



General Assembly

February Session, 2022

Raised Bill No. 5299

LCO No. 2255



Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

**AN ACT INCREASING THE AGE FOR ELIGIBILITY FOR THE
POSTSECONDARY 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 employment
5 training; and
- 6 (3) "Post-secondary education funding program" means the program
7 offered by the department under which it funds the post-secondary
8 education of a youth who is committed to the department at the age of
9 eighteen or younger and meets the requirements established by the
10 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 thirty, and (2) increase the age until which
17 a youth who is enrolled in a post-secondary education program and
18 continues to meet the requirements established by the department is
19 eligible for funding to complete such post-secondary education
20 program under the post-secondary education funding program from
21 twenty-three to thirty.

22 Sec. 2. Subdivisions (4) and (5) of subsection (j) of section 46b-129 of
23 the 2022 supplement to the general statutes are repealed and the
24 following is substituted in lieu thereof (*Effective July 1, 2022*):

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

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

79 (5) A youth who is committed to the commissioner pursuant to this
80 subsection and has reached eighteen years of age may remain in the care

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	New section
Sec. 2	<i>July 1, 2022</i>	46b-129(j)(4) and (5)

Statement of Purpose:

To increase the age for eligibility for the post-secondary education funding program offered by the Department of Children and Families.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]