

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

No. 2285

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**Introduced by Assembly Member McCarty**  
**(Coauthor: Assembly Member Gonzalez)**

February 18, 2016

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An act to add and repeal ~~Article 4.2 (commencing with Section 18985) of Chapter 4 of Part 2 of Division 5 of Title 2 Article 3 (commencing with Section 54660) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, and to add and repeal Section 19816.22 of the Government Code, relating to state employment, employment, and making an appropriation therefor.~~

### LEGISLATIVE COUNSEL'S DIGEST

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

~~Existing~~

(1) *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 make legislative findings and declarations regarding the state's responsibility for the well-being of foster youth and former foster youth. ~~The bill would, bill, until January 1, 2021, 2020, would require the State Personnel Board~~ *Department of Human Resources* to establish an emancipated foster youth program to promote the training of qualified foster youth in specified ~~entry-level~~ *entry-level* unclassified positions for their eventual hiring in classified positions within Sacramento with any state agency or department as determined by the ~~board.~~ *department*. 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.

*(2) Existing law establishes a system of public elementary and secondary schools in this state, and authorizes local educational agencies throughout the state to operate schools and provide instruction to pupils in kindergarten and grades 1 to 12, inclusive. Existing law establishes the Consolidated Work Program Fund in the State Treasury for the receipt of all moneys deposited pursuant to the federal Workforce Innovation and Opportunity Act. Existing law provides that moneys in the fund are to be made available, upon appropriation by the Legislature, to the Employment Development Department, for expenditure consistent with the purposes of the federal Workforce Innovation and Opportunity Act and the state plan required by the federal Workforce Innovation and Opportunity Act.*

*This bill would require the Sacramento County Office of Education to develop and administer the Former Foster Youth Job Readiness Training Pilot Program with moneys appropriated by the Legislature for that purpose. The bill would appropriate \$1,100,000 from the Consolidated Work Program Fund to the Sacramento County Office of*

*Education to develop an application and create criteria for selecting eligible organizations to provide job readiness training to eligible participants. The bill would require the Sacramento County Office of Education to award grants to selected eligible organizations to pay for trainers to provide job readiness training to eligible participants and to provide a stipend to eligible participants who satisfy specified conditions. The bill would require the Sacramento County Office of Education to compile information regarding participation in the program. The bill would repeal these provisions on January 1, 2020.*

*This bill would make legislative findings and declarations as to the necessity of a special statute for the Sacramento County Office of Education.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

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

*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 and
- 6 well-being of the children and youth and for preparing them for
- 7 self-sufficient adulthood.
- 8 (b) Foster youth who leave the foster care system because of
- 9 age face unique challenges in seeking and obtaining employment
- 10 upon leaving the system. The foster care program provides little
- 11 assistance to youth in finding employment.
- 12 (c) The unemployment rate for youth who have left the foster
- 13 care system because of age is estimated at 50 percent.
- 14 (d) The state is a major employer within the state, yet state law
- 15 makes no provision for assisting youth who have left the foster

1 care system because of age in becoming civil service employees  
2 of the state.

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

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

11 *SEC. 2. Article 3 (commencing with Section 54660) is added*  
12 *to Chapter 9 of Part 29 of Division 4 of Title 2 of the Education*  
13 *Code, to read:*

14  
15 *Article 3. Former Foster Youth Job Readiness Training Pilot*  
16 *Program*  
17

18 *54660. (a) With moneys appropriated by the Legislature for*  
19 *the purposes of this article, the Sacramento County Office of*  
20 *Education shall develop and administer the Former Foster Youth*  
21 *Job Readiness Training Pilot Program.*

22 *(b) The purpose of the program is to prepare the "aged out"*  
23 *foster care population for entry-level employment in state service.*

24 *54661. (a) The Sacramento County Office of Education shall*  
25 *develop an application and create criteria for selecting eligible*  
26 *organizations to provide job readiness training to eligible*  
27 *participants.*

28 *(b) The Sacramento County Office of Education shall award*  
29 *grants to selected eligible organizations that shall be used for the*  
30 *following purposes:*

31 *(1) To pay for trainers to provide job readiness training to*  
32 *eligible participants.*

33 *(2) To provide a stipend to an eligible participant who satisfies*  
34 *both of the following:*

35 *(A) Remains actively engaged in and attends the training as set*  
36 *forth in his or her individual service plan.*

37 *(B) If he or she has not received a high school diploma or high*  
38 *school equivalency certificate, the participant shall enroll, be*  
39 *actively engaged in, and attend a high school equivalency exam*  
40 *preparation class.*

1 (c) The Sacramento County Office of Education shall compile  
2 disaggregated data on the number of participants enrolling in the  
3 program, the number of participants completing the program, the  
4 number of participants receiving a placement after completing the  
5 program, and the number of participants receiving state  
6 employment after completing a placement. The office, upon request,  
7 shall make this data available to the Department of Human  
8 Resources and the Legislature.

9 (d) For purposes of this article, the following definitions apply:

10 (1) "Eligible organization" means an organization that satisfies  
11 all of the following:

12 (A) The organization is exempt from federal income taxation  
13 as an organization described in Section 501(c)(3) of the Internal  
14 Revenue Code and is in compliance with all applicable laws and  
15 requirements.

16 (B) The organization demonstrates expertise in providing job  
17 readiness training.

18 (C) Any additional criteria required by the Sacramento County  
19 Office of Education to promote the job readiness training of eligible  
20 participants.

21 (2) "Eligible participant" means an individual who is 25 years  
22 of age or younger and who is certified by the State Department of  
23 Social Services as having been, for at least one year at any time  
24 on or after the date that the individual turns 15 years of age, either  
25 a recipient of foster care maintenance payments under a state plan  
26 approved under Part E of Title IV of the federal Social Security  
27 Act (42 U.S.C. Sec. 670 et seq.), or in a foster care program under  
28 the responsibility of the State of California.

29 (3) "Job readiness training" means an individual service plan  
30 that develops core competencies that create an experience and  
31 educational base for an individual to meet the qualifications for  
32 entry-level employment in state service.

33 54662. This article shall remain in effect only until January 1,  
34 2020, and as of that date is repealed.

35 ~~SEC. 2. Article 4.2 (commencing with Section 18985) is added~~  
36 ~~to Chapter 4 of Part 2 of Division 5 of Title 2 of the Government~~  
37 ~~Code, to read:~~

38  
39 ~~Article 4.2. Emancipated Foster Youth Program~~  
40

1     ~~18985.—~~

2     *SEC. 3. Section 19816.22 is added to the Government Code,*  
3     *to read:*

4     ~~19816.22. (a) The State Personnel Board, department, in~~  
5     ~~consultation with the State Department of Social Services, shall~~  
6     ~~establish an emancipated foster youth program to provide state~~  
7     ~~employment training opportunities for qualified foster youth or~~  
8     ~~former foster youth. The program~~ *Services and the Sacramento*  
9     ~~County Office of Education, shall promote the training of qualified~~  
10    ~~foster youth who participate in the Former Foster Youth Job~~  
11    ~~Readiness Training Pilot Program (Article 3 (commencing with~~  
12    ~~Section 54660), Chapter 9, Part 29, Division 4, Title 2, Education~~  
13    ~~Code) in specified entry-level entry-level unclassified positions~~  
14    ~~for their eventual hiring in classified positions with any state~~  
15    ~~agency or department that is located within the County of~~  
16    ~~Sacramento, as determined by the board that are located within~~  
17    ~~the County of Sacramento. department.~~

18    (b) A participant in the ~~emancipated foster youth~~ *pilot* program  
19    shall not apply for a classification unless he or she meets the  
20    minimum qualifications for that classification.

21    (c) After a participant in the ~~emancipated foster youth~~ *pilot*  
22    program has been trained in an unclassified position for three  
23    months, but before being trained for nine months, he or she shall  
24    take a written examination for the classification in which he or she  
25    is trained, if a written examination is generally required for other  
26    applicants in that classification. The participant shall be eligible  
27    to take the written examination only after receiving a positive  
28    recommendation from the appropriate supervisor.

29    (d) A participant in the ~~emancipated foster youth~~ *pilot* program  
30    who does not pass the written examination for the classification  
31    in which he or she is trained, or who does not receive a favorable  
32    promotional rating, shall be released from the training program.

33    ~~(e) This section shall be repealed on January 1, 2020.~~

34    ~~18985.1. For the purposes of this article, “qualified foster youth~~  
35    ~~or former foster youth” means an individual who is 25 years of~~  
36    ~~age or younger and who is certified by the State Department of~~  
37    ~~Social Services as having been, for at least one year at any time~~  
38    ~~on or after the date that the individual turns 15 years of age, either~~  
39    ~~a recipient of foster care maintenance payments under a state plan~~  
40    ~~approved under Part E of Title IV of the federal Social Security~~

1 ~~Act (42 U.S.C. Sec. 670 et seq.), or in a foster care program under~~  
2 ~~the responsibility of the State of California.~~

3 ~~18985.2. This article shall be repealed on January 1, 2021.~~

4 *SEC. 4. The Legislature finds and declares that a special law*  
5 *is necessary and that a general law cannot be made applicable*  
6 *within the meaning of Section 16 of Article IV of the California*  
7 *Constitution because of the need to enact Section 2 of this act on*  
8 *a trial basis only, applied to one appropriately large and diverse*  
9 *county, before extending the act to every county in the state.*

10 *SEC. 5. To the extent permitted by federal law, the sum of one*  
11 *million one hundred thousand dollars (\$1,100,000) is hereby*  
12 *appropriated from the Consolidated Work Program Fund to the*  
13 *Sacramento County Office of Education for the purpose of*  
14 *implementing the Former Foster Youth Job Readiness Training*  
15 *Pilot Program pursuant to Article 3 (commencing with Section*  
16 *54660) to Chapter 9 of Part 29 of Division 4 of Title 2 of the*  
17 *Education Code.*

18 *SEC. 6. If the Commission on State Mandates determines that*  
19 *this act contains costs mandated by the state, reimbursement to*  
20 *local agencies and school districts for those costs shall be made*  
21 *pursuant to Part 7 (commencing with Section 17500) of Division*  
22 *4 of Title 2 of the Government Code.*