File No. 120652

Committee Item No. _____
Board Item No. 34

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____

Board of Supervisors Meeting Date 7/10/2012

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OTHER (Use back side if additional space is needed)

☐	☒	Assembly Bill 1856
☐	☐	
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Completed by: Derek Evans Date 6/29/2012
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

City and County of San Francisco
Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120652 **File Type:** Resolution **Status:** For Immediate Adoption

Enacted: **Effective:**

Version: 1 **In Control:** Board of Supervisors

File Name: Support for Assembly Bill 1856 - Establishment of Required Lesbian, Gay, Bisexual, and Transgender Cultural Competency Trainings for Caregivers of Foster Youth **Date Introduced:** 06/26/2012

Requester: **Cost:** **Final Action:**

Comment: **Title:** Resolution urging the Mayor and San Francisco Board of Supervisors to support Assembly Bill 1856, which would require caregivers of foster youth to be trained in cultural competency and best practices for providing adequate care for lesbian, gay, bisexual, transgender, queer, and questioning youth.

Sponsors: Wiener; Campos and Olague

History of Legislative File 120652

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	06/26/2012	REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING	Board of Supervisors		

FILE NO. 120652 RESOLUTION NO.

[Urging the Mayor and the Board of Supervisors to Support the Establishment of Required Lesbian, Gay, Bisexual, and Transgender Cultural Competency Trainings for Caregivers of Foster Youth (Assembly Bill 1856)]

Resolution urging the Mayor and San Francisco Board of Supervisors to support Assembly Bill 1856, which would require caregivers of foster youth to be trained in cultural competency and best practices for providing adequate care for lesbian, gay, bisexual, transgender, queer and questioning youth.

WHEREAS, Lesbian, gay, bisexual, transgender, queer and questioning (LGBTQQ) youth are more susceptible to harassment, violence, and discrimination than their straight counterparts; and

WHEREAS, 26% of LGBTQQ youth are forced to leave their families of origin as a result of conflicts with their parents regarding their sexual orientation or gender identity, and many of these LGBTQQ youth end up on the street, but some go to foster homes; and,

WHEREAS, There are very few studies of LGBTQQ foster youth, but one study in New York City found that 100% of LGBTQQ youth in New York City group homes reported that they were verbally harassed on the basis of their sexual orientation or gender identity while at their group home, 70% reported physical violence due to their sexual orientation or gender identity; and

WHEREAS, 78% were removed or ran away from their foster placements as a result of hostility toward their sexual orientation or gender identity, and 56% spent time living on the streets because they felt "safer" there than they did living in their group or foster home; and

WHEREAS, 78% of LGBTQQ foster youth don't feel safe in their group homes because of their gender identity and/or sexual orientation; and

WHEREAS, LGBTQQ foster youth face a great deal of disadvantages, and under the law they deserve equal access to services; and

WHEREAS, Assembly Bill 1856, which is currently being considered by the California State Legislature, would require existing training programs for caregivers of foster youth to include cultural competency training to best meet the needs of LGBTQQ foster youth;

WHEREAS, On June 18, 2012, the San Francisco Youth Commission adopted resolution 1112—12, which urged this Board of Supervisors to support AB 1856; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the California State Legislature to support AB 1856, such that providers of foster youth can be adequately trained to meet the unique needs of LGBTQQ foster youth; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to forward this resolution to the Speaker of the Assembly and President Pro Tem of the Senate of the California State Legislature.

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp or meeting date

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee: _____

An ordinance, resolution, motion, or charter amendment.

☒ 2. Request for next printed agenda without reference to Committee.

☐ 3. Request for hearing on a subject matter at Committee: _____

☐ 4. Request for letter beginning "Supervisor _____ inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. _____ from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No. _____

☐ 9. Request for Closed Session (attach written motion).

☐ 10. Board to Sit as A Committee of the Whole.

☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on _____

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

Supervisors Wiener; Campos, Olague

Subject:

Resolution urging the Mayor and the Board of Supervisors to support the establishment of required LGBT cultural competency trainings for caregivers of foster youth (AB 1856)

The text is listed below or attached:

Resolution urging the Mayor and San Francisco Board of Supervisors to support Assembly Bill 1856, which would require caregivers of foster youth to be trained in cultural competency and best practices for providing adequate care for lesbian, gay, bisexual, transgender, queer and questioning (LGBTQQ) youth.

Signature of Sponsoring Supervisor: _____

For Clerk's Use Only:

120652

ASSEMBLY BILL No. 1856

Introduced by Assembly Member Ammiano

February 22, 2012

An act to amend Sections 1522.41 and 1529.2 of the Health and Safety Code, and to amend Sections 16001.9 and 16003 of the Welfare and Institutions Code, relating to foster care services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1856, as introduced, Ammiano. Foster care services: cultural competency.

Existing law, the California Community Care Facilities Act, requires the State Department of Social Services to license and regulate community care facilities, including foster family agencies and other facilities that provide foster care services for children. A violation of community care facility provisions is a misdemeanor. Existing law requires the department to develop, and an administrator of a group home facility to complete, a certification program that includes training in various areas, including the rights of foster children. Existing law requires a foster family agency to provide, and a licensed foster parent to complete, preplacement training and additional annual training in various areas, including the rights of foster children. Existing law also requires a community college district with a foster care education program to make orientation and training available to a relative or nonrelative extended family member caregiver, as specified.

The bill would require the training for an administrator of a group home facility, licensed foster parent, and relative or nonrelative extended family member caregiver, to also include instruction on cultural competency and sensitivity relating to, and best practices for, providing

adequate care to lesbian, gay, bisexual, and transgender (LGBT) youth in out-of-home care.

Existing law provides that it is the policy of the state that foster children have specified rights.

This bill would provide that foster children also have the right to have caregivers and child welfare personnel who have received instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to LGBT youth in out-of-home care.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1522.41 of the Health and Safety Code
2 is amended to read:
3 1522.41. (a) The director, in consultation and collaboration
4 with county placement officials, group home provider
5 organizations, the Director of Mental Health, and the Director of
6 Developmental Services, shall develop and establish a certification
7 program to ensure that administrators of group home facilities
8 have appropriate training to provide the care and services for which
9 a license or certificate is issued.
10 (b) (1) In addition to any other requirements or qualifications
11 required by the department, an administrator of a group home
12 facility shall successfully complete a department-approved
13 certification program, pursuant to subdivision (c), prior to
14 employment. An administrator employed in a group home on the
15 effective date of this section shall meet the requirements of
16 paragraph (2) of subdivision (c).
17 (2) In those cases where the individual is both the licensee and
18 the administrator of a facility, the individual shall comply with all
19 of the licensee and administrator requirements of this section.
20 (3) Failure to comply with this section shall constitute cause for
21 revocation of the license of the facility.
22 (4) The licensee shall notify the department within 10 days of
23 any change in administrators.
24 (c) (1) The administrator certification programs shall require
25 a minimum of 40 hours of classroom instruction that provides
26 training on a uniform core of knowledge in each of the following
27 areas:

(A) Laws, regulations, and policies and procedural standards that impact the operations of the type of facility for which the applicant will be an administrator.

(B) Business operations.

(C) Management and supervision of staff.

(D) Psychosocial and educational needs of the facility residents.

(E) Community and support services.

(F) Physical needs for facility residents.

(G) Administration, storage, misuse, and interaction of medication used by facility residents.

(H) Resident admission, retention, and assessment procedures, including the right of a foster child to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected 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, mental or physical disability, or HIV status.

(I) Instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth in out-of-home care.

~~(I)~~

(J) Nonviolent emergency intervention and reporting requirements.

~~(J)~~

(K) Basic instruction on the existing laws and procedures regarding the safety of foster youth at school and the ensuring of a harassment- and violence-free school environment contained in the School Safety and Violence Prevention Act (Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code).

(2) The department shall adopt separate program requirements for initial certification for persons who are employed as group home administrators on the effective date of this section. A person employed as an administrator of a group home facility on the effective date of this section shall obtain a certificate by completing the training and testing requirements imposed by the department within 12 months of the effective date of the regulations implementing this section. After the effective date of this section, these administrators shall meet the requirements imposed by the

department on all other group home administrators for certificate renewal.

(3) Individuals applying for certification under this section shall successfully complete an approved certification program, pass a written test administered by the department within 60 days of completing the program, and submit to the department the documentation required by subdivision (d) within 30 days after being notified of having passed the test. The department may extend these time deadlines for good cause. The department shall notify the applicant of his or her test results within 30 days of administering the test.

(d) The department shall not begin the process of issuing a certificate until receipt of all of the following:

(1) A certificate of completion of the administrator training required pursuant to this chapter.

(2) The fee required for issuance of the certificate. A fee of one hundred dollars ($100) shall be charged by the department to cover the costs of processing the application for certification.

(3) Documentation from the applicant that he or she has passed the written test.

(4) Submission of fingerprints pursuant to Section 1522. The department may waive the submission for those persons who have a current clearance on file.

(5) That person is at least 21 years of age.

(e) It shall be unlawful for any person not certified under this section to hold himself or herself out as a certified administrator of a group home facility. Any person willfully making any false representation as being a certified administrator or facility manager is guilty of a misdemeanor.

(f) (1) Certificates issued under this section shall be renewed every two years and renewal shall be conditional upon the certificate holder submitting documentation of completion of 40 hours of continuing education related to the core of knowledge specified in subdivision (c). No more than one-half of the required 40 hours of continuing education necessary to renew the certificate may be satisfied through online courses. All other continuing education hours shall be completed in a classroom setting. For purposes of this section, an individual who is a group home facility administrator and who is required to complete the continuing education hours required by the regulations of the State Department

of Developmental Services, and approved by the regional center, may have up to 24 of the required continuing education course hours credited toward the 40-hour continuing education requirement of this section. Community college course hours approved by the regional centers shall be accepted by the department for certification.

(2) Every administrator of a group home facility shall complete the continuing education requirements of this subdivision.

(3) Certificates issued under this section shall expire every two years on the anniversary date of the initial issuance of the certificate, except that any administrator receiving his or her initial certification on or after July 1, 1999, shall make an irrevocable election to have his or her recertification date for any subsequent recertification either on the date two years from the date of issuance of the certificate or on the individual's birthday during the second calendar year following certification. The department shall send a renewal notice to the certificate holder 90 days prior to the expiration date of the certificate. If the certificate is not renewed prior to its expiration date, reinstatement shall only be permitted after the certificate holder has paid a delinquency fee equal to three times the renewal fee and has provided evidence of completion of the continuing education required.

(4) To renew a certificate, the certificate holder shall, on or before the certificate expiration date, request renewal by submitting to the department documentation of completion of the required continuing education courses and pay the renewal fee of one hundred dollars ($100), irrespective of receipt of the department's notification of the renewal. A renewal request postmarked on or before the expiration of the certificate shall be proof of compliance with this paragraph.

(5) A suspended or revoked certificate shall be subject to expiration as provided for in this section. If reinstatement of the certificate is approved by the department, the certificate holder, as a condition precedent to reinstatement, shall submit proof of compliance with paragraphs (1) and (2) of subdivision (f), and shall pay a fee in an amount equal to the renewal fee, plus the delinquency fee, if any, accrued at the time of its revocation or suspension. Delinquency fees, if any, accrued subsequent to the time of its revocation or suspension and prior to an order for reinstatement, shall be waived for a period of 12 months to allow

1 the individual sufficient time to complete the required continuing
2 education units and to submit the required documentation.
3 Individuals whose certificates will expire within 90 days after the
4 order for reinstatement may be granted a three-month extension
5 to renew their certificates during which time the delinquency fees
6 shall not accrue.
7 (6) A certificate that is not renewed within four years after its
8 expiration shall not be renewed, restored, reissued, or reinstated
9 except upon completion of a certification training program, passing
10 any test that may be required of an applicant for a new certificate
11 at that time, and paying the appropriate fees provided for in this
12 section.
13 (7) A fee of twenty-five dollars ($25) shall be charged for the
14 reissuance of a lost certificate.
15 (8) A certificate holder shall inform the department of his or
16 her employment status and change of mailing address within 30
17 days of any change.
18 (g) Unless otherwise ordered by the department, the certificate
19 shall be considered forfeited under either of the following
20 conditions:
21 (1) The department has revoked any license held by the
22 administrator after the department issued the certificate.
23 (2) The department has issued an exclusion order against the
24 administrator pursuant to Section 1558, 1568.092, 1569.58, or
25 1596.8897, after the department issued the certificate, and the
26 administrator did not appeal the exclusion order or, after the appeal,
27 the department issued a decision and order that upheld the
28 exclusion order.
29 (h) (1) The department, in consultation and collaboration with
30 county placement officials, provider organizations, the State
31 Department of Mental Health, and the State Department of
32 Developmental Services, shall establish, by regulation, the program
33 content, the testing instrument, the process for approving
34 certification training programs, and criteria to be used in
35 authorizing individuals, organizations, or educational institutions
36 to conduct certification training programs and continuing education
37 courses. The department may also grant continuing education hours
38 for continuing courses offered by accredited educational institutions
39 that are consistent with the requirements in this section. The

department may deny vendor approval to any agency or person in any of the following circumstances:

(A) The applicant has not provided the department with evidence satisfactory to the department of the ability of the applicant to satisfy the requirements of vendorization set out in the regulations adopted by the department pursuant to subdivision (j).

(B) The applicant person or agency has a conflict of interest in that the person or agency places its clients in group home facilities.

(C) The applicant public or private agency has a conflict of interest in that the agency is mandated to place clients in group homes and to pay directly for the services. The department may deny vendorization to this type of agency only as long as there are other vendor programs available to conduct the certification training programs and conduct education courses.

(2) The department may authorize vendors to conduct the administrator's certification training program pursuant to this section. The department shall conduct the written test pursuant to regulations adopted by the department.

(3) The department shall prepare and maintain an updated list of approved training vendors.

(4) The department may inspect certification training programs and continuing education courses, including online courses, at no charge to the department, to determine if content and teaching methods comply with regulations. If the department determines that any vendor is not complying with the requirements of this section, the department shall take appropriate action to bring the program into compliance, which may include removing the vendor from the approved list.

(5) The department shall establish reasonable procedures and timeframes not to exceed 30 days for the approval of vendor training programs.

(6) The department may charge a reasonable fee, not to exceed one hundred fifty dollars ($150) every two years, to certification program vendors for review and approval of the initial 40-hour training program pursuant to subdivision (c). The department may also charge the vendor a fee, not to exceed one hundred dollars ($100) every two years, for the review and approval of the continuing education courses needed for recertification pursuant to this subdivision.

(7) (A) A vendor of online programs for continuing education shall ensure that each online course contains all of the following:

(i) An interactive portion in which the participant receives feedback, through online communication, based on input from the participant.

(ii) Required use of a personal identification number or personal identification information to confirm the identity of the participant.

(iii) A final screen displaying a printable statement, to be signed by the participant, certifying that the identified participant completed the course. The vendor shall obtain a copy of the final screen statement with the original signature of the participant prior to the issuance of a certificate of completion. The signed statement of completion shall be maintained by the vendor for a period of three years and be available to the department upon demand. Any person who certifies as true any material matter pursuant to this clause that he or she knows to be false is guilty of a misdemeanor.

(B) Nothing in this subdivision shall prohibit the department from approving online programs for continuing education that do not meet the requirements of subparagraph (A) if the vendor demonstrates to the department's satisfaction that, through advanced technology, the course and the course delivery meet the requirements of this section.

(i) The department shall establish a registry for holders of certificates that shall include, at a minimum, information on employment status and criminal record clearance.

(j) Subdivisions (b) to (i), inclusive, shall be implemented upon regulations being adopted by the department, by January 1, 2000.

(k) Notwithstanding any provision of law to the contrary, vendors approved by the department who exclusively provide either initial or continuing education courses for certification of administrators of a group home facility as defined by regulations of the department, an adult residential facility as defined by regulations of the department, or a residential care facility for the elderly as defined in subdivision (k) of Section 1569.2, shall be regulated solely by the department pursuant to this chapter. No other state or local governmental entity shall be responsible for regulating the activity of those vendors.

SEC. 2. Section 1529.2 of the Health and Safety Code is amended to read:

1529.2. (a) In addition to the foster parent training provided by community colleges, foster family agencies shall provide a program of training for their certified foster families.

(b) (1) Every licensed foster parent shall complete a minimum of 12 hours of foster parent training, as prescribed in paragraph (3), before the placement of any foster children with the foster parent. In addition, a foster parent shall complete a minimum of eight hours of foster parent training annually, as prescribed in paragraph (4). No child shall be placed in a foster family home unless these requirements are met by the persons in the home who are serving as the foster parents.

(2) (A) Upon the request of the foster parent for a hardship waiver from the postplacement training requirement or a request for an extension of the deadline, the county may, at its option, on a case-by-case basis, waive the postplacement training requirement or extend any established deadline for a period not to exceed one year, if the postplacement training requirement presents a severe and unavoidable obstacle to continuing as a foster parent. Obstacles for which a county may grant a hardship waiver or extension are:

(i) Lack of access to training due to the cost or travel required.

(ii) Family emergency.

(B) Before a waiver or extension may be granted, the foster parent should explore the opportunity of receiving training by video or written materials.

(3) The initial preplacement training shall include, but not be limited to, training courses that cover all of the following:

(A) An overview of the child protective system.

(B) The effects of child abuse and neglect on child development.

(C) Positive discipline and the importance of self-esteem.

(D) Health issues in foster care.

(E) Accessing education and health services available to foster children.

(F) The right of a foster child to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected 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, mental or physical disability, or HIV status.

1 *(G) Instruction on cultural competency and sensitivity relating*
2 *to, and best practices for, providing adequate care to lesbian, gay,*
3 *bisexual, and transgender youth in out-of-home care.*
4 ~~(G)~~
5 *(H)* Basic instruction on the existing laws and procedures
6 regarding the safety of foster youth at school and the ensuring of
7 a harassment and violence free school environment contained in
8 the California Student Safety and Violence Prevention Act of 2000
9 (Article 3.6 (commencing with Section 32228) of Chapter 2 of
10 Part 19 of Division 1 of Title 1 of the Education Code).
11 (4) The postplacement annual training shall include, but not be
12 limited to, training courses that cover all of the following:
13 (A) Age-appropriate child development.
14 (B) Health issues in foster care.
15 (C) Positive discipline and the importance of self-esteem.
16 (D) Emancipation and independent living skills if a foster parent
17 is caring for youth.
18 (E) The right of a foster child to have fair and equal access to
19 all available services, placement, care, treatment, and benefits, and
20 to not be subjected to discrimination or harassment on the basis
21 of actual or perceived race, ethnic group identification, ancestry,
22 national origin, color, religion, sex, sexual orientation, gender
23 identity, mental or physical disability, or HIV status.
24 *(F) Instruction on cultural competency and sensitivity relating*
25 *to, and best practices for, providing adequate care to lesbian, gay,*
26 *bisexual, and transgender youth in out-of-home care.*
27 (5) Foster parent training may be attained through a variety of
28 sources, including community colleges, counties, hospitals, foster
29 parent associations, the California State Foster Parent Association's
30 Conference, adult schools, and certified foster parent instructors.
31 (6) A candidate for placement of foster children shall submit a
32 certificate of training to document completion of the training
33 requirements. The certificate shall be submitted with the initial
34 consideration for placements and provided at the time of the annual
35 visit by the licensing agency thereafter.
36 (c) Nothing in this section shall preclude a county from requiring
37 county-provided preplacement or postplacement foster parent
38 training in excess of the requirements in this section.
39 SEC. 3. Section 16001.9 of the Welfare and Institutions Code
40 is amended to read:

1 16001.9. (a) It is the policy of the state that all children in
2 foster care shall have the following rights:
3 (1) To live in a safe, healthy, and comfortable home where he
4 or she is treated with respect.
5 (2) To be free from physical, sexual, emotional, or other abuse,
6 or corporal punishment.
7 (3) To receive adequate and healthy food, adequate clothing,
8 and, for youth in group homes, an allowance.
9 (4) To receive medical, dental, vision, and mental health
10 services.
11 (5) To be free of the administration of medication or chemical
12 substances, unless authorized by a physician.
13 (6) To contact family members, unless prohibited by court order,
14 and social workers, attorneys, foster youth advocates and
15 supporters, Court Appointed Special Advocates (CASAs), and
16 probation officers.
17 (7) To visit and contact brothers and sisters, unless prohibited
18 by court order.
19 (8) To contact the Community Care Licensing Division of the
20 State Department of Social Services or the State Foster Care
21 Ombudsperson regarding violations of rights, to speak to
22 representatives of these offices confidentially, and to be free from
23 threats or punishment for making complaints.
24 (9) To make and receive confidential telephone calls and send
25 and receive unopened mail, unless prohibited by court order.
26 (10) To attend religious services and activities of his or her
27 choice.
28 (11) To maintain an emancipation bank account and manage
29 personal income, consistent with the child's age and developmental
30 level, unless prohibited by the case plan.
31 (12) To not be locked in a room, building, or facility premises,
32 unless placed in a community treatment facility.
33 (13) To attend school and participate in extracurricular, cultural,
34 and personal enrichment activities, consistent with the child's age
35 and developmental level with minimal disruptions to school
36 attendance and educational stability.
37 (14) To work and develop job skills at an age-appropriate level,
38 consistent with state law.

(15) To have social contacts with people outside of the foster care system, such as teachers, church members, mentors, and friends.

(16) To attend Independent Living Program classes and activities if he or she meets age requirements.

(17) To attend court hearings and speak to the judge.

(18) To have storage space for private use.

(19) To be involved in the development of his or her own case plan and plan for permanent placement.

(20) To review his or her own case plan and plan for permanent placement, if he or she is 12 years of age or older and in a permanent placement, and to receive information about his or her out-of-home placement and case plan, including being told of changes to the plan.

(21) To be free from unreasonable searches of personal belongings.

(22) To confidentiality of all juvenile court records consistent with existing law.

(23) To have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected 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, mental or physical disability, or HIV status.

(24) To have caregivers and child welfare personnel who have received instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth in out-of-home care.

~~(24)~~

(25) At 16 years of age or older, to have access to existing information regarding the educational options available, including, but not limited to, the coursework necessary for vocational and postsecondary educational programs, and information regarding financial aid for postsecondary education.

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

(c) The State Department of Social Services and each county welfare department are encouraged to work with the Student Aid Commission, the University of California, the California State

University, and the California Community Colleges to receive information pursuant to paragraph (23) of subdivision (a).

SEC. 4. Section 16003 of the Welfare and Institutions Code is amended to read:

16003. (a) In order to promote the successful implementation of the statutory preference for foster care placement with a relative caretaker as set forth in Section 7950 of the Family Code, each community college district with a foster care education program shall make available orientation and training to the relative or nonrelative extended family member caregiver into whose care the county has placed a foster child pursuant to Section 1529.2 of the Health and Safety Code, including, but not limited to, courses that cover the following:

(1) The role, rights, and responsibilities of a relative or nonrelative extended family member caregiver caring for a child in foster care, including the right of a foster child to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected 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, mental or physical disability, or HIV status.

(2) An overview of the child protective system.

(3) The effects of child abuse and neglect on child development.

(4) Positive discipline and the importance of self-esteem.

(5) Health issues in foster care.

(6) Accessing education and health services that are available to foster children.

(7) Relationship and safety issues regarding contact with one or both of the birth parents.

(8) Permanency options for relative or nonrelative extended family member caregivers, including legal guardianship, the Kinship Guardianship Assistance Payment Program, and kin adoption.

(9) Information on resources available for those who meet eligibility criteria, including out-of-home care payments, the Medi-Cal program, in-home supportive services, and other similar resources.

(10) Instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth in out-of-home care.

~~(10)~~

(11) Basic instruction on the existing laws and procedures regarding the safety of foster youth at school and the ensuring of a harassment and violence free school environment contained in the California Student Safety and Violence Prevention Act of 2000 (Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code).

(b) In addition to training made available pursuant to subdivision (a), each community college district with a foster care education program shall make training available to a relative or nonrelative extended family member caregiver that includes, but need not be limited to, courses that cover all of the following:

(1) Age-appropriate child development.

(2) Health issues in foster care.

(3) Positive discipline and the importance of self-esteem.

(4) Emancipation and independent living.

(5) Accessing education and health services available to foster children.

(6) Relationship and safety issues regarding contact with one or both of the birth parents.

(7) Permanency options for relative or nonrelative extended family member caregivers, including legal guardianship, the Kinship Guardianship Assistance Payment Program, and kin adoption.

(8) Basic instruction on the existing laws and procedures regarding the safety of foster youth at school and the ensuring of a harassment and violence free school environment contained in the California Student Safety and Violence Prevention Act of 2000 (Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code).

(c) In addition to the requirements of subdivisions (a) and (b), each community college district with a foster care education program, in providing the orientation program, shall develop appropriate program parameters in collaboration with the counties.

(d) Each community college district with a foster care education program shall make every attempt to make the training and orientation programs for relative or nonrelative extended family

1 member caregivers highly accessible in the communities in which
2 they reside.
3 (e) When a child is placed with a relative or nonrelative extended
4 family member caregiver, the county shall inform the caregiver
5 of the availability of training and orientation programs and it is
6 the intent of the Legislature that the county shall forward the names
7 and addresses of relative or nonrelative extended family member
8 caregivers to the appropriate community colleges providing the
9 training and orientation programs.
10 (f) This section shall not be construed to preclude counties from
11 developing or expanding existing training and orientation programs
12 for foster care providers to include relative or nonrelative extended
13 family member caregivers.

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