

83087 Buildings and Grounds

(a)

In addition to section 80087, the following shall apply.

(b)

The licensee shall provide bedrooms in the home which shall meet, at a minimum, the following requirements: (1) No more than two children shall share a

bedroom. (2) Children of different sexes shall not share a bedroom unless: (A)

Each child is under five years of age, or (B) A licensee is permitting a child to

share a bedroom consistent with their gender identity regardless of the gender or sex listed on the court or child welfare documents. (3) No room commonly used

for other purposes shall be used as a bedroom, except as permitted pursuant to

section 80024. (A) Such rooms shall include but not be limited to halls,

stairways, unfinished attics or basements, garages, storage areas and sheds or

similar detached buildings. (4) No bedroom shall be used as a public or general

passageway to another room. (5) Except for infants, children shall not share a

bedroom with an adult. (A) In bedrooms shared by adults and infants, no more

than one infant and no more than two adults shall share the room. (B) If two

children have been sharing a bedroom and one of them turns 18, they may

continue to share the bedroom as long as they remain compatible and the

licensing agency has granted an exception, pursuant to section 80024. (6)

Subsections 83087(b)(1), (2), (3), (4) and (5) apply to all bedrooms used by all

children residing in the facility, including children who are members of the licensee's family, guardianship children, and children in placement. (7) sections 83087(b)(3) and (4) apply to all bedrooms used by the licensee(s) and all other adults residing in the facility.

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(c)

The licensee who accepts a child with a disability shall make necessary specific provisions including but not limited to changes to the buildings and grounds as required to protect and assist the child and maximize the child's potential for self-help.

(d)

The licensee shall prohibit smoking in the facility and on the grounds of the facility.

(e)

Every small family home shall have one or more functioning carbon monoxide detectors on every occupiable level of the home, including basements, and near all sleeping areas as required by the California Fire Code, that meets the standards established in Health and Safety Code Chapter 8 (commencing with Section 13260) of Part 2 of Division 12. The detector shall be audible in each bedroom.

(f)

Every small family home shall have one or more functioning smoke alarms as required by Title 24, Part 9, of the California Fire Code, that meets the standards set forth in Section 13113.7 of the Health and Safety Code.

(g)

In every situation where children share a bedroom, the licensee shall document that the bedroom sharing arrangement ensures the health and safety of each child and that the children are compatible. When considering compatibility a licensee shall consult with children in their care, in an age and developmentally appropriate manner, regarding the child's sexual orientation and gender identity and what information the child wishes to disclose and to whom. A licensee shall not disclose information about the child's sexual orientation and/or gender identity against the child's wishes, unless compelled to do so by law or court order. This documentation shall be maintained in the child's record.