2592-S AMH ROBE PALC 094

**SHB 2592** - H AMD **986**

By Representative Roberts

**ADOPTED 02/10/2012**

On page 4, line 20, after "postsecondary" strike "or vocational education program" and insert "academic or postsecondary vocational education program. The department shall develop and implement rules regarding youth eligibility requirements"

On page 6, beginning on line 9, strike all of sections 3 and 4 and insert the following:

"**Sec. 3.** RCW 74.13.680 and 2011 c 330 s 8 are each amended to read as follows:

(1) Within amounts appropriated for this specific purpose, the department shall ((~~have authority to provide continued foster care or group care to youth ages eighteen to twenty-one years who are:~~

~~(a) Enrolled in a secondary education program or a secondary education equivalency program;~~

~~(b) Enrolled and participating in a postsecondary or vocational educational program;~~

~~(c) Participating in a program or activity designed to promote or remove barriers to employment;~~

~~(d) Engaged in employment for eighty hours or more per month; or~~

~~(e) Incapable of engaging in any of the activities described in (a) through (d) of this subsection due to a medical condition that is supported by regularly updated information.~~

~~(2) A youth who remains eligible for placement services or benefits under this section pursuant to department rules may, within amounts appropriated for this specific purpose, continue to receive placement services and benefits until the youth reaches his or her twenty-first birthday.~~)) continue to operate the state-funded foster care to twenty-one program for three years after the effective date of this section, at which point the program shall cease to operate.

(2) The department shall not have the authority to enroll any new youth under this program after the effective date of this section, and shall only serve eligible youth enrolled prior to that date.

(3) The purpose of the foster care to twenty-one program is to serve youth ages eighteen to twenty-one who are enrolled and participating in a postsecondary academic or postsecondary vocational program.

(4) A youth participating in this program may, within amounts appropriated for this specific purpose, continue to receive placement services until the youth reaches his or her twenty-first birthday or is no longer enrolled in and participating in a postsecondary program, whichever is earlier."

**Sec. 4.** RCW 13.34.267 and 2011 c 330 s 7 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court shall postpone for six months the dismissal of a dependency proceeding for any child who is a dependent child in foster care at the age of eighteen years and who, at the time of his or her eighteenth birthday((~~,~~)) is:

(a) ((~~e~~))Enrolled in a secondary education program or a secondary education equivalency program((~~.~~)); or

(b) Enrolled in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program.

(2)(a) The six-month postponement under this subsection is intended to allow a reasonable window of opportunity for an eligible youth who reaches the age of eighteen to request extended foster care services from the department or supervising agency. ((~~At the end of the six-month period, the court shall dismiss the dependency if the youth has not requested extended foster care services from the department.~~)) The court shall dismiss the dependency if the youth:

(i) Has not requested extended foster care services from the department by the end of the six month period; or

(ii) Is no longer eligible for extended foster care services under RCW 74.13.031(10) at any point during the six month period.

(b) Until the youth requests to participate in the extended foster care program, the department is relieved of any supervisory responsibility for the youth.

((~~(2)~~))(3) A youth who participates in extended foster care while completing a secondary education or equivalency program may continue to receive extended foster care services for the purpose of participating in a postsecondary academic or postsecondary vocational education program if, at the time the secondary education or equivalency program is completed, the youth has applied to and can demonstrate that he or she intends to timely enroll in a postsecondary academic or vocational education program. The dependency shall be dismissed if the youth fails to timely enroll or continue in the postsecondary program, or reaches age twenty-one, whichever is earlier.

(4) A youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian shall be dismissed from the dependency proceeding when the youth reaches the age of eighteen years.

((~~(3)~~))(5) The court shall order a youth participating in extended foster care services to be under the placement and care authority of the department, subject to the youth's continuing agreement to participate in extended foster care services.

((~~(4)~~))(6) The court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section.

((~~(5)~~))(7) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age eighteen to twenty-one years. Additionally, the court shall consider:

(a) Whether the youth is safe in his or her placement;

(b) Whether the youth continues to be eligible for extended foster care services;

(c) Whether the current placement is developmentally appropriate for the youth;

(d) The youth's development of independent living skills; and

(e) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

((~~(6)~~))(8) Prior to the hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.

((~~(7)~~))(9) Upon the request of the youth, or when the youth is no longer eligible to receive extended foster care services according to rules adopted by the department, the court shall dismiss the dependency."

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|  | EFFECT:  Clarifies that the Department of Social and Health Services (DSHS) is authorized to provide extended foster care services to youth ages 18-21 to participate in a postsecondary academic or postsecondary vocational education program.  Requires the DSHS to develop and implement rules regarding youth eligibility requirements for extended foster care.  Clarifies the DSHS duties regarding the state-funded foster care to 21 program.  Clarifies that the court must postpone a dependency proceeding for a youth in foster care who, upon turning 18 years old, is enrolled in a postsecondary academic or vocational program, or who have applied for and can demonstrate that he or she intends to enroll in a timely manner.  Specifies that the court must dismiss the dependency by the end of the six-month postponement period if the youth: a) has not requested extended foster care services, or b) is no longer eligible to receive foster care services.  Clarifies that the department is relieved of *any* supervisory responsibility for the youth during the 6 month dependency dismissal postponement period, until the youth requests to participate in extended foster care.  Provides that under certain circumstances, youth who participate in extended foster care while completing a secondary education or equivalency program may continue to receive extended foster services for the purpose of participating in a postsecondary academic or postsecondary vocational education program. |

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