

Date of Hearing: April 29, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 896 (Elhawary) – As Amended March 17, 2025

SUBJECT: Foster care: placement transition planning

SUMMARY: Requires each county to adopt a placement transition planning policy and requires the California Department of Social Services (CDSS) to issue guidance to county child welfare agencies to describe best practices and strategies for successful placement transition planning. Specifically, **this bill**:

- 1) Adds the right for foster youth to be involved in their placement transition planning to the Foster Youth Bill of Rights.
- 2) Requires, if the child's placement cannot be preserved, the social worker to ensure that there is appropriate placement transition planning, consistent with the county placement transition planning policy, as developed pursuant to 3) and 4) below.
- 3) Requires each county child welfare agency to adopt a policy for supporting foster children who are transitioning between placement settings and who are transitioning from foster care to reunification. Requires the placement transition planning policy to include both of the following components:
 - a) Ensure that foster children are provided the opportunity to provide input on their placement transition, as developmentally and age-appropriate and ensure that the child's current or most recent caregiver also has input into the transition needs of the child; and,
 - b) Provide guidance to social workers for obtaining input and sharing information in placement transition planning and incorporating the planning into case plans in such a way as to support the strengths and needs of children and to reduce trauma and any psychological, cultural, developmental, relational, spiritual, or emotional harm to the foster child.
- 4) Requires, in developing the placement transition policy, the county child welfare agency to consult with foster youth and caregivers to create a placement transition policy that includes all of the following:
 - a) Consideration of a child's educational, medical, mental health, religious or faith-based, cultural, dietary, extracurricular and social, and developmental needs;
 - b) How to maintain permanent connections for the child, including supporting relationships with relatives, friends, and other individuals who are important to the child, and continuity in health care, education, child daycare, extracurricular and social activities, and other community involvement;
 - c) How transitions will be managed, including timing, preparation for the move, such as visits or contact with the current and new care provider, ensuring the child has all of their possessions, how the child will be transported to the new placement, and how the child can participate in scheduled upcoming events and activities;

- d) How the social worker will ensure that the transition plan is carried out as designed and how any necessary adjustments will occur and be communicated; and,
 - e) The designation of an individual who will communicate with the child throughout the transition process to ensure the child understands what is happening and who is involved in decision-making.
- 5) Requires CDSS, in consultation with counties that have implemented placement transition planning and with other stakeholders who have placement transition planning expertise, to issue guidance to county child welfare agencies to describe best practices and strategies for successful placement transition planning.
- 6) Requires a county child welfare agency to submit its placement transition planning policy to CDSS, via email or other correspondence, no later than one year after CDSS has issued its guidance and provided funding to counties to develop their placement transition planning policies.
- 7) Clarifies the requirements a resource family shall demonstrate to include the capacity to work cooperatively with the birth family, as appropriate, and other resource families in supporting transitions in placements settings or permanency.
- 8) Requires the preapproval caregiver training provided to a resource family applicant to include the role of other resource families and other service providers implementing the case plan, to support case plan goals and objectives, including placement transition planning to reduce trauma during transitions to reunification or other placement settings.
- 9) Makes the following legislative findings and declarations:
- a) Children in out-of-home care can experience multiple changes in placement, and those transitions can result in trauma, not only for the child, but also for caregivers, families, siblings, and all professionals involved;
 - b) Not having a developmentally and trauma-informed transition plan may adversely impact a child's healthy development, as well as the child's continuing capacity to trust, attach to others, and build relationships in the future;
 - c) The best child welfare practices recognize the need to prioritize the minimization of the number of placement changes for every child in out-of-home care. Furthermore, efforts must be made to support caregivers in order to promote stability. When placement changes are necessary, they must be in the best interest of the child and should be thoughtfully planned whenever possible; and,
 - d) Transition plans are critical when moving all children, including infants, toddlers, schoolage children, adolescents, and young adults.
- 10) States legislative intent that a placement change for a child in out-of-home care be achieved ideally through a period of transition that is unique to each child, provides support for all individuals affected by the change, and has flexible planning to allow for changes necessary to meet the needs of the child.

EXISTING LAW:

- 1) States legislative intent to prevent children or youth in foster care placement from experiencing unnecessary or abrupt foster care placement changes that negatively impact their well-being or sense of security and to preserve and strengthen the foster care placement of a child or youth whenever possible. States legislative intent to ensure that foster care placement changes do not occur due to gender, gender identity, race, or cultural differences. Makes findings and declarations that unnecessary or abrupt foster care placement changes undermine the essential duties that foster caregivers have an obligation to uphold and legislative intent that prior to a caregiver or provider requesting a child or youth to be removed from the caregiver's or provider's care, the caregiver or provider shall participate in a placement preservation strategy meeting. (Welfare and Institutions Code [WIC] § 16010.7(a))
- 2) Requires, prior to making a change in the foster care placement, a social worker to develop with the caregiver a placement preservation strategy, which shall be done in consultation with the child and family team, to preserve the foster care placement. The strategy may include, but is not limited to, conflict resolution practices and facilitated meetings. (WIC § 16010.7(b))
- 3) Requires, if, after implementing the placement preservation strategy, the social worker receives a placement change request from the caregiver or provider, or otherwise finds that a foster care placement change is necessary, the social worker, probation officer, or placement agency to serve written notice to the child's parent, caregiver, attorney, and the child if they are 10 years of age or older, at least 14 calendar days prior to the change. (WIC § 16010.7(e))
- 4) Prohibits an unplanned foster care placement change from taking place between 9 p.m. and 7 a.m., except by the mutual agreement of all of the following persons: the child, if the child is 10 years of age or older, or the representative of the child, if the child is under 10 years of age; the child's current caregiver; the child's prospective caregiver; and, the child's social worker or probation officer. (WIC § 16010.7(f))
- 5) States that the purpose of foster care is to provide maximum safety and protection for children who are currently being physically, sexually, or emotionally abused, being neglected, or being exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of that harm. Specifies that safety, protection, and physical and emotional well-being may include the provision of social and health services to help the child and family and a balanced focus on the health and well-being of the child along with the preservation of the family. (WIC § 300.2(a))
- 6) Declares legislative intent to, whenever possible preserve and strengthen a child's family ties and ensure that if the child is removed from their family, the state shall work 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 their parents. Further, states legislative intent to reaffirm its commitment to children who are in out-of-home placement to live in the least restrictive setting and as close to the child's family as possible, as specified. (WIC § 16000(a))
- 7) Enumerates the rights afforded to all children placed in foster care, including the right to be involved in the development of their own case plan, including placement decisions, and plan

for permanency; to review the child's own case plan and plan for permanent placement if the child is 10 years of age or older, and to receive information about their out-of-home placement and case plan, including being told of changes to the plan. (WIC § 16001.9)

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Child Welfare Services.* California's child welfare services system exists to protect children from abuse and neglect, and in doing so, to provide for their health, safety, and overall well-being. When suspicions of abuse or neglect arise, Child Protective Services is tasked with investigating the allegations. If the allegation of abuse or neglect is substantiated, it is then determined whether it is in the best interest of the child to remain in their parent's custody or be placed within the child welfare services system. If a child is suspected to be at-risk of neglect, abuse, or abandonment, the juvenile court holds legal jurisdiction, and a social worker is appointed to ensure that the needs of the youth are met. California's child welfare services programs are administered by the 58 individual counties with each county organizing and operating its own program of child protection based on local needs while adhering to state and federal regulations. When a child welfare case is open, counties are the primary governmental entity interacting with children and families when addressing issues of child abuse and neglect and are responsible, either directly or through providers, for obtaining or providing the interventions and relevant services to protect children and assist families with issues related to child abuse and neglect.

CDSS secures federal funding to support child welfare services programs, provides statewide best practices training for social workers, conducts program regulatory oversight and administration, and is responsible for the development of policy, while also providing direct services such as adoption placements. *This bill* would require CDSS to provide funding to counties to develop their placement transition planning policies, to be submitted to CDSS one year after issuing guidance to county child welfare agencies to describe best practices and strategies for successful placement transition planning.

As of January 1, 2025, there were 38,894 youth from birth up to 21 years of age in foster care, representing the lowest number of foster youth in the last decade: there were 57,382 foster youth in 2015.

Placement Changes for Foster Youth. While the number of foster youth has decreased steadily since 2022, according to data from the California Child Welfare Indicators Project, there were nearly 10,000 placement moves for children in foster care for at least a week in the year for which data is available (Jan 2024-Dec 2024), and some children were moved multiple times. These placement changes include positive moves like children returning home or being adopted, as well as moves to remedy problematic situations.

Proponents of this bill report that there is no statewide policy ensuring foster children have a formal role in these decisions, nor a consultation with their most recent caregiver required prior to a placement change. Additionally, the proponents note that a lack of policy on transitions to reunification fails to account for the unique needs of each child. As such, *this bill* requires each county to adopt a placement transition planning policy for supporting foster children who are transitioning between placement settings and who are transitioning from foster care to reunification. The policy is designed to ensure that foster children are provided the opportunity

to provide input on their placement transition, as developmentally and age-appropriate, and ensure that the child's current or most recent caregiver also has input into the transition needs of the child.

Foster children frequently experience multiple home placement changes, disrupting their daily lives and potentially causing trauma for both the children and their caregivers. These transitions can lead to the loss of important relationships with family and friends. Currently, foster children have no input in the transition process, and there are no policies ensuring proper transportation, possession retention, or guidelines for managing the timing and communication between care providers. *This bill* would add the right for foster youth to be involved in their placement transition planning to the Foster Youth Bill of Rights and would require that the foster youth's current or most recent caregiver also has input into their transition needs.

In 2008, a literature review compiled by the University of California, Davis's Center for Human Services stated that, "Frequent placement moves not only compounds the issue of being separated from one's parents, but can also result in separation from siblings, relocating to a new geographical area, and experiencing a sense of not belonging; all of which can lead to distress and have a profound negative emotional impact...Children who are removed from their homes and then who experience placement disruption can lead to them experiencing profound distress and a sense of loss and not belonging, all of which can lead to distrust and a fear of forming secure healthy relationships."

Research on child development confirms that these disruptions can have a long-term impact on children. Poorly planned or improperly timed transitions can adversely impact a child's healthy development as well as the child's continuing capacity to trust, attach to others, and build relationships in the future. Poorly planned placement changes can also have a negative impact on children's mental health, behavior, and even intellectual development. According to a series of surveys of resource families who had experienced recent non-emergency transitions conducted in several counties participating in the Quality Parenting Initiative over the past five years found that:

- Between 33% and 71% of families experienced unplanned transitions;
- Between 25% and 72% had less than 14 days' notice that a move was contemplated;
- Fewer than 35% of families who were receiving a foster child or youth from a prior placement received necessary information on educational and developmental needs; and,
- Only 30% of families received information about the child's unique strengths and needs in the transition of the foster child/youth from a prior placement.

This bill attempts to mitigate some of these concerns by requiring each county to adopt a policy for supporting foster children who are transitioning between placement settings or to reunification, thereby diminishing some of the negative effects of a placement change.

Author's Statement: According to the Author, "[This bill] ensures foster children have a voice in their placement transitions by requiring counties to establish clear policies that prioritize stability and individual needs. Currently, no statewide guidelines exist to manage these transitions, leading to frequent disruptions, emotional distress, and loss of important

relationships. This bill mandates that counties develop transition policies with input from foster children (or their representatives) and include current caregivers in the decision-making process. By standardizing and personalizing transitions, [this bill] aims to reduce trauma, improve stability, and create a more supportive foster care system.

Equity Implications: The provisions in this bill seek to establish policies to address placement changes for foster youth and to ensure they are involved in their placement transition planning. Research has established that unplanned placement changes can compound the trauma and loss children in care already experience. An inadequately planned move can mean that the child goes to an unfamiliar place, often with a caregiver they do not know in an unfamiliar location. As a result, these vulnerable youth may lose touch with their caregiver, relatives, friends and other people who are important to them, and their health care, education, extracurricular activities, and other community involvement can be disrupted, and this bill seeks to minimize the negative effects of these changes.

RELATED AND PRIOR LEGISLATION:

AB 1061 (Gipson), Chapter 817, Statutes of 2019, included probation-supervised foster youth, and responsibilities for probation officers, in provisions of current law stipulating certain processes, requirements, and timelines regarding placement changes for foster youth who are dependents of the court.

AB 2247 (Gipson), Chapter 674, Statutes of 2018, required a social worker or placement agency to implement a placement preservation strategy prior to changing a dependent child's placement, and required at least 14 days' written notice to be given prior to a placement change, except in instances where delayed placement or prior notice of a placement change would endanger a child's health or safety or where all specified parties have agreed to waive these requirements.

AB 899 (Liu), Chapter 683, Statutes of 2001, adopted California's Foster Youth Bill of Rights.

REGISTERED SUPPORT / OPPOSITION:

Support

County Welfare Directors Association of California (Co-Sponsor)
Youth Law Center (Co-Sponsor)
California Youth Connection (CYC)
County of Kern
Healthier Kids Foundation
Monterey County Department of Social Services
Trinity County Child Welfare Services
Seven private citizens

Opposition

None on file.

Analysis Prepared by: Jessica Langtry / HUM. S. / (916) 319-2089