

Assembly Bill No. 2307

CHAPTER 745

An act to amend Section 16300 of, and to add Section 16003 to, the Welfare and Institutions Code, relating to human services.

[Approved by Governor September 26, 2000. Filed
with Secretary of State September 27, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2307, Davis. Children: foster care.

Existing law provides for child welfare services, which are public social services directed toward, among other purposes, protecting and promoting the welfare of all children, including those in foster care placement.

This bill would state the intent of the Legislature that preferential consideration be given to placement of children in foster care with a relative, and would require each community college district with a foster care education program to make available orientation and training to a relative caretaker of a foster child and would specify the course curriculum. The bill would also require a county to inform a relative caregiver of the availability of training and orientation programs when the child is placed with a relative caregiver and would state the intent of the Legislature that the county make every reasonable effort to forward the names and addresses of relative caregiver families who choose to receive the training and orientation information to the appropriate community colleges providing the training and orientation programs. By increasing the responsibilities of counties and community college districts in the implementation of the program, this bill would result in a state-mandated local program.

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.



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

SECTION 1. The Legislature finds and declares all of the following:

(a) Over the past decade, most of the growth in California's foster care system has been in relative placements.

(b) The number of placements of dependent children with relatives has grown from approximately 20 percent of total foster care placements in the early 1980's to nearly 50 percent of total foster care placements in 1997.

(c) Relative caregivers often receive very little notice or information prior to the placement of a child in their home after the removal of the child from the biological parent or guardian as a result of abuse or neglect.

(d) Relative caregivers enter into the child welfare service system with limited knowledge or understanding of its operations.

(e) Relative caregivers frequently report frustration with complex requirements and bureaucratic barriers they encounter when trying to negotiate services for the children in their care.

(f) Most relative caregivers are unaware of their rights and responsibilities as the primary caregiver of a child who is a dependent of the court.

(g) Currently, there are few accessible programs for relatives to assist them in navigating the child welfare system.

SEC. 2. It is the intent of the Legislature to do all of the following:

(a) Increase relative caregivers' understanding of the system and the resources available to them when they take on the care and custody of a child in foster care.

(b) Provide relative caregivers with critical training and information regarding the child welfare system that would enable them to make informed decisions and provide optimum care for abused and neglected children.

(c) Develop training and orientation programs that will be available and highly accessible to relative caregivers in the communities in which they reside.

SEC. 3. Section 16000 of the Welfare and Institutions Code is amended to read:

16000. It is 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. In any case in which a child is removed from the physical custody of his or her parents, preferential consideration shall be given whenever possible to the placement of the child with the relative as required by Section 7950 of the Family Code. When the child is removed from his or her own family, it is the purpose of this chapter to secure as nearly as possible for the child the custody, care, and discipline



equivalent to that which should have been given to the child by his or her parents. It is further the intent of the Legislature to reaffirm its commitment to children who are in out-of-home placement to live in the least restrictive, most familylike setting and to live as close to the child's family as possible pursuant to subdivision (c) of Section 16501.1. Family reunification services shall be provided for expeditious reunification of the child with his or her family, as required by law. If reunification is not possible or likely, a permanent alternative shall be developed.

SEC. 4. Section 16003 is added to the Welfare and Institutions Code, to read:

16003. (a) In order to promote the successful implementation of the statutory preference for foster care placement with a relative caretaker as set forth in Section 7950 of the Family Code, each community college district with a foster care education program shall make available orientation and training to the relative into whose care the county has placed a foster child pursuant to Section 1529.2 of the Health and Safety Code, including, but not limited to, courses that cover the following:

- (1) The role, rights, and responsibilities of a relative caregiver caring for a relative child in foster care.
- (2) An overview of the child protective system.
- (3) The effects of child abuse and neglect on child development.
- (4) Positive discipline and the importance of self-esteem.
- (5) Health issues in foster care.
- (6) Accessing education and health services that are available to foster children.
- (7) Relationship and safety issues regarding contact with one or both of the birth parents.
- (8) Permanency options for relative caregivers, including legal guardianship, the Kinship Guardianship Assistance Payment Program, and kin adoption.
- (9) Information on resources available for those who meet eligibility criteria, including out-of-home care payments, the Medi-Cal program, in-home supportive services, and other similar resources.

(b) In addition to training made available pursuant to subdivision (a), each community college district with a foster care education program shall make training available to a relative caregiver that includes, but need not be limited to, courses that cover all of the following:

- (1) Age-appropriate child development.
- (2) Health issues in foster care.
- (3) Positive discipline and the importance of self-esteem.
- (4) Emancipation and independent living.
- (5) Accessing education and health services available to foster children.



(6) Relationship and safety issues regarding contact with one or both of the birth parents.

(7) Permanency options for relative caregivers, including legal guardianship, the Kinship Guardianship Assistance Payment Program, and kin adoption.

(c) In addition to the requirements of subdivisions (a) and (b), each community college district with a foster care education program, in providing the orientation program, shall develop appropriate program parameters in collaboration with the counties.

(d) Each community college district with a foster care education program shall make every attempt to make the training and orientation programs for relative caregivers highly accessible in the communities in which they reside.

(e) When a child is placed with a relative caregiver, the county shall inform the relative caregiver of the availability of training and orientation programs and it is the intent of the Legislature that the county shall make every reasonable effort to forward the names and addresses of relative caregiver families who choose to receive the training and orientation information to the appropriate community colleges providing the training and orientation programs.

(f) This section shall not be construed to preclude counties from developing or expanding existing training and orientation programs for foster care providers to include relative caregivers.

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

