

ASSEMBLY BILL

No. 671

Introduced by Assembly Member Beall

February 21, 2007

An act to amend Section 18937 of, and to add Article 4.2 (commencing with Section 18985) to Chapter 4 of Part 2 of Division 5 of Title 2 of, the Government Code, and to add Section 10609.45 to the Welfare and Institutions Code, relating to state employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 671, as introduced, Beall. State employment: preferences: foster youth.

The State Civil Service Act provides for filling certain state positions through the process of examinations and the establishment of eligible lists and promotional lists. Existing law requires that veterans be awarded preference points, as specified, for civil service employment.

This bill would make legislative findings and declarations regarding the state's responsibility for the well-being of foster youth and former foster youth. The bill would require that, in addition to any other state employment preference, qualified foster youth or former foster youth, as defined, who become eligible for certification from eligible lists by attaining the passing mark established for an entrance examination be awarded an additional credit of 10 points for certain examinations, or 5 points for an examination held on an open, nonpromotional basis under a specified provision of law, except as provided. The bill would require the State Department of Social Services to provide certification, as applicable, to a qualified foster youth or former foster youth for the purposes of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The state has a unique obligation to children and youth in
4 the foster care system. When the state removes children and youth
5 from their parents, it is responsible for providing for the safety and
6 well-being of the children and youth and for preparing them for
7 self-sufficient adulthood.

8 (b) Foster youth who leave the foster care system because of
9 age face unique challenges in seeking and obtaining employment
10 upon leaving the system. The foster care program provides little
11 assistance to youth in finding employment.

12 (c) The unemployment rate for youth who have left the foster
13 care system because of age is estimated at 50 percent.

14 (d) The State of California is a major employer within the state,
15 yet state law makes no provision for assisting youth who have left
16 the foster care system because of age in becoming civil service
17 employees of the state.

18 (e) The state owes a unique responsibility to foster youth in
19 assisting them to secure permanent employment. It also has an
20 obligation to demonstrate to private employers, by example, the
21 importance of hiring foster youth and former foster youth.

22 (f) It is the intent of the Legislature to recognize the state's role
23 as a parent to children and youth in foster care and to assist them
24 in securing permanent employment in state government by
25 providing them a state civil service preference.

26 SEC. 2. Section 18937 of the Government Code is amended
27 to read:

28 18937. The passing mark for an examination may be other than
29 the true percentage or average published as a part of the
30 announcement of the examination, if deemed by the board or a
31 designated appointing power to be justified in order to provide an
32 adequate eligible list or to adjust for the apparent difficulty of an
33 examination. In establishing any eligible list or promotional list
34 following an examination, the names of the persons who have
35 attained the passing mark in such examination shall be placed on

1 the list in the order of final earned ratings, except as such order
2 may be modified by the application of ~~veterans'~~ preferences *for*
3 *veterans, as provided in Article 4 (commencing with Section*
4 *18971), or for qualified foster youth or former foster youth, as*
5 *provided in Article 4.2 (commencing with Section 18985).* When
6 the order of names has been determined after applying the
7 appropriate ~~veterans'~~ preference credits, the board may thereafter
8 limit to suit the needs of the service the number of names to be
9 placed on the employment list.

10 SEC. 3. Article 4.2 (commencing with Section 18985) is added
11 to Chapter 4 of Part 2 of Division 5 of Title 2 of the Government
12 Code, to read:

13
14 Article 4.2. Preference for Foster Youth

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16 18985. (a) Except as provided in Section 18985.4, for all
17 entrance examinations, and in addition to any other state
18 employment preference provided by this part, qualified foster youth
19 or former foster youth who become eligible for certification from
20 eligible lists by attaining the passing mark established for the
21 examination shall be awarded an additional credit of 10 points.

22 (b) The credit required pursuant to subdivision (a) shall be added
23 to the percentage attained in the examination by the qualified foster
24 youth or former foster youth. The name of each shall be placed on
25 the eligible list and he or she shall be eligible for appointment in
26 the order and on the basis of the percentage attained in examination
27 after the appropriate credit has been added. All ties shall be decided
28 in favor of qualified foster youth and former foster youth.

29 (c) For purposes of this section, an entrance examination is any
30 open competitive examination other than one for a class having a
31 requirement of both college graduation and two or more years of
32 experience.

33 (d) For purposes of this section, the credit specified in
34 subdivision (a) shall be awarded in all qualifying examinations in
35 which the qualified foster youth or former foster youth competes.
36 No credits shall be awarded under subdivision (a) once a qualified
37 foster youth or former foster youth achieves permanent civil service
38 status.

39 18985.2. Any person who successfully passes any state civil
40 service examination, whose name as a result is placed on an

1 employment list, and who, within six months after the
2 establishment of the employment list for which the examination
3 was given, qualifies for the preference described in subdivision
4 (a) of Section 18985 shall be allowed the appropriate credit to the
5 same effect as if he or she were entitled to that credit at the time
6 of the establishing of the employment list. The name of any person
7 who qualifies for that credit under this section shall be placed on
8 the employment list in accordance with Section 18937 as the
9 employment list stands at the time of qualifying for the credit.

10 18985.4. (a) For any entrance examination held on an open,
11 nonpromotional basis under Section 18950, and in addition to any
12 other applicable state employment preference provided by this
13 part, a qualified foster youth or former foster youth who becomes
14 eligible for certification from eligible lists by attaining the passing
15 mark established for the examination, shall be awarded an
16 additional credit of 5 points.

17 (b) Individuals who receive qualified foster youth or former
18 foster youth points under this section are not eligible for career
19 credits pursuant to Sections 18950.1, 18951, and 18951.5.

20 18985.6. Request for, and proof of, eligibility for credits
21 pursuant to this article shall be submitted by the qualified foster
22 youth or former foster youth to the department conducting the
23 employment examination. The procedures and time of filing the
24 request shall be subject to rules adopted by the State Personnel
25 Board, in consultation with the State Department of Social
26 Services.

27 18985.8. For the purposes of this section, “qualified foster
28 youth or former foster youth” means an individual who is 25 years
29 of age or younger and who is certified by the State Department of
30 Social Services as having been, for at least one year at any time
31 on or after the date that the person turns 15 years of age, either a
32 recipient of foster care maintenance payments under a state plan
33 approved under Part E of Title IV of the federal Social Security
34 Act (42 U.S.C. Sec. 670 et seq.), or in a foster care program under
35 the responsibility of the State of California.

36 SEC. 4. Section 10609.45 is added to the Welfare and
37 Institutions Code, to read:

38 10609.45. The department shall provide any foster youth or
39 former foster youth who is 25 years of age or younger, upon
40 request, with the certification, if appropriate, necessary to claim

1 the civil service hiring preference points required pursuant to
2 Article 4.2 (commencing with Section 18985) of Chapter 4 of Part
3 2 of Division 5 of Title 2 of the Government Code. The department
4 shall ensure that all youth who are leaving foster care and who are
5 eligible to claim those civil service hiring preference points are
6 given notice of that eligibility.

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