



New Child Welfare Laws: 2018 Policy Reforms

CHILD WELFARE BUDGET RECAP

FY 2018-2019

AB 110: *Emergency Caregiver Funding*

- Provides eligible families completing resource family approval funding (\$923) **for the period of March 30, 2018 through June 30, 2018** (*WIC 11461.35*)
- **Effective March 30, 2018** for individuals with current placement who are not yet approved **AND** submitted a RFA application prior to March 30, **OR**
- **Date an RFA application** was signed for families with placements prior to approval and signed RFA application **after March 30**



NOTE: View our webinar for more information on EC funding [here](#).

AB 1811: *Emergency Caregiver Funding*

- Provides eligible families completing RFA funding (\$960) **effective July 1, 2018** (*WIC 11461.36*)
- Families who received EC funding under AB 110 will receive funding up to 180 days (and in some cases up until 365 days) OR until approval or denial, whichever occurs first



NOTE: View our webinar for more information on EC funding [here](#).

Additional AB 1811 Provisions: *Human Services*

Ending Childhood Deep Poverty

- Increases maximum aid payment amounts for CalWORKs over three years to 50 percent of the Federal Poverty Level (*WIC 11450.022*)

Ending SSI Cash-out

- Grants CalFresh benefits to recipient of SSI and/or SSP (*WIC 18900.5*)

Chafee Grant Foster Youth Support

- Expands Chafee Grant eligibility to youth up to age 26 (*EDC 69519*)

Youth At Risk of Incarceration: *Improving Outcomes*



Youth Reinvestment Fund

- Improve outcomes for youth accused of status and misdemeanor offenses with the law using trauma informed, community and health-based interventions in lieu of arrest and incarceration

Fostering Success Fund

- Support foster youth who are at risk of being criminalized for minor behaviors and low-level offenses by providing community-based services in lieu of arrest and incarceration and trainings to law enforcement or group home and shelter staff

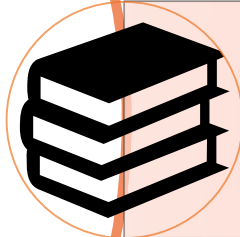
CA EITC

- Expands CA EITC to individuals age 18 to 24, regardless of whether or not they have a child

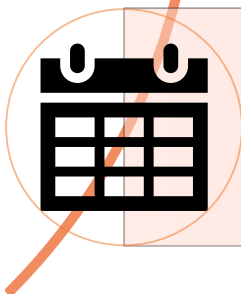
Access to Higher Education: *Cal Grant Eligibility*



Authorizes foster youth to receive entitlement Cal Grant if they meet other eligibility criteria and have not reached 26th birthday as of July 1 of award year.



Extends length of time a foster youth is eligible for the Cal Grant from 4 years to 8 years.



Changes deadline for Cal Grant entitlement application from March 2 to September 2 for foster youth applying to attend community college.

Addressing Homelessness: *Adults & Youth*

One-time Funding

- \$500 million to address homelessness
- \$25 million (no less than 5% of funding) to establish or expand services meeting needs of homeless youth or youth at risk of homelessness

Programs

- Prevention
- Criminal justice diversion
- Mental health needs
- Emergency aid



CHILD WELFARE UPDATE: *NEW LAWS*

Laws effective January 1, 2019

AB 2207 (Eggman): *CDSS CSEC Model Policies*

- Requires DSS to develop model policies, in consultation with stakeholders, on the procedures and protocols to assist counties in identifying and serving CSEC no later than January 1, 2020 (*wic 16501.35*)

“We need consistent, trauma-sensitive services, programs, and placements for all CSEC, to prevent these victims from being re-abused by traffickers.”

AB 2083 (Cooley): *Trauma Informed System of Care*

- AB 2083 seeks to address the needs of the most traumatized children by requiring **interagency agreements at both the state and the county levels to help facilitate placements and appropriate services**. The bill further seeks to **identify gaps in services and placement options for these youth and drive recommendations for future state or legislative action to address these gaps** (*WIC 16521.6*)



AB 2830 (Reyes): *Hiring Preferences*

Requires counties to develop a program that gives a preference for the hiring of internship and student assistant positions to qualified applicants who are members of a disadvantaged group, including:

- foster youth,
- homeless youth,
- formerly homeless youth, and
- formerly incarcerated youth

"Providing employment support to young people transitioning out of foster care can connect them to meaningful employment and can also develop the skills necessary to succeed in the workplace and ensure lasting economic self-sufficiency. It is crucial that we serve our youth in the best way possible."

(GOV 31000.11)

AB 1892 (Jones-Sawyer): *CalFresh E&T*

- Requires CDSS to issue guidance to counties participating in CalFresh E&T on instructions to provide support services or client reimbursements for eligible participants (*WIC 18926.5 & 18926.7*)

“Communities of color are often at a disadvantage because of generations of economic inequality and a lack of dedicated resources to their success... This bill does not impose any new mandates on counties, but it does require that counties are provided the tools to help individuals afford internet or home phone services.”

AB 2337 (Gipson): *Access to Extended Foster Care*

- AB 2337 addresses the specific circumstance under which a non-minor dependent, who is otherwise eligible to receive extended foster care benefits, but has been in receipt of SSI, may re-enter extended foster care (*WIC 388.1 & 11403*)
- Current statute requires the youth to have received a foster care payment in the month of their 18th birthday in order to re-enter extended foster care
- AB 2337 clarifies that the youth may re-enter extended foster care if they have been in receipt of an alternate benefit of SSI (*WIC 388.1 & 11403*)

“Administrative barriers and loopholes should not prevent foster youth from accessing the services they critically need.”

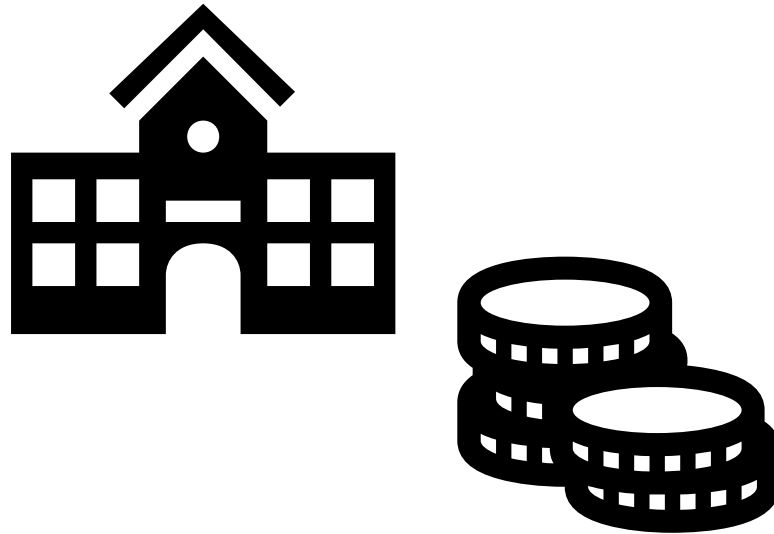
SB 925 (Beall): *Adding CASAs to CFTs*



- Requires inclusion of child or youth's CASA, if one has been appointed, on CFT (*WIC 16501*)
- CASA will not be included as member of CFT if child or youth objects (*WIC 16501*)

AB 1962 (Wood): LCFF Funds for Tribal Foster Youth

- Expands definition of foster youth for LCFF purposes to include students under placement of an Indian tribe (*EDC 42238.01*)
- Generates the same LCFF funds other foster youth receive



ICWA Laws

AB 3047 (Daly) – ICWA Fee Waivers

- Waives the \$500 fee for filing an application with the superior court to appear as counsel pro hac vice when the appearance is made on the behalf of a tribe in a child welfare matter pursuant to ICWA (*GOV 70617*)

AB 3176 (Waldron) – ICWA Conformity

- Makes a number of changes to state law regarding the removal of Indian children from their families and their out-of-home placement in order to conform to changes to federal ICWA regulations



AB 1617 (Bloom): Juvenile Case File Inspection

Who?

Individuals who file an appeal or petition for writ challenging a juvenile court order or are respondents in an appeal or writ,

May

Inspect and copy juvenile or appellate records **to which they were previously given access** by the juvenile court (*WIC 827*)

AB 2461 (Flora): *Criminal History Information*



Requires the Department of Justice to continually update CDSS and other entities with information about new arrests and convictions for people who have their fingerprints on file with the DOJ or the FBI as a result of applying for a job, license, or certification (*PEN 11105.2*)

AB 2967 (Quirk-Silva): *Foster Care Record of Birth*

- Each local registrar or county shall issue a certified record of live birth without a fee to any person who demonstrates that he or she is a youth who has been placed in foster care (*HSC 103578*)



SB 439 (Mitchell): *Keeping Younger Children Out of the Juvenile Court System*

- Establishes 12 years of age as the minimum age for which the juvenile court has jurisdiction and may adjudge an individual a ward of the court except for in the case of murder and forcible rape, sodomy or oral copulation (*WIC 601, 602 & 602.1*)



SB 1391 (Lara): *Keeping 14 and 15 Year-Olds Out of the Adult Criminal Justice System*



- Prohibits transfer of minors ages 14 or 15 from juvenile court to a court of criminal jurisdiction, unless the minor was not apprehended prior to the end of juvenile court jurisdiction (*WIC 707*)

AB 2448 (Gipson): *Juvenile Technology Rights*

- Entitles every dependent child of the juvenile court to participate in social activities including access to computer technology and the Internet (*WIC 362.05, 727, 851.1 & 889.1*)

“Access to technology and the Internet is vital to ensure that these vulnerable youth continue to make academic progress and maintain important connections with family and friends. Education and supportive connections are crucial for these youth to succeed.”



AB 2992 (Daly): *CSEC Training for Law Enforcement*

Requires CPOST to *develop and implement a course on victims of human trafficking including the following topics:*

- Dynamics of CSEC
- Impacts of trauma on development
- Strategies to identify potential victims of commercial sexual exploitation
- Mandatory reporting requirements related to commercial sexual exploitation
- Appropriate interviewing, engagement and intervention techniques
- Purpose, scope and use of interview resources
- Local and state resources available to first responders
- Perspectives of victims and their families
- Issues of stigma
- Other topics identified by subject matter experts



(PEN 13516.5)

AB 2119 (Gloria): *Gender Affirming Care*

- Clarifies the right of youth in foster care to gender affirming health care and gender affirming mental health care and requires DSS to consult with stakeholders to develop and issue written guidance regarding access to gender affirming health care and gender affirming mental health care by January 1, 2020 (*WIC 16001.9 & 16010.2*)

"All children in foster care deserve to have the medical and mental health care they need. Unfortunately, when it comes to gender-affirming care, too many transgender and gender non-conforming foster youth are denied critical care because misconceptions and misinformation lead system stakeholders to disregard those needs. By ensuring the healthy development of transgender and gender non-conforming foster youth and nonminor dependents, AB 2119 will further California's objective of promoting the safety, well-being, and permanency of all children in the state's child welfare system."

AB 2289 (Weber): *Pregnant & Parenting Pupils*



Establishes certain accommodations as rights of a pregnant or parenting pupil.

Requires schools to annually notify pregnant and parenting pupils and their parents of their rights and available educational options.



Requires parenting pupils to be excused from school without a doctor's note for the purpose of caring for their sick children or attending their children's medical appointments.

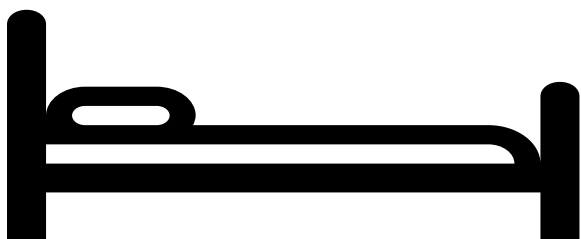


AB 2247 (Gipson): *Placement Changes*

- Requires a social worker or placement agency to implement a placement preservation strategy prior to changing a youth in foster care's placement, and requires **at least 14 days' written notice to be given prior to a placement change**, except in instances where delayed placement or prior notice of a placement change would endanger a child's health or safety or where all specified parties have agreed to waive these requirements (*WIC 16010.7*)

*“Foster youth from across California have made clear that one of the root causes of disruption in their lives is placement instability. **Foster youth deserve access to services that facilitate stronger bonds with their caregiver.** AB 2247 will create a process for social workers, youth, and caregivers to work together and ensure each child is in the best placement possible.”*

SB 918 (Wiener): *Homeless Youth Act of 2018*



- Establishes the Homeless Youth Act of 2018 **to better serve the state's homeless youth population** and requires the Homeless Coordinating and Financing Council to take on **additional related responsibilities that are focused on addressing the needs of youth experiencing homelessness** (WIC 8257, 8259, 8260, 8261)

"Youth homelessness is a crisis in California, and we have a moral duty to take care of our young people before they fall into chronic homelessness. The increasing number of homeless youth sets off alarm bells across the state. The overrepresentation of youth of color, those with prior involvement within the child welfare system, and youth who identify as LGBT is especially alarming." - Senator Wiener

AB 2121 (Caballero): *Pupil Instruction*




- Requires charter schools to comply with existing statutory requirements supporting educational outcomes for highly mobile student populations (*EDC 51225.1 & 51225.2*)

AB 2601 (Weber): *Sexual Health Education*

- Requires charter schools to provide instruction on comprehensive sexual health and HIV prevention, commencing in the 2019-20 school year (*EDC 51931*)

The California Healthy Youth Act **requires that students learn about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking at least once in junior high school and at least once in high school.** Current law also requires that instruction provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection, and are free from violence, coercion, and intimidation, and also **requires that instruction provide information about local resources for assistance with sexual assault and intimate partner violence.**

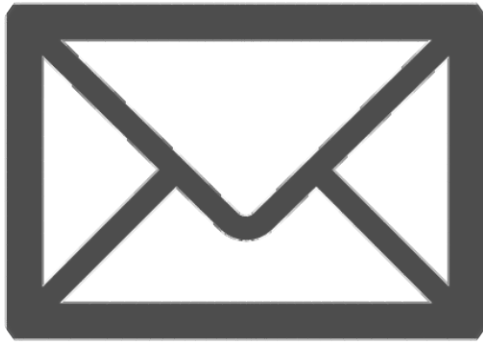
AB 2608 (Stone): *Mental Health Provider Ed Program*



Creates an account in the Mental Health Practitioner Education Fund for future deposits to fund a grant program to repay educational loans for grad students who were formerly in the foster youth care system who commit to providing direct patient care in a publicly funded facility or a mental health professional shortage area for at least 24 months

(HSC 128455)

AB 2248 (McCarty): *Cal Grant Info Notice*



Requires that Cal Grant recipients be notified of duration of award and number of units needed to graduate within same number of years.

(EDC 69432.95)

AB 3089 (Thurmond): *Chafee Grants Expansion*

- Expands eligibility for Chafee grant awards to students up to 26 years old (*EDC 69519*)

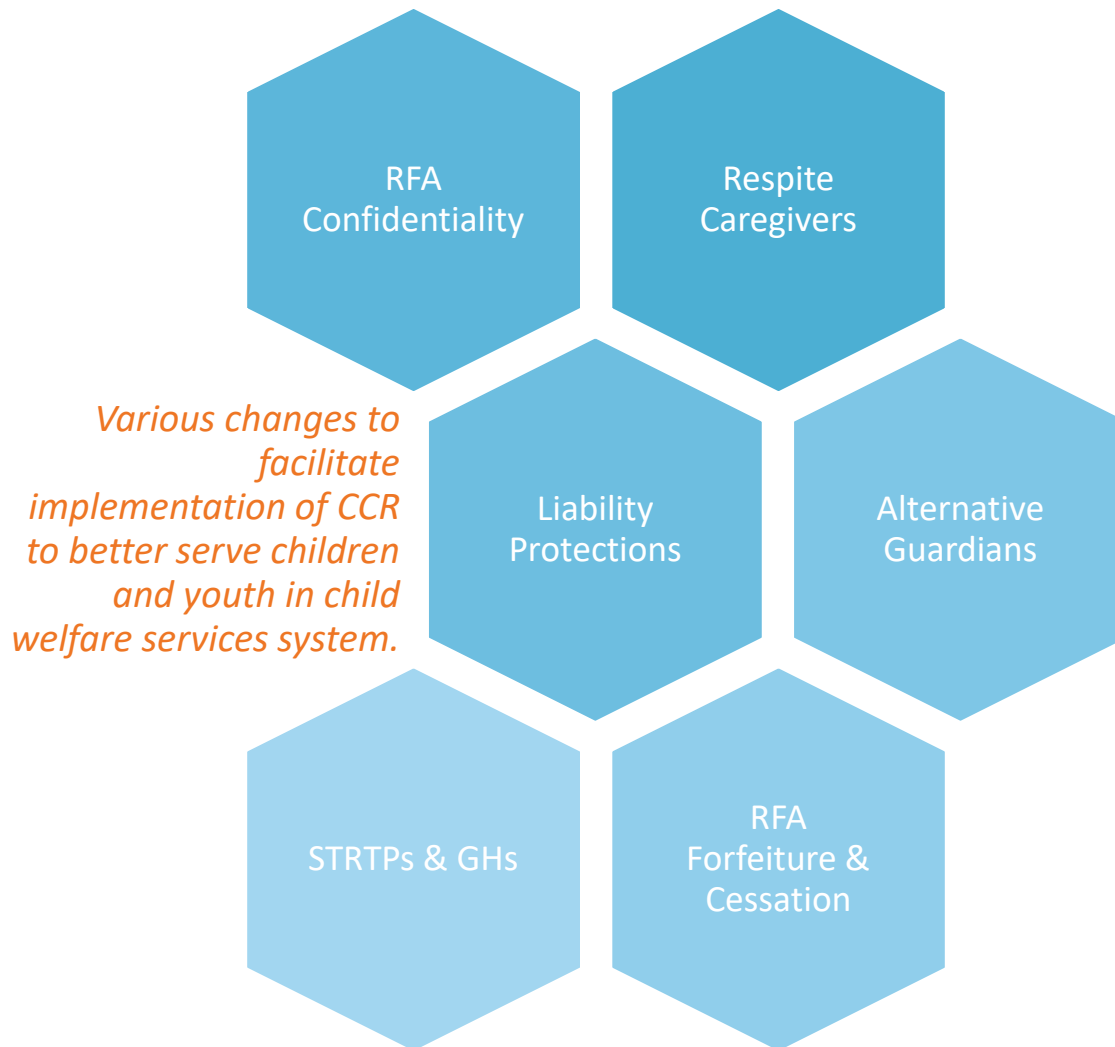


SB 967 (Berryhill): *CSU & UC Tuition & Fee Waiver*

- Prohibits the UC and the CSU from charging mandatory tuition or fees to an undergraduate student who is a current or former foster youth *(EDC 66025.3)*



AB 1930 (Stone): *CCR Implementation*

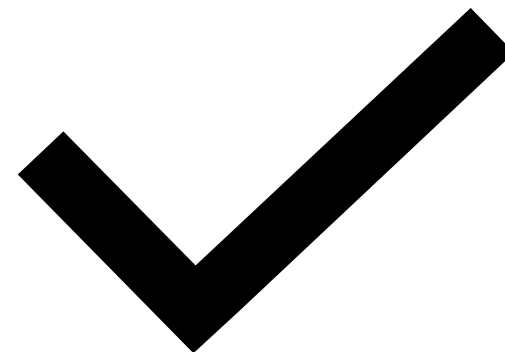


SB 1083 (Mitchell): *RFA Processes*



“ . . . in practice, RFA has been afflicted with bureaucratic hurdles that have delayed support services to relatives and nonrelated extended family as they work through the process, leading to major delays in placing children with caregivers.”

- Withdrawal (HSC 1517, WIC 16519.5)
- VPAs (WIC 16507.5)
- Conversion (HSC 1517, 1517.1 & WIC 16519.5)



Questions & Answers

- To submit questions, click on the “Questions” panel, type your question, and click “Send”
- PowerPoint slides, webinar recording, and certification of participation will be posted at www.kids-alliance.org/webinars

