

**ASSEMBLY BILL**

**No. 1067**

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**Introduced by Assembly Member Gipson**

February 26, 2015

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An act to amend Section 16000 of the Welfare and Institutions Code, relating to child welfare.

LEGISLATIVE COUNSEL'S DIGEST

AB 1067, as introduced, Gipson. Child welfare.

Existing law declares the intent of the Legislature to preserve and strengthen a child's family ties whenever possible, removing the child from the custody of his or her parents only when necessary for his or her welfare or for the safety and protection of the public. Existing law includes various provisions relating to appropriate placement and other services for children in foster care.

This bill would make technical, nonsubstantive changes to those provisions.

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

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

- 1 SECTION 1. Section 16000 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 16000. (a) It is the intent of the Legislature to preserve and
- 4 strengthen a child's family ties whenever possible, removing the
- 5 child from the custody of his or her parents only when necessary
- 6 for his or her welfare or for the safety and protection of the public.
- 7 If a child is removed from the physical custody of his or her

1 parents, preferential consideration shall be given whenever possible  
 2 to the placement of the child with the relative as required by  
 3 Section 7950 of the Family Code. If the child is removed from his  
 4 or her own family, it is the purpose of this chapter to secure as  
 5 nearly as possible for the child the custody, care, and discipline  
 6 equivalent to that which should have been given to the child by  
 7 his or her parents. It is further the intent of the Legislature to  
 8 reaffirm its commitment to children who are in out-of-home  
 9 placement to live in the least restrictive, most familylike setting  
 10 and to live as close to the child’s family as possible pursuant to  
 11 subdivision (c) of Section 16501.1. Family reunification services  
 12 shall be provided for expeditious reunification of the child with  
 13 his or her family, as required by law. If reunification is ~~not possible~~  
 14 ~~or likely~~, *impossible or unlikely*, a permanent alternative shall be  
 15 developed.

16 (b) It is further the intent of the Legislature to ensure that all  
 17 pupils in foster care and those who are ~~homeless~~ *homeless*, as  
 18 defined by the federal McKinney-Vento Homeless Assistance Act  
 19 (42 U.S.C. Sec. 11301 et-~~seq.~~) *seq.*), have the opportunity to meet  
 20 the challenging state pupil academic achievement standards to  
 21 which all pupils are held. In fulfilling their responsibilities to pupils  
 22 in foster care, educators, county placing agencies, care providers,  
 23 advocates, and the juvenile courts shall work together to maintain  
 24 stable school placements and to ensure that each pupil is placed  
 25 in the least restrictive educational programs, and has access to the  
 26 academic resources, services, and extracurricular and enrichment  
 27 activities that are available to all pupils. In all instances, educational  
 28 and school placement decisions ~~must~~ *shall* be based on the best  
 29 interests of the child.