



## 2024 California Child Welfare Legislation to Watch MEMO

**\*Note:** *This information is current as of the date posted. The bills outlined below are actively being considered and amended by the California Legislature. It is best to review the most updated version of the bills at the links provided. If a link is broken, please search the bill number at <https://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>.*

### Federal Legislation

#### 1. [H.R. 7227/S. 1723](#) Truth and Healing Commission on Indian Boarding Schools (Warren)

**Overview:** This proposed federal legislation seeks to develop a Truth and Healing Commission on Indian Boarding Schools comprised of 10 appointed members with lived experience and expertise in truth and healing efforts that are traditional and culturally appropriate. The Commission would be tasked with these primary duties:

- To investigate and document the role of Indian Boarding Schools in attempts to assimilate and terminate the cultures and languages of Indigenous peoples;
- To investigate and document the impacts and ongoing effects of historical and intergenerational trauma resulting from Indian Boarding School Policies;
- To hold hearings to hear from and document the impacts on tribal communities from Indian Boarding Schools;
- To develop recommendations for the Federal Government for assistance the Federal Government should provide to aid in the healing of trauma caused by the Indian Board School Policies, to establish a hotline for survivors and community members, and to prevent the continued practices of states and social services department leading to removal of tribal children;
- To located and identify unmarked graves at Indian boarding school sites;
- To locate analyze and preserve records from Indian boarding schools;
- To develop reports on the findings and recommendations of the Commission.

**Tribal Considerations:** This legislation builds on Secretary Haaland's Federal Boarding School Initiative and seeks to formally initiate a Truth and Healing process for the devastation caused by Indian Boarding School Policies. This bill could have tremendously positive impacts on tribal children, families and communities in promoting healing and documenting ongoing activities leading to the removal of tribal children from their families and communities.

**Status:** These bills are being heard in the Committee on Indian Affairs.

#### 2. [H.R. 3403](#) Strengthening Tribal Families Act (Bacon)

**Overview:** This federal legislation seeks to amend Title IV-B of the Social Security Act to include that states utilizing these sources of funding must comply with federal standards under the Indian Child Welfare Act of 1978. This bill further specifies that an MOU shall be developed between the Secretary of the Interior and Secretary of the Department of Health and Human Services, in consultation with tribes and states, that establishes the compliance measures to assess state implementation of the Indian Child Welfare Act. The specific areas of compliance that are proposed for measure in this bill include, timely identification of Indian children and tribal notice, number of cases in which transfer was granted, number of cases in which courts determined active efforts have not been provided, foster and adoptive placements and number of cases in which parental rights were terminated. The compliance data collected would be reported on a biennial basis to Congress.

**Tribal Considerations:** This bill seeks to establish ICWA compliance requirements tied to federal funding for states, specifically Title IV-B of the Social Security Act. Although this bill would be the first of its



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kind to establish requirements for federal funding related to ICWA compliance, it does not specify how a lack of compliance would impact the ongoing receipt of those dollars. This bill also does not specify how it may differ from or complement the proposed AFCARS ICWA data tracking measures. As a step in the right direction at minimum it would require states to develop mechanisms for tracking compliance measures, the results of which would be reported to Congress.

Status: This bill has been referred to the House Ways and Means Committee.

### 3. [H.R. 2762](#) Tribal Family Fairness Act (Koplager-Dover)

Overview: This bill seeks to make Title IV-B of the Social Security funding more accessible and less administratively burdensome for tribes. Specifically, the bill outlines the following changes:

- Increase the amount of set aside funding and set a minimum grant amount of \$10,000 provided to tribes under Title IV-B Part 1 of the Social Security Act
- Allow Title IV-B Part 1 funds to be used facilitate and support Tribal Customary Adoptions
- Reducing application and reporting requirements for tribes that receive less than \$50,000 in funding
- Allowing tribes to utilize their indirect cost rate in the expenditure of funds on administration
- Allowing tribes to claim in-kind expenses to meet the match requirements

Tribal Considerations: Title IV-B funding has been largely inaccessible to tribes in California due to the small grant amounts and the intensive application and reporting requirements. This bill, by both increasing the minimum grant amount regardless of child population and waiving extensive application and reporting requirements would largely open this funding in a way that provides more benefit than costs.

Status: This bill has been referred to the House Ways and Means Committee.

## Assembly Bills

### 1. [AB 1812](#) Budget Act (Gabriel) | Companion Bill: [SB 917](#) Budget Act (Skinner)

Overview: The State Budget Act appropriates support for state government operations for fiscal year 2024-2025.

Tribal Considerations: Many of the provisions within the Annual Budget Act impact American Indians and Alaska Natives (AI/ANs) residing in California as well as Tribal Nations. For purposes of this memo, we highlight only the human services related provisions that include tribal set asides or specific funding for Native programs. This proposal would fund the Tribally Approved Homes (TAH) Compensation Program at the same level as previous years from the State General Fund at \$4,777,000. Similarly, the proposal for the Tribal Dependency Representation Program is maintained at the same level as previous years at \$4,145,000. Other interesting proposals include:

- 3.9% set aside for “Native American Indian programs” in the Department of Community Services and Development Block Grant
- \$100,000 tribal set aside for California Statewide Automated Welfare System Project (CARES work)
- \$87,000 tribal set aside for Live Scan (child welfare related background checks)
- \$4,000,000 for Board of State and Community Corrections competitive grants for federally recognized tribes to identify, collect case-level data, publicize, and investigate and solve cases involving missing and murdered Indigenous people
- \$701,000 for American Indian Early Childhood Education Programs
- \$5,193,000 for California American Indian Education Centers

Status: The bill was introduced 1/10/2024 and must be passed by 6/15/2024 per Article IV, Section 12(3), of the State Constitution. The bill may be amended up until 72 hours prior to a vote, so the

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current language is subject to (and likely will) change.

2. [AB 1907](#) **C-CFSR CANS** (Pellerin)

Overview: This bill would require that the California Child and Family Service Review System add the Child and Adolescent Needs and Strengths Assessments tools as an outcome indicator.

Tribal Considerations: There are no tribal specific provisions of this bill. The California Child and Family Services Review System is the California system for review at the broad system level and the case level of the quality and compliance of county child welfare services. This system currently doesn't include any compliance measure related to ICWA or Indian children. At present, it is unclear in the language of the bill if CANS data to be reviewed would be child specific at the case review level or if the data reviewed would only include aggregate data which will impact this analysis. An update is forthcoming.

Status: Referred to Assembly Human Services Committee.

3. [AB 2237](#) **Foster children and youth: transfer of specialty mental health services** (Aguiar-Curry)

Overview: The bill would require a "receiving county" to provide specialty mental health services for children and youth who change residence from one county to another even during the investigation and casework transfer process so long as certain criteria are met. The bill would also require the California Department of Social Services to establish care teams to assist counties in expediting transfers. The bill thereby would increase duties associated with administering Medi-Cal so costs are associated.

Tribal Considerations: There are no tribal specific provisions but, it is a positive proposal for Native youth in care who qualify for specialty mental health services because it would streamline eligibility across counties.

Status: Referred to Assembly Human Services Committee.

4. [AB 2468](#) **Crimes: child neglect** (Rivas)

Overview: This bill would amend Section 273 of the Penal Code to specify that it is a misdemeanor to willfully cause or allow a child to be exposed to violence against a person who has custody of that child. The author and sponsor, the Los Angeles City Attorney Hydee Feldstein Soto, reason that by making it a crime for someone who allows a child to witness domestic violence, children will have more access to victim resources and mental health supports after witnessing violence. However, this change also criminalizes victims of domestic violence if children are present.

Tribal Considerations: Tribal families experience violence at higher rates than others, with more than four in five American Indian and Alaska Native women and men having experienced violence in their lifetime.<sup>1</sup> While the intent of the bill, to make victim services more readily available to children, is positive it also has the potential to criminalize Native parents at higher rates than others, leading to other systemic issues like higher rates of involvement with Child Protective Services.

Status: Referred to Committee on Public Safety.

5. [AB 2477](#) **Foster care: Independent living** (Zbur)

Overview: This bill seeks to allow youth aged 16 and older and nonminor dependents in foster care to retain resources consistent with federal law and remain eligible for foster care payments. The bill would additionally codify that no child or nonminor dependent shall have their resources evaluated

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<sup>1</sup> Rosay (2023) Violence Against American Indian and Alaska Native Women and Men. Available at: [249822.pdf \(ojp.gov\)](#).



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after the initial eligibility determination for each foster care episode (which shall include the transition of a child to a nonminor dependent). This bill would also allow nonminor dependents who re-enter foster care to retain their resources and still be eligible for foster care payments.

Tribal Considerations: Though there is no tribal specific language in this bill, it is significant to tribal children. Specifically, many tribal children were being terminated from extended foster care programs following the release of tribal trust fund monies upon reaching the age of 18. This bill would ensure that receipt of such funds would not impact the youth's ability to receive extended foster care benefits.

Status: Referred to Assembly Human Services Committee.

6. [AB 2664](#) **Foster youth** (Bryan)

Overview: This bill would clarify that the timeline for family reunification services is triggered when there is a 1) removal order; and 2) actual order for reunification. The measure largely affirms current practice, though contradicts with an April 2023 California Fifth Appellate District case, [In re Damian L.](#), in which the court considered a temporary removal hearing the date of entry into foster care.

Tribal Considerations: There are no tribal or Indian child-specific provisions of the bill. Because it would affirm the length of time parents have to receive reunification services, it is generally a positive bill for Indian families and provides clarity and consistency in the courts.

Status: Referred to Assembly Human Services Committee and Committee on Judiciary (JUD).

7. [AB 2674](#) **California Affordable and Foster Youth Housing Finance Innovation Act** (Schiavo)

Overview: This bill would direct the California Housing Finance Agency to establish a financing program that issues credit instruments to qualified housing sponsors for the construction, acquisition, and renovation of projects that include a minimum of 25% of total dwelling units reserved for current or former foster youth who are 18-25 years old and qualify for one of the enumerated eligible programs.

Tribal Considerations: Of the approximately 3,200 youth who exit California's foster care system annually due to aging out of the system, a disproportionate percentage of them are tribal youth, so this bill could positively impact transition aged tribal youth exiting care by making affordable housing options more readily available. Additionally, tribally designated housing entities are eligible to be "qualified housing sponsors" meaning a tribally designated entity could own, construct, acquire or rehabilitate housing for development under this program.

Status: Referred to Assembly Human Services Committee and the Housing and Community Development Committee.

8. [AB 2752](#) **Juvenile Court Visitation** (Calderon)

Overview: This bill would require that juvenile courts order unsupervised visitation between parents, guardians and children unless the court makes a finding by clear and convincing evidence that unsupervised visitation is contrary to the child's welfare and either there is a substantial danger to the child that requires supervised visitation or there is substantial evidence that the parent or guardian is likely to flee the jurisdiction of the court or in the case of an Indian child fleeing the jurisdiction will place the child at risk of imminent physical damage or harm.

Tribal Considerations: This bill will affect Indian tribes and children by making unsupervised visitation the default order of the court in cases in which children are placed outside of their homes. In those instances, in which tribes may feel that supervised visitation is needed for the safety of a child, this bill would make a greater burden on tribal advocates to receive this type of order.

Status: Referred to Assembly Judiciary Committee.



9. **[AB 2906](#) Foster care payments (Bryan)**

Overview: This bill would require a county child welfare agency or probation department when acting as a representative payee or any other fiduciary capacity to comply with certain guidelines and would specifically prohibit the use of a child's Social Security survivor's benefits to reimburse such an agency for the costs of the child's care and supervision.

Tribal Considerations: Though this bill does not contain tribally specific provisions, restricting county agencies from utilizing a child's Social Security benefits to pay for the cost of foster care will greatly benefit tribal children as well as all children.

Status: Referred to Assembly Human Services Committee.

10. **[AB 2929](#) Dependents: Family finding (Carillo)**

Overview: This bill is like AB 448 proposed legislation last year. The bill will require courts to review and social workers to report, for children in foster care not placed with relatives or kin every six months the efforts of the social worker to locate relatives or kin who could provide family support and/or placement. This bill specifies for Indian children, these efforts must be active efforts.

Tribal Considerations: This bill has positive implications for Indian children in foster care who are not placed with relatives or kin that county social workers will be required to conduct ongoing active efforts to locate relatives and kin to provide support and/or placement.

Status: Referred to Assembly Judiciary Committee

11. **[AB 2948](#) Adoption Assistance Program: tribal court (Ramos)**

Overview: This bill would allow for Adoption Assistance Program benefits to flow to a child in which a final order of adoption was issued by a tribal court of the Indian child's tribe, in the case of an Indian child who was a dependent of the juvenile court immediately prior to the transfer of the Indian child's case.

Tribal Considerations: This bill has positive implications for tribal children whose dependency case is transferred to a tribal court from a California juvenile court and the tribal court subsequently issues an adoption order. Should this bill pass, many tribes in California may choose to transfer dependency cases to their own jurisdiction without worrying that the child may lose out on benefits if the child does not reunify with their parents. A potential downside to this bill is the continuation of benefits after a dependency case is transferred to tribal jurisdiction only occurs if an adoption order is issued, it will not provide the continuation of foster care funding nor funding for guardianships or other permanent plans.

Status: Referred to Assembly Human Services Committee

12. **[AB 3049](#) Dependency Court Hearings (Bryan)**

Overview: This bill adds that like minors, nonminor dependents, have a right to receive notice, be present, be represented and address the court in juvenile court hearings. This bill would add that in instances in which a minor or nonminor are not present at the hearing, the court shall ask the minor/nonminor's attorney when their last contact was with the child. The court shall continue the hearing if the attorney has not had contact with the minor/nonminor in the last six months to allow the attorney to contact the child unless it would not be in the best interest of the minor/nonminor to continue the hearing.

Tribal Considerations: Although there is no tribal specific language in this bill, the bill may have positive implications for tribal children and nonminors, ensuring that both have the same rights to participate in juvenile court hearings. Additionally, this bill may improve representation of minor and nonminor interests and wellbeing by attorneys, by ensuring contact has occurred at a minimum every



six months.

Status: Referred to Assembly Judiciary Committee

13. **AB 3145 Family Preservation Services: Standards (Bryan)**

Overview: This bill seeks to set additional standards for the provision of family preservation services to children involved in the child welfare system. Family preservation services include those services meant to preserve families, such as counseling, mental health, substance abuse services, parenting, respite, transportation, and family support. The additional standards proposed by this bill include:

- All services shall be evidence-based (defined in bill), culturally competent (requires CDSS to define) and provided by qualified professionals (requires CDSS to define).
- During the first year after completing these services, no more than 25% of children provided these services are: taken into custody; removed from their parents or guardians; determined to probably soon be within the jurisdiction of the juvenile court pursuant to WIC 301; enter the juvenile justice system, determined to require out of home placement.
- Two years after completing these services, no more than 10% of children provided these services are determined to probably soon be within the jurisdiction of the juvenile court pursuant to WIC 301
- Require counties to publicly report data related to compliance with these standards.

Tribal Considerations: This bill has important implications for Indian children. Family preservation services funding is what counties use to support active efforts services for Indian children under ICWA and Cal-ICWA. By limiting family preservation services to only “evidence based” “provided by a qualified professional” the bill could limit county abilities to pay for family preservation services for Indian children that are in line with the social and cultural standards of the child’s Indian community, a primary tenet of active efforts services. Similarly, by requiring all services be provided by “qualified professionals” which is currently undefined, the bill could limit county abilities to pay for family preservation services for Indian children that are provided by anyone outside of the future formed definition. Although the bill has added that the services shall be “culturally competent” this too is undefined, and it is unclear if a service is determined to be culturally competent if it can then not meet the requirements of “evidence based” and provided by a “qualified professional”. With so much existing difficulty in getting counties to provide active efforts, this bill could further impede counties abilities to comply with ICWA. CTFC has raised these concerns with the author’s office and staff have committed themselves to investigating how to correct the deficiencies but as of the writing of this memo, no language has been adopted to amend the bill to correct for these conflicts with ICWA.

Status: Referred to Assembly Human Services Committee.

14. **AB 3217 Juveniles: Placement: family finding (Bryan)**

Overview: This bill will require counties to compare the rate of placements with relatives in each county to the statewide national average rate in the prior year. After this comparison, if a county finds its relative placement rate is less than the statewide average by more than 10% that county welfare director or designee shall consult with the county welfare directors of the three counties with the highest relative placement rates to compare best practices for family finding. This bill seeks to increase county relative placement rates for all children.

Tribal Considerations: Relative placements are very important for Indian children and are the first placement preference as outlined by the Indian Child Welfare Act. Yet, under ICWA and Cal-ICWA, tribes may change the placement preferences such that relative placements may not be the first preference. Therefore, for Indian children and respect for tribal sovereignty, the increase sought is



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compliance with the ICWA placement preferences. CTFC has discussed this with the author's office and has provided recommendations that the legislation require counties, in the case of Indian children, to compare the statewide average rate of placing children according to the ICWA placement preferences rather than simply based on the statewide average rate of placing children with relatives. As of the writing of this memo, no further action has been taken.

Status: Referred to Assembly Human Services Committee.

### Senate Bills

#### 1. [SB 1126](#) Child Abuse and Neglect (Min)

Overview: This bill proposes to amend Section 11165.6 of the Penal Code (a section of the Child Abuse and Neglect Reporting Act (CANRA)) to specify that a child witnessing domestic violence is not a sufficient basis for reporting child abuse or neglect. In doing so, this change would remove the requirement for mandated reporters to report child abuse and neglect if the sole basis of the report is that a child has witnessed domestic violence. Please note, this bill only proposes the change to the penal code and not to Welfare and Institutions Code Section 300, so it in no way changes requirements to report child abuse when it is suspected or observed, nor does it prevent a mandated reporter from reporting other conduct that may place a child in danger.

Tribal Considerations: Indian families are reported, investigated, and children removed at higher rates than other families so this attempt to remove one basis for which mandated reporters must report to Child Protective Services even if the potential has already been resolved or even if a mandated reporter learns of the violence from a protective parent, may lessen unnecessary reporting but it may also lead children to be left in unsafe conditions. The intent of the sponsors and authors is to address racial bias in mandated reporting and to move toward community-based pathways for services.

Status: Referred to Assembly Public Safety Committee.

### Other of Tribal Interest

#### 1. [ACR 140](#) California Native American Day and the California Indian Cultural Awareness Conference

Overview: This resolution declares California Native American Day will be celebrated on September 27, 2024, and will include the California Indian Cultural Awareness Conference on the same day.

Tribal Considerations: This bill has strong language memorializing the need for recognition of California Indians and specifically raising awareness for educators about California tribal cultures.

Status: Referred to Assembly Rules Committee.

#### 2. [AB 1788](#) Mental Health MDT (Quirk-Silva)

Overview: This bill seeks to establish information sharing between providers serving justice involved adults with mental health challenges.

Tribal Considerations: This bill does not currently include tribal programs in the list of providers who can share information and participate in MDTs for justice involved adults with mental health challenges. CTFC has spoken with the author's office and recommended the inclusion of tribal programs. At the writing of this memo no action has yet been taken by the author's office.

Status: Referred to Assembly Privacy and Consumer Protection Committee.

#### 3. [AB 1965](#) Public Health Dept. Office of Tribal Affairs (Blanca-Rubio)

Overview: This bill seeks to establish an Office of Tribal Affairs in the State Public Health Department.

Tribal Considerations: This may have implications for greater access for tribes in influencing the Public Health Department. The current language of the bill in establishing the Office, seeks to appoint a Tribal Liaison to head the Office who shall advise the Department Director but does not include any language

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to consult with tribes directly. As of the writing of this memo, CTFC has contacted the Author's office but has received no reply.

Status: Referred to Assembly Health Committee

4. [AB 2138](#) Peace Officers: Tribal Police (Ramos)

Overview:

Tribal Considerations:

Status:

5. [AB 2267](#) Youth Reinvestment Grant (Jones-Sawyer)

Overview: Create the youth reinvestment grant program under the Office of Youth and Community Restoration with a 10% set aside of funding for Native American youth diversion programs, eligible applicants are urban Indian organizations, federally recognized tribes, and nonprofit organizations whose board of directors is majority controlled by Native Americans.

Tribal Considerations: This bill would continue the Youth Diversion Funding from 2017 for tribal programs as well as transferring responsibility of administration of the grant program from the Board of Community Corrections to the Office of Youth and Community Restoration.

Status: Referred to the Assembly Appropriations Committee.

6. [AB 2279](#) **Bureau of Missing and Murdered Women** (Ramos/Cervantes)

Overview: This bill would amend the Government Code to include Section 15008 establishing a Bureau of Missing and Murdered Indigenous Women, Girls, and Persons within the California Department of Justice. The bill would also assign the following duties to the Bureau: facilitating collaboration between tribes and other governments, investigating cases involving missing Native persons, publishing data on the number of and facts of cases involving missing Native persons, and submitting annual reports to the CA Legislature regarding their work.

Tribal Considerations: The bill has been written by Native people, for Native people to combat the systemic issues of why Native persons go missing at higher rates than others.

Status: The bill was amended on 3/18/2024 and has been referred to the Assembly Public Safety Committee for hearing.

7. [AB 2281](#) **Tribal Judges** (Soria/Ramos)

Overview: This bill would enact legal protections for tribal court judges in parity with state and federal court judges including granting the right for tribal court judges to keep their residence address, telephone number and email address from appearing on voter registration and Department of Motor Vehicle (DMV) information, and imposing punishment on persons who commit an assault on a current or former tribal court judge in retaliation for or to prevent performance in their official duties.

Tribal Considerations: The bill is specific to Tribal court judges.

Status: Referred to Assembly Transportation Committee.

8. [SB 1005](#) **Juveniles** (Ashby)

Overview: This bill would authorize probation officers to refer an offense to a youth court maintained by a probation officer or community-based organization to implement restorative justice practices so long as the minor and parents agree.

Tribal Considerations: The bill was amended in March to include youth courts operated by tribes and tribal courts.

Status: Referred to the Senate Public Safety Committee.





## Education/Disabilities

1. [AB 1821](#) **Pupil instruction: course of study: social sciences: treatment of Native Americans** (Ramos/Garcia/Mathis)

Overview: This bill would require the adopted course of study for grades one through six to include instruction on the Spanish Missions in California and the Gold Rush Era, including the treatment of Native Americans during those periods. For grades seven through twelve, any instruction provided on the Spanish colonization of California or the Gold Rush Era must also include the treatment and perspectives of Native Americans during those periods. The bill further requires consultation with California tribes in developing the curriculum framework and instructional materials involving the treatment and perspectives of Native Americans during these periods when the state board next revises the history-social science curriculum framework or adopts new instructional materials after January 1, 2025.

Tribal Considerations: The bill will help ensure an accurate history is taught of the impact of the Spanish Mission and Gold Rush Eras on California Native Americans.

Status: Re-referred to Committee on Appropriations.

2. [AB 1925](#) **Childcare and Development Programs: Eligibility** (Rendon)

Overview: This bill would extend eligibility for federal and state subsidized childcare and development programs to families whose child is eligible for services under the federal Individuals with Disabilities Education Act (IDEA).

Tribal Considerations: This bill would help increase access to childcare, however, expanding childcare eligibility based on IDEA eligibility may create inconsistent outcomes and ultimately fail to include many tribal youth with disabilities. IDEA eligibility is very narrow and was not designed to assess the need for childcare. For example, infants and toddlers are only eligible for IDEA services if they have a developmental delay or are at risk of having a developmental disability. This excludes, for instance, infants and toddlers with solely physical disabilities, regardless of the severity of the disability. IDEA eligibility becomes broader for school age youth, but it is still limited to 13 eligibility categories that focus specifically on disabilities that impact learning. For this reason, there are many students with disabilities who are found ineligible for services under IDEA, even though they may have a medical diagnosis for a disability and are considered to have a disability under Section 504 of the Rehabilitation Act or the American Disability Act. Further, the bill relies heavily on Regional Centers and Local Educational Authorities (LEAs) to identify individuals with disabilities. This is concerning because Regional Centers systematically fail to identify tribal youth with disabilities eligible for services under IDEA. LEAs also struggle to identify students with disabilities, especially if the student is attending a private or tribal school that is not governed by IDEA.

Status: Re-referred to Committee on Appropriations.

3. [AB 2137](#) **Homeless and foster youth** (Quirk-Silva)

Overview: This bill changes the process for authorizing tutoring, mentoring, and counseling services to foster youth under the Foster Youth Services Coordinating Program so that services would be permitted whenever the foster youth educational services coordinator determines services are needed. The bill also creates a requirement for notifying the Foster Youth Services Coordinating Program within 14 days when an 'opt-out form' involving the Free Application for Federal Student Aid (FAFSA) or California Dream Act is submitted for a foster youth.

Tribal Considerations: This bill provides Foster Youth Services Coordinating Programs with the



discretion to provide tutoring, mentoring, and counseling services directly to foster youth who are not receiving these services through their school and need these services. The ‘opt-out’ notification requirement will also help Foster Youth Service Coordinating Programs to assist foster youth with completing FAFSA or California Dream Act forms, which are critical for ensuring college is financially accessible. This is especially important where an opt-out form is submitted by the school on a foster youth’s behalf on the basis that the student is unable to complete and submit these documents.

Status: Re-referred to Committee on Human Services.

4. [AB 2181](#) **Juvenile court school pupils: graduation requirements and continued education options** (Gipson).

Overview: This bill will increase procedural protections involving High School graduation coursework exemptions for students attending Juvenile Court Schools.

Tribal Considerations: Tribal students who utilize high school graduation exemptions are only required to meet state minimum coursework requirements, which do not include the A-G courses that are typically required for graduation by school districts and are a prerequisite for admission into the University of California or California State University systems. There are already major disparities involving college readiness and meeting A-G course requirements for Native students in California, especially for Native students with disabilities and Native foster youth. There is a concern that, rather than providing the support and services a student may need to meet A-G course requirements, schools are relying too heavily on these high school exemption laws or even abusing these laws to push tribal youth out of schools early. Increased procedural protections would help prevent schools from abusing high school graduation exemption laws, however, the procedural protections provided in this bill are unlikely to address these underlying issues.

Status: Re-referred to Committee on Education.

5. [AB 3223](#) **Foster Youth Services Coordinating Program** (Wilson)

Overview: This bill would amend the definition of ‘pupil in foster care’ under ED 42924 to include children who are the subject of a juvenile court petition filed pursuant to Section 602 of WIC that have been identified as being at imminent risk of removal and placement into foster care.

Tribal Considerations: This bill would increase access to services under the Foster Youth Services Coordinating Program for tribal youth subject to juvenile court proceedings who are at-risk of removal and placement into foster care. However, by expanding the definition of pupil in foster care under Education Code Section 42924 and not Education Code Section 42238.01, children subject to juvenile court proceedings at imminent risk of removal and placement into foster care will not be considered ‘foster youth’ for all other purposes, including data collection, other program eligibility, and funding formulas involving foster youth.

Status: Referred to Committees on Education and Human Services.

6. [SB 1197](#) **In Home Respite Services: Resource Families** (Alvarado-Gil)

Overview: This bill would add to eligible placements in which children in foster care who are also regional center clients can access respite care services from without being a vendor of a regional center.

Tribal Considerations: Although this bill does not contain tribally specific language, the implication for a tribal child who is a client of a regional center and in foster care while placed in a tribally approved home is that without the addition of tribally approved homes to the language in the legislation, the child may not be eligible for respite services. CTFC spoke with the author’s office, which is considering adding tribally approved homes to the legislation.

Status: Referred to Assembly Human Services.