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Title 22@ Social Security

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Division 6@ Licensing of Community Care Facilities

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Chapter 4@ Small Family Homes

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Article 6@ Continuing Requirements

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Section 83064@ Licensee Duties and Responsibilities

## **83064 Licensee Duties and Responsibilities**

### **(a)**

The licensee shall be responsible for: (1) Participating with the child in activities. (2) Participating with agencies and other responsible persons in planning for the needs of the child. (3) Ensuring that the child is clean and providing the child with training in personal cleanliness and hygiene. (4) Protecting the child from home accidents. (5) Making provisions for the child to attend available community treatment or training programs when the child has needs which can be met by such programs. (6) Participating in activities which increase the licensee's own understanding of, and skill in, caring for children. (7) Providing for and meeting service needs of the child as identified in the needs and services plan required by section 83068.2. (8) Assisting the child in the development of goals and encouraging them to reach those goals. (9) Supervising the provision of basic services within the home. (10) Unless restricted by the case plan adopted by the court or other court order, the licensee shall permit and facilitate connections between the child and the child's siblings, family members, relatives, and non-relative extended family members. Nothing in this section shall be interpreted to require a provider to take any action that would impair the health and safety of children in out-of-home placement.

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**(2)**

Participating with agencies and other responsible persons in planning for the needs of the child.

**(3)**

Ensuring that the child is clean and providing the child with training in personal cleanliness and hygiene.

**(4)**

Protecting the child from home accidents.

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Making provisions for the child to attend available community treatment or training programs when the child has needs which can be met by such programs.

**(6)**

Participating in activities which increase the licensee's own understanding of, and skill in, caring for children.

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Providing for and meeting service needs of the child as identified in the needs and services plan required by section 83068.2.

**(8)**

Assisting the child in the development of goals and encouraging them to reach those goals.

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Supervising the provision of basic services within the home.

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Unless restricted by the case plan adopted by the court or other court order, the licensee shall permit and facilitate connections between the child and the child's siblings, family members, relatives, and non-relative extended family members.

Nothing in this section shall be interpreted to require a provider to take any action that would impair the health and safety of children in out-of-home placement.

**(b)**

The licensee shall be regularly present in the home when children are in the home full time. (1) If all children are involved in out of home programs, such as school or day care, the licensee shall be permitted to be regularly absent during those hours. (2) When the licensee is absent from the home while children are present the licensee shall provide for supervision of the children by a responsible adult unless otherwise agreed to in advance by the licensing and placing agencies.

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**(c)**

The licensee shall not hire or require a child in placement to babysit children residing in the facility, including children who are members of the licensee's family, guardianship children, and children in placement.

**(d)**

The licensee shall allow access to existing information regarding available vocational and postsecondary educational options as specified in Welfare and Institutions Code section 16001.9(a)(28). (1) The information may include, but is not limited to: (A) Admission criteria and coursework necessary for universities, community colleges, trade, career, technical or vocational schools/programs and

financial aid information for these schools/programs. (B) Informational brochures on postsecondary or vocational schools/programs, and specialized programs for current and former foster children available at the University of California, the California State University, and the California Community Colleges. (C) Campus tours. (D) Internet research on postsecondary or vocational schools/programs, sources of financial aid, independent living skills program offerings, specialized programs for current and former foster children available at the University of California, the California State University, and the California Community Colleges, and other local resources to assist youth. (E) School-sponsored events promoting postsecondary or vocational schools/programs. (F) Financial aid information, including information about federal, state and school-specific aid, state and school-specific scholarships, grants and loans, as well as aid available specifically to current or former foster youth and contact information for the Student Aid Commission.

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Campus tours.

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Internet research on postsecondary or vocational schools/programs, sources of financial aid, independent living skills program offerings, specialized programs for current and former foster children available at the University of California, the California State University, and the California Community Colleges, and other local resources to assist youth.

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School-sponsored events promoting postsecondary or vocational schools/programs.

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**(e)**

The licensee shall ensure that caregivers meet initial and ongoing training requirements regarding the child's right to nondiscriminatory care as outlined below: (1) Fair and equal access to all available services, placement, care, treatment, and benefits. (2) To not be subject to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity and gender expression, mental or physical disability, HIV status, or political affiliation with an Indian tribe or Alaskan village.

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**(f)**

The licensee shall ensure that individuals, who provide care and supervision of a child in a facility, have training on the existing laws and procedures regarding the safety of foster youth at school as contained in the California Student Safety and Violence Prevention Act of 2000.

**(g)**

The licensee shall ensure that individuals, who provide care and supervision of a child in a facility, have received instruction on cultural competency and sensitivity relating to sexual orientation, gender identity and gender expression, and best practices for providing adequate care to lesbian, gay, bisexual, and transgender

children in out-of-home care.

**(h)**

The licensee shall ensure that both caregivers and the licensee meet initial and ongoing training requirements regarding the training topics described in Section 16501.4(d) of the Welfare and Institutions Code.

**(i)**

The licensee shall complete training related to the reasonable and prudent parent standard as specified in Health and Safety Code section 1522.44(c).

**(j)**

The licensee shall complete training that includes the following topics:(1)

Children's right to receive sexual and reproductive health care and information.

(2) Children's right to have their sensitive health information kept confidential. (3)

The duties and responsibilities of the assigned case management worker and the licensee to ensure that children can obtain sexual and reproductive health services and information. (4) Guidance about how to engage and talk with children about healthy sexual development and reproductive and sexual health in a manner that is medically accurate, age or developmentally appropriate, trauma informed, and strengths based. (5) Information about current contraception methods and how to select and provide appropriate referral resources and materials for information and service delivery.

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