

## **HB2378 FACT SHEET**

**April 26, 2019**

### **A.R.S. §8-514: Removing the Barrier to Special Education**

Nearly 60% of children in state care have a developmental delay and more than half of foster children have mental health issues. Many children in state care are eligible for special education services. These services require parental consent, however, which is a barrier to children in state care.

When a child is removed from a parent due to abuse or neglect, the parent typically retains the right to make educational decisions for that child. Oftentimes, the parent does not participate in these educational decisions or their whereabouts are unknown. Without parental consent, educators are legally unable to move forward, leaving foster children unevaluated, unsupported, and unable to benefit from the myriad of services offered by public schools for children with disabilities.

Now, if the parent does not attempt to participate, the child's foster parent is able to consent to these crucial education decisions on behalf of a foster child. Children in state care will now have the same access to public school services as other children, while retaining the educational rights of the parents.

### **A.R.S. §8-112: Isaac's Law**

Isaac planned on "aging out" out of the foster system when he turned 18. He was 17 years old, had been in state care since he was four years old, lived in over 40 placements, and had only three high school credits. His plan was to commit a non-violent felony and go to prison so he could meet his basic needs. It was a bleak future, but without a family, he felt this was his best option for survival. But at age seventeen, ten months before his 18<sup>th</sup> birthday, Isaac's lawyer asked if he would like to join her family as her adopted son. Due to red tape and unnecessary delays, Isaac was told the adoption process would take over a year – time Isaac did not have.

Isaac's Law creates a common-sense solution for older children in state care by mandating that the adoption process be complete within just six months. This law saves the state money, incorporates mandatory deadlines, and importantly, puts the best interests of children at the forefront of child welfare law.



## **A.R.S. §8-526: Transparency for Substance-Exposed Newborns**

The number of infants born addicted to drugs is skyrocketing. The opioid crisis and resulting rising tide of substance-exposed infants is changing the face of Arizona’s child welfare system, and yet, information regarding this vulnerable population is not being collected, nor tracked.

Beginning in 2022, the Department of Child Safety must make available the number of substantiated reports of substance-exposed infants and how many of those infants were placed in out-of-home foster care. This data is crucial to track the outcomes of these infants.