



General Assembly

**Substitute Bill No. 7216**

January Session, 2019



**AN ACT INCREASING THE AGE FOR ELIGIBILITY FOR THE POST-SECONDARY EDUCATION FUNDING PROGRAM OFFERED BY THE DEPARTMENT OF CHILDREN AND FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2019*) (a) As used in this section:
- 2 (1) "Department" means the Department of Children and Families;
- 3 (2) "Post-secondary education program" means any program that  
4 leads to an academic degree or certification in a vocation or  
5 employment training; and
- 6 (3) "Post-secondary education funding program" means the  
7 program offered by the department under which it funds the post-  
8 secondary education of a youth who is committed to the department at  
9 the age of eighteen or younger and meets the requirements established  
10 by the department in its policies and regulations.
- 11 (b) The Commissioner of Children and Families shall amend the  
12 department policies and regulations regarding the post-secondary  
13 education funding program to (1) increase the age until which a youth  
14 can voluntarily agree to receive and qualify for services and funding  
15 from the department under the post-secondary education funding  
16 program from twenty-one to twenty-four, and (2) increase the age until

17 which a youth who is enrolled in a post-secondary education program  
18 and continues to meet the requirements established by the department  
19 is eligible for funding to complete such post-secondary education  
20 program under the post-secondary education funding program from  
21 twenty-three to twenty-six.

22 Sec. 2. Subdivisions (4) and (5) of subsection (j) of section 46b-129 of  
23 the general statutes are repealed and the following is substituted in  
24 lieu thereof (*Effective July 1, 2019*):

25 (4) The commissioner shall be the guardian of such child or youth  
26 for the duration of the commitment, provided the child or youth has  
27 not reached the age of eighteen years, or until another guardian has  
28 been legally appointed, and in like manner, upon such vesting of the  
29 care of such child or youth, such other public or private agency or  
30 individual shall be the guardian of such child or youth until such child  
31 or youth has reached the age of eighteen years or, in the case of a child  
32 or youth (A) in full-time attendance in a secondary school, a technical  
33 education and career school, a college or a state-accredited job training  
34 program, until such child or youth has reached the age of twenty-one  
35 years or until another guardian has been legally appointed, or (B)  
36 receiving services and funding from the post-secondary education  
37 funding program, as defined in section 1 of this act, until such child or  
38 youth has reached the age of twenty-four years or until another  
39 guardian has been legally appointed. The commissioner may place any  
40 child or youth so committed to the commissioner in a suitable foster  
41 home or in the home of a fictive kin caregiver, relative caregiver, or in  
42 a licensed child-caring institution or in the care and custody of any  
43 accredited, licensed or approved child-caring agency, within or  
44 without the state, provided a child shall not be placed outside the state  
45 except for good cause and unless the parents or guardian of such child  
46 are notified in advance of such placement and given an opportunity to  
47 be heard, or in a receiving home maintained and operated by the  
48 commissioner. When placing such child or youth, the commissioner  
49 shall provide written notification of the placement, including the

50 name, address and other relevant contact information relating to the  
51 placement, to any attorney or guardian ad litem appointed to represent  
52 the child or youth pursuant to subsection (c) of this section. The  
53 commissioner shall provide written notification to such attorney or  
54 guardian ad litem of any change in placement of such child or youth,  
55 including a hospitalization or respite placement, and if the child or  
56 youth absconds from care. The commissioner shall provide such  
57 written notification not later than ten business days prior to the date of  
58 change of placement in a nonemergency situation, or not later than  
59 two business days following the date of a change of placement in an  
60 emergency situation. In placing such child or youth, the commissioner  
61 shall, if possible, select a home, agency, institution or person of like  
62 religious faith to that of a parent of such child or youth, if such faith is  
63 known or may be ascertained by reasonable inquiry, provided such  
64 home conforms to the standards of the commissioner and the  
65 commissioner shall, when placing siblings, if possible, place such  
66 children together. At least ten days prior to transferring a child or  
67 youth to a second or subsequent placement, the commissioner shall  
68 give written notice to such child or youth and such child or youth's  
69 attorney of said commissioner's intention to make such transfer, unless  
70 an emergency or risk to such child or youth's well-being necessitates  
71 the immediate transfer of such child and renders such notice  
72 impossible. Upon the issuance of an order committing the child or  
73 youth to the commissioner, or not later than sixty days after the  
74 issuance of such order, the court shall determine whether the  
75 department made reasonable efforts to keep the child or youth with his  
76 or her parents or guardian prior to the issuance of such order and, if  
77 such efforts were not made, whether such reasonable efforts were not  
78 possible, taking into consideration the child's or youth's best interests,  
79 including the child's or youth's health and safety.

80 (5) A youth who is committed to the commissioner pursuant to this  
81 subsection and has reached eighteen years of age may remain in the  
82 care of the commissioner, by consent of the youth and provided the  
83 youth (A) has not reached the age of twenty-one years of age, if the

84 youth is [(A)] (i) enrolled in a full-time approved secondary education  
85 program or an approved program leading to an equivalent credential;  
86 [(B)] (ii) enrolled full time in an institution which provides  
87 postsecondary or vocational education; or [(C)] (iii) participating full  
88 time in a program or activity approved by said commissioner that is  
89 designed to promote or remove barriers to employment, or (B) has not  
90 reached the age of twenty-four years, if the youth receives services and  
91 funds through the post-secondary education funding program, as  
92 defined in section 1 of this act. The commissioner, in his or her  
93 discretion, may waive the provision of full-time enrollment or  
94 participation based on compelling circumstances. Not more than one  
95 hundred twenty days after the youth's eighteenth birthday, the  
96 department shall file a motion in the superior court for juvenile  
97 matters that had jurisdiction over the youth's case prior to the youth's  
98 eighteenth birthday for a determination as to whether continuation in  
99 care is in the youth's best interest and, if so, whether there is an  
100 appropriate permanency plan. The court, in its discretion, may hold a  
101 hearing on said motion.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	New section
Sec. 2	July 1, 2019	46b-129(j)(4) and (5)

**HED**      *Joint Favorable Subst.*