
HOUSE BILL 2592

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Roberts, Haler, Carlyle, Hinkle, Reykdal, Pettigrew, Walsh, Wylie, Kagi, Darneille, Kelley, Kenney, and Tharinger

Read first time 01/18/12. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to extended foster care services; amending RCW
2 74.13.680 and 13.34.267; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** Since 2006, under a program known as "foster
5 care to 21," the Washington state legislature has provided services to
6 young adults transitioning out of foster care in order for them to
7 enroll in and complete their postsecondary educations. In 2008, the
8 United States congress passed the fostering connections to success and
9 increasing adoptions act of 2008, which allows states to receive a
10 federal match for state dollars expended in supporting youth
11 transitioning out of foster care. In 2011, the Washington state
12 legislature opted to create the "extended foster care program," in
13 order to receive the federal match for youth completing high school.
14 It is the intent of this act to enable the state to receive the federal
15 match to offset costs expended on supporting youth seeking
16 postsecondary education. This act would result in these youth being
17 served under the extended foster care program, for which there is a
18 federal match, instead of the foster care to 21 program, which relies
19 solely on state dollars. It is the intent of the legislature to allow

1 all youth currently enrolled in the foster care to 21 program for the
2 purposes of postsecondary education to remain enrolled until they turn
3 twenty-one, are no longer otherwise eligible, or choose to leave the
4 program. Within three years of the effective date of this act, the
5 "foster care to 21" program will cease to operate, and youth seeking a
6 postsecondary education will be solely served by the extended foster
7 care program.

8 **Sec. 2.** RCW 74.13.680 and 2011 c 330 s 8 are each amended to read
9 as follows:

10 (1) Within amounts appropriated for this specific purpose, the
11 department shall have authority to provide continued foster care or
12 group care to youth ages eighteen to twenty-one years, which was
13 created in 2006 as the foster care to 21 program, who are enrolled in
14 the program prior to the effective date of this section:

15 (a) Enrolled in a secondary education program or a secondary
16 education equivalency program;

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

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

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

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

25 (2) A youth who remains eligible for placement services or benefits
26 under this section pursuant to department rules may, within amounts
27 appropriated for this specific purpose, continue to receive placement
28 services and benefits until the youth reaches his or her twenty-first
29 birthday.

30 (3) The foster care to 21 program shall cease to operate within
31 three years of the effective date of this section.

32 **Sec. 3.** RCW 13.34.267 and 2011 c 330 s 7 are each amended to read
33 as follows:

34 (1) In order to facilitate the delivery of extended foster care
35 services, the court shall postpone for six months the dismissal of a
36 dependency proceeding for any child who is a dependent child in foster

1 care at the age of eighteen years and who, at the time of his or her
2 eighteenth birthday, is enrolled in a secondary education program or a
3 secondary education equivalency program, or is enrolled in a
4 postsecondary or vocational education program. The six-month
5 postponement under this subsection is intended to allow a reasonable
6 window of opportunity for an eligible youth who reaches the age of
7 eighteen to request extended foster care services from the department
8 or supervising agency. At the end of the six-month period, the court
9 shall dismiss the dependency if the youth has not requested extended
10 foster care services from the department. Until the youth requests to
11 participate in the extended foster care program, the department is
12 relieved of supervisory responsibility for the youth.

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

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

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

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

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

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

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

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

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

37 (6) Prior to the hearing, the youth's attorney shall indicate

1 whether there are any contested issues and may provide additional
2 information necessary for the court's review.

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

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