

Welcome 2016!

California Policy
Changes Impacting
Children and Families



Children's Advocacy Institute



University of San Diego
SCHOOL OF LAW

Child Welfare

Education Needs of FY
Continuum of Care Reform
Placement



Transition Age Youth
Parenting Youth
Immigration Crossover Issues
Psychotropic Medication
Court Proceedings



AB 1166: Pupils in Foster Care: Exemption from Local Grad. Req.

Author	Bloom
Issue	Students who are in foster care or who are homeless are exempt from local graduation requirements if they transfer after their second year of high school but are often not notified of this right until after court jurisdiction is terminated of the child is no longer homeless.
What this Bill Does	Provides that foster youth and homeless youth are eligible for the exemption from locally-imposed high school graduation requirements even if not notified of this right, and provides that homeless youth who are exempted continue to be exempted even if the student is no longer homeless.



AB 403: Continuum of Care Reform

Author	Stone
Issue	Children should not be living in congregate care unless needed and should be in home-based family care when possible. Children need faster paths to permanency.
What this Bill Does	<ul style="list-style-type: none">• Eliminates Group Homes and creates short-term residential treatment centers (STRTC)• FFAs will approve resource families• Integrate mental health certification as a component for licensure of both STRTCs and FFAs• Required development of new payment structure for STRTCs and FFAs



SB 731: Transgender Youth in Foster Care

Author	Leno
Issue	Gender identity of transgender foster youth must be respected in placement decisions.
What this Bill Does	This bill specifies that foster youth must be placed in homes according to their gender identity, regardless of the gender or sex listed in their court or child welfare records.



AB 592: Foster Youth Verification

Author	Stone
Issue	Foster Youth are often left unable to access benefits and programs because they cannot verify their foster youth status in a timely or accurate manner.
What this Bill Does	This bill allows the Department of Social Services to provide former foster youth with verification they were in the foster care system.



AB 260: Breaking the Cycle of Foster Care for Parenting Youth

Author	Patty Lopez
Issue	Parenting foster youth often have a child either removed from their care or the child's removal threatened due to a heightened level of scrutiny and the inappropriate use of information in the case file.
What this Bill Does	<ul style="list-style-type: none">• Prohibits the use of past information regarding placement history, behaviors, mental health diagnosis, etc. as sole evidence in dependency petitions.• Provides preventative support services to parenting youth in all placement settings.



SB 68: Minor /NMD Parents: Reunification Services

Author	Liu
Issue	Youth who are in foster care and are working to reunify with a child in foster care have barriers to reunification such as difficulty accessing services and maintaining contact with their children.
What this Bill Does	Allows an additional six months of family reunification (up to 24 months) for a parent who was in foster care at the time of the detention of his/her child/children.



AB 899: Confidentiality of Juvenile Records

Author	Levine
Issue	The Bureau of Immigration and Customs enforcement (ICE) has allegedly received information about youth in juvenile detention centers (in violation of their right to keep such records confidential).
What this Bill Does	Clarifies existing law to specify that nothing in the Welfare and Institutions Code allows for the disclosure of confidential juvenile information to federal officials absent a court order upon the filing of a petition for access to the records.



AB 900: Special Immigrant Juvenile Status

Author	Levine
Issue	For youth over 18 who are not dependents of the juvenile court, there is currently no state court proceeding under which the requisite SIJS findings can be made.
What this Bill Does	This bill would authorize, with the consent of the proposed ward, a probate court to establish or extend a guardianship for an unmarried individual, who is at least 18 years of age, but not yet 21, in connection with a petition to make necessary findings regarding SIJS or complete the SIJS application process.



SB 238: Foster Care: Psychotropic Medications

Author	Mitchell
Issue	Children in foster care are overmedicated with powerful psychotropic drugs and the caregivers and professionals need the skills and knowledge to provide safer care.
What this Bill Does	<ul style="list-style-type: none">• Provide training• Produce data on mental health and medication services to counties• Improve information given to the judges who authorize med use with foster children



SB 319: Foster Care: Psychotropic Medications

Author	Beall
Issue	Children in foster care are overmedicated with powerful psychotropic drugs and the majority do not receive appropriate screening and monitoring of the treatment's effects.
What this Bill Does	<ul style="list-style-type: none">• Authorizes health care providers to disclose medical information to a public health nurse to coordinate health care services and medical treatment.• Requires that youth in foster care who are receiving psychotropic medications be monitored by a public health nurse.



SB 484: Foster Care: Psychotropic Medications

Author	Beall
Issue	Nearly one in four foster children and 56% of children in group homes are receiving psychotropic drugs – often without adequate oversight, monitoring, or psychosocial services provided.
What this Bill Does	<ul style="list-style-type: none">• Identify GHs with high medication usage and low psychosocial service and monitoring appointments for foster children in their care.• Review facilities, share information, and work out a plan for improvement when needed.



217: Juvenile Law Hearings

Author	Maienschein
Issue	Dependency Court hearings are perhaps the most important part of a child in foster care's life yet, because of the formality of the proceedings, the child may not understand their ability to speak at the hearings.
What this Bill Does	This bill requires the court to inform youth of their right to address the court and participate in the hearing.



AB 879: Court Proceedings: Notice

Author	Burke
Issue	Current notice requirements might not best serve families involved in dependency matters.
What this Bill Does	This bill allows notice by e-mail in lieu of current notice requirements for most dependency court proceedings.



SB 794: Child Welfare Services

Author	Senate Committee on Human Services
Issue	Federal <i>Preventing Sex Trafficking and Strengthening Families Act</i> (PL 113-183) amended Title IV-E and IV-B state requirements for foster care and child welfare funding
What this Bill Does	<ul style="list-style-type: none">• Identification and services for children who are (or are at-risk of becoming) victims of sex trafficking (CSEC).• Protocols for locating youth in foster care who run away or go missing.• Reporting requirements for victims of sex trafficking.• Expand adoption incentives to include guardianships (and reinvestment of potential savings).• Addition of “fit and willing relative” as permanent plan options.• Increase inclusion of youth 14 years old or older in case and transition planning.



Looking Forward: 2016

▶ 2-Year Bills

- AB 1299: Medi-Cal Specialty Mental Health Services For Foster Youth Placed Out-of-County
- AB 741: Crisis Care for Youth
- SB 253: Juveniles: Psychotropic Medication
- AB 878: Child-Centered Foster Care Rate System

▶ Bill Ideas

- Placement with Relatives
- Criminal Waiver Process
- RFA
- Intensive and Ongoing Efforts for Kids in APPLA



Early Education



Immunizations

Child Care: Eligibility (Homeless)

Day Care: Mandatory Child Abuse
Reporting – training



SB 792: Day Care Facilities: Immunizations: Exemptions

Author	Mendoza
Issue	Many children in daycare are too young to be fully immunized and rely on those around them to be immunized to prevent the spread of disease.
What this bill does	Commencing September 1, 2016, this law prohibits a person from being employed or volunteering at a day care center or a family day care home if he or she has not been immunized against influenza, pertussis, and measles. The law specifies circumstances under which a person would be exempt from the immunization requirement. Day care centers or family day care homes must maintain documentation of the required immunizations or exemptions from immunization in the employee's or volunteer's personnel record.



AB 982: Child Care and Development: Eligibility: Homeless

Author	Eggman
Issue	Prior to this bill, local educational agency (LEA) liaisons for children and youth were not statutorily authorized to identify families as homeless for the purposes of child care prioritization.
What this bill does	This bill would expand the list of entities that can identify a child in need to include a local educational agency (LEA) liaison for homeless children and youths, a Head Start program, or a transitional shelter. The bill would expand the list of children to be identified to include a homeless child.



AB 1207: Mandated Child Abuse Reporting: Day Care Personnel

Author	Lopez
Issue	Although licensees, administrators, and employees of licensed child day care facilities and employees of child care institutions are mandated reporters under CA's Child Abuse and Neglect Reporting Act, the law did not require them to complete any training on recognizing the signs of child abuse and neglect or how to comply with mandated reporter requirements.
What this bill does	This bill requires a child day care licensee applicant to take training in the duties of mandated reporters as a condition of licensure, and requires child day care administrators and employees to take mandated reporter training on or before March 30, 2018, providers, and requires renewal mandated reporter training every 3 years.



Education

- » Education Rights (Foster Youth)
- LCFF / FYS Alignment
- Pupil Instruction: Course Content
- California High School Exit Exam
- Vaccinations
- School of Origin



AB 224: Notice of Education Rights

Author	Jones–Sawyer
Issue	California has enacted a great deal of legislation to protect the rights of foster youth. Unfortunately, too many foster youth, foster parents, and education rights holders are unaware of these protections.
What this bill does	<p>This bill requires the Department of Education to develop a standard notice of the education rights of foster children and make it available to districts' foster youth liaisons</p> <p>Notice language must be clear and accessible to foster youth and caregivers; monitoring will be needed to ensure that notices are actually disseminated and posted</p>



AB 379: Enforcing Foster Youth Education Rights

Author	Gordon
Issue	For over 10 years, there have been several laws on the books which provide foster youth with several educational rights. Unfortunately, these rights are routinely ignored by schools and there has been no effective mechanism to enforce the rights.
What this bill does	This law provides one mechanism (the State's Uniform Complaint Procedure) students and their advocates can use to enforce a foster youth's educational rights.



AB 854: Ensuring Coordinated Educational Services & Supports for Foster Youth

Author	Weber
Issue	Prior to this law, the Foster Youth Services (FYS) program had a more limited definition of foster youth than found in LCFF (Local Control Funding Formula), such that nearly 2/3 of youth (mostly children in relative or family care) were ineligible for the education services and supports of FYS. When LCFF passed, FYS program duties were not updated to reflect new context.
What this bill does	This law aligns the definitions of foster youth in LCFF and FYS to improve access to FYS.



AB 1012: PUPIL INSTRUCTION: COURSE PERIODS WITHOUT EDUCATIONAL CONTENT

Author	Holden
Issue	Thousands of students were being placed in classes where they were given credits for sitting at home, in the office, or taking a course they had already passed.
What this bill does	Beginning with the 2016–2017 school year, school districts are prohibited from assigning (9 th – 12 th grade) students to courses with no educational content for more than one week per semester. The bill also prohibits school districts from assigning a pupil to a course that the pupil has previously completed and received a grade determined by the school district to be sufficient to satisfy the minimum requirements for receiving a diploma of graduation from high school.



SB 172: Pupil testing: high school exit examination: suspension

Author	Liu
Issue	California High School Exit Exam (CHSEE)
What this bill does	<p>This law allows former high school students who failed the exam as far back as 2006 to be awarded diplomas, as long as they passed all of their required classes.</p> <p>The law also suspends the exam as a graduation requirement for the 2015–16, 2016–17, and 2017–18 school years. (to give educators and lawmakers time to decide whether to require a new test or use other measures for graduation.)</p>



SB 277: Public Health: Vaccinations

Author	Pan
Issue	There have been several recent outbreaks of measles and infectious diseases resulting from individuals infecting vulnerable individuals including children who are unable to receive vaccinations due to health conditions or age requirements.
What this bill does	Effective July 1, 2016: this law prohibits parents from refusing to vaccinate their children in public or private schools based on their personal opposition. Under the new law, children may continue to obtain from a doctor a medical exemption to vaccinations.



SB 445: School of Origin

Author	Liu
Issue	Prior to this law, school-of-origin rights of homeless students are not equal to those of foster youth and School of origin rights do not explicitly apply to charter schools.
What this bill does	<p>Under this law – formerly homeless students may attend school of origin through the end of academic year (K–8 students) or through graduation (high school students).</p> <p>Additionally, charter schools have been added to the definition of local educational agency.</p>



Poverty / Homelessness

- » Priority Housing for Homeless Students
- GED & Proficiency Exams



AB 1228: Priority for Homeless Students in UC, CSU, and CCC Campus Housing

Author	Gipson
Issue	There is no concrete estimate for the number of homeless college students nationwide, but 58,158 college applicants indicated that they were homeless on federal financial aid forms for the 2012–13 academic year. California has the highest rate of homelessness in the nation. Education provides homeless youth a path to stability and independence.
What this bill does	This bill extends priority for housing at the University of California, the California State University, and the California Community Colleges to homeless youth, and requests campuses to develop plans to ensure that current and former homeless and foster youth have housing during breaks (with no additional fees)



SB 252:

Free GED & Proficiency Exam

Author	Leno
Issue	Homelessness creates barriers to “traditional” high school graduation, so proficiency exams (GED, CHSPE) are a critical alternative pathway to graduation
What this bill does	<p>This bill waives exam fees, which cost up to \$200, and removes a significant financial hurdle for homeless youth who wish to graduate and further their education & job prospects.</p> <p>It also prohibits a fee from being charged to homeless youth taking the high school proficiency exam or the high school equivalency tests. Verification of homelessness will be provided by a homeless service provider</p>



Juvenile Justice



CASAs

Juvenile Defender Standards

Youth Offender Parole Hearings

Juveniles: Sentencing

Sealing Court Records



AB 424: Court Appointed Child Advocates: Wards

Author	Gaines
Issue	The law authorizes the appointment of Court Appointed Special Advocates (CASA) for children and youth in dependency, but, prior to this law, not in delinquency proceedings. CASAs would provide needed assistance in many delinquency cases.
What this bill does	This law authorizes the appointment of a CASA in a juvenile delinquency proceeding, and would provide that a CASA shall be considered court personnel for purposes of inspecting the case file of a dependent child or ward of the juvenile court.



AB 703: JUVENILE DEFENDER STANDARDS

Author	Bloom
Issue	Despite the complex nature and wide-ranging scope of delinquency representation, youth are often appointed untrained or inexperienced attorneys leading to inadequate representation.
What this bill does	This law will require statewide training/experience standards clarifying defender's duties to represent youth's expressed interests, maintain confidentiality and meaningful contact with youth, and consult experts as appropriate.



SB 261: YOUTH OFFENDER PAROLE HEARINGS

Author	Hancock
Issue	Existing law generally requires the Board of Parole Hearings to conduct youth offender parole hearings to consider the release of offenders who committed specified crimes when they were under <i>18 years of age</i> who were sentenced to state prison. This practice does not reflect what we currently know about brain development, etc.
What this bill does	This law requires the Board of Parole Hearings to conduct a youth offender parole hearing for offenders sentenced to state prison who committed those specified crimes when they were under <i>23 years of age</i> .



SB 382: Juveniles: Jurisdiction: Sentencing

Author	Hancock
Issue	Prior to this bill: The criteria used when a fitness hearing occurs is outdated and not based on current law or cognitive science. Additionally, it does not make clear that judges may consider important factors.
What this bill does	This bill updates the existing five statutory criteria used by judges when determining whether a young person should be sent to the adult criminal justice system. It is intended to ensure that judges consider factors required by the US & CA Supreme Courts, such as the actual behavior of the individual, and his or her ability to grow, mature, and be rehabilitated.



SB 504: SEALING COURT RECORDS

Author	Lara
Issue	Prior to this law, in order to get juvenile court records sealed, courts were allowed to charge up to \$150, a prohibitively expensive cost for California's poor youth. Further, a youth was required to pay all fines, fees, and restitution owed to a victim in order to seal his or her juvenile record.
What this bill does	This law provides that persons under 26 may no longer be required to pay fees for sealing juvenile records. Additionally, it prohibits an unfulfilled order of restitution from barring the sealing of a record



Questions?



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