor;

(i) One member appointed by the President of the Senate, who shall be a member of the Senate and who shall be a nonvoting, advisory member;

(j) One member appointed by the Speaker of the House of Representatives, who shall be a member of the House of Representatives and who shall be a nonvoting, advisory member; and

(k) One designee of the Chief Justice of the Supreme Court from the Judicial Department who serves as a nonvoting member to provide information and support the partnership role of the courts in an effective comprehensive statewide approach to high-risk youth and their families.

(3) In addition to the members listed in subsection (2) of this section, the Governor shall appoint the following members who shall be representative of the geographic and cultural diversity of the state:

(a) To represent local public and private entities:

(A) A county commissioner;

(B) A local juvenile director;

(C) A director of a local commission on children and families;

(D) Two law enforcement officials;

(E) A county mental health director;

(F) An alcohol and drug abuse professional;

(G) A school superintendent;

(H) A private youth service provider; and

(I) An elected city official;

(b) A researcher;

(c) A citizen member; and

(d) Other members as determined by the Governor.

(4) Each member of the committee appointed by the Governor under subsection (3) of this section shall serve a term of four years. Members appointed by the Governor shall serve at the pleasure of the Governor. A vacancy in the office of any member appointed by the Governor under subsection (3) of this section shall be filled by the Governor by appointment for the unexpired term.

(5) The Governor shall select one of the members of the committee as chairperson and one of its members as vice chairperson.

(6) The committee shall meet at times, places and intervals deemed advisable by a majority of the members.

(7) The Oregon Criminal Justice Commission shall provide staff support to the committee. [1999 c.1053 §36; 2001 c.900 §111; 2001 c.904 §8; 2001 c.905 §9]

Note: Sections 42 and 43, chapter 1053, Oregon Laws 1999, provide:

Sec. 42. (1) The Juvenile Crime Prevention Advisory Committee shall coordinate planning and implementation of:

(a) The State Incentive Cooperative Agreement grant from the federal Center for Substance Abuse Prevention; and

(b) Other federal grants focused on high-risk youth or coordinated partnerships for high-risk youth, in conjunction with the state and county high-risk juvenile crime prevention plans.

(2) A county or consortium of counties that receives funds from grants for juvenile crime prevention from multiple state agencies may request and shall receive a single consolidated grant of state juvenile crime prevention funds. The county or counties and the state agencies shall develop program outcomes for the use of the consolidated grant funds. The state agencies shall require the county or counties to comply with grant requirements and report on the outcomes on a periodic basis. [1999 c.1053 §42]

Sec. 43. Section 42 of this 1999 Act is repealed July 1, 2004. [1999 c.1053 §43]

417.850 Duties of committee. The Juvenile Crime Prevention Advisory Committee shall:

(1) Review the budget and allocation formula for appropriations for the purpose of juvenile crime prevention;

(2) Review the components of the local coordinated comprehensive plans for children and families created pursuant to ORS 417.775 that address local high-risk juvenile crime prevention plans developed under ORS 417.855 and make recommendations to the Governor about the local plans;

(3) Ensure that high-risk juvenile crime prevention planning criteria are met by state and local public and private entities;

(4) Recommend high-risk juvenile justice and juvenile crime prevention policies to the Governor and the Legislative Assembly;

(5) Ensure initiation of contracts based on approved local high-risk juvenile crime prevention plans and oversee contract changes;

(6) Review data and outcome information;

(7) Establish and publish review and assessment criteria for the local high-risk juvenile crime prevention plans. The criteria shall include, but not be limited to, measuring changes in juvenile crime and juvenile recidivism;

(8) Review and coordinate county youth diversion plans and basic services grants with the local high-risk juvenile crime prevention plans. Basic services grants may be used for detention and other juvenile department services including:

(a) Shelter care;

(b) Treatment services;

(c) Graduated sanctions; and

(d) Aftercare for youth offenders;

(9) Work to ensure broad-based citizen involvement in the planning and execution of high-risk juvenile crime prevention plans at both the state and local levels;

(10) Develop a funding policy that provides incentives for flexible programming and promotes strategies that stress reinvestment in youth;

(11) Periodically report to the Governor and the Legislative Assembly on the progress of the committee;

(12) Oversee and approve funding and policy recommendations of the state advisory group as required by the federal Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601 et seq.; and

(13) Work with tribal governments to develop tribal high-risk juvenile crime prevention plans. [1999 c.1053 §38]

Note: Sections 40 and 41, chapter 1053, Oregon Laws 1999, provide:

Sec. 40. (1) A county or group of counties may place greater emphasis on early intervention and work with younger children than required by the Juvenile Crime Prevention Advisory Committee if the county or counties have been granted a waiver pursuant to this section.

(2) The Juvenile Crime Prevention Advisory Committee shall extend to June 30, 2005, any early intervention waiver granted to any county through the review of the county's 1998 high-risk juvenile crime prevention plan.

(3) In consultation with any county that received a 1998 waiver or any county or group of counties requesting a waiver and no later than June 30, 2000, the Juvenile Crime Prevention Advisory Committee shall develop an objective process, review criteria and timetable for consideration of waiver requests. A waiver granted under this section shall apply to the requirements for basic services grants described in section 38 (8) of this 1999 Act [417.850 (8)] and high-risk juvenile crime prevention resources managed by the Oregon Criminal Justice Commission. The waiver shall be consistent with the goals of ORS 137.656, 417.705 to 417.797,

430.250, 430.255 and 430.257 and sections 31 [430.258], 32 [430.259], 38 [417.850] and 39 [417.855] of this 1999 Act.

(4) Any documentation required for a waiver under this section shall be from material contained in a county's juvenile crime prevention plan and from material as determined through biennial intergovernmental agreements.

(5) The Juvenile Crime Prevention Advisory Committee shall grant a waiver or continue a waiver based on criteria that includes:

(a) Rate of Oregon Youth Authority discretionary bed usage compared to other counties;

(b) Comparative analysis of detention and secure shelter capacity per 1,000 juveniles;

(c) Investment of local resources in juvenile crime prevention;

(d) Inclusion of prevention or early intervention strategies in the juvenile crime prevention plan;

(e) Investments that emphasize innovation and proven practices of effectiveness;

(f) Support of the local public safety coordinating council, local commission on children and families and board of county commissioners; and

(g) Local integration practices including citizens, victims, courts, law enforcement, business and schools.

(6) The committee shall review and act on any request for a waiver within 90 days after receipt of the request. [1999 c.1053 §40]

Sec. 41. Section 40 of this 1999 Act is repealed on January 1, 2006. [1999 c.1053 §41]

417.855 Local high-risk juvenile crime prevention plan. (1) Each board of county commissioners shall designate an agency or organization to serve as the lead planning organization to facilitate the creation of a partnership among state and local public and private entities in each county. The partnership shall include, but is not limited to, local commissions on children and families, education representatives, public health representatives, local alcohol and drug planning committees, representatives of the court system, local mental health planning committees, city or municipal representatives and local public safety coordinating councils. The partnership shall develop a local high-risk juvenile crime prevention plan that shall be incorporated into the local coordinated comprehensive plans created pursuant to ORS 417.775.

(2) The local high-risk juvenile crime prevention plans shall use services and activities to meet the needs of a targeted population of youths who:

(a) Have more than one of the following risk factors:

(A) Antisocial behavior;

(B) Poor family functioning or poor family support;

(C) Failure in school;

(D) Substance abuse problems; or

(E) Negative peer association; and

(b) Are clearly demonstrating at-risk behaviors that have come to the attention of government or community agencies, schools or law enforcement and will lead to imminent or increased involvement in the juvenile justice system.

(3)(a) The Oregon Criminal Justice Commission shall allocate funds available to support the local high-risk juvenile crime prevention plans to counties based on the youth population age 18 or younger in those counties.

(b) The commission shall award a minimum grant to small counties. The minimum grant level shall be determined by the Juvenile Crime Prevention Advisory Committee through a public process and reviewed by the committee biennially. [1999 c.1053 §39]

INDIVIDUAL CHILDREN'S DEVELOPMENT ACCOUNT

417.900 Individual Children's Development Account Program. (1) The State Commission on Children and Families shall administer the Individual Children's Development Account Program. The program shall include but not be limited to:

(a) Eligibility criteria for state participation in the funding of the Individual Children's Development Accounts, including but not limited to, utilization of a sliding scale based on family income;

(b) A mechanism for community and business contributions to Individual Children's Development Accounts;

(c) Proposal for tax incentives for the establishment and maintenance of such accounts; and

(d) Recommendations regarding account purposes, including but not limited to, the purposes set forth in subsection (2) of this section.

(2) As used in this section, "Individual Children's Development Account Program" means a program established by parents or by the government with parental consent for an Oregon child less than 18 years of age at the time of its establishment that may be used at any age by that child for one or more of these purposes:

(a) Securing post-high-school education, including but not limited to, community college, four-year college or university or post-college graduate education;

(b) Securing post-high-school job training, including but not limited to, a career school;

(c) Purchasing a home for the first time, either alone or with another; or

(d) Capitalizing a business. [Formerly 417.700; 1995 c.343 §44]

PENALTIES

417.990 Penalty for placement of children in violation of compact. The sending, bringing, or causing to be sent or brought into any receiving state of a child in violation of the terms of the Interstate Compact on the Placement of Children is a Class A misdemeanor. [1975 c.482 §8]