
SENATE COMMITTEE ON HUMAN SERVICES

Senator Hurtado, Chair
2021 - 2022 Regular

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Consultant: Marisa Shea
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Subject: California Universal Basic Income for Transition Age Youth pilot project

SUMMARY

This bill creates a universal basic income (UBI) pilot project for foster youth who exited foster care at 21 years of age to be administered by the California Department of Social Services (CDSS). The bill provides for monthly \$1,000 UBI payments to former foster youth for three years and defines UBI as unconditional cash payments of equal amounts issued monthly to individual residents of California with the intention of ensuring the economic security of recipients.

ABSTRACT

Existing Law:

- 1) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect or to have been abused or neglected, as specified. (*WIC 202*)
- 2) Establishes a system of juvenile dependency for children for specified reasons, and designates that a child who meets certain criteria is within the jurisdiction of the juvenile court and may be adjudged as a dependent child of the court, as specified. (*WIC 300 et seq.*)
- 3) States that the purpose of foster care law is to provide maximum safety and protection for children who are currently being physically, sexually, or emotionally abused, neglected or exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of harm. (*WIC 300.2*)
- 4) Defines “nonminor dependent” (NMD) as a current or former foster youth who is a current dependent child or ward of the juvenile court, or who is a nonminor under transition jurisdiction of the juvenile court, who is between 18 and 21 years old, in foster care under the responsibility of the county welfare department, county probation department, or Indian Tribe, and participating in a transitional independent living plan, as specified. (*WIC 11400(v)*)

- 5) Provides that the court may have within its jurisdiction any nonminor dependent, between the age of majority and 21 years, as defined. Further provides that a nonminor dependent shall retain all of their legal decision-making authority as an adult, except as specified. (*WIC 303(a) and (d)*)
- 6) Authorizes the juvenile court to resume jurisdiction over a nonminor who has attained 18 years of age, but not yet attained 21 years of age, and for whom the court has dismissed dependency, delinquency, or transition jurisdiction. (*WIC 303(c)*)
- 7) Requires the juvenile court, in making the findings regarding continuing dependency jurisdiction of a nonminor, to ensure the nonminor has been informed of their options, including the benefits of remaining in foster care and rights to re-enter foster care, and has had an opportunity to confer with their counsel if counsel has been appointed, as specified. (*WIC 391(c)*)
- 8) Requires a NMD to meet one or more of the following participation requirements to remain under a foster care order by the juvenile court:
 - a) Completing a secondary education or program leading to an equivalent credential;
 - b) Enrolled in an institution that provides postsecondary or vocational education;
 - c) Participating in a program or activity designed to promote or remove barriers to employment;
 - d) Employed for at least 80 hours per month; or
 - e) Incapable of doing any of the above due to a medical condition, as supported by regularly updated information in the nonminor's case plan. (*WIC 11403(b)*)
- 9) Provides that for youth exiting from care, at 18 or 21 years of age, a case worker, other appropriate agency staff or probation officer and other representatives of the participant, as appropriate, shall provide the youth or NMD with assistance and support in developing the written 90-day transition exit plan, that is personalized at the direction of the child or NMD, as provided. When appropriate, this plan must follow the youth's transitional intent living plan that was developed to prepare the youth for the transition from foster care. (*WIC 16501.1(g)(16)*)
- 10) Provides that a petition to resume jurisdiction over a nonminor may be submitted to the court that retains general jurisdiction, as provided, or to the juvenile court in the county where the youth resides and that the court shall order a hearing be held within 15 judicial days of the date the petition was filed if there is a prima facie showing that the nonminor satisfies the following criteria:
 - a) The nonminor was previously under juvenile court jurisdiction and was subject to an order for foster care placement at any time after the nonminor attained 18 years of age, and has not attained 21 years of age;

- b) The nonminor intends to satisfy at least one of the conditions required to participate in extended foster care, as provided; and
 - c) The nonminor wants assistance either in maintaining or securing appropriate supervised placement, or is in need of immediate placement and agrees to supervised placement pursuant to the voluntary reentry agreement, as provided. (WIC 388(e)(2))
- 11) Defines “Transitional Housing Placement Program” as a program serving foster children at least 16 years of age and not more than 18 years of age. (WIC 16522.1(a)(1))
 - 12) Defines “Transitional Housing Program-Plus Foster Care” (THP+FC) to mean a transitional housing program serving NMDs between the ages of 18 and 21. (WIC 16522.1(a)(2))
 - 13) Defines “Transitional Housing Program-Plus” (THP-Plus) as a provider certified by the applicable county to provide transitional housing services to former foster youth who have exited the foster care system on or after their 18th birthday. (WIC 11400(s))
 - 14) Defines “Supervised Independent Living Placement” (SILP) to mean an independent supervised setting, as specified in a NMD’s transitional independent living case plan, in which the youth is living independently, as provided. (WIC 11400(w))
 - 15) Requires CDSS, in consultation with stakeholders, to define how certain supervised independent living settings meet health and safety standards suitable for nonminors. (WIC 11403(i))

This Bill:

- 1) Requires CDSS to, subject to an appropriation by the Legislature for this purpose, administer the California UBI for Transition Age Youth (TAY) pilot project.
- 2) Provides that a California resident who is 21 years of age and who exited the foster care system upon reaching 21 years of age shall receive a UBI of \$1,000 per month for three years as part of this UBI for TAY pilot project.
- 3) Defines “universal basic income,” for the purposes of the UBI for TAY pilot project, as meaning unconditional cash payments of equal amounts issued monthly to eligible individuals with the intention of ensuring the economic security of recipients.
- 4) Requires CDSS to, by January 1, 2026, submit a report to the Legislature relating to the pilot project. Further requires that the report, at a minimum, address outcomes for youth that participated in the pilot project and recommendations relating to the continued provision of universal basic income to former foster youth.

- 5) Allows CDSS to implement, interpret, or make specific the UBI for TAY pilot project through departmental directives or similar instructions, without taking any further regulatory action.

FISCAL IMPACT

This bill has not yet been analyzed by a fiscal committee.

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, “foster youth are more likely to have unfavorable employment outcomes, physical and mental health issues, and low rates of secondary and postsecondary educational attainment compared to their peers in the general population. The COVID-19 pandemic has only exacerbated the challenges faced by foster youth; nearly 65% of transition-age foster youth have lost their jobs due to the pandemic, and almost a quarter are at risk of losing their housing.” The author goes on to note, that “as soon as foster youth reach age 21, they ‘age out’ of the system and their monthly benefits are abruptly cut off.”

The author states that “SB 739, The Universal Basic Income for Transition Age Foster Youth Act, seeks to provide foster youth aging out of extended care with a lifeline, not a financial cliff. There is a growing body of evidence indicating that Universal Basic Income (UBI) is a means to reducing health inequities and increasing employment and educational opportunities. During a time of such uncertainty, unconditional basic income will provide stability to our foster youth transitioning out of foster care and into adulthood, so that they can advance their social, economic, and educational outcomes.”

Child Welfare Services System

California’s child welfare services (CWS) system is an essential component of the state’s safety net. Social workers in each county who receive reports of abuse or neglect, investigate and resolve those reports. When a case is substantiated, a family is either provided with services to ensure a child’s well-being and avoid court involvement, or a child is removed and placed into foster care. In 2019, the state’s child welfare agencies received 477,614 reports of abuse or neglect. Of these, 69,652 reports contained allegations that were substantiated and 28,646 children were removed from their homes and placed into foster care via the CWS system. As of October 1, 2020, there were 60,045 children in California’s CWS system.

Abused and neglected children who have been removed from their homes fall under the jurisdiction of the county’s juvenile dependency court. The dependency court holds legal jurisdiction over the child, while the child is served by a CWS system social worker. This system seeks to ensure the safety and protection of these children, and where possible, preserve and strengthen families through visitation and family reunification. The CWS system provides multiple opportunities for the custody of a foster child, or the child’s placement outside of the home, to be evaluated, reviewed and determined by the judicial system, in consultation with the

child's social worker to help provide the best possible services to the child. It is the state's goal to reunify a foster child or youth with their biological family whenever possible. In instances where reunification is not possible, it is the state's goal to provide a permanent placement alternative, such as adoption or guardianship, with the second highest placement priority of the CWS system being to unite children with other relatives or nonrelative extended family members.

Extended Foster Care

The intent of extended foster care is to bridge the gap between the intensive supervision of foster care and unsupervised adulthood by maintaining a safety net of support while providing the youth independence and additional educational or work opportunities. It was prompted by the recognition that many youth were unable to successfully transition from foster care or group care to adulthood without additional guidance and assistance.

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (*P.L. 110-351*) enabled states to expand the definition of a foster "child," by creating extended care for youth up to age 21. The federal law allows foster youth to remain in care past age 18 if they meet one of the following participation criteria: are enrolled in high school or a high school equivalency credential; enrolled in college, community college, or vocational education; employed for at least 80 hours a month; participating in other qualifying activities or programs designed to remove barriers to employment; or medically exempt from meeting any of the other participation criteria.

In 2010, California enacted AB 12 (*Beall, Chapter 559, Statutes of 2010*), which permits foster youth to remain in extended foster care until age 21, under the same criteria as the federal statute. At the six month hearing prior to a youth turning 18 years old, the youth's social worker or probation officer must submit a transitional living plan to ensure that the youth will meet at least one participation criteria, listed above, if the youth plans to participate in extended foster care. The youth must also sign an agreement to remain in foster care within six months of turning 18, reside in an eligible placement, and agree to work with their social worker to meet the goals of their transitional living plan. Additionally, existing law allows qualifying nonminors who are former foster youth under the age of 21 to petition the court for re-entry into foster care to participate in extended foster care, as provided.

The University of Chicago's Chapin Hall conducted the California Youth Transitions to Adulthood Study (CaYOUTH) in 2018. This study evaluated the impacts of extended foster care on outcomes for transition age foster youth. The following were among the findings of the CaYOUTH study for each additional year a youth spent in extended foster care:

- Increased the probability that they completed a high school credential by about 8 percent;
- Increased their expected probability of enrolling in college by 10 to 11 percent;
- Decreased the odds that they became pregnant or impregnated an individual between the ages of 17 and 21 by 28 percent; and
- Decreased the odds of being homeless or couch-surfing between the ages of 17 and 21 by about 28 percent.

Youth participation in the program has exceeded expectation. Between July 2010 and July 2014, the number of youth age 18-20 in extended foster care in California increased 211 percent, from 2,908 to 9,032, according to data compiled by UC Berkeley. As of January 1, 2020 there were an estimated 7,396 youth participating in extended foster care in California.

Impact of the COVID-19 Pandemic on NMDs

To help ensure the NMDs continue to be supported during the pandemic, the Governor's April 17, 2020 Executive Order N-53-20 suspended the requirements for physical, in-person, face-to-face application, meetings, visits and signature requirements for youth entering or reentering extended foster care. This executive order also provided a temporary extension for all NMDs currently in extended foster care who turn 21 on or after April 17, 2020 through June 30, 2020.

Additionally, CDSS advised counties to demonstrate flexibility when working with NMDs who have experienced disruptions in meeting extended foster care program eligibility criteria. The Legislature furthered the efforts to support NMDs during the pandemic via SB 115 (*Committee on Budget and Fiscal Review, Chapter 40, Statutes 2020*). This bill appropriated \$28,629,000 to fund the costs associated with continuing extended foster care assistance payments, until June 30, 2021, for any NMD who met eligibility requirements for the EFC program but then lost their employment or experienced a disruption in their education program as a result of the COVID-19 pandemic. This ensures NMDs who were participating in EFC prior to the pandemic are able to remain in EFC until June 30, 2021. Additionally, this funding allows counties to make monthly payments to, or on behalf of, any NMD who attained 21 years of age while in EFC on or after April 1, 2020 through June 30, 2021. This allows NMD who would have otherwise aged out of EFC during the pandemic to continue receiving monthly assistance payments and case management supports, helping them remain housed and supported during the pandemic.

Stakeholders had reported challenges with the implementation of these provisions related to NMDs around the state. Due to vetoed legislation related to NMDs and EFC during states of emergency (*SB 912, Beall, 2020*) there seemed to be varying levels of confusion in some counties regarding whether youth who turned 21 or were no longer meeting EFC participation requirements were able to continue receiving assistance payments and case management support after the executive order's June 30, 2020 expiration date. CDSS has since released two ACLs to address implementation concerns.

There are still challenges regarding those NMDs who turned 21 before the ACLs were released and, because of the ongoing confusion, were discharged from EFC. Stakeholders report that these youth have largely been identified by counties and their partners, and efforts to have them re-enter EFC system are ongoing. Furthermore, youth who turned 21 after the pandemic began but before the April 17 executive order are ineligible for this additional assistance. Some providers have found other funding sources, such as county discretionary funds or philanthropy to service providers, to help keep these youth housed and supported.

This bill, through the provision of monthly payments, would help stabilize qualifying youth who have lost employment opportunities or struggled to continue their higher education during the ongoing pandemic. UBI provides these youth with guaranteed income when they exit care, helping them maintain their housing or meet other basic needs. The COVID-19 pandemic granted flexibilities to help youth who would have otherwise exited care during the pandemic to

receive continued support, and the UBI pilot proposed by this bill would ensure these youth exiting care in a time of continued economic uncertainty would continue to have financial support.

The author's office reports that they intend for the bill to act as a pilot for those youth who "age out" of foster care at 21 in 2022, once this bill has taken effect. Existing COVID-19 flexibilities that allow foster youth to continue receiving support payments through EFC, despite have turning 21 during while the Governor's COVID-19 granted flexibilities were place, are currently set to expire in June of 2021. Should these flexibilities be extended in way that results in this population "aging out" of foster care in 2022, the author's office may wish to explore adding amendments that would either allow this population to participate in the pilot or clarify that eligible youth turn 21 and "age out" of care from January 1, 2022 to December 31, 2022.

Universal Basic Income (UBI)

According to Stanford Law School's Basic Income Lab (BIL), an initiative of the Stanford McCoy Family Center for Ethic's in Society, UBI can vary by funding proposal, level and frequency of payment, and the particular policies propose around it. Despite these variables, the BIL provides the following as defining characteristics of UBI:

- Periodic: A recurrent payment, rather than a one-off grant;
- Cash Payment: provided to recipients as cash, so that recipients may convert their benefits into whatever they chose;
- Universal: paid to all, and not targeted to a specific population;
- Individual: paid on an individual basis versus household-basis; and
- Unconditional: it involves no work requirement or sanctions, it is accessible to those in work and out of work, voluntarily or not.

Proponents of UBI suggest recipient choice in terms of how to spend the funds received and the unconditional nature of UBI are key characteristics that differentiate UBI projects from other, more traditional safety net programs. By not placing restrictions on how the funds may be spent, UBI projects allow the recipient to determine how to spend the funds, and individuals are able to make the choices that are most important to their own well-being and success. This gives the recipient flexibility to perhaps use the funds in ways that might differ by month, based on the individual's particular circumstances. Additionally, by not tying UBI to work or other conditions, recipients are given the space and time needed to focus on things like education or skill attainment that might not otherwise be feasible.

UBI has a long history, but has been receiving increased focus since 2016 with the launch of the Economic Security Project, which has devoted millions of dollars to research and advocacy on UBI, and the testing of UBI in Oakland by the technology incubator Y Combinator. Perhaps the most high profile test of UBI begin in 2019 when the Mayor of Stockton announced the Stockton Economic Empowerment Demonstration, or SEED. SEED, funded by the Economic Security Project, provided 125 Stockton residents with \$500 per a month, in the form of unconditional, or no string's attached, cash payments. The demonstration was initially set to end in the summer of 2020, but has been extended until January 2021. To be considered for participation in the pilot, an individual had to be at least 18 years old, reside in Stockton, and live in a neighborhood with

a median income at or below \$46,033, which is the city's median household income. There were no limits on individual-household income, recipients from targeted neighborhoods could be earning more or less than \$46,033.

According to SEED's preliminary analysis of data from the project's first year, this UBI pilot sought to explore how guaranteed income impacts income volatility and how changes in income volatility impact psychological health and physical well-being. Though the pilot is currently being evaluated by a team of independent researchers, the initial key findings from the preliminary analysis found:

- Guaranteed income reduced income volatility or the month-to-month income fluctuations that households face;
- Unconditional cash enabled recipients to find full-time employment (recipients' full-time employment increased by 12 percentage points);
- Recipients were healthier, showing less depression and anxiety and enhanced wellbeing; and
- Guaranteed income alleviated financial scarcity creating new opportunities for self-determination, choice, goal-setting, and risk-taking.

Additionally, this preliminary analysis found that recipients spent most of the money on basic needs, including food, merchandise, utilities, and auto costs. Recipients reported that these payments helped them stretch their resources to cover needs like caring for aging or ill family members, school or sports supplies, and transportation to and from doctor's appointments, all things that might have otherwise skipped. This particularly impacted women, who typically bear the brunt of unpaid care work, allowing them to both care for their families and meet their own basic needs. For example, one participant reported that the extra \$500 a month allowed her to continue buying diapers for her grandchildren while also being able to purchase an adequate amount of feminine hygiene products for herself for the first time in months.

Furthermore, SEED considered the potential impacts that this additional income might have on participant eligibility for other public social services, as well as the impact the income could have on determining benefit amounts for those who retained eligibility. SEED reported seeking waivers to exempt guaranteed income from being included in benefits eligibility calculations in order to lessen the impact on a participant's eligibility for other public social services. SEED was able to secure a waiver for CalWORKs, through collaboration with the San Joaquin County Human Services agency, which enabled SEED disbursements to be exempted from consideration as income for all CalWORKs services, including support services (child care, transportation, and counseling/therapy) and family stabilization (intensive case management). Additionally, SEED developed a Hold Harmless Fund that allowed them to reimburse recipients for any unanticipated benefits losses.

In addition to SEED, there are several other UBI pilot programs targeting specific populations in different parts of the state that are either ongoing or in the process of launching:

- *San Francisco's Abundant Birth Project*: In September of 2020, the Mayor of San Francisco, in partnership with Expecting Justice, announced the Abundant Birth Project, which will provide basic income to Black and Pacific Islander women during pregnancy.

This pilot project provides an unconditional monthly income supplement of \$1,000 to approximately 150 Black and Pacific Islander women residing in San Francisco for the duration of their pregnancy and the first six months of their baby's life, with a goal of eventually providing a supplement for up to two years post-pregnancy. The primary goal of the Abundant Birth Project is to achieve better maternal health and birthing outcomes by providing these women with an unconditional monthly income supplement. The project is a fully funded public-private partnership designed under the collaborative change model, a process which directly involves all impacted and interested parties in decision-making. The program is currently enrolling eligible pregnant women and it is currently unclear whether this program has made considerations for the payments potential impact on eligibility for existing public social services programs.

- *Compton Pledge*: Like SEED, the Compton Pledge distribute cash relief to low-income residents for two years. City officials raised \$8 million to fund the experimental pilot program, which will provide eight hundred people with guaranteed income for a two year period, beginning in February of 2021. The program has stated its intent to target individuals who do not use banks or banking institutions, the formerly incarcerated who are denied public social services benefits, and undocumented individuals who often do not receive a minimum wage or do not qualify for other public social services. Additionally, the Compton Pledge intends to secure government waivers to ensure participants have continued access to existing benefits, as well as create a hold harmless fund to support individuals who face unexpected loss of benefits due to program participation. The exact amounts received by each participant will vary, with each participant receiving at least several hundred dollars and with greater amounts received by parents with multiple children, and the frequency of distribution will also vary. Participants will be informed at the outset about the timing and amount of their expected payments. The program has plans to be evaluated by an independent research team to: assess how the program utilized cash transfer implementation mechanisms; explore whether cash is more effective if given in lump sums or in small recurring amounts, as well as most effective timing for payments; and examine how people can most effectively be enrolled in cash transfer programs, particularly undocumented people and formerly incarcerated people.
- *Oakland Resilient Families*: On March 23, 2021, Oakland Mayor Libby Schaaf announced plans to implement a guaranteed income program for 600 randomly selected Oakland families who are Black, Indigenous, or part of other communities of color. To be eligible for the program, participants, must have at least one child under 18, and have an income at or below 50 percent of the area median income – approximately \$59,000 a year for a family of three. Additionally, half the participation slots are reserved for people who earn below 138 percent of the federal poverty level, or approximately \$30,000 a year for a family of three. Families meeting these income eligibility requirements will apply later this spring and participants will be randomly chosen from those applicants. The program will provide participants with \$500 per month for at least 18 months without conditions. Participants may, but not required to, participate in period surveys and interviews. Currently, the program's parameters are being determined, but methods to prevent participants from experiencing benefits loss or reduction are being considered.

Furthermore, Santa Clara County, in July of 2020, began a pilot program providing a \$1,000 monthly stipend to former foster youth. This project is described below.

Santa Clara County Pilot

Santa Clara County currently provides TAY services to youth up to the age of 24 to help them achieve self-sufficiency. The County TAY services internet website page notes that, “every year approximately 150 young adults emancipate or “age out” of foster care in Santa Clara County. This means having to find a place to live, a job, as well as the means to support themselves and pay for education, often with little or no support from family.” The County TAY services internet website discusses how non-system involved peers of foster youth receive emotional support for a lifetime and some level of financial support until their mid-twenties, while foster youth aging out of care often find themselves with neither. Thus, the county developed their TAY services and programs to connect youth ages 16 to 24 with opportunities, experiences, and supports that will help “propel them to self-sufficiency.”

These TAY services and programs focus on housing, employment, education, health, financial literacy, independent living skills, and permanency. Eligibility for services and programs can vary depending on the specific service or program from having been in care at some point to having emancipated from the system, and are open to all current Santa Clara County residents, even if the youth was a dependent in a different county. The county funds some of these services and programs through donations, which allow them to: provide rental subsidies for youth who would otherwise be homeless; cover emergency expenses such as food and utilities; cover transportation costs such as gas vouchers or bus passes; and employment readiness expenses such as professional clothing, among other things. The county also helps with housing needs through a Transition Housing Placement Plus program, which assists emancipated youth with housing and supportive services through three different housing options: scattered site apartment or room rentals in the community; San Jose State University (SJSU) Residence Halls for full time SJSU students; and a host family model that allows youth to live with a previous permanent connection.

Building upon existing TAY services, the Santa Clara County Board of Supervisors approved \$900,000 in funding to provide 72 former foster youth with \$1,000 monthly payments for one year. The county’s initial funding also provided the performance of an in-depth evaluation of the pilot program and \$15,000 in additional funding was later authorized to provide prepaid debit cards to facilitate benefit distribution. In addition to the county funding, Santa Clara County has partnered on this project with MyPath and Excite Credit Union who will provide financial mentorship and financial literacy training to participants.

Eligibility for this pilot was limited to former foster youth who: were born between January 1, 1996 and April 29, 1996; had a Santa Clara County Dependency case between age 16 and 21; are currently residing and Santa Clara County; and consent to the intake process, which includes the provision of information, such as a W-9 and online card application, to process the basic monthly income. Of the 72 participating youth, Santa Clara County reports that 64 percent are female, 57 percent identify as Hispanic, 48 percent are parenting, and 29 percent lost employment as a result of the pandemic. As the pilot is ongoing the analysis of its impact is not complete, but early feedback suggests increased stability for participating youth during a particularly unstable year due to the ongoing impacts of the COVID-19 pandemic.

Currently there are no limitations or prohibitions on the type of purchases a participant can make and the planned in-depth evaluation of the program intends to utilize self-disclosure and aggregate data to determine trends in participant purchases. The Santa Clara County TAY UBI pilot does not have a hold harmless account, though one is under consideration. The pilot did require prospective participants undergo a one-on-one assessment to determine whether participation in the pilot program will affect eligibility for other public social services programs. According to Santa Clara County, to date, at least one program participant is expected to lose eligibility for CalFresh benefits, and other prospective participants chose not to participate due to the potential impact on eligibility for other public social services.

The Santa Clara County TAY UBI pilot project is the inspiration for this bill, and was championed by this bill's author when he was a Santa Clara County Supervisor. The Santa Clara TAY pilot project differs from this bill in that it begins providing UBI payments at a later age. This is due to Santa Clara TAY being eligible for additional support and programs from the county until they turn 24 years of age, whereas youth statewide are only eligible for extended foster care until the age of 21. Additionally, as currently in print, this bill requires a youth to have emancipated from foster care at the age of 21 to be eligible for the UBI for TAY pilot program.

The Santa Clara County TAY UBI pilot project does not require a youth have emancipated from care at 21, but rather simply requires that they had an open child welfare case during the ages 16 to 21. This broader eligibility allows the Santa Clara County TAY UBI to capture youth who may have not met eligibility requirements for extended foster care or who may have chosen to emancipate at 18 rather than continue to participate in extended foster care. By allowing these youth to still participate in the TAY UBI pilot, Santa Clara County is able to potentially reconnect with and help stabilize youth who were previously uninterested in county services. As the CalYouth Study data, mentioned above, highlights youth who exit foster care before 21 face additional challenges and often have worse outcomes as compared with those who remain in extended foster care. These youth have just as much to gain from this proposed UBI for TAY pilot project as their peers who remained in extended foster care.

As in print, this bill has different eligibility requirements than the Santa Clara TAY UBI. The author's office reports that this intended to limit the number of eligible recipients in order for cost containment given the pilot nature of this proposed project. Should this bill pass out of this committee, the author may wish to clarify this by adding some language specifying the youth must have turned 21 and exited EFC during a certain time period, such as the January 1, 2022 to December 31, 2022 mentioned above.

Related/Prior Legislation:

SB 100 (Hurtado, 2021) would require CDSS to convene a working group to examine the extended foster care program and make recommendations for improvements to the program. This bill is currently waiting to be heard by the Senate Appropriations Committee.

AB 65 (Lowe, 2021) would require the Franchise Tax Board to administer the California Universal Basic Income (CalUBI) Program, under which a California resident who is 18 years of age or older and who meets specified requirements, as provided, would receive a universal basic

income of \$1,000 per month. This bill is currently waiting to be heard by the Assembly Revenue and Taxation Committee.

SB 912 (Beall, 2020) would have permitted the juvenile court to retain jurisdiction over any ward or dependent child who is eligible to receive support as an NMD for any state of emergency declared by the Governor on or after January 1, 2021 and would have allowed an NMD who turns 21 years of age while a state of emergency is in effect to continue to receive support as an NMD for six months from the date of the declaration, as provided. This bill was vetoed by the Governor.

AB 212 (Beall, Chapter 459, Statutes of 2011) made various clarifying and substantive changes to the California Fostering Connections to Success Act, to ensure proper implementation and to comply with various provisions of federal law.

AB 12 (Beall, Chapter 559, Statutes of 2010) created the California Fostering Connections to Success Act, conformed state law to federal requirements to revise and expand programs and funding for certain foster and adopted children.

H.R. 6893 (McDermott, Public Law 110-351, 2008) the federal “Fostering Connections to Success and Increasing Adoptions Act of 2008,” revised and expanded programs and funding for certain foster and adopted children.

COMMENTS

Although participation in EFC has greatly improved outcomes for NMDs who age out of the foster care system, it is well recognized that former foster youth continue to struggle when compared to their non-foster youth peers in terms of educational achievement, employment, and rates of homelessness. TAY who exit foster care, whether at 21, 18 or sometime in between, typically do not have the same system of support available to their non-system involved peers. When their peers may be able to rely on their families for help with housing or the costs of higher education, former foster youth are often left to grapple with achieving these things on their own. Although former foster youth may meet the eligibility requirements for existing safety net programs, such as CalFresh or CalWORKs for parenting NMDs, stakeholders report the struggles faced by TAY as they transition from their status as NMD to adulthood. By creating a UBI pilot specific to this population, this bill helps fill the gap in support faced by former foster youth as they work towards fully transitioning to adulthood. Providing former foster youth with guaranteed monthly income for a three year period would provide them with resources that could help for these youth with obtaining their educational goals and/or seek employment opportunities. All of which would set them on the path to long-term stability.

Should this bill pass out of this committee, the author’s office may want to continue working with CDSS, the counties, and other stakeholders to provide additional information regarding implementation. For example, the author should explore the potential for any unforeseen impacts on a former foster youth’s eligibility for other programs they qualify for due to their status as a former foster youth, such as THP+ housing or educational supports. It seems that the intent of this bill is not to impact eligibility for these existing supports and programs specific to former

foster youth, so this committee recommends the author continues working with CDSS and others to ensure such unintended consequences do not occur.

If the author intends that former foster youth continue to be able to utilize existing public social services, such as CalFresh or CalWORKs, while participating in the pilot, additional considerations may be necessary. For example, this may require the use of waivers, such as those sought by SEED, to allow TAY for UBI income from being excluded during benefits eligibility calculations. Furthermore, the author's office may wish to consider creating a hold harmless account that would make up for unexpected impact on eligibility for other social welfare programs. Should this bill pass out of this committee, the author's office may wish to clarify intent around eligibility for existing public social services and provide for additional implementation guidance in line with that intent.

Furthermore, the author's office may wish to consider whether CDSS should partner or contract with an academic institution for analysis of the outcomes for youth that participated in the pilot project. This may further require the author's office working with CDSS and other stakeholders to identify the information that should be collected in order to measure the impact the UBI for TAY pilot project had on participants and perhaps examine how participants utilized the funds. Such information would inform future policy decisions regarding how to meet the needs of former foster youth after they emancipate from care. The Stockton SEED project may provide insight into how such information can be collected and analyzed to better understand the impact of this UBI for TAY pilot project.

POSITIONS

Support:

Children's Defense Fund – California (Co-Sponsor)
Office of San Francisco District Attorney (Co-Sponsor)
Alliance for Children's Rights
California Coalition for Youth
California Youth Connection (CYC)
Children Now
Community Financial Resources
Economic Security Project Action (UNREG)
Foster Care Counts
Friends Committee on Legislation of California
Gerald Huff Fund for Humanity
Grace Institute - End Child Poverty in Ca
Ground Game LA
Income Movement
Journey House
Los Angeles Regional Food Bank
MoFundamentals (MOABC)
My New Red Shoes
MyPath

National Foster Youth Institute
San Francisco Youth Commission

Oppose:

None received

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