

File No. 120652

Committee Item No. _____
Board Item No. 54

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____

Board of Supervisors Meeting Date 7/10/2012

Cmte Board

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
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| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER (Use back side if additional space is needed)

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Assembly Bill 1856</u> |
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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		

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

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

8
9 WHEREAS, Lesbian, gay, bisexual, transgender, queer and questioning (LGBTQQ)
10 youth are more susceptible to harassment, violence, and discrimination than their straight
11 counterparts; and

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

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

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

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

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

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

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

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

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

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):

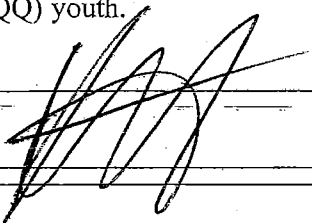
Supervisors Wiener; Campos, Olague

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:

- 1 (A) Laws, regulations, and policies and procedural standards
2 that impact the operations of the type of facility for which the
3 applicant will be an administrator.
- 4 (B) Business operations.
- 5 (C) Management and supervision of staff.
- 6 (D) Psychosocial and educational needs of the facility residents.
- 7 (E) Community and support services.
- 8 (F) Physical needs for facility residents.
- 9 (G) Administration, storage, misuse, and interaction of
10 medication used by facility residents.
- 11 (H) Resident admission, retention, and assessment procedures,
12 including the right of a foster child to have fair and equal access
13 to all available services, placement, care, treatment, and benefits,
14 and to not be subjected to discrimination or harassment on the
15 basis of actual or perceived race, ethnic group identification,
16 ancestry, national origin, color, religion, sex, sexual orientation,
17 gender identity, mental or physical disability, or HIV status.
- 18 (I) *Instruction on cultural competency and sensitivity relating*
19 *to, and best practices for, providing adequate care to lesbian, gay,*
20 *bisexual, and transgender youth in out-of-home care.*
- 21 ~~(I)~~
- 22 (J) Nonviolent emergency intervention and reporting
23 requirements.
- 24 ~~(J)~~
- 25 (K) Basic instruction on the existing laws and procedures
26 regarding the safety of foster youth at school and the ensuring of
27 a harassment- and violence-free school environment contained in
28 the School Safety and Violence Prevention Act (Article 3.6
29 commencing with Section 32228) of Chapter 2 of Part 19 of
30 Division 1 of Title 1 of the Education Code).
- 31 (2) The department shall adopt separate program requirements
32 for initial certification for persons who are employed as group
33 home administrators on the effective date of this section. A person
34 employed as an administrator of a group home facility on the
35 effective date of this section shall obtain a certificate by completing
36 the training and testing requirements imposed by the department
37 within 12 months of the effective date of the regulations
38 implementing this section. After the effective date of this section,
39 these administrators shall meet the requirements imposed by the

1 department on all other group home administrators for certificate
2 renewal.

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

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

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

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

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

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

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

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

30 (f) (1) Certificates issued under this section shall be renewed
31 every two years and renewal shall be conditional upon the
32 certificate holder submitting documentation of completion of 40
33 hours of continuing education related to the core of knowledge
34 specified in subdivision (c). No more than one-half of the required
35 40 hours of continuing education necessary to renew the certificate
36 may be satisfied through online courses. All other continuing
37 education hours shall be completed in a classroom setting. For
38 purposes of this section, an individual who is a group home facility
39 administrator and who is required to complete the continuing
40 education hours required by the regulations of the State Department

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

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

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

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

31 (5) A suspended or revoked certificate shall be subject to
32 expiration as provided for in this section. If reinstatement of the
33 certificate is approved by the department, the certificate holder,
34 as a condition precedent to reinstatement, shall submit proof of
35 compliance with paragraphs (1) and (2) of subdivision (f), and
36 shall pay a fee in an amount equal to the renewal fee, plus the
37 delinquency fee, if any, accrued at the time of its revocation or
38 suspension. Delinquency fees, if any, accrued subsequent to the
39 time of its revocation or suspension and prior to an order for
40 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 1529.2. (a) In addition to the foster parent training provided
2 by community colleges, foster family agencies shall provide a
3 program of training for their certified foster families.

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

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

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

21 (ii) Family emergency.

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

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

27 (A) An overview of the child protective system.

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

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

30 (D) Health issues in foster care.

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

33 (F) The right of a foster child to have fair and equal access to
34 all available services, placement, care, treatment, and benefits, and
35 to not be subjected to discrimination or harassment on the basis
36 of actual or perceived race, ethnic group identification, ancestry,
37 national origin, color, religion, sex, sexual orientation, gender
38 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.

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

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

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

7 (18) To have storage space for private use.

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

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

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

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

19 (23) To have fair and equal access to all available services,
20 placement, care, treatment, and benefits, and to not be subjected
21 to discrimination or harassment on the basis of actual or perceived
22 race, ethnic group identification, ancestry, national origin, color,
23 religion, sex, sexual orientation, gender identity, mental or physical
24 disability, or HIV status.

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

29 ~~(24)~~

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

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

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

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

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

5 16003. (a) In order to promote the successful implementation
6 of the statutory preference for foster care placement with a relative
7 caretaker as set forth in Section 7950 of the Family Code, each
8 community college district with a foster care education program
9 shall make available orientation and training to the relative or
10 nonrelative extended family member caregiver into whose care
11 the county has placed a foster child pursuant to Section 1529.2 of
12 the Health and Safety Code, including, but not limited to, courses
13 that cover the following:

14 (1) The role, rights, and responsibilities of a relative or
15 nonrelative extended family member caregiver caring for a child
16 in foster care, including the right of a foster child to have fair and
17 equal access to all available services, placement, care, treatment,
18 and benefits, and to not be subjected to discrimination or
19 harassment on the basis of actual or perceived race, ethnic group
20 identification, ancestry, national origin, color, religion, sex, sexual
21 orientation, gender identity, mental or physical disability, or HIV
22 status.

23 (2) An overview of the child protective system.

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

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

26 (5) Health issues in foster care.

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

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

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

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

- 1 (10) *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 ~~(10)~~
5 (11) 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 (b) In addition to training made available pursuant to subdivision
12 (a), each community college district with a foster care education
13 program shall make training available to a relative or nonrelative
14 extended family member caregiver that includes, but need not be
15 limited to, courses that cover all of the following:
16 (1) Age-appropriate child development.
17 (2) Health issues in foster care.
18 (3) Positive discipline and the importance of self-esteem.
19 (4) Emancipation and independent living.
20 (5) Accessing education and health services available to foster
21 children.
22 (6) Relationship and safety issues regarding contact with one
23 or both of the birth parents.
24 (7) Permanency options for relative or nonrelative extended
25 family member caregivers, including legal guardianship, the
26 Kinship Guardianship Assistance Payment Program, and kin
27 adoption.
28 (8) Basic instruction on the existing laws and procedures
29 regarding the safety of foster youth at school and the ensuring of
30 a harassment and violence free school environment contained in
31 the California Student Safety and Violence Prevention Act of 2000
32 (Article 3.6 (commencing with Section 32228) of Chapter 2 of
33 Part 19 of Division 1 of Title 1 of the Education Code).
34 (c) In addition to the requirements of subdivisions (a) and (b),
35 each community college district with a foster care education
36 program, in providing the orientation program, shall develop
37 appropriate program parameters in collaboration with the counties.
38 (d) Each community college district with a foster care education
39 program shall make every attempt to make the training and
40 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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