

HB 2146 -- CHILDREN IN FOSTER CARE

SPONSOR: Unsicker

This bill requires that a best interest determination as to whether a child in foster care should remain in their school of origin shall be held within 72 hours of the child being placed in protective custody. If feasible, a child shall remain at their school of origin until this determination is made.

The child placing agency must notify all parties of its decision in the best interest determination and the reasons for it, in writing, within three business days after making the decision. Any party can challenge the decision within three business days of receiving the notice by using the dispute resolution process for a child welfare treatment plan. If a parent or child is aggrieved by a treatment plan provision, they may ask for an administrative hearing and, if still aggrieved after the hearing decision, may appeal to circuit court.

The bill clarifies that parents with children in foster care are still their child's educational decision makers unless a court has otherwise appointed an educational decision-maker for the child. The family court shall decide at the first dispositional hearing who shall be the educational decision maker and enter an order naming the educational decision maker.

This bill requires that parents, legal counsel for the parents, foster parents, legal guardian or custodian of the child, guardian ad litem for the child, volunteer advocate, and any designee of the parent that has written authorization shall be notified and invited to participate in all family support team meetings and any meeting in which the best interests of the child are being determined.