

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 1271

PRINTER NO. 1837

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

May 18, 2016

PRIME SPONSOR

Senator Browne

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 1271 amends Title 42 (Judiciary and Judicial Procedure) to address the school attendance of a child placed in detention or shelter care.

This bill adds definitions for "child in foster care" and "school stability." "School stability" is defined as the right of a child in foster care to attend either the school the child currently attends or the school the child attended when initially placed by the county agency.

The bill requires the court to ensure that the child remains in the school the child attended immediately prior to placement, unless the court determines that remaining in the same school would be contrary to the child's safety or well-being. In making this decision, the court is required to consider the wishes of the parent or other legally authorized decision maker and, where appropriate, the wishes of the child.

The bill requires the court to make findings regarding whether school stability is in the child's best interests. Establishes a presumption in favor of providing the child with school stability unless the court determines that remaining in a prior school is contrary to the safety or best interests of the child. Stipulates that transportation to maintain school stability shall be provided in accordance with all requirements set forth in the Public School Code and any applicable contractual agreement.

This act shall take effect in 60 days.

FISCAL IMPACT:

SB 1271 will have no adverse fiscal impact to the Commonwealth. The provisions of SB 1271 are very similar to the Federal Fostering Connections to Success and Increasing Adoptions Act (FCA) of 2008. The FCA requires child welfare agencies to coordinate with local education agencies to ensure that children remain in the school that they are enrolled in at the time of placement into foster care unless not in the child's best interest. Since school stability is already required based upon federal statute, the Commonwealth will not see a fiscal impact from the implementation of this bill.