

AMENDED IN ASSEMBLY APRIL 18, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 1127

Introduced by Assembly Member Friedman

February 23, 1995

An act to amend Sections 18937 and 18939 of, and to add Article 4.5 (commencing with Section 18980) to Chapter 5 of Part 2 of Division 5 of Title 2 of, the Government Code, and to amend Sections 16506, 16507.3, and 16507.6 of, and to add Section 16521.5 to, the Welfare and Institutions Code, relating to foster youth.

LEGISLATIVE COUNSEL'S DIGEST

AB 1127, as amended, Friedman. Foster youth.

~~Existing civil service law requires that veterans' preference credits be allowed for any entrance examination held on an open basis.~~

~~This bill would require that preference credits for foster youth, as defined, also be allowed for any entrance examination held on an open basis.~~

~~The bill would also make related changes.~~

Existing law requires that counties provide, or arrange for the provision of, family maintenance services in order to maintain the child in his or her own home, for a period not to exceed 6 months.

This bill would impose a state-mandated local program by requiring counties to provide those family maintenance services for a period not to exceed 12 months.

The bill would make additional conforming changes.

Existing law imposes various obligations upon foster care providers.

This bill would require foster care providers of adolescents in long-term foster care to ensure that these children receive age-appropriate pregnancy prevention information.

The bill would also make foster care providers responsible for ensuring that these individuals receive referrals to family planning and counseling services when a foster child reaches the age of 18 or is emancipated, whichever occurs first.

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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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. Fiscal committee: yes. State-mandated local program: yes.

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

1 ~~SECTION 1. Section 18937 of the Government Code~~
2 ~~is amended to read:~~
3 ~~18937. The passing mark for an examination may be~~
4 ~~other than the true percentage or average published as~~
5 ~~a part of the announcement of the examination, if~~
6 ~~deemed by the board or a designated appointing power~~
7 ~~to be justified in order to provide an adequate eligible list~~
8 ~~or to adjust for the apparent difficulty of an examination.~~
9 ~~In establishing any eligible list or promotional list~~
10 ~~following an examination, the names of the persons who~~
11 ~~have attained the passing mark in the examination shall~~
12 ~~be placed on the list in the order of final earned ratings,~~
13 ~~except as the order may be modified by the application~~
14 ~~of veterans' or foster youth preferences. When the order~~



1 of names has been determined after applying the
2 appropriate veterans' or foster youth preference credits,
3 the board may thereafter limit to suit the needs of the
4 service the number of names to be placed on the
5 employment list.

6 ~~SEC. 2. Section 18939 of the Government Code is~~
7 ~~amended to read:~~

8 ~~18939. For classes of positions for which the board or~~
9 ~~a designated appointing power finds it difficult to~~
10 ~~maintain adequate eligible lists it may receive~~
11 ~~applications, conduct examinations, and create eligible~~
12 ~~lists continuously. The names of eligibles who took the~~
13 ~~same or a comparable examination on different dates may~~
14 ~~be ranked for purposes of certification in the order of final~~
15 ~~earned ratings, except as this order may be modified by~~
16 ~~the application of veterans' or foster youth preferences.~~
17 ~~Eligibility from a continuous examination may be~~
18 ~~deemed to be established as of the date of examination.~~

19 ~~SEC. 3. Article 4.5 (commencing with Section 18980)~~
20 ~~is added to Chapter 5 of Part 2 of Division 5 of Title 2 of~~
21 ~~the Government Code, to read:~~

22
23 ~~Article 4.5. Foster Youth Preference~~
24

25 ~~18980. In all entrance examinations, a person who~~
26 ~~meets the definition of "foster youth," and who becomes~~
27 ~~eligible for certification from eligible lists by attaining the~~
28 ~~passing mark established for the examination, shall be~~
29 ~~allowed 10 additional credits.~~

30 ~~18981. For purposes of this article, the following~~
31 ~~definitions apply:~~

32 ~~(a) "Foster youth" means a person between 18 and 28~~
33 ~~years of age who received foster care prior to the age of~~
34 ~~18.~~

35 ~~(b) "Entrance examination" means any open~~
36 ~~competitive examination other than one for a class having~~
37 ~~a requirement of both college graduation and two or~~
38 ~~more years of experience.~~

39 ~~SEC. 4.—~~



1 SECTION 1. Section 16506 of the Welfare and
 2 Institutions Code is amended to read:

3 16506. Family maintenance services shall be provided
 4 or arranged for by county welfare department staff in
 5 order to maintain the child in his or her own home. These
 6 services shall be limited to 12 months. Family
 7 maintenance services shall be available without regard to
 8 income and shall only be provided to any of the following:

9 (a) Families whose child has been adjudicated a
 10 dependent of the court under Section 300, and where the
 11 court has ordered the county welfare department to
 12 supervise while the child remains in the child's home.

13 (b) Families whose child is in potential danger of
 14 abuse, neglect, or exploitation, who are willing to accept
 15 services and participate in corrective efforts, and where
 16 it is safe for the child to remain in the child's home only
 17 with the provision of services.

18 (c) Families in which the child is in the care of a
 19 previously noncustodial parent, under the supervision of
 20 the juvenile court.

21 ~~SEC. 5.—~~

22 SEC. 2. Section 16507.3 of the Welfare and Institutions
 23 Code is amended to read:

24 16507.3. (a) Child welfare services for children
 25 placed voluntarily shall be limited to a period not to
 26 exceed 12 months.

27 (b) (1) Whenever a seriously emotionally disturbed
 28 child as described in paragraph (2) is initially voluntarily
 29 placed, the initial placement shall be made pursuant to
 30 the approval of an interagency administrative review
 31 board as may be required in federal regulations. One
 32 member of the board shall be a licensed mental health
 33 practitioner. The review board shall review the
 34 appropriateness and necessity of voluntary placement,
 35 the extent of the compliance with the voluntary
 36 placement plan, and the adequacy of services to the
 37 family and child.

38 (2) For purposes of this subdivision, ~~‘seriously~~
 39 ~~emotionally—disturbed—child’~~ “*seriously emotionally*
 40 *disturbed child*” means a minor child who is seriously



1 emotionally disturbed, who requires placement in a
2 residential treatment facility, who otherwise would be
3 likely to be found to fit the description in subdivision (c)
4 of Section 300, and who reasonably may be expected to be
5 returned home within the time period.

6 (c) An otherwise eligible child placed voluntarily
7 prior to January 1, 1982, may remain eligible for child
8 welfare services without regard to the length of time in
9 placement until April 1, 1984. Beginning on October 1,
10 1982, such a child shall receive administrative review
11 pursuant to the requirements of Section 16503.

12 ~~SEC. 6.—~~

13 *SEC. 3.* Section 16507.6 of the Welfare and Institutions
14 Code is amended to read:

15 16507.6. (a) If a minor has been voluntarily placed
16 with the county welfare department for out-of-home
17 placement by his or her parents or guardians pursuant to
18 this chapter and the minor has remained out of their
19 physical custody for 12 consecutive months, the
20 department shall do one of the following:

21 (1) Return the minor to the physical custody of his or
22 her parents or guardians.

23 (2) Refer the minor to a licensed adoption agency for
24 consideration of adoptive planning and receipt of a
25 permanent relinquishment of care and custody rights
26 from the parents pursuant to Section 8700 of the Family
27 Code.

28 (3) Apply for a petition pursuant to Section 332 and file
29 the petition with the juvenile court to have the minor
30 declared a dependent child of the court under Section
31 300.

32 (b) If the minor cannot be returned home by the 12th
33 month of voluntary placement services, the department
34 shall proceed as described in paragraph (1) or (2)
35 subdivision (a).

36 ~~SEC. 7.—~~

37 *SEC. 4.* Section 16521.5 is added to the Welfare and
38 Institutions Code, to read:

39 16521.5. (a) A foster care provider shall be
40 responsible for ensuring that adolescents who remain in



1 long-term foster care, as defined by the department,
2 receive age-appropriate pregnancy prevention
3 information.

4 (b) A foster care provider shall be responsible for
5 ensuring that a child is provided with appropriate
6 referrals to family planning and counseling services when
7 the child either reaches the age of 18 or is emancipated,
8 whichever occurs first.

9 ~~SEC. 8.—~~

10 *SEC. 5.* Notwithstanding Section 17610 of the
11 Government Code, if the Commission on State Mandates
12 determines that this act contains costs mandated by the
13 state, reimbursement to local agencies and school
14 districts for those costs shall be made pursuant to Part 7
15 (commencing with Section 17500) of Division 4 of Title
16 2 of the Government Code. If the statewide cost of the
17 claim for reimbursement does not exceed one million
18 dollars (\$1,000,000), reimbursement shall be made from
19 the State Mandates Claims Fund.

20 Notwithstanding Section 17580 of the Government
21 Code, unless otherwise specified, the provisions of this act
22 shall become operative on the same date that the act
23 takes effect pursuant to the California Constitution.

