

ASSEMBLY BILL

No. 196

Introduced by Assembly Member Mansoor

January 28, 2013

An act to amend Section 16000 of the Welfare and Institutions Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 196, as introduced, Mansoor. Foster care services.

Existing law declares the intent of the Legislature to preserve and strengthen a child's family ties whenever possible, removing the child from the custody of his or her parents only when necessary for his or her welfare or for the safety and protection of the public. Existing law includes various provisions relating to the provision of appropriate placement and other services for children in foster care.

This bill would make a technical, nonsubstantive change to a provision relating to foster children.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16000 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 16000. (a) It is the intent of the Legislature to preserve and
- 4 strengthen a child's family ties whenever possible, removing the
- 5 child from the custody of his or her parents only when necessary
- 6 for his or her welfare or for the safety and protection of the public.
- 7 If a child is removed from the physical custody of his or her

1 parents, preferential consideration shall be given whenever possible
2 to the placement of the child with the relative as required by
3 Section 7950 of the Family Code. If the child is removed from his
4 or her own family, it is the purpose of this chapter to secure as
5 nearly as possible for the child the custody, care, and discipline
6 equivalent to that which should have been given to the child by
7 his or her parents. It is further the intent of the Legislature to
8 reaffirm its commitment to children who are in out-of-home
9 placement to live in the least restrictive, most family like setting
10 and to live as close to the child's family as possible pursuant to
11 subdivision (c) of Section 16501.1. Family reunification services
12 shall be provided for expeditious reunification of the child with
13 his or her family, as required by law. If reunification is not possible
14 or likely, a permanent alternative shall be developed.

15 (b) It is further the intent of the Legislature to ensure that all
16 pupils in foster care and those who are homeless as defined by the
17 federal McKinney-Vento Homeless Assistance Act (42 U.S.C.
18 Sec. 11301 et seq.) have the opportunity to meet the challenging
19 state pupil academic achievement standards to which all pupils
20 are held. In fulfilling their responsibilities to pupils in foster care,
21 educators, county placing agencies, care providers, advocates, and
22 the juvenile courts shall work together to maintain stable school
23 placements and to ensure that each pupil is placed in the least
24 restrictive educational programs, and has access to the academic
25 resources, services, and extracurricular and enrichment activities
26 that are available to all pupils. In all instances, educational and
27 school placement decisions ~~must~~ shall be based on the best interests
28 of the child.