

DEPARTMENT OF FINANCE BILL ANALYSIS (REVISED)

AMENDMENT DATE: 07/06/2012
POSITION: Oppose

BILL NUMBER: AB 1909
AUTHOR: Ammiano, Tom

BILL SUMMARY: Foster children: placement: suspension and expulsion: notifications.

This bill would require local educational agencies (LEAs) to notify specified parties and agencies that are responsible for the welfare of a foster youth student when pursuing specified school-discipline proceedings or special education needs determinations for the student.

FISCAL SUMMARY

This bill could create a state-reimbursable mandate costing hundreds of thousands of dollars Proposition 98 General Fund by requiring LEAs to invite a foster youth's attorney and other responsible representatives to suspension, expulsion, and special needs determination meetings for the foster youth student. Assuming the cost for an LEA to contact and invite two responsible parties is about \$40 per foster youth student (based on twice the average per-notification cost of the Notification of Truancy Mandate Program) and if 10,000 foster youth students statewide, (approximately one-quarter of school age foster youth in California) were to be the subject of the specified hearings, the cost could be approximately \$400,000 annually.

COMMENTS

The Department of Finance is opposed to this bill because it would likely result in a new state-reimbursable mandated program costing hundreds of thousands of dollars Proposition 98 General Fund by requiring LEAs to provide notifications and invitations of pending suspension, expulsion, and special needs determination meetings to persons and agencies responsible for a foster youth student's welfare. Given the state's current fiscal condition, it would not be prudent fiscal policy to create new mandated programs.

The key people responsible for a foster youth's welfare include an educational liaison, county welfare agent, attorney, and placement agency. Current law requires: (1) each LEA to designate a staff person as the educational liaison for foster children to ensure education enrollment, proper placement, and transfer of records from one school or district to another, (2) the county welfare agency to provide a welfare agency representative, such as a social worker, for the foster youth and provides that the primary responsibility of the social worker is to advocate for the youth's well-being, (3) the court to appoint an attorney, such as a district attorney or public defender or other bar member, for a foster youth and provides that the primary responsibility of counsel is to advocate for the well-being of the foster youth, and (4) foster youth placement agencies to inform LEAs of foster youth placements in a licensed children's institute or other out-of-home placement and provide information to facilitate transfer of school records and appropriate educational placement.

| | | | |
|--|------|---|------|
| Analyst/Principal (0332) L.Del Castillo | Date | Program Budget Manager Nicolas Schweizer | Date |
|--|------|---|------|

| | |
|----------------------------|------|
| Department Deputy Director | Date |
|----------------------------|------|

| | | | |
|--------------------|-----|-------|----------------------------|
| Governor's Office: | By: | Date: | Position Approved _____ |
| | | | Position Disapproved _____ |

BILL ANALYSIS--(CONTINUED)

AUTHOR

AMENDMENT DATE

BILL NUMBER

Ammiano, Tom

07/06/2012

AB 1909

| Code/Department Agency or Revenue Type | SO | (Fiscal Impact by Fiscal Year) | | | | | | Fund Code |
|--|----|--------------------------------|----|-----------|----|-----------|----|--------------|
| | LA | (Dollars in Thousands) | | | | | | |
| | CO | PROP | | | | | | |
| | RV | 98 | FC | 2011-2012 | FC | 2012-2013 | FC | 2013-2014 |
| 6110/Dept of Educ | LA | Yes | A | -- | A | 400 | A | 400 0001 |