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3
4 Chairman Vincent C. Gray
5 at the Request of the Mayor
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9 A BILL

10 _____
11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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14 Chairman Vincent C. Gray, at the request of the Mayor, introduced the following bill, which was
15 referred to the Committee on _____.
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17 To amend, on a temporary basis, the Prevention of Child Abuse and Neglect Act of 1977
18 by amending the definition of case plan to include additional requirements for any child in foster
19 care whose permanency plan is placement with a relative guardian and receipt of kinship
20 guardianship assistance; and by amending the definition of case plan to include a plan for
21 ensuring the educational stability of a child in foster care.
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23 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
24 act may be cited as the “Prevention of Child Abuse and Neglect Temporary Amendment Act of
25 2009”.

26 Sec. 2. Paragraph (3) of Section 102 of the Prevention of Child Abuse and Neglect Act
27 of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02), is
28 amended as follow:

29 (a) A new Subparagraph (F) is added to read as follows:

30 “(F) In the case of a child with respect to whom the permanency plan is placement
31 with a relative and receipt of kinship guardianship assistance payments under section 16-2399 of
32 the District of Columbia Official Code, a description of:

33 “(i) the steps taken to determine that it is not appropriate for the child to

1 be returned home or adopted;

2 “(ii) the reasons for any separation of siblings during placement;

3 “(iii) the reasons why a permanent placement with a fit and willing
4 relative through a kinship guardianship assistance arrangement is in the child's best interests;

5 “(iv) the ways in which the child meets the eligibility requirements for a
6 kinship guardianship assistance payment;

7 “ (v) the efforts made to discuss adoption by the child's relative foster
8 parent as a more permanent alternative to legal guardianship and, in the case of a relative foster
9 parent who has chosen not to pursue adoption, documentation of the reasons therefore; and

10 “(vi) the efforts made to discuss with the child's parent or parents the
11 kinship guardianship assistance arrangement, or the reasons why the efforts were not made.”.

12 (b) A new subparagraph (G) is added to read as follows:

13 “(G) A plan for ensuring the educational stability of the child while in foster care,
14 including:

15 “(i) assurances that the placement of the child in foster care takes into
16 account the appropriateness of the current educational setting and the proximity to the school in
17 which the child is enrolled at the time of placement; and

18 “(ii) (I) an assurance that the Agency has coordinated with appropriate
19 local educational agencies (as defined under section 9101 of Elementary and Secondary
20 Education Act of 1965 approved April 11, 1965 (79 Stat. 27, 57; 20 USC § 7801)) to ensure that
21 the child remains in the school in which the child is enrolled at the time of placement; or

22 “(II) if remaining in such school is not in the best interests of the child,
23 assurances by the Agency and the local educational agencies to provide immediate and
24 appropriate enrollment in a new school, with all of the educational records of the child provided
25 to the school.”.

1 Sec. 4. Fiscal impact statement. The Council adopts the fiscal impact statement in the
2 committee report as the fiscal impact statement required by section 602(c)(3) of the District of
3 Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-
4 233(c)(3)).

5 Sec. 5. Effective date.

6 (a) This act shall take effect following approval by the Mayor (or in the event of a veto
7 by the Mayor, action by the Council to override the veto), a 30 day period of Congressional
8 review as provided in section 602(c)(1) of the District of Columbia in section 412(a) of the
9 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official
10 Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

11 (b) This act shall expire after 225 days of its having taken effect.