

Date of Hearing: May 15, 2024

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 3217 (Bryan) – As Amended April 4, 2024

Policy Committee: Human Services

Vote: 6 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill requires each county to annually review data comparing the statewide average rate of foster youth placed with relatives with the county's placement rate. If a county's placement rate is less than the statewide average, the bill requires the county welfare director to communicate with counties with the highest placement rates to compare best practices, and requires the county board of supervisors to include the topic on the agenda of a noticed meeting of the full board.

Specifically, this bill:

- 1) Requires each county, by January 30 of each year, to review publicly available data comparing the statewide average rate of placing children with relatives in the prior year and, in the case of Indian children, the statewide average rate of placing children according to the Indian Child Welfare Act (ICWA) placement preferences, for comparison with the county's placement rate during the same period.
- 2) Requires, if the county's relative placement rate is less than the statewide average, the county welfare director, by December 1, to communicate at least once with the county welfare directors of the three counties with the highest placement rates to compare best practices for family finding. Specifies communication includes email, video conference, or phone call.
- 3) Requires, in each year a county's placement rate is less than the statewide average, or, in the case of Indian children, placement rate according to ICWA, the county board of supervisors to, at least once, include the topic for discussion on the agenda of a regularly noticed meeting of the full board.

FISCAL EFFECT:

Ongoing General Fund costs, likely less than \$25,000 annually statewide, for increased administrative workload to county child welfare agencies associated with the requirement for communicating best practices, including the time required for the under-performing counties to analyze data and communicate with the top performing counties.

Although these are state-mandated costs, they are not reimbursable, but instead must be funded by the state pursuant to Proposition 30 (2012), which requires legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by realignment (including child welfare

services and foster care) to apply only to local agencies to the extent the state provides annual funding for the cost increase.

COMMENTS:

1) **Purpose.** According to the author:

Numerous studies over the years have shown that placing foster youth with loved ones leads to far better outcomes for that youth. Two years ago, our state made a \$150 million investment for the Excellence in Family Finding, Engagement, and Support Program. [This bill] will ensure that counties that are falling behind in family placement rates are aware of the resources and guidance available to them and pursue best practices to ensure that young people in foster care are placed with loved ones, rather than strangers, in times of instability and trauma.

2) **Background.** The child welfare services system aims preserve familial ties whenever possible. However, in instances when a youth is removed from the custody of their parents and placed in the child welfare services system, county social workers are required to use due diligence in their efforts to locate any relatives or non-relative extended family members (NREFMs) who may serve as caregivers to the youth.

Data from the California Child Welfare Indicators Project reveals a wide discrepancy in relative placement rates across counties in California. While the state average is 34%, Los Angeles County, which has one-third of California's foster youth population, has a relative placement rate of 40%. Orange County's relative placement rate is 47%, Alameda County stands at 34%, and San Diego County at 30%. Sacramento County, at 22%, has the lowest placement rate with relatives among all counties and is also significantly lower than the national average of 35.5%.

Research indicates that by improving relative placement rates in California, outcomes for all children and families, and in particular, Black children and families who are overrepresented in the foster care system, will also improve.

3) **Opposition.** The County Welfare Directors Association of California (CWDA) asserts this bill is highly duplicative of current activities. CWDA writes in opposition:

While CWDA shares the goal of ensuring optimal placements for children, challenges faced in reaching this goal are not due to a lack of consultation. Counties are already deeply involved in cooperation and consultation with one another, the state and tribal governments on best practices for family finding. Counties have opted in to \$150 million dollars made available by the state in 2022 for the purpose of improving family finding. These funds established the Center for Excellence in Family Finding, Support and Engagement, which assists counties with support and training. The Center facilitates stakeholder groups, "Kinship Sprints," regional convenings and many other settings for learning and technical assistance for counties. County welfare directors also consult with one another directly within CWDA.

The duplicative requirements created by this bill would exacerbate workload strain within counties and could therefore detract from the actual work involved in family finding. Additionally, this bill would disproportionately adversely impact smaller, more rural counties. Children in these counties are less likely to have relatives that live within the county and are more likely to be placed with non-relatives in order to ensure that they are not removed from their communities. These counties would fall below the state average and be required to consult on issues they are already addressing but simply can't fix due to lack of available relatives for placement.

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