

Introduced by Senator Wiener
(Principal coauthor: Assembly Member Rubio)

January 22, 2018

An act to amend Section 8257 of, and to add Chapter 6.1 (commencing with Section 13725) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to homeless youth, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 918, as introduced, Wiener. Homeless Youth Act of 2018.

Existing law establishes various programs, including, among others, the Emergency Housing and Assistance Program, homeless youth emergency service pilot projects, and Housing First and the Homeless Coordinating and Financing Council, to provide assistance to homeless persons.

This bill would establish the Office of Homeless Youth in the Department of Housing and Community Development. The bill would set forth the duties of the office, including, but not limited to, setting specific, measurable goals aimed at preventing and ending homelessness among youth in the state. The bill would require the office to identify funding, policy, and practice gaps across state systems that serve, or hold the potential to serve, young people experiencing homelessness, develop specific recommendations and timelines for addressing these gaps, and report to the Legislature, as specified. The bill would require the office to oversee and administer specified grant programs for young people experiencing homelessness and their families, which would be funded by funds provided to the State Department of Health Care Services from the Youth Education, Prevention, Early Intervention, and Treatment Account. The bill would make an appropriation to the office

from the General Fund in the amount of the difference between funding received from the State Department of Social Services for purposes of the grant program and \$60,000,000. The bill would specify that the grant funds would be used to supplement existing levels of service and not to supplant any existing funding.

This bill would impose criteria and requirements for agencies eligible for grant funding to operate a homeless youth program or shelter program, and would require preference to be given to agencies with certain characteristics, including those that propose to provide services in geographic areas where no similar services are provided and there is a demonstrated need for those services. The bill would require a grant proposal to identify how it intends to ensure that participating youth receive services, including, but not limited to, drug abuse education and prevention services, mental and physical health care, and aftercare and follow-up services. The bill would require a grantee to submit annual progress reports to the office and agree to meet quality improvement goals, accept technical assistance, and submit to annual site monitoring visits by the office, as specified.

Existing law establishes the Homeless Coordinating and Financing Council to oversee the implementation of the Housing First guidelines and regulations and, among other things, identify resources, benefits, and services that can be accessed to prevent and end homelessness in California. Existing law requires the Governor to appoint up to 15 members to the council, as specified.

This bill would require the council membership to also include a representative of the Office of Homeless Youth.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 Homeless Youth Act of 2018.
- 3 SEC. 2. Section 8257 of the Welfare and Institutions Code is
- 4 amended to read:
- 5 8257. (a) Within 180 days of the effective date of the measure
- 6 adding this chapter, the Governor shall create a Homeless
- 7 Coordinating and Financing Council.
- 8 (b) The council shall have the following goals:
- 9 (1) To oversee implementation of this chapter.

1 (2) To identify mainstream resources, benefits, and services that
2 can be accessed to prevent and end homelessness in California.

3 (3) To create partnerships among state agencies and departments,
4 local government agencies, participants in the United States
5 Department of Housing and Urban Development's Continuum of
6 Care Program, federal agencies, the United States Interagency
7 Council on Homelessness, nonprofit entities working to end
8 homelessness, homeless services providers, and the private sector,
9 for the purpose of arriving at specific strategies to end
10 homelessness.

11 (4) To promote systems integration to increase efficiency and
12 effectiveness while focusing on designing systems to address the
13 needs of people experiencing homelessness, including
14 unaccompanied youth under 25 years of age.

15 (5) To coordinate existing funding and applications for
16 competitive funding. Any action taken pursuant to this paragraph
17 shall not restructure or change any existing allocations or allocation
18 formulas.

19 (6) To make policy and procedural recommendations to
20 legislators and other governmental entities.

21 (7) To identify and seek funding opportunities for state entities
22 that have programs to end homelessness, including, but not limited
23 to, federal and philanthropic funding opportunities, and to facilitate
24 and coordinate those state entities' efforts to obtain that funding.

25 (8) To broker agreements between state agencies and
26 departments and between state agencies and departments and local
27 jurisdictions to align and coordinate resources, reduce
28 administrative burdens of accessing existing resources, and foster
29 common applications for services, operating, and capital funding.

30 (9) To serve as a statewide facilitator, coordinator, and policy
31 development resource on ending homelessness in California.

32 (10) To report to the Governor, federal Cabinet members, and
33 the Legislature on homelessness and work to reduce homelessness.

34 (11) To ensure accountability and results in meeting the
35 strategies and goals of the council.

36 (12) To identify and implement strategies to fight homelessness
37 in small communities and rural areas.

38 (13) To create a statewide data system or warehouse that collects
39 local data through Homeless Management Information Systems,
40 with the ultimate goal of matching data on homelessness to

1 programs impacting homeless recipients of state programs, such
2 as Medi-Cal (Chapter 7 (commencing with Section 14000) of Part
3 3 of Division 9 of the Welfare and Institutions Code) and
4 CalWORKS (Chapter 2 (commencing with Section 11200) of Part
5 3 of Division 9 of the Welfare and Institutions Code).

6 (c) (1) The Governor shall appoint up to 15 members of the
7 council as follows:

8 (A) A representative from the Department of Housing and
9 Community Development.

10 (B) A representative of the State Department of Social Services.

11 (C) A representative of the California Housing Finance Agency.

12 (D) A representative of the State Department of Health Care
13 Services.

14 (E) A representative of the Department of Veterans Affairs.

15 (F) A representative of the Department of Corrections and
16 Rehabilitation.

17 (G) A representative from the California Tax Credit Allocation
18 Committee in the Treasurer's office.

19 (H) A representative of the Victim Services Program within the
20 Division of Grants Management within the Office of Emergency
21 Services.

22 (I) *A representative of the Office of Homeless Youth.*

23 ~~(H)~~

24 (J) A formerly homeless person who lives in California.

25 ~~(J)~~

26 (K) Two representatives of local agencies or organizations that
27 participate in the United States Department of Housing and Urban
28 Development's Continuum of Care Program.

29 ~~(K)~~

30 (L) State advocates or other members of the public or state
31 agencies, according to the Governor's discretion.

32 (2) The Senate Committee on Rules and the Speaker of the
33 Assembly shall each appoint one representative of the council from
34 two different stakeholder organizations.

35 (3) The council may, at its discretion, invite stakeholders,
36 individuals who have experienced homelessness, members of
37 philanthropic communities, and experts to participate in meetings
38 or provide information to the council.

39 (d) The council shall hold public meetings at least once every
40 quarter.

1 (e) The members of the council shall serve at the pleasure of
2 the Governor.

3 (f) Within existing funding, the council may establish working
4 groups, task forces, or other structures from within its membership
5 or with outside members to assist it in its work. Working groups,
6 task forces, or other structures established by the council shall
7 determine their own meeting schedules.

8 (g) The members of the council shall serve without
9 compensation, except that members of the council who are, or
10 have been, homeless may receive reimbursement for travel, per
11 diem, or other expenses.

12 (h) The Department of Housing and Community Development
13 shall provide staff for the council.

14 (i) The members of the council may enter into memoranda of
15 understanding with other members of the council to achieve the
16 goals set forth in this chapter, as necessary, in order to facilitate
17 communication and cooperation between the entities the members
18 of the council represent.

19 SEC. 3. Chapter 6.1 (commencing with Section 13725) is added
20 to Part 3 of Division 9 of the Welfare and Institutions Code, to
21 read:

22
23 CHAPTER 6.1. HOMELESS YOUTH ACT OF 2018
24

25 13725. The Legislature finds and declares as follows:

26 (a) Runaway and homeless youth are young people 12 to 24
27 years of age, inclusive, who have the least access to essential
28 opportunities and supports.

29 (b) The prevalence of runaways and homelessness among youth
30 is staggering. Studies suggest that between 1.6 and 2.8 million
31 youth up to 24 years of age in the United States experience
32 homelessness every year. A disproportionate number of young
33 people experiencing homelessness are gay, lesbian, bisexual, or
34 transgender.

35 (c) California has the second highest rate of unsheltered young
36 people experiencing homelessness in the nation, and the number
37 is growing.

38 (d) Thirty-one percent of all young people experiencing
39 homelessness in the United States live in California, yet two-thirds

1 of the state's counties lack basic services for young people
2 experiencing homelessness, such as shelter.

3 (e) Young people experiencing homelessness are more likely
4 to have experienced trauma and abuse, including commercial
5 sexual exploitation, and to use drugs and alcohol, with
6 consequences that are harmful, dangerous, and often tragic.

7 (f) With the adoption by the voters of Proposition 64, the Adult
8 Use of Marijuana Act, there is an opportunity for new funding to
9 support various programs and services for young people
10 experiencing homelessness, including those with substance use
11 disorders.

12 (g) In furthering the goals of the Youth Education, Prevention,
13 Early Intervention and Treatment Account, the Legislature has
14 created the Homeless Youth Act of 2018 to improve prevention
15 and early intervention support services, low-barrier and diverse
16 housing opportunities, and posthosting and follow-up services for
17 young people experiencing homelessness, including those with
18 substance use disorders.

19 13726. The following definitions apply for purposes of this
20 chapter:

21 (a) "Act" means the Homeless Youth Act of 2018.

22 (b) "Continuum of care" has the same meaning as defined
23 Section 578.3 of Title 24 of the Code of Federal Regulations.

24 (c) "Fund" means the Youth Education, Prevention, Early
25 Intervention and Treatment Account created in the California
26 Cannabis Tax Fund created pursuant to Part 14.5 (commencing
27 with Section 34010) of the Revenue and Taxation Code.

28 (d) "Homeless youth" has the same meaning as defined in
29 subsection (2) of Section 725 of the federal McKinney-Vento
30 Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)).

31 (e) "Office" means the Office of Homeless Youth established
32 under Section 13727.

33 (f) "Project" means a homeless youth housing project.

34 (g) "Shelter program" means a homeless youth shelter program.

35 13727. (a) The Office of Homeless Youth is established within
36 the Department of Housing and Community Development. The
37 office shall be headed by the Director of the Office of Homeless
38 Youth, who shall report directly to the Director of Housing and
39 Community Development.

(b) It is the intent of the Legislature that the role and responsibilities of the office shall include all of the following:

(1) Setting goals to prevent and end homelessness among California's youth.

(2) Improving the safety, health, and welfare of young people experiencing homelessness in the state.

(3) Increasing system integration and coordinating efforts to prevent homelessness among youth who are currently or formerly involved in the child welfare services or the juvenile justice system.

(4) Leading efforts to coordinate a spectrum of funding, policy, and practice efforts related to young people experiencing homelessness.

(5) Ensuring homeless minors who have experienced maltreatment and are eligible to be dependent children under Section 300 have timely access to the child welfare system.

(c) In order to coordinate a spectrum of funding, policy, and practice efforts related to young people experiencing homelessness, the office shall do all of the following:

(1) Identify funding, policy, and practice gaps across state systems that serve, or hold the potential to serve, young people experiencing homelessness, and develop specific recommendations and timelines for addressing these gaps. These recommendations and timelines shall be reported to the Legislature by December 31, 2019.

(A) Services and programs to be considered in the review and report described in this paragraph shall include, but are not limited to, family support and reunification services, social and emotional wellness and mental health services, street and community outreach programs and drop-in centers, low barrier and diverse housing opportunities, and posthousing and follow-up services.

(B) (i) A report submitted under this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(ii) Pursuant to Section 10231.5 of the Government Code, the requirement to submit a report under this paragraph shall be inoperative on January 1, 2023.

(2) Coordinate with young people experiencing homelessness, the State Department of Social Services, other appropriate state agencies and departments, the Homeless Coordinating and Financing Council established pursuant to Section 8257, the state

1 advisory group established pursuant to Section 1785, and other
2 stakeholders to inform policy, practices, and programs.

3 (3) Provide technical assistance and program development
4 support to increase capacity among new and existing service
5 providers to best meet statewide needs, particularly in areas where
6 services for young people experiencing homelessness have not
7 been established, and provide support to service providers in
8 making evidence-informed and data-driven decisions.

9 (d) The office shall set and measure progress towards goals to
10 prevent and end homelessness among youth in California by doing
11 all of the following:

12 (1) Setting specific, measurable goals aimed at preventing and
13 ending homelessness among youth in the state. These goals shall
14 include, but not be limited to, the following:

15 (A) Measurably decreasing the number of young people
16 experiencing homelessness in the state.

17 (B) Measurably increasing permanency rates among young
18 people experiencing homelessness by decreasing the length and
19 occurrences of young people experiencing homelessness caused
20 by a youth's separation from family or a legal guardian.

21 (C) Decreasing the duration and frequency of experiences of
22 homelessness among California's youth.

23 (2) Defining outcome measures and gathering data related to
24 the goals.

25 (A) The office shall develop and collect data on county-level
26 and statewide measures, including, but not limited to, the number
27 of young people experiencing homelessness and their dependency
28 status, delinquency status, family reunification status, housing
29 status, program participation, and runaway status.

30 (B) The office shall initiate data-sharing agreements with the
31 appropriate parties as needed to carry out data collection pursuant
32 to this subdivision and in accordance with all applicable state and
33 federal privacy and confidentiality laws and regulations.

34 (C) The office shall be granted access to statewide and local
35 continuum of care Homeless Management Information System
36 (HMIS) data in order to meet the requirements of this section.

37 (3) Submitting an annual report to the Legislature on these goals,
38 measures, and data each year by _____. A report submitted
39 pursuant to this paragraph shall be submitted in compliance with
40 Section 9795 of the Government Code.

(4) Collecting and reporting data regarding the grant programs developed pursuant to this chapter by doing all of the following:

(A) The office shall collect data from grantees and utilize HMIS data to the extent possible to ensure that appropriate and high-quality services are being delivered to young people experiencing homelessness. Data collected pursuant to this paragraph shall include, but not be limited to, all of the following:

(i) The number of young people served each year by the grantee.

(ii) The dependency status, delinquency status, housing status, family reunification status, and runaway status of the young people served each year by the grantee.

(iii) The type and number of services utilized by the young people served by the grantee each year, as outlined in subdivision (h) of Section 13728.

(iv) The types of housing assistance accessed by the young people served by the grantee each year, as outlined in subdivision (i) of Section 13728.

(v) The distribution of the length of time each young person receives services from the grantee.

(vi) Any available outcome data for the youth served by the grantee, including, but not limited to, housing stabilization, duration and number of experiences of homelessness prior to, while, and after receiving family reunification services, educational achievement, skills acquisition, and employment.

(B) The office shall provide a report to the Legislature on these data by December 31 of each year, commencing in 2019. A report submitted under this subparagraph shall be submitted in compliance with Section 9795 of the Government Code.

(e) The office shall develop and administer grant programs to support young people experiencing homelessness and aimed at preventing and ending homelessness among California's youth.

(1) The office shall oversee and administer the grant programs developed pursuant to this chapter, and shall do all of the following:

(A) Solicit annual progress reports from each grantee and annually review each program for effectiveness in meeting stated project outcomes and in engaging in continuous quality improvement activities.

(B) Conduct monitoring visits to each grantee at least once per year in order to provide technical assistance in areas of identified need for improvement.

1 (C) Collect and report on data pursuant to paragraph (4) of
2 subdivision (d).

3 (2) The office shall also develop grant programs to support
4 families and family reunification services, social and emotional
5 wellness and mental health services, street and community outreach
6 programs and drop-in centers, and posthousing and follow-up
7 services.

8 (A) The office shall oversee and administer these grant programs
9 using the same requirements established in paragraph (1).

10 (B) The office shall collect and report on data in the same
11 manner outlined in paragraph (4) of subdivision (d).

12 (f) The office shall collaborate with the Homeless Coordinating
13 and Financing Council to adopt guidelines and regulations pursuant
14 to Section 8256.

15 13728. (a) The homeless youth housing project grant program
16 shall be administered with funding as described in this section.
17 Grant funds provided under this chapter shall be used to supplement
18 existing levels of service and shall not be used to supplant existing
19 local, state, or federal funding. Grants provided under this chapter
20 shall be awarded in a three-year grant cycle, and funded as follows:

21 (1) Funds provided to the office by the State Department of
22 Health Care Services from the amount allocated to that department
23 allocated from the Youth Education, Prevention, Early Intervention
24 and Treatment Account, pursuant to subdivision (f) of Section
25 34019 of the Revenue and Taxation Code.

26 (2) If the amount provided pursuant to paragraph (1) is less than
27 sixty million dollars (\$60,000,000), funds in the amount of the
28 difference between the amount provided and sixty million dollars
29 (\$60,000,000), which is hereby appropriated from the General
30 Fund to the office for purposes of the grant program.

31 (b) An entity eligible to apply for funds under this chapter and
32 to operate a homeless youth program or shelter program shall be
33 either of the following:

34 (1) A private, nonprofit agency with a demonstrated record of
35 success and experience in the delivery of services to young people
36 experiencing homelessness or at-risk youth.

37 (2) A continuum of care administrative entity with a
38 demonstrated record of success. The entity may use no more than
39 5 percent of granted funds for administrative purposes.

1 (c) Preference shall be given to agencies that demonstrate each
2 of the following:

3 (1) Involvement of a network of youth-serving agencies in the
4 delivery of services to young people experiencing homelessness.

5 (2) Participation in a local continuum of care.

6 (3) Utilization of the HMIS.

7 (4) Participation in development of a local, youth-centered
8 coordinated entry system, including diversion.

9 (5) An agreement to work together with other entities to develop
10 a local plan to reduce homelessness among homeless youth.

11 (d) Preference may be given to agencies that propose to provide
12 services in geographic areas where similar services are not provided
13 and there is a demonstrated need for those services.

14 (e) An applicant that intends to serve minors shall be subject to
15 the following requirements:

16 (1) All minors shall be assessed for maltreatment upon
17 application to the program, and if indicated, reported to the county
18 child welfare agency to determine if they fall under the jurisdiction
19 of Section 300.

20 (2) Applicant personnel that interact with minors and youth
21 shall receive training no less frequently than once per year on
22 identifying, screening, and assessing child abuse and neglect.

23 (3) Applicant personnel that interact with minors and youth
24 shall receive training no less frequently than once per year on
25 making reports to child welfare services.

26 (f) Receipt of housing or supportive services by a program
27 funded under this chapter does not constitute the provision of
28 support as specified in subdivision (g) of Section 300 and does not
29 prevent a minor from being adjudged a dependent child of the
30 court.

31 (g) Each applicant for funding under this chapter shall
32 demonstrate that services will be provided within the Positive
33 Youth Development framework and demonstrate that policies and
34 procedures address cultural competence, including language
35 appropriateness, cultural sensitivity, and the complex identities
36 related to sex, sexual orientation, gender, gender identity, and
37 gender expression, so that all participants are assured that programs
38 are safe, inclusive, and nonstigmatizing by design and in operation.

39 (h) (1) A grant proposal shall identify how it intends to ensure
40 that participating youth receive services. The service provider shall

1 proactively engage homeless youth to offer a wide array of
2 supportive services that are designed to meet the needs of each
3 participant, including, but not limited to, those listed in paragraph
4 (2). The service provider shall not prevent a youth from entering
5 housing or discharge or evict a youth from a housing program on
6 the basis of lack of participation in supportive services.

7 (2) Services include, but are not limited to, all of the following:

8 (A) Drug abuse education and prevention services.

9 (B) Transitional living plan and services.

10 (C) Access to education and employment assistance.

11 (D) Independent living skill development, economic stability,
12 and mobility services.

13 (E) Counseling and case management services.

14 (F) Mental and physical health care.

15 (G) Services for pregnant and parenting youth.

16 (H) Legal services.

17 (I) Family support, including family reunification when safe
18 and appropriate and engagement and intervention, when
19 appropriate.

20 (J) Family-finding services to identify appropriate family
21 members.

22 (K) Adequate supervision and services.

23 (L) Outreach to young people experiencing homelessness.

24 (M) Aftercare and follow-up services.

25 (N) Housing navigation services.

26 (i) A recipient shall use grant funds to establish or expand
27 programs that assess the housing and services needs of homeless
28 youth, establish a plan to meet those needs in collaboration with
29 the participant, and provide evidence-based housing and services
30 models to participants. Projects that may be funded under this
31 project include:

32 (1) Rental assistance.

33 (2) Nontime-limited supportive housing.

34 (3) Transitional housing.

35 (4) Post-transitional housing assistance.

36 (5) Rapid rehousing.

37 (6) Flexible rental subsidies.

38 (7) Host homes.

39 (8) Shelters for homeless minors, pursuant to Section 1502.35
40 of the Health and Safety Code.

1 (9) Shelters for homeless youth.

2 (j) (1) A shelter program established under this chapter shall
3 provide the services described in Section 13701 and provide
4 participants with homelessness prevention and drug abuse
5 education, and prevention and treatment services.

6 (2) A shelter program shall provide outreach to homeless youth,
7 as described in Section 576.101 of Title 24 of the Code of Federal
8 Regulations, and shall provide, or refer homeless youth to, drug
9 abuse treatment programs.

10 (3) A shelter program may use subcontractors to fulfill the
11 requirements of paragraphs (1) and (2).

12 (k) Each grantee shall submit annual progress reports to the
13 office and agree to meet continuous quality improvement goals,
14 accept technical assistance, and submit to annual site monitoring
15 visits by the office.