

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE STATE OF OREGON DEPARTMENT OF HUMAN SERVICES,  
MULTNOMAH EDUCATION SERVICE DISTRICT  
AND COMPONENT SCHOOL DISTRICTS  
REGARDING COMPLIANCE WITH SENATE BILL 414

**PARTIES.** The parties to this Agreement are the State of Oregon Department of Human Services (DHS), the Multnomah Education Service District (MESD), and the component school districts served by MESD (Districts).

**AUTHORITY.** This Agreement is authorized under the provisions of SB414.

**PURPOSE.** The purpose of the agreement is to comply with SB414 in a manner that will be mutually beneficial to all parties and that will not impact ease of operations. This Agreement establishes (1) the protocol by which DHS will notify school districts in writing when a child is in the custody of the DHS in compliance with DHS policy and Oregon Revised Statutes, (2) the protocol by which DHS can electronically view student records of students in custody of DHS to monitor the student's educational progress and earned credits, (3) the protocol by which MESD will generate the student information identified in the Revised Statutes and (4) the protocol by which school districts will receive and record information from DHS when a student is in the custody of the DHS.

**RESPONSIBILITIES:**

DHS will:

1. Send a Notification Letter to student's enrolled school notifying the school when DHS has custody.
2. Attach a copy of the Education Records Order releasing student information to DHS to the Notification Letter.
3. Send a Notification Letter and attached Education Records Order to a Liaison at the MESD Department of Health and Social Services.
4. Retrieve the daily report from MESD secure location and store it in a secure location on the DHS server.
5. Designate staff who will view confidential student educational information for the purposes of compliance with SB 414.
6. Protect all educational information as confidential and release information only to Juvenile Court and named legal parties, or as required by law.
7. Send a Letter and Order dismissing custody to student's enrolled school notifying the school when DHS no longer has custody.
8. Send a Letter and Order dismissing custody to a Liaison at the MESD Department of Health and Social Services when the DHS no longer has custody.

MESD will:

1. Identify a point of contact and Liaison from MESD Department of Health and Social Services to DHS.
2. Direct the Liaison to verify the schools have made the changes to the eSIS custodial codes seven (7) business days after receipt of the Notification Letter from DHS.
3. Direct the Liaison to verify the schools have made the changes to the eSIS custodial code after receipt of the Letter and Order dismissing custody.
4. Direct MESD Department of Technology Services to generate a daily report containing student information and store it in a secure site.
5. Direct Department of Health and Social Services to provide assistance to identified DHS staff.

School District will:

1. Provide reasonable notice of intent to comply with the Education Records Order to the parent of record of a special education student.
2. Change the eSIS custodial code to 6 (xExclusive Use Only- DHS Srvcs) and create a new parent record containing DHS case worker's information six (6) business days after receipt of the Notification Letter and attached Education Records Order from DHS identifying a student in the custody of the DHS.
3. Send copies of information to the DHS upon request.
4. Remove the custody code from eSIS and delete the DHS parent record upon receipt of the Letter and Order dismissing a student from the custody of the DHS.

**POINTS OF CONTACT.**

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**OTHER PROVISIONS:** Nothing in this Agreement is intended to conflict with current laws or regulations of Oregon DHS or MESD. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

**EFFECTIVE DATE:** The terms of this agreement will become effective on April 1, 2008.

**MODIFICATION:** This agreement may be modified upon the mutual written consent of the parties.

**TERMINATION:** Either party, upon thirty (30) calendar days written notice to the other party, may terminate this agreement.