

ASSEMBLY THIRD READING  
AB 2478 (Schultz and Solache)  
As Introduced February 20, 2026  
Majority vote

## SUMMARY

Establishes a Kinship Family Approval (KFA) process within the California Department of Social Services (CDSS) as a streamlined, separate pathway for relatives, nonrelative extended family members (NREFMs), and extended family members of Indian children to become approved foster care providers.

### Major Provisions

- 1) Requires CDSS, on or before January 1, 2028, to adopt a KFA process to approve a relative, NREFM, or extended family member of an Indian child to be a kinship family, defined as an individual or family who has successfully met the home environment assessment and family engagement standards necessary for providing care for a child placed by a county child welfare department or a probation department (county) by court order or voluntarily placed by a parent or legal guardian.
- 2) Requires counties to ensure that relatives, NREFMs, and extended family members of an Indian child are provided information regarding available approval processes and the option to choose between the KFA process, the resource family approval (RFA) process, and, in the case of an Indian child, a tribally approved home (TAH).
- 3) Makes confidential certain personal identifying information, written evaluation reports, and court proceedings relating to kinship families, except as specified, and requires the application form signed by a kinship family applicant to include a declaration that the information submitted is true, correct, and contains no material omissions of fact to the best knowledge and belief of the applicant.
- 4) Adds kinship families, as defined, to the list of persons and entities entitled to access pupil records, including records of grades, transcripts, attendance, discipline, online communications on school-established platforms, and individualized education programs, without written parental consent or judicial order.
- 5) Expands the scope of an existing misdemeanor to include any person who willfully and knowingly, with intent to deceive, makes a false statement or fails to disclose a material fact in a KFA application.
- 6) Expands the court's authority to place a child after an order of removal, or on a temporary or emergency basis, in the home of a NREFM or an extended family member, in addition to a relative, as under existing law, regardless of the status of any criminal record exemption, KFA, or RFA, if the court finds the placement does not pose a risk to the health and safety of the child.
- 7) Recasts and revises existing reporting and recommendation provisions enacted by AB 2830 (Rivas), Chapter 417, Statutes of 2024, with the new KFA statutory framework.

- 8) Makes conforming changes across the Education Code, Family Code, Government Code, Health and Safety Code, Insurance Code, Penal Code, Probate Code, and Welfare and Institutions Code (WIC) to make provisions currently applicable to resource families also applicable to kinship families, and deletes obsolete provisions.
- 9) Conditions implementation on the continued availability of Title IV-E federal financial participation.

## COMMENTS

*Background: Resource Family Approval.* The RFA Program, first piloted by AB 340 (Hancock), Chapter 464, Statutes of 2007, and subsequently applied statewide through SB 1013 (Committee on Budget and Fiscal Review), Chapter 35, Statutes of 2012, implemented RFA on January 1, 2017. RFA is a unified, family-friendly, and child-centered process that combines elements of foster parent licensing, relative approval, and adoption and guardianship approval processes. It was designed to replace multiple existing processes for licensing foster homes, approving relatives and NREFMs as foster care providers, and approving adoptive families. RFA is also a route to direct permanency for caregivers who wish to adopt or be guardians of youth in care. A resource family considered eligible to provide foster care for related and unrelated children in out-of-home placement is considered approved for adoption or legal guardianship and does not have to undergo any additional approval or licensure processes.

*Federal Changes.* On September 28, 2023, the federal Administration on Children and Families (ACF) published a final rule regarding separate licensing and approval standards for kinship placements, permitting Title IV-E agencies (states, including specified tribal welfare entities) to claim Title IV-E federal financial participation on behalf of a child who is placed in a relative or kinship licensed or approved foster family home when the agency uses different licensing or approval standards for relative or kinship foster family homes and non-relative or non-kinship foster family homes. ACF now allows states to adopt different licensing or approval standards for relative or kinship foster family homes and during periodic reviews, states must ensure that children receive equal Foster Care Maintenance Payments regardless of placement type. ACF also aligned the definition of "foster family home" with changes made by the Family First Prevention Services Act and requires the foster parent to reside in the home with the child. ACF encouraged all states to develop standards for relative and kinship foster family homes that impose as few burdens as possible on these families, consistent with ensuring the safety and well-being of children. As a result of these federal changes, California enacted AB 2830 as its own framework to align with these new standards.

*AB 2830 (Robert Rivas), Chapter 417, Statutes of 2024,* required CDSS to adopt, no later than January 1, 2027, a simplified approval process for relative caregivers consistent with the ACF's guidance, and required CDSS to track and report to the Legislature specified data on implementation. AB 2830 directed CDSS to consult with stakeholders, including advocates representing caregivers and foster youth, county child welfare and probation representatives, foster family agencies, tribes, tribal organizations, and tribal consortia, to develop the simplified process.

AB 2830 created the statutory framework for a simplified approval process for relative caregivers and directed CDSS to develop it. The provisions of *this bill* enact that framework by codifying a comprehensive KFA process and providing the substantive standards, definitions,

procedural requirements, and accountability structures that will govern how kinship families are approved going forward.

While AB 2830 directed CDSS to adopt a process "consistent with federal regulations," *this bill* directly incorporates the federal framework by requiring that the KFA process be consistent with the definition of foster family homes for purposes of Title IV-E eligibility, meaning eligibility for federal reimbursement. The bill defines "kinship family" as an individual or family that has successfully met the home environment assessment and family engagement process standards, a two-part standard less demanding than RFA, which requires both home environment and permanency assessment standards. This aligns with ACF's encouragement that states reduce approval burdens on kinship families while maintaining child safety.

*This bill* expands the pool of eligible caregivers beyond what AB 2830 contemplated. AB 2830 focused primarily on relatives, with an option for CDSS to expand the definition to include NREFMs, however *this bill* makes that expansion mandatory by requiring the KFA process to be available to relatives, NREFMs, and extended family members of an Indian child. This broader scope provides a streamlined pathway for NREFMs and extended family members who are known and trusted by the child but are not biologically related within the statutory definition of "relative."

*This bill* requires CDSS, no later than January 1, 2028, to adopt a KFA process in compliance with federal Title IV-E eligibility standards and codifies that process in state law, establishing substantive approval standards, county and CDSS responsibilities, training requirements, and due process protections.

*Criminal Record Clearance and Exemptions.* *This bill* establishes a criminal background check framework for KFA that mirrors the existing RFA structure, rather than creating a separate, more lenient criminal records structure. Under existing law, any person seeking approval to provide foster care including relatives and NREFMs seeking RFA must obtain a criminal record clearance or exemption.

*This bill* would establish a KFA process as a distinct alternative to RFA for relatives, NREFMs, and extended family members of an Indian child. With respect to criminal record clearances and exemptions, the bill applies the same exemption framework to KFA applicants as currently applies to RFA applicants including the same disqualifying convictions, the same standard exemption criteria, and the same federal Title IV-E compliant prohibitions. *The bill* also explicitly extends the child-specific exemption pathway to kinship family applicants on the same terms currently available to relative RFA applicants, confirming that counties and CDSS retain authority to grant child-specific exemptions for KFA approvals. The exemption remains non-transferable and child-specific. So while the KFA process does not meaningfully reduce the criminal record burden for kins relative to the existing RFA process, KFA does offer a less burdensome overall approval process.

*KFA Process.* The KFA process is designed to reduce barriers that have historically prevented children from being placed with kin by streamlining the approval standards applicable to relatives and NREFMs. Unlike RFA, which requires applicants to meet both a home environment assessment and a permanency assessment, the latter of which evaluates the family's capacity to provide long-term permanency for a child, KFA replaces the permanency assessment with a family engagement standard, reflecting that the nature of a kin relationship differs fundamentally from that of a non-related foster placement. Counties are required to inform

relatives and NREFMs of both options and allow them to choose, meaning kin who do not intend to adopt or provide legal guardianship, or who may not meet the full RFA permanency criteria, can still be approved to care for a child. As it relates to evaluating criminal records, the RFA process does not lower the substantive clearance bar but does confirm that the child-specific exemption pathway is available to KFA applicants, providing the same flexibility that relative RFA applicants already have to seek an exemption for certain offenses when the approval is tied to a specific child.

When the RFA process was implemented, the goal was to unify a previous patchwork system of foster care approval processes. Currently, all foster care provider applicants are subject to the same RFA process regardless of their relationship with the child, which streamlines processes for all caregivers. However, this standardized process can subject kin caregivers to unnecessary administrative barriers that create undue delays, which sometimes prevent children from being placed with kin altogether. The RFA was largely designed for licensed foster parents and does not fully reflect the needs of relatives and other trusted adults who step forward during a family crisis.

The provisions of *this bill* preserve RFA as a parallel option that kinship caregivers may choose if they prefer full RFA approval, which carries broader eligibility for placements of unrelated children and is the pathway currently used by foster family agencies.

#### **According to the Author**

"Despite officially embracing a "kin-first" culture that prioritizes placing children with family or trusted adults in a child's life, California currently utilizes a one-size-fits-all foster care approval process that can create unnecessary administrative burdens for a child's kin. Research has consistently and resoundingly shown that children experience a wide range of better outcomes when placed with familiar caregivers, including greater placement and educational stability, higher likelihood of reuniting with siblings, and improved mental and behavioral health. California's current system, the Resource Family Approval (RFA) process, was largely designed for licensed foster parents and does not fully reflect the needs of relatives and other trusted adults who step forward during a family crisis. Administrative burdens and irrelevant requirements can create undue delays for placing a child in the safest and most supportive setting possible. To address these unacceptable delays and promote the resounding benefits of kinship care, the legislature enacted AB 2830 (Rivas) to direct the California Department of Social Services to develop policy improvements to strengthen kinship placement pathways.

"[This bill] follows through on these improvements by creating the Kinship Family Approval (KFA) pathway, a streamlined approval framework for kin caregivers. This pathway is designed specifically to recognize that caregivers with pre-existing meaningful relationships with a child should not face unnecessary regulatory barriers designed for traditional foster homes. This legislation additionally clarifies emergency placement rules, allows agencies to access Title IV-E federal funding that encourages the creation of separate kinship approval pathways, and extends the eligibility of very limited criminal record exemptions to a wider range of kin so that children can be placed quickly with safe caregivers who are familiar to them. By reducing administrative delays and strengthening family-first placement policies, [this bill will maximize kin placements while remaining unwavering in safeguards that secure the safety and stability of a caregiver's home. The KFA pathway will ensure children are more efficiently given a sense of stability, consistency, and permanency with a caregiver that will keep them connected to their communities and culture."

**Arguments in Support**

The California Court Appointed Special Advocate (CASA) Association writes that this bill "helps ensure that children entering foster care remain connected to the people and communities that matter most to them."

**Arguments in Opposition**

None on file.

**FISCAL COMMENTS**

According to the Assembly Appropriations Committee on May 13, 2026:

- 1) Ongoing General Fund (GF) costs in the low hundreds of thousands of dollars annually to CDSS for an additional staff position to meet the requirements of the bill.
- 2) Potential ongoing GF administrative cost savings to county child welfare agencies of an unknown amount, related to the simplified approval of, and placement of children with, kinship families provided by this bill. County administrative costs, although state mandated costs, fall under realignment (Proposition 30, 2012) and thus savings would accrue to the GF.
- 3) Ongoing Proposition 98 costs of an unknown amount, potentially minor, to local education agencies (LEAs) to the extent LEAs statewide must provide kinship families access to pupil records. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

**VOTES****ASM HUMAN SERVICES: 7-0-0**

**YES:** Lee, Castillo, Calderon, Elhawary, Jackson, Solache, Tangipa

**ASM JUDICIARY: 12-0-0**

**YES:** Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

**ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

**UPDATED**

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