

Introduced by Senator BeallDecember 5, 2016

An act to amend Sections 79220 and 79221 of, and to add Section 69516 to, the Education Code, and to amend Section 16501.1 of the Welfare and Institutions Code, relating to foster youth.

LEGISLATIVE COUNSEL'S DIGEST

SB 12, as introduced, Beall. Foster youth: postsecondary education: financial aid assistance.

(1) Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education. Under existing law, the commission, among other things, administers the Cal Grant Program, the Student Opportunity and Access Program, the Assumption Program of Loans for Education, the Graduate Assumption Program of Loans for Education, the Public Interest Attorney Loan Repayment Program, and the California State Work-Study Program. The commission also oversees the state's participation in the Federal Family Education Loan Program. Existing law authorizes the commission to enter into an agreement with a public agency of a state other than California, or a private entity related to an agency of another state, to assist the other agency or entity in implementing financial aid programs, including assistance with processing grants, fellowships, and loans through the use of automated information systems.

This bill would require the Student Aid Commission to work cooperatively with the State Department of Social Services to develop an automated system to verify a student's status as a foster youth to aid in the processing of applications for federal Pell Grants.

(2) Existing law, the Cooperating Agencies Foster Youth Educational Support Program, authorizes the Office of the Chancellor of the California Community Colleges to enter into agreements with up to 10 community college districts to provide additional funds for services in support of postsecondary education for foster youth. Existing law provides that these services include, when appropriate, but are not necessarily limited to, outreach and recruitment, service coordination, counseling, book and supply grants, tutoring, independent living and financial literacy skills support, frequent in-person contact, career guidance, transfer counseling, child care and transportation assistance, and referrals to health services, mental health services, housing assistance, and other related services. Existing law requires, if more than 10 community college districts apply for funding, the board of governors to give priority to those districts with the higher number of eligible students. Existing law provides that the program is operative in a fiscal year only if funds have been appropriated for purposes of the program for that fiscal year.

This bill would expand that authorization from up to 10 community college districts to up to 20 community college districts, and would make conforming changes to other provisions of the program.

(3) Existing law requires a county social worker to create a case plan for foster youth within a specified timeframe after the child is introduced into the foster care system. Existing law requires the case plan to be developed considering the recommendations of the child and family team according to specified requirements, including, among others, a requirement that the child be involved in developing the case plan as age and developmentally appropriate.

This bill would require the case plan, for a child who is 16 years of age or older and for a nonminor dependent, to identify the person or persons who are responsible for assisting the child or nonminor dependent with applications for postsecondary education and related financial aid. By expanding the duties of counties relating to the development of a case plan for foster youth, this bill would impose a state-mandated local program.

(4) 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 no reimbursement is required by this act for a specified reason.

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 69516 is added to the Education Code,
2 to read:

3 69516. The commission shall work cooperatively with the State
4 Department of Social Services to develop an automated system to
5 verify a student's status as a foster youth to aid in the processing
6 of applications for federal Pell Grants.

7 SEC. 2. Section 79220 of the Education Code is amended to
8 read:

9 79220. The Office of the Chancellor of the California
10 Community Colleges may enter into agreements with up to ~~10~~ 20
11 community college districts to provide additional funds for services
12 in support of postsecondary education for foster youth. This
13 program shall be known as the Cooperating Agencies Foster Youth
14 Educational Support Program, and shall expand the number of
15 students participating in the Community College Extended
16 Opportunity Programs and Services and shall not displace other
17 students. The funding provided pursuant to this article shall be
18 separate and apart from the funding provided under existing
19 cooperative agencies resources for education programs pursuant
20 to Article 4 (commencing with Section 79150). In addition to the
21 delivery of Student Success and Support Program services, as
22 defined in Section 78212, services shall include, when appropriate,
23 but not necessarily be limited to, outreach and recruitment, service
24 coordination, counseling, book and supply grants, tutoring,
25 independent living and financial literacy skills support, frequent
26 in-person contact, career guidance, transfer counseling, child care
27 and transportation assistance, and referrals to health services,
28 mental health services, housing assistance, and other related
29 services.

30 SEC. 3. Section 79221 of the Education Code is amended to
31 read:

32 79221. (a) A community college district that wishes to
33 participate in this program shall apply to the board of governors
34 for funding pursuant to this article. The application of each
35 participating community college district shall provide the estimated

1 number of foster youth who will be served. The application shall
2 also describe the extent of cooperation between the local county
3 child welfare department, the county probation department, the
4 local educational opportunity programs and services program, and
5 the district to ensure that services provided under this article to
6 eligible youth are coordinated with, and do not supplant, other
7 services provided by the county and state.

8 (b) If more than ~~10~~ 20 community college districts apply for
9 funding under the program, the board of governors shall give
10 priority to those districts with the higher number of eligible
11 students.

12 SEC. 4. Section 16501.1 of the Welfare and Institutions Code,
13 as amended by Section 2.3 of Chapter 851 of the Statutes of 2016,
14 is amended to read:

15 16501.1. (a) (1) The Legislature finds and declares that the
16 foundation and central unifying tool in child welfare services is
17 the case plan.

18 (2) The Legislature further finds and declares that a case plan
19 ensures that the child receives protection and safe and proper care
20 and case management, and that services are provided to the child
21 and parents or other caretakers, as appropriate, in order to improve
22 conditions in the parent's home, to facilitate the safe return of the
23 child to a safe home or the permanent placement of the child, and
24 to address the needs of the child while in foster care.

25 (3) The agency shall consider the recommendations of the child
26 and family team, as defined in Section 16501, if any are available.
27 The agency shall document the rationale for any inconsistencies
28 between the case plan and the child and family team
29 recommendations.

30 (b) (1) A case plan shall be based upon the principles of this
31 section and the input from the child and family team.

32 (2) The case plan shall document that a preplacement assessment
33 of the service needs of the child and family, and preplacement
34 preventive services, have been provided, and that reasonable efforts
35 to prevent out-of-home placement have been made. Preplacement
36 services may include intensive mental health services in the home
37 or a community setting and the reasonable efforts made to prevent
38 out-of-home placement.

1 (3) In determining the reasonable services to be offered or
2 provided, the child's health and safety shall be the paramount
3 concerns.

4 (4) Upon a determination pursuant to paragraph (1) of
5 subdivision (e) of Section 361.5 that reasonable services will be
6 offered to a parent who is incarcerated in a county jail or state
7 prison, detained by the United States Department of Homeland
8 Security, or deported to his or her country of origin, the case plan
9 shall include information, to the extent possible, about a parent's
10 incarceration in a county jail or the state prison, detention by the
11 United States Department of Homeland Security, or deportation
12 during the time that a minor child of that parent is involved in
13 dependency care.

14 (5) Reasonable services shall be offered or provided to make it
15 possible for a child to return to a safe home environment, unless,
16 pursuant to subdivisions (b) and (e) of Section 361.5, the court
17 determines that reunification services shall not be provided.

18 (6) If reasonable services are not ordered, or are terminated,
19 reasonable efforts shall be made to place the child in a timely
20 manner in accordance with the permanent plan and to complete
21 all steps necessary to finalize the permanent placement of the child.

22 (c) If out-of-home placement is used to attain case plan goals,
23 the case plan shall consider the recommendations of the child and
24 family team.

25 (d) (1) The case plan shall include a description of the type of
26 home or institution in which the child is to be placed, and the
27 reasons for that placement decision. The decision regarding choice
28 of placement shall be based upon selection of a safe setting that is
29 the least restrictive family setting that promotes normal childhood
30 experiences and the most appropriate setting that meets the child's
31 individual needs and is available, in proximity to the parent's home,
32 in proximity to the child's school, and consistent with the selection
33 of the environment best suited to meet the child's special needs
34 and best interests. The selection shall consider, in order of priority,
35 placement with relatives, nonrelated extended family members,
36 and tribal members; foster family homes, resource families, and
37 nontreatment certified homes of foster family agencies; followed
38 by treatment and intensive treatment certified homes of foster
39 family agencies; or multidimensional treatment foster care homes
40 or therapeutic foster care homes; group care placements in the

1 order of short-term residential therapeutic programs, group homes,
2 community treatment facilities, and out-of-state residential
3 treatment pursuant to Part 5 (commencing with Section 7900) of
4 Division 12 of the Family Code.

5 (2) If a short-term residential therapeutic program placement is
6 selected for a child, the case plan shall indicate the needs of the
7 child that necessitate this placement, the plan for transitioning the
8 child to a less restrictive environment, and the projected timeline
9 by which the child will be transitioned to a less restrictive
10 environment. This section of the case plan shall be reviewed and
11 updated at least semiannually.

12 (A) The case plan for placements in a group home, or
13 commencing January 1, 2017, in a short-term residential therapeutic
14 program, shall indicate that the county has taken into consideration
15 Section 16010.8.

16 (B) After January 1, 2017, a child and family team meeting as
17 described in Section 16501 shall be convened by the county placing
18 agency for the purpose of identifying the supports and services
19 needed to achieve permanency and enable the child or youth to be
20 placed in the least restrictive family setting that promotes normal
21 childhood experiences.

22 (3) On or after January 1, 2012, for a nonminor dependent, as
23 defined in subdivision (v) of Section 11400, who is receiving
24 AFDC-FC benefits and who is up to 21 years of age pursuant to
25 Section 11403, in addition to the above requirements, the selection
26 of the placement, including a supervised independent living
27 placement, as described in subdivision (w) of Section 11400, shall
28 also be based upon the developmental needs of young adults by
29 providing opportunities to have incremental responsibilities that
30 prepare a nonminor dependent to transition to successful adulthood.
31 If admission to, or continuation in, a group home or short-term
32 residential therapeutic program placement is being considered for
33 a nonminor dependent, the group home or short-term residential
34 therapeutic program placement approval decision shall include a
35 youth-driven, team-based case planning process, as defined by the
36 department, in consultation with stakeholders. The case plan shall
37 consider the full range of placement options, and shall specify why
38 admission to, or continuation in, a group home placement is the
39 best alternative available at the time to meet the special needs or
40 well-being of the nonminor dependent, and how the placement

1 will contribute to the nonminor dependent’s transition to successful
2 adulthood. The case plan shall specify the treatment strategies that
3 will be used to prepare the nonminor dependent for discharge to
4 a less restrictive family setting that promotes normal childhood
5 experiences, including a target date for discharge from the group
6 home placement. The placement shall be reviewed and updated
7 on a regular, periodic basis to ensure that continuation in the group
8 home placement remains in the best interests of the nonminor
9 dependent and that progress is being made in achieving case plan
10 goals leading to successful adulthood. The group home placement
11 planning process shall begin as soon as it becomes clear to the
12 county welfare department or probation office that a foster child
13 in group home placement is likely to remain in group home
14 placement on his or her 18th birthday, in order to expedite the
15 transition to a less restrictive family setting that promotes normal
16 childhood experiences, if he or she becomes a nonminor dependent.
17 The case planning process shall include informing the youth of all
18 of his or her options, including, but not limited to, admission to
19 or continuation in a group home placement. Consideration for
20 continuation of existing group home placement for a nonminor
21 dependent under 19 years of age may include the need to stay in
22 the same placement in order to complete high school. After a
23 nonminor dependent either completes high school or attains his or
24 her 19th birthday, whichever is earlier, continuation in or admission
25 to a group home placement is prohibited unless the nonminor
26 dependent satisfies the conditions of paragraph (5) of subdivision
27 (b) of Section 11403, and group home placement functions as a
28 short-term transition to the appropriate system of care. Treatment
29 services provided by the group home placement to the nonminor
30 dependent to alleviate or ameliorate the medical condition, as
31 described in paragraph (5) of subdivision (b) of Section 11403,
32 shall not constitute the sole basis to disqualify a nonminor
33 dependent from the group home placement.

34 (4) In addition to the requirements of paragraphs (1) to (3),
35 inclusive, and taking into account other statutory considerations
36 regarding placement, the selection of the most appropriate home
37 that will meet the child’s special needs and best interests shall also
38 promote educational stability by taking into consideration
39 proximity to the child’s school of origin, and school attendance
40 area, the number of school transfers the child has previously

1 experienced, and the child's school matriculation schedule, in
2 addition to other indicators of educational stability that the
3 Legislature hereby encourages the State Department of Social
4 Services and the State Department of Education to develop.

5 (e) A written case plan shall be completed within a maximum
6 of 60 days of the initial removal of the child or of the in-person
7 response required under subdivision (f) of Section 16501 if the
8 child has not been removed from his or her home, or by the date
9 of the dispositional hearing pursuant to Section 358, whichever
10 occurs first. The case plan shall be updated, as the service needs
11 of the child and family dictate. At a minimum, the case plan shall
12 be updated in conjunction with each status review hearing
13 conducted pursuant to Sections 364, 366, 366.3, and 366.31, and
14 the hearing conducted pursuant to Section 366.26, but no less
15 frequently than once every six months. Each updated case plan
16 shall include a description of the services that have been provided
17 to the child under the plan and an evaluation of the appropriateness
18 and effectiveness of those services.

19 (1) It is the intent of the Legislature that extending the maximum
20 time available for preparing a written case plan from 30 to 60 days
21 will afford caseworkers time to actively engage families, and to
22 solicit and integrate into the case plan the input of the child and
23 the child's family, as well as the input of relatives and other
24 interested parties.

25 (2) The extension of the maximum time available for preparing
26 a written case plan from 30 to 60 days shall be effective 90 days
27 after the date that the department gives counties written notice that
28 necessary changes have been made to the Child Welfare
29 Services/Case Management System (CWS/CMS) to account for
30 the 60-day timeframe for preparing a written case plan.

31 (f) The child welfare services case plan shall be comprehensive
32 enough to meet the juvenile court dependency proceedings
33 requirements pursuant to Article 6 (commencing with Section 300)
34 of Chapter 2 of Part 1 of Division 2.

35 (g) The case plan shall be developed considering the
36 recommendations of the child and family team, as follows:

37 (1) The case plan shall be based upon an assessment of the
38 circumstances that required child welfare services intervention.
39 The child shall be involved in developing the case plan as age and
40 developmentally appropriate.

1 (2) The case plan shall identify specific goals and the
2 appropriateness of the planned services in meeting those goals.

3 (3) The case plan shall identify the original allegations of abuse
4 or neglect, as defined in Article 2.5 (commencing with Section
5 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, or the
6 conditions cited as the basis for declaring the child a dependent of
7 the court pursuant to Section 300, or all of these, and the other
8 precipitating incidents that led to child welfare services
9 intervention.

10 (4) The case plan shall include a description of the schedule of
11 the placement agency contacts with the child and the family or
12 other caretakers. The frequency of these contacts shall be in
13 accordance with regulations adopted by the State Department of
14 Social Services. If the child has been placed in foster care out of
15 state, the county social worker or probation officer, or a social
16 worker or probation officer on the staff of the agency in the state
17 in which the child has been placed, shall visit the child in a foster
18 family home or the home of a relative, consistent with federal law
19 and in accordance with the department's approved state plan. For
20 children in out-of-state group home facilities, visits shall be
21 conducted at least monthly, pursuant to Section 16516.5. At least
22 once every six months, at the time of a regularly scheduled
23 placement agency contact with the foster child, and at each
24 placement change, the child's social worker or probation officer
25 shall inform the child, the care provider, and the child and family
26 team, if applicable, of the child's rights as a foster child, as
27 specified in Section 16001.9, and shall provide a written copy of
28 the rights to the child as part of the explanation. The social worker
29 or probation officer shall provide the information to the child in a
30 manner appropriate to the age or developmental level of the child.
31 The social worker or probation officer shall document in the case
32 plan that he or she has informed the child of, and has provided the
33 child with a written copy of, his or her rights.

34 (5) (A) When out-of-home services are used, the frequency of
35 contact between the natural parents or legal guardians and the child
36 shall be specified in the case plan. The frequency of those contacts
37 shall reflect overall case goals, and consider other principles
38 outlined in this section.

39 (B) Information regarding any court-ordered visitation between
40 the child and the natural parents or legal guardians, and the terms

1 and conditions needed to facilitate the visits while protecting the
2 safety of the child, shall be provided to the child's out-of-home
3 caregiver as soon as possible after the court order is made.

4 (6) When out-of-home placement is made, the case plan shall
5 include provisions for the development and maintenance of sibling
6 relationships as specified in subdivisions (b), (c), and (d) of Section
7 16002. If appropriate, when siblings who are dependents of the
8 juvenile court are not placed together, the social worker for each
9 child, if different, shall communicate with each of the other social
10 workers and ensure that the child's siblings are informed of
11 significant life events that occur within their extended family.
12 Unless it has been determined that it is inappropriate in a particular
13 case to keep siblings informed of significant life events that occur
14 within the extended family, the social worker shall determine the
15 appropriate means and setting for disclosure of this information
16 to the child commensurate with the child's age and emotional
17 well-being. These significant life events shall include, but shall
18 not be limited to, the following:

19 (A) The death of an immediate relative.

20 (B) The birth of a sibling.

21 (C) Significant changes regarding a dependent child, unless the
22 child objects to the sharing of the information with his or her
23 siblings, including changes in placement, major medical or mental
24 health diagnoses, treatments, or hospitalizations, arrests, and
25 changes in the permanent plan.

26 (7) If out-of-home placement is made in a foster family home,
27 group home, or other child care institution that is either a
28 substantial distance from the home of the child's parent or out of
29 state, the case plan shall specify the reasons why that placement
30 is in the best interest of the child. When an out-of-state group home
31 placement is recommended or made, the case plan shall, in
32 addition, specify compliance with Section 7911.1 of the Family
33 Code.

34 (8) A case plan shall ensure the educational stability of the child
35 while in foster care and shall include both of the following:

36 (A) An assurance that the placement takes into account the
37 appropriateness of the current educational setting and the proximity
38 to the school in which the child is enrolled at the time of placement.

39 (B) An assurance that the placement agency has coordinated
40 with the person holding the right to make educational decisions

1 for the child and appropriate local educational agencies to ensure
2 that the child remains in the school in which the child is enrolled
3 at the time of placement or, if remaining in that school is not in
4 the best interests of the child, assurances by the placement agency
5 and the local educational agency to provide immediate and
6 appropriate enrollment in a new school and to provide all of the
7 child's educational records to the new school.

8 (9) (A) If out-of-home services are used, or if parental rights
9 have been terminated and the case plan is placement for adoption,
10 the case plan shall include a recommendation regarding the
11 appropriateness of unsupervised visitation between the child and
12 any of the child's siblings. This recommendation shall include a
13 statement regarding the child's and the siblings' willingness to
14 participate in unsupervised visitation. If the case plan includes a
15 recommendation for unsupervised sibling visitation, the plan shall
16 also note that information necessary to accomplish this visitation
17 has been provided to the child or to the child's siblings.

18 (B) Information regarding the schedule and frequency of the
19 visits between the child and siblings, as well as any court-ordered
20 terms and conditions needed to facilitate the visits while protecting
21 the safety of the child, shall be provided to the child's out-of-home
22 caregiver as soon as possible after the court order is made.

23 (10) If out-of-home services are used and the goal is
24 reunification, the case plan shall describe the services to be
25 provided to assist in reunification and the services to be provided
26 concurrently to achieve legal permanency if efforts to reunify fail.
27 The plan shall also consider in-state and out-of-state placements,
28 the importance of developing and maintaining sibling relationships
29 pursuant to Section 16002, and the desire and willingness of the
30 caregiver to provide legal permanency for the child if reunification
31 is unsuccessful.

32 (11) If out-of-home services are used, the child has been in care
33 for at least 12 months, and the goal is not adoptive placement, the
34 case plan shall include documentation of the compelling reason
35 or reasons why termination of parental rights is not in the child's
36 best interest. A determination completed or updated within the
37 past 12 months by the department when it is acting as an adoption
38 agency or by a licensed adoption agency that it is unlikely that the
39 child will be adopted, or that one of the conditions described in

1 paragraph (1) of subdivision (c) of Section 366.26 applies, shall
2 be deemed a compelling reason.

3 (12) (A) Parents and legal guardians shall have an opportunity
4 to review the case plan, and to sign it whenever possible, and then
5 shall receive a copy of the plan. In a voluntary service or placement
6 agreement, the parents or legal guardians shall be required to
7 review and sign the case plan. Whenever possible, parents and
8 legal guardians shall participate in the development of the case
9 plan. Commencing January 1, 2012, for nonminor dependents, as
10 defined in subdivision (v) of Section 11400, who are receiving
11 AFDC-FC or CalWORKs assistance and who are up to 21 years
12 of age pursuant to Section 11403, the transitional independent
13 living case plan, as set forth in subdivision (y) of Section 11400,
14 shall be developed with, and signed by, the nonminor.

15 (B) Parents and legal guardians shall be advised that, pursuant
16 to Section 1228.1 of the Evidence Code, neither their signature on
17 the child welfare services case plan nor their acceptance of any
18 services prescribed in the child welfare services case plan shall
19 constitute an admission of guilt or be used as evidence against the
20 parent or legal guardian in a court of law. However, they shall also
21 be advised that the parent's or guardian's failure to cooperate,
22 except for good cause, in the provision of services specified in the
23 child welfare services case plan may be used in any hearing held
24 pursuant to Section 366.21, 366.22, or 366.25 of this code as
25 evidence.

26 (13) A child shall be given a meaningful opportunity to
27 participate in the development of the case plan and state his or her
28 preference for foster care placement. A child who is 12 years of
29 age or older and in a permanent placement shall also be given the
30 opportunity to review the case plan, sign the case plan, and receive
31 a copy of the case plan.

32 (14) The case plan shall be included in the court report and shall
33 be considered by the court at the initial hearing and each review
34 hearing. Modifications to the case plan made during the period
35 between review hearings need not be approved by the court if the
36 casework supervisor for that case determines that the modifications
37 further the goals of the plan. If out-of-home services are used with
38 the goal of family reunification, the case plan shall consider and
39 describe the application of subdivision (b) of Section 11203.

1 (15) (A) If the case plan has as its goal for the child a permanent
2 plan of adoption or legal guardianship, it shall include a statement
3 of the child's wishes regarding their permanent placement plan
4 and an assessment of those stated wishes. The agency shall also
5 include documentation of the steps the agency is taking to find an
6 adoptive family or other permanent living arrangements for the
7 child; to place the child with an adoptive family, an appropriate
8 and willing relative, or a legal guardian, and to finalize the adoption
9 or legal guardianship. At a minimum, the documentation shall
10 include child-specific recruitment efforts, such as the use of state,
11 regional, and national adoption exchanges, including electronic
12 exchange systems, when the child has been freed for adoption.
13 Regardless of whether the child has been freed for adoption,
14 documentation shall include a description of any barriers to
15 achieving legal permanence and the steps the agency will take to
16 address those barriers. If the plan is for kinship guardianship, the
17 case plan shall document how the child meets the kinship
18 guardianship eligibility requirements.

19 (B) When the child is 16 years of age or older and is in another
20 planned permanent living arrangement, the case plan shall identify
21 the intensive and ongoing efforts to return the child to the home
22 of the parent, place the child for adoption, place the child for tribal
23 customary adoption in the case of an Indian child, establish a legal
24 guardianship, or place the child nonminor dependent with a fit and
25 willing relative, as appropriate. Efforts shall include the use of
26 technology, including social media, to find biological family
27 members of the child.

28 (16) (A) (i) For a child who is 14 or 15 years of age, the case
29 plan shall include a written description of the programs and services
30 that will help the child, consistent with the child's best interests,
31 to prepare for the transition from foster care to successful
32 adulthood. The description may be included in the document
33 described in subparagraph (A) of paragraph (18).

34 (ii) When appropriate, for a child who is 16 years of age or older
35 and, commencing January 1, 2012, for a nonminor dependent, the
36 case plan shall include the transitional independent living plan
37 (TILP), a written description of the programs and services that
38 will help the child, consistent with the child's best interests, to
39 prepare for the transition from foster care to successful adulthood,
40 and, in addition, whether the youth has an in-progress application

1 pending for Title XVI Supplemental Security Income benefits or
2 for Special Immigrant Juvenile Status or other applicable
3 application for legal residency and an active dependency case is
4 required for that application. When appropriate, for a nonminor
5 dependent, the transitional independent living case plan, as
6 described in subdivision (v) of Section 11400, shall include the
7 TILP, a written description of the programs and services that will
8 help the nonminor dependent, consistent with his or her best
9 interests, to prepare for transition from foster care and assist the
10 youth in meeting the eligibility criteria set forth in paragraphs (1)
11 to (5), inclusive, of subdivision (b) of Section 11403. If applicable,
12 the case plan shall describe the individualized supervision provided
13 in the supervised independent living placement as defined in
14 subdivision (w) of Section 11400. The case plan shall be developed
15 with the child or nonminor dependent and individuals identified
16 as important to the child or nonminor dependent, and shall include
17 steps the agency is taking to ensure that the child or nonminor
18 dependent achieves permanence, including maintaining or
19 obtaining permanent connections to caring and committed adults.

20 (B) During the 90-day period prior to the participant attaining
21 18 years of age or older as the state may elect under Section
22 475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.
23 675(8)(B)(iii)), whether during that period foster care maintenance
24 payments are being made on the child's behalf or the child is
25 receiving benefits or services under Section 477 of the federal
26 Social Security Act (42 U.S.C. Sec. 677), a caseworker or other
27 appropriate agency staff or probation officer and other
28 representatives of the participant, as appropriate, shall provide the
29 youth or nonminor dependent with assistance and support in
30 developing the written 90-day transition plan, that is personalized
31 at the direction of the child, information as detailed as the
32 participant elects that shall include, but not be limited to, options
33 regarding housing, health insurance, education, local opportunities
34 for mentors and continuing support services, and workforce
35 supports and employment services, a power of attorney for health
36 care, and information regarding the advance health care directive
37 form. Information provided regarding health insurance options
38 shall include verification that the eligible youth or nonminor is
39 enrolled in Medi-Cal and a description of the steps that have been
40 or will be taken by the youth's social worker or probation officer

1 to ensure that the eligible youth or nonminor is transitioned into
2 the Medi-Cal program for former foster youth upon case closure
3 with no interruption in coverage and with no new application being
4 required, as provided in Section 14005.28.

5 (C) For youth 14 years of age or older, the case plan shall
6 include documentation that a consumer credit report was requested
7 annually from each of the three major credit reporting agencies at
8 no charge to the youth and that any results were provided to the
9 youth. For nonminor dependents, the case plan shall include
10 documentation that the county assisted the nonminor dependent
11 in obtaining his or her reports. The case plan shall include
12 documentation of barriers, if any, to obtaining the credit reports.
13 If the consumer credit report reveals any accounts, the case plan
14 shall detail how the county ensured the youth received assistance
15 with interpreting the credit report and resolving any inaccuracies,
16 including any referrals made for the assistance.

17 (17) For youth 14 years of age or older and nonminor
18 dependents, the case plan shall be developed in consultation with
19 the youth. At the youth's option, the consultation may include up
20 to two members of the case planning team who are chosen by the
21 youth and who are not foster parents of, or caseworkers for, the
22 youth. The agency, at any time, may reject an individual selected
23 by the youth to be a member of the case planning team if the
24 agency has good cause to believe that the individual would not act
25 in the youth's best interest. One individual selected by the youth
26 to be a member of the case planning team may be designated to
27 be the youth's adviser and advocate with respect to the application
28 of the reasonable and prudent parent standard to the youth, as
29 necessary.

30 (18) For youth in foster care 14 years of age and older and
31 nonminor dependents, the case plan shall include both of the
32 following:

33 (A) A document that describes the youth's rights with respect
34 to education, health, visitation, and court participation, the right
35 to be annually provided with copies of his or her credit reports at
36 no cost while in foster care pursuant to Section 10618.6, and the
37 right to stay safe and avoid exploitation.

38 (B) A signed acknowledgment by the youth that he or she has
39 been provided a copy of the document and that the rights described

1 in the document have been explained to the youth in an
2 age-appropriate manner.

3 (19) The case plan for a child or nonminor dependent who is,
4 or who is at risk of becoming, the victim of commercial sexual
5 exploitation, shall document the services provided to address that
6 issue.

7 (20) *For a child who is 16 years of age or older and for a*
8 *nonminor dependent, the case plan shall identify the person or*
9 *persons who shall be responsible for assisting the child or*
10 *nonminor dependent with applications for postsecondary education*
11 *and related financial aid.*

12 (h) If the court finds, after considering the case plan, that
13 unsupervised sibling visitation is appropriate and has been
14 consented to, the court shall order that the child or the child's
15 siblings, the child's current caregiver, and the child's prospective
16 adoptive parents, if applicable, be provided with information
17 necessary to accomplish this visitation. This section does not
18 require or prohibit the social worker's facilitation, transportation,
19 or supervision of visits between the child and his or her siblings.

20 (i) The case plan documentation on sibling placements required
21 under this section shall not require modification of existing case
22 plan forms until the Child Welfare Services/Case Management
23 System (CWS/CMS) is implemented on a statewide basis.

24 (j) When a child is 10 years of age or older and has been in
25 out-of-home placement for six months or longer, the case plan
26 shall include an identification of individuals, other than the child's
27 siblings, who are important to the child and actions necessary to
28 maintain the child's relationship with those individuals, provided
29 that those relationships are in the best interest of the child. The
30 social worker or probation officer shall ask every child who is 10
31 years of age or older and who has been in out-of-home placement
32 for six months or longer to identify individuals other than the
33 child's siblings who are important to the child, and may ask any
34 other child to provide that information, or may seek that
35 information from the child and family team, as appropriate. The
36 social worker or probation officer shall make efforts to identify
37 other individuals who are important to the child, consistent with
38 the child's best interests.

1 (k) The child’s caregiver shall be provided a copy of a plan
2 outlining the child’s needs and services. The nonminor dependent’s
3 caregiver shall be provided with a copy of the nonminor’s TILP.

4 (l) Each county shall ensure that the total number of visits made
5 by caseworkers on a monthly basis to children in foster care during
6 a federal fiscal year is not less than 95 percent of the total number
7 of those visits that would occur if each child were visited once
8 every month while in care and that the majority of the visits occur
9 in the residence of the child. The county child welfare and
10 probation departments shall comply with data reporting
11 requirements that the department deems necessary to comply with
12 the federal Child and Family Services Improvement Act of 2006
13 (Public Law 109-288) and the federal Child and Family Services
14 Improvement and Innovation Act (Public Law 112-34).

15 (m) The implementation and operation of the amendments to
16 subdivision (i) enacted at the 2005–06 Regular Session shall be
17 subject to appropriation through the budget process and by phase,
18 as provided in Section 366.35.

19 SEC. 5. To the extent that this act has an overall effect of
20 increasing the costs already borne by a local agency for programs
21 or levels of service mandated by the 2011 Realignment Legislation
22 within the meaning of Section 36 of Article XIII of the California
23 Constitution, it shall apply to local agencies only to the extent that
24 the state provides annual funding for the cost increase. Any new
25 program or higher level of service provided by a local agency
26 pursuant to this act above the level for which funding has been
27 provided shall not require a subvention of funds by the state or
28 otherwise be subject to Section 6 of Article XIII B of the California
29 Constitution.