

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2285

Introduced by Assembly Member McCarty

February 18, 2016

An act to ~~add and repeal Section 19818.22 of the Government Code, relating to state employment, and making an appropriation therefor.~~ *add and repeal Article 4.2 (commencing with Section 18985) of Chapter 4 of Part 2 of Division 5 of Title 2 of the Government Code, relating to state employment.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2285, as amended, McCarty. State employment: former foster youth.

Existing law, the State Civil Service Act, provides for filling certain state positions through the process of examinations and the establishment of eligible lists and promotional lists. Existing law requires the Department of Human Resources to administer the Personnel Classification Plan of the State of California, including the allocation of every position to the appropriate class in the classification plan.

Existing law requires the Department of Human Resources to administer the Limited Examination and Appointment Program (LEAP) to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities in state civil service. Existing law requires the department to conduct competitive examinations to determine eligibility for appointment under LEAP and to refer the names of eligible applicants who meet the minimum qualifications of a job classification to the appointing powers for examination appointments, as specified.

Existing law authorizes the Employment Development Department to contract with a specified nonprofit organization meeting specified criteria to manage grant programs designed to help eligible at-risk youth complete their secondary education and acquire the skills necessary to successfully transition into the workforce or enroll in postsecondary education.

~~This bill would, until January 1, 2021, require the Department of Human Resources to establish a class in the classification plan that would enable former foster youth who do not otherwise meet the eligibility criteria for any current class to obtain employment with the state. The bill would, until January 1, 2021, also require the department to establish 100 positions within this class and allocate them to an appointing power based upon the appropriate match between the responsibilities of the position and the responsibilities of the appointing power. The bill would require these positions to be located within the boundaries of the County of Sacramento.~~

~~This bill would appropriate \$_____ from the General Fund to the department for allocation to the appointing powers that receive an allocation of these positions in order to fill the positions.~~

This bill would make legislative findings and declarations regarding the state's responsibility for the well-being of foster youth and former foster youth. The bill would, until January 1, 2021, require the State Personnel Board to establish an emancipated foster youth program to promote the training of qualified foster youth in specified entry level unclassified positions for their eventual hiring in classified positions within Sacramento with any state agency or department as determined by the board. The bill would require a participant in the program to pass a written examination for the classification in which he or she is trained, if generally required for applicants in that classification, after 3 months, but before 9 months, of training.

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes-no~~. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *The state has a unique obligation to children and youth in*
- 4 *the foster care system. When the state removes children and youth*
- 5 *from their parents, it is responsible for providing for the safety*

1 *and well-being of the children and youth and for preparing them*
2 *for self-sufficient adulthood.*

3 *(b) Foster youth who leave the foster care system because of*
4 *age face unique challenges in seeking and obtaining employment*
5 *upon leaving the system. The foster care program provides little*
6 *assistance to youth in finding employment.*

7 *(c) The unemployment rate for youth who have left the foster*
8 *care system because of age is estimated at 50 percent.*

9 *(d) The state is a major employer within the state, yet state law*
10 *makes no provision for assisting youth who have left the foster*
11 *care system because of age in becoming civil service employees*
12 *of the state.*

13 *(e) The state owes a unique responsibility to foster youth in*
14 *assisting them to secure permanent employment. It also has an*
15 *obligation to demonstrate to private employers, by example, the*
16 *importance of hiring foster youth and former foster youth.*

17 *(f) It is the intent of the Legislature to recognize the state's role*
18 *as a parent to children and youth in foster care and to assist them*
19 *in securing permanent employment in state government by*
20 *providing them access to needed training positions.*

21 *SEC. 2. Article 4.2 (commencing with Section 18985) is added*
22 *to Chapter 4 of Part 2 of Division 5 of Title 2 of the Government*
23 *Code, to read:*

24
25 *Article 4.2. Emancipated Foster Youth Program*
26

27 *18985. (a) The State Personnel Board, in consultation with*
28 *the State Department of Social Services, shall establish an*
29 *emancipated foster youth program to provide state employment*
30 *training opportunities for qualified foster youth or former foster*
31 *youth. The program shall promote the training of qualified foster*
32 *youth in specified entry level unclassified positions for their*
33 *eventual hiring in classified positions with any state agency or*
34 *department as determined by the board that are located within the*
35 *County of Sacramento.*

36 *(b) A participant in the emancipated foster youth program shall*
37 *not apply for a classification unless he or she meets the minimum*
38 *qualifications for that classification.*

39 *(c) After a participant in the emancipated foster youth program*
40 *has been trained in an unclassified position for three months, but*

1 before being trained for nine months, he or she shall take a written
2 examination for the classification in which he or she is trained, if
3 a written examination is generally required for other applicants
4 in that classification. The participant shall be eligible to take the
5 written examination only after receiving a positive recommendation
6 from the appropriate supervisor.

7 (d) A participant in the emancipated foster youth program who
8 does not pass the written examination for the classification in
9 which he or she is trained, or who does not receive a favorable
10 promotional rating, shall be released from the training program.

11 18985.1. For the purposes of this article, “qualified foster
12 youth or former foster youth” means an individual who is 25 years
13 of age or younger and who is certified by the State Department of
14 Social Services as having been, for at least one year at any time
15 on or after the date that the individual turns 15 years of age, either
16 a recipient of foster care maintenance payments under a state plan
17 approved under Part E of Title IV of the federal Social Security
18 Act (42 U.S.C. Sec. 670 et seq.), or in a foster care program under
19 the responsibility of the State of California.

20 18985.2. This article shall be repealed on January 1, 2021.

21 ~~SECTION 1. Section 19818.22 is added to the Government~~
22 ~~Code, to read:~~

23 ~~19818.22. (a) Notwithstanding any law, the department shall~~
24 ~~establish a class that would enable former foster youth who do not~~
25 ~~otherwise meet the eligibility criteria for any current class within~~
26 ~~the state to obtain employment with the state.~~

27 ~~(b) Notwithstanding any law, the department shall establish 100~~
28 ~~positions within the class established pursuant to subdivision (a)~~
29 ~~and allocate those positions to an appointing power based upon~~
30 ~~the appropriate match between the responsibilities of the position~~
31 ~~and the responsibilities of the appointing power. Allocations may~~
32 ~~be made to more than one appointing power.~~

33 ~~(c) The positions established pursuant to this section shall be~~
34 ~~located within the boundaries of the County of Sacramento.~~

35 ~~(d) This section shall remain in effect only until January 1, 2021,~~
36 ~~and as of that date is repealed.~~

37 ~~SEC. 2. There sum of hereby appropriated from the General~~
38 ~~Fund to the Department of Human Resources for allocation to the~~
39 ~~appointing powers that receive an allocation of positions within~~

- 1 ~~the class established pursuant Section 19818.22 of the Government~~
- 2 ~~Code in order to fill those positions.~~

O