

Introduced by Senator Berryhill

February 12, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

SB 214, as introduced, Berryhill. 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 appropriate placement and other services for children in foster care.

This bill would make technical, nonsubstantive changes to provisions 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
- 8 parents, preferential consideration shall be given whenever possible
- 9 to the placement of the child with the relative as required by

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

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