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OUTCOMES REVIEW OVERSIGHT HEARING

AB 2247 (Gipson), Chapter 674, Statutes of 2018

Background:

Continuum of Care Reform (CCR). California enacted CCR, which included a shift away from group homes in favor of placing youth in family settings. This transition emerged because decades of research proved that institutional settings often fail to meet the emotional and developmental needs of foster children. CCR systematically downsized institutional group homes and shifted the system's focus toward placing children in family environments. This shift restricted group care exclusively to short-term, therapeutic interventions, establishing that all foster youth deserve to grow up in a nurturing, home-like setting.

As a component of CCR, the Resource Family Approval (RFA) process was created to unify and accelerate what used to be a fragmented, confusing process for licensing foster parents. Previously, the state maintained separate, unequal training and background check systems for relative caregivers, foster families, and adoptive parents. The RFA process streamlined these into a single, comprehensive standard, ensuring that any family stepping up to care for a child passes the same high-quality safety training checks right from the start.

Another reform included the child and family team (CFT) structure, which was developed to shift foster care planning away from top-down bureaucratic decisions and toward collaborative, youth-centered care. In the past, caseworkers routinely made major life changes for foster youth without consulting the child or their immediate support network, leading to poor communication and unsuitable placements. Using CFTs corrected this by requiring that a formal team of family members, youth advocates, mental health professionals, and caseworkers must collectively drive all placement and treatment decisions.

Seven-Day Notices. According to the 2017-18 California Department of Social Services (CDSS) Manual of Policies and Procedures, regulations contained in division 31-440 required foster parents be given at least seven days' advance written notice of plans to remove a child (except in certain circumstances, such as the child being in immediate danger or the court having ordered the child's removal), and afforded foster parents the right to a grievance review regarding the decision. Conversely, foster parents were expected to give the social worker seven days' notice of the desire to have a child removed from placement with them, except under special circumstances warranting immediate removal.

The Impacts of Placement Changes on Foster Youth. Placement instability is one of the most well-documented harms in the foster care system. Research shows that multiple placement moves are associated with worse educational outcomes, increased likelihood of running away, reduced probability of reunification or adoption, increased rates of mental health disorders, and

homelessness following exit from care.¹ Children who experience three or more placements are substantially less likely to achieve permanency than those who remain in a single placement.

A 2008 literature review on placement stability in child welfare services prepared by the University of California, Davis's (UCD's) Center for Human Services observed 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."²

However, it is not just the frequency of placement changes, but also the abruptness with which they take place that can negatively impact children and youth. In commentary written for the Chronicle of Social Change, Katarina Kabick (a member of California Youth Connection [CYC]) observed that, "Seven days is not an adequate timetable for a transition to another placement. Nobody else makes a transition in this timeframe, and the reality is that many foster youth are moved in the middle of the night, pulled out of bed – or in the middle of the day, pulled out of school – with no notice at all. That means no goodbyes, no packing, no sense of security. Employees leaving jobs usually give a minimum of two weeks' notice. Families moving to a new home often plan their transition for six months to a year."

The 2008 literature review, cited above, on placement stability in child welfare services prepared by UCD's Center for Human Services, stated that one path for reducing the occurrence of displacement for foster youth is to conduct permanency planning, the purpose of which is to identify and put into action methods for increasing the likelihood that a child or youth moves out of substitute care into a permanent family home as soon as possible. The permanency planning includes a preservation plan to develop and implement methods that increase the likelihood that children move out of temporary care into permanent family homes as quickly as possible.

Problem:

At that time this bill was introduced, over 62% of children and youth who had been in foster care in California for at least 12 months experienced at least two placements, and almost 28% of these children and youth experienced at least three placements. Foster youth advocates reported being removed from their homes with little or no notice, sometimes late at night, with belongings placed in trash bags. The foster youth-led advocacy organization CYC's advocacy campaign, titled "Stability—A Place to Call Home," centered these narratives in public testimony.

Placements were often disrupted over minor, fixable conflicts between the foster parent and foster youth, but because there was no formal process to help foster families work through these behavioral or cultural misunderstandings, youth were being told to leave before any mediation or resolution could be found. Other youth reported instances of discriminatory displacement due to coming out as LGBTQ+, expressing a non-binary identity, or practicing a different religion or cultural custom from their caregivers. Some youth shared that normal adolescent behaviors or cultural expressions were mischaracterized as aggressive or defiant due to implicit racial and cultural bias from their foster family.

Solution:

¹ <https://www.casey.org/placement-stability-impacts/>

² Center for Human Services, University of California, Davis. (2008). *Placement stability in child welfare services*. California Department of Social Services. ca.gov

To provide structure to the process of having foster youth change placements and to ensure that the youth voice was being heard, this bill was enacted and had four main components to put a stop to traumatic sudden moves for foster youth:

Mandatory Mediation. Forces agencies to use their CFT as a conflict resolution entity to try to preserve the current placement when possible. Requires a social worker to develop and implement a strategy to preserve an existing placement, known as the placement preservation strategy, in consultation with the foster youth's CFT, prior to making changes in a foster youth's placement.

14-Day Advance Notice. Requires at least a 14 days written notice before a youth can be moved. Requires the social worker, if a placement change is necessary after implementation of the placement preservation strategy, to serve written notice, at least 14 days before the placement change, to a youth's caregiver, and attorney, and the foster youth, if they are at least 10 years of age. Provides exemptions if there is a threat to the health or safety or if there is unanimous agreement to waive the notice requirements.

No Late-Night Moves. Prohibits non-emergency placement changes between 9:00 p.m. and 7:00 a.m.

Anti-Discrimination Protections. Prevents moving a foster youth based on race, gender, or gender identity bias. Requires the Office of the State Foster Care Ombudsperson, if a complaint is made to the office alleging a violation of placement change requirements, and an investigation is made into that complaint, to provide the findings of the investigation to the county child welfare director, for the purposes of training, technical assistance, and quality improvement.