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Regulation Package #0709-07

CDSS MANUAL LETTER NO. CCL-10-08

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22,
DIVISION 6, CHAPTER 4, SMALL FAMILY HOMES

Regulation Package #0709-07

Effective 10/03/2010

Section 83064

This manual letter has been posted on the Office of Regulations Development website at <http://www.cdss.ca.gov/ord/PG647.htm>.

Assembly Bill (AB) 2096, (Chapter 483, Statutes of 2008), amended Welfare and Institutions Code Sections 362.05 and 727 and requires a group home administrator or facility manager, or his or her responsible designee to apply the "Reasonable and Prudent Parent Standard," as defined in 362.04(a)(2), when determining whether to allow group home children (i.e., wards and dependents) to participate in age-appropriate extracurricular, enrichment, and social activities. AB 2096 required designated staff to take steps to determine the appropriateness of the activity considering the child's age, maturity, and developmental level.

These regulations clarify and create standards for group home administrators or facility managers, or his or her designee in regard to applying a "Reasonable and Prudent Parent Standard." These regulations are intended to clarify the definition of "Reasonable and Prudent Parent Standard," to guide its application to group homes when determining whether to allow children (i.e., wards and dependents) to participate in age-appropriate and developmentally-appropriate extracurricular, enrichment, and social activities, and to amend various sections of the group home regulations to allow for the day-to-day application of this standard.

These regulations add new training requirements for specified staff in group homes, small family homes, foster family agencies, foster family homes, and transitional housing placement programs. As specified in Health and Safety Code Sections 1522.41 (c)(1)(J) and 1529.2 (b)(3)(G), amended by AB 3015, (Chapter 557, Statutes of 2008), this new training provides basic instruction on existing laws and procedures addressing the safety of foster youth at school and to ensure a harassment and violence free school environment.

These new training requirements will assist in educating group home administrators and licensed caregivers on what schools are doing to promote student safety, and harassment and violence prevention. Applicable statutes have been added to handbook for easy reference.

These regulations were considered at the Department's public hearings held on May 12, 2010.

FILING INSTRUCTIONS

Revisions to all manuals are indicated by a vertical line in the left margin. The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-10-07. The latest prior manual letter containing Small Family Home regulation changes was Manual Letter No. CCL-10-01.

Page(s)

Replace(s)

19 through 28.3

Pages 19 through 28.3

Attachments

KJ

83064 LICENSEE DUTIES AND RESPONSIBILITIES**83064**

- (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 him/her 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 family and non-relative extended family members. 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.
- (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 he/she shall provide for supervision of the children by a responsible adult unless otherwise agreed to in advance by the licensing and placing agencies.
- (c) The licensee shall not hire or require a child in placement to baby-sit children residing in the facility, including children who are members of the licensee's family, guardianship children, and children in placement.

83064 LICENSEE DUTIES AND RESPONSIBILITIES (Continued.)**83064**

- (d) For children 16 years of age or older, the licensee shall allow access to existing information regarding available vocational and postsecondary educational options as specified in Section 83072(c)(29).
- (1) The information may include, but is not limited to:
- (A) Admission criteria for universities, community colleges, trade or vocational schools and financial aid information for these schools.
 - (B) Informational brochures on postsecondary or vocational schools/programs.
 - (C) Campus tours.
 - (D) Internet research on postsecondary or vocational schools/programs, sources of financial aid, independent living skills program offerings, 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.
- (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, mental or physical disability, or HIV status.
- (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.

HANDBOOK BEGINS HERE

Health and Safety Code section 1529.2(b)(3)(G) provides:

"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)."

HANDBOOK CONTINUES

HANDBOOK CONTINUES

Education Code section 32228 provides:

"(a) It is the intent of the Legislature that public schools serving pupils in any of grades 8 to 12, inclusive, have access to supplemental resources to establish programs and strategies that promote school safety and emphasize violence prevention among children and youth in the public schools.

(b) It is also the intent of the Legislature that public schools have access to supplemental resources to combat bias on the basis of race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, as defined in subdivision (q) of Section 12926 of the Government Code, and to prevent and respond to acts of hate violence and bias related incidents. Sexual orientation shall not include pedophilia.

(c) It is further the intent of the Legislature that schoolsites receiving funds pursuant to this article accomplish all of the following goals:

- (1) Teach pupils techniques for resolving conflicts without violence.
- (2) Train school staff and administrators to support and promote conflict resolution and mediation techniques for resolving conflicts between and among pupils.
- (3) Reduce incidents of violence at the schoolsite with an emphasis on prevention and early detection.
- (4) Provide age-appropriate instruction in domestic violence prevention, dating violence prevention, and interpersonal violence prevention."

HANDBOOK ENDS HERE

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Section 51, Civil Code; Sections 1501, 1529.1, 1529.2, 1530.91, 1531, and 1562, Health and Safety Code; Sections 366.1, 366.21, and Section 16001.9, Welfare and Institutions Code; and 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.

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83065 PERSONNEL REQUIREMENTS**83065**

- (a) In addition to Section 80065, the following shall apply.
- (b) Physician reports from general practitioners or specialists may be required after licensure if the licensing agency has reason to believe that a licensee's or staff member's physical and/or mental health is not adequate to carry out responsibilities under these regulations.
 - (1) The licensing agency shall provide the licensee a written explanation of the need for the additional report.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

83065.1 ADDITIONAL PERSONNEL REQUIREMENTS FOR SPECIALIZED SMALL FAMILY HOMES**83065.1**

- (a) The licensee, assistant caregivers, on-call assistants and any other persons providing specialized in-home health care shall comply with the following requirements:
 - (1) Prior to caring for a child with special health care needs or when the child's needs change, the in-home health care provider shall complete training in specialized in-home health care provided by a health care professional as required by the child's individualized health care plan, except when
 - (A) The in-home health care provider is a licensed health care professional; and
 - (B) The child's individualized health care plan team determines that completion of specialized in-home health care training for the child is unnecessary on the basis of the in-home health care provider's medical qualifications and expertise.
- (b) Volunteers caring for children in a specialized small family home shall meet the health screening requirements in Sections 80065(g)(1) and (g)(2).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17731(c) and 17732(b); and 17736(a), Welfare and Institutions Code and Sections 1531 and 1562, Health and Safety Code.

83066 PERSONNEL RECORDS FOR SPECIALIZED SMALL FAMILY HOMES 83066

- (a) The licensee shall ensure that the personnel records of all persons subject to the requirements of Section 83065.1(a) contain the following:
- (1) For any training or additional training from which the licensee or other in-home health care provider is exempt:
 - (A) Documentation that the child's individualized health care plan team has determined that it is not necessary for the licensee or other in-home health care provider to complete the specialized in-home health care training or additional training.
 1. Documentation may be provided in different ways, including, but not limited to, a written statement from a member designated by the team that the team has been notified and has determined that the training or additional training is unnecessary.
 - (B) A copy of a valid license or certificate indicating that he/she is a licensed health care professional.
 - (2) For any training or additional training from which the licensee or other in-home health care provider is not exempt:

83066 PERSONNEL RECORDS FOR SPECIALIZED SMALL FAMILY HOMES 83066
(Continued.)

- (A) Documentation, by a health care professional providing the training, that he/she has successfully completed the specialized in-home health care training specified in Section 83065.1(a)(1).
- (b) The licensee of a specialized small family home caring for more than three children shall keep a current and dated work schedule for assistant caregivers and on-call assistants.
- (c) For each on-call assistant, the licensee shall keep on file a telephone number at which that person can be reached while on call.
- (d) For each volunteer caring for children in a specialized small family home, the licensee shall have on file the record of a health screening and test for tuberculosis as specified in Section 83065.1(b). The health screening shall be used in place of the volunteer statement specified in Section 80065(g)(3)(A).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17731 and 17732(b), Welfare and Institutions Code and Section 1531, Health and Safety Code.

83068.1 ADMISSION PROCEDURES 83068.1

- (a) The licensee shall develop, maintain and implement admission procedures which shall meet the requirements specified in this section.
- (b) Upon placement the licensee or designated person shall:
- (1) Request the information specified in Section 83068.2.
 - (2) Obtain the information specified in Sections 80080(b)(1) through (b)(5), (b)(7), (b)(8) and (b)(10), and 83070(b)(1) through (b)(8).
 - (3) Complete, and have signed, an admission agreement as specified in Section 80068.
- (c) As soon as the information specified in (b)(1) above is available, the licensee or designated person, shall review the information and determine:
- (1) The licensee's ability to meet the individual needs of the child.
 - (2) The licensee's ability to simultaneously continue meeting the needs of other children and the licensee's family.

83068.1 ADMISSION PROCEDURES (Cont.)**83068.1**

- (d) If it is determined after review that the home cannot meet the service needs of the child, the licensee shall:
- (A) Inform the child's authorized representative.
 - (B) Request that the child be placed elsewhere.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

83068.2 NEEDS AND SERVICES PLAN**83068.2**

- (a) At the time of placement, the licensee or a designated person shall request for each child, a needs and services plan which describes the child's service needs.
- (1) Such plan shall be requested from the child's authorized representative.
 - (2) The licensee shall use a form approved by the licensing agency.
- (b) The needs and services plan shall contain at a minimum the following information:
- (1) Name.
 - (2) Age.
 - (3) Physical limitations.
 - (4) History of infections or contagious diseases.
 - (5) History of other medical, emotional, behavioral and physical problems.
 - (6) Capability of the child to handle his/her own cash resources.
 - (7) Current service needs related to (3), (4), (5), and (6) above.
 - (8) Any applicable needs appraisal or individual program plans completed by a placement agency or consultant.
 - (9) Plans for providing services to meet the individual needs identified above.

83068.2 NEEDS AND SERVICES PLAN (Cont.)**83068.2**

- (10) Signature of the person or representative of the agency providing the information.
- (c) If the licensee is not given the child's record with the above information at the time of placement, the licensee shall make telephone and/or written requests for the information to the child's authorized representative, and shall record and retain the details of those requests.
 - (1) If the information is not received within 15 calendar days, the licensee shall obtain an assessment of current service needs from other sources.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

83068.3 MODIFICATIONS TO NEEDS AND SERVICES PLAN**83068.3**

- (a) The written needs and services plan shall be updated at least annually and:
 - (1) As frequently as necessary to ensure accuracy and to document determination of a disability.
 - (2) As frequently as determined necessary by the child's authorized representative.
- (b) If modifications to the plan identify unmet needs the following requirements shall be met:
 - (1) It shall be determined whether the licensee has the ability to meet the needs of the child.
 - (A) If it is determined that the identified needs can be met by the licensee, a written plan to meet the needs shall be developed and maintained in the home.
 - (B) If it is determined that the identified needs cannot be met by the licensee, the licensee shall give notice to the child's authorized representative to remove the child from the home.
- (c) The licensee shall permit the participation of the child's authorized representative in modification to the needs and services plan.
 - (1) Such participation shall be verified by his/her signature on the needs and services plan.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

**83069.1 INDIVIDUALIZED HEALTH CARE PLANS FOR SPECIALIZED
SMALL FAMILY HOMES****83069.1**

- (a) The licensee shall not accept a child with special health care needs unless the licensee has obtained an individualized health care plan for the child. The plan shall include the following information:
- (1) The name, address, and phone number of the health care professional responsible for monitoring the child's ongoing health care.
 - (2) The appropriate number of hours of on-site supervision and monitoring, and the appropriate number of hours of off-site supervision and monitoring, needed to be provided by the monitor designated in Section 83069.1(a)(1).
 - (3) Documentation by the child's individualized health care plan team identifying the specialized in-home health care to be administered by a health care professional or responsible adult trained by a health care professional.
 - (4) Arrangements for in-home health support services if required.
 - (5) Specific responsibilities of the licensee for the provision of specialized in-home health care, including any required training and/or additional training.
 - (A) If the specialized small family home has, or will have, four or more children in placement, the individualized health care plan shall include the hours, if any, during which the child will not require an in-home health care provider to deliver specialized in-home health care.
 - (6) Identification of any available and funded medical services that are to be provided to the child in the home which may include, but is not limited to, assistance from health care professionals.
 - (7) Identification of any psychological, emotional, behavioral, or medical problems that will be identified in the child's needs and services plan or the medical assessment specified in Section 80069.
- (b) The individualized health care plan for each child with special health care needs shall be updated at least every six months or sooner if the needs of the child change.
- (c) For any child with special health care needs the hospital discharge plan may be adopted by the individualized health care plan team as the child's individualized health care plan.
- (d) The individualized health care plan may be combined with the child's needs and services plan or regional center individual program plan provided that all the information required by each plan is included.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17731(c), Welfare and Institutions Code.

83070 CHILD'S RECORDS**83070**

- (a) In addition to Section 80070, the following shall apply.
- (b) Each child's record shall contain at least the following:
 - (1) A copy of the child's birth certificate if available.
 - (2) Date of placement in the home.
 - (3) Name, address and telephone number of the placement agency, if any.
 - (4) Name, address and telephone number of person(s) to be contacted in an emergency when the child's authorized representative cannot be contacted.
 - (5) Written consent which authorizes the licensee to obtain other than ordinary medical and dental care in an emergency if the authorized representative cannot be located.
 - (6) Names of all persons authorized to take the child from the home.
 - (7) Dental and medical history, if available, including immunization records and any physician's orders for any medically necessary diet as specified in Section 80076(a)(6).
 - (8) Religious preference, and the name and address of clergyman or religious adviser, if any.
 - (9) A copy of the child's needs and services plan and any modifications thereto specified in Sections 83068.2 and 83068.3.
 - (10) A record of the continuing health needs and services received while the child is in the home including but not limited to, physical therapy and counseling.
- (c) The original or photographic reproductions of the child's record shall be given to the placement agency or the child's authorized representative when the child is moved from the home, and one copy retained in compliance with Section 80070(f).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

**83070.1 ADDITIONAL CHILDREN'S RECORDS FOR SPECIALIZED
SMALL FAMILY HOMES****83070.1**

- (a) The licensee shall ensure that records for each child with special health care needs contain the following:
- (1) Documentation that the child has been adjudged a dependent of the court under Section 300 of the Welfare and Institutions Code or has not been adjudged a dependent of the court under Section 300 of the Welfare and Institutions Code but is in the custody of the county welfare department, or has a developmental disability and is receiving services and case management from a regional center.
 - (2) A copy of the child's individualized health care plan as specified in Section 83069.1.
 - (3) A copy of the written reassessment of the child's individualized health care plan as specified in Section 83069.1(b).
- (b) The licensee of a specialized small family home not exceeding the two-child capacity limit shall ensure that each child's needs and services plan contains the following information in addition to the information required in Sections 83068.2 and 83068.3:
- (1) Documentation by the child's county social worker, regional center caseworker or authorized representative that the needs of the child can be met by the facility.
 - (A) New documentation shall be obtained for all children and placed in the respective needs and services plans each time there is an increase or turnover in children and the home meets the conditions described in above Section 83070.1(b).
- (c) If a third child is placed in a specialized small family home, the licensee shall ensure that:
- (1) The needs and services plan for the third child documents the determination specified in Section 83010.1(a)(1)(A).
 - (2) The needs and services plan for each child in the home documents the determinations specified in Section 83010.1(a)(1)(B) and (B)1.
 - (3) The individualized health care plan for each child with special health care needs documents the determinations specified in Sections 83010.1(a)(1)(C) and (C)1.

83070.1 ADDITIONAL CHILDREN'S RECORDS FOR SPECIALIZED SMALL FAMILY HOMES (Continued) 83070.1

- (A) Documentation may be provided in different ways, including, but not limited to, a written statement from a member designated by the team that the team has been notified and has determined that the two-child limit may be exceeded.
- (d) If more than three children are placed in a small family home caring for children with special health care needs, the licensee shall ensure that:
 - (1) The needs and services plan for each child placed in excess of the two-child limit documents the determinations specified in Section 83010.1(a)(2)(A).
 - (2) The needs and services plan for each child in the home documents the determinations specified in Sections 83010.1(a)(1)(B) and (B)1.
 - (3) The individualized health care plan for each child with special health care needs documents the determinations specified in Section 83010.1(a)(2)(C) and (C)1.
 - (A) Documentation may be provided in different ways, including, but not limited to, a written statement from a member designated by the team that the team has been notified and has determined that the two child limit may be exceeded.
 - (4) Records for at least one of the children contains a regional center placement agreement documenting that the child is a regional center client as specified in Section 83010.1(b)(2)(D).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17710(a), 17731(c), and 17732(a) and (b), Welfare and Institutions Code and Section 1531, Health and Safety Code.

83072 PERSONAL RIGHTS 83072

- (a) Each facility licensed to provide foster care for six or more children shall post a listing of a foster child's rights.
- (b) Each facility shall provide each school age child, who is placed in foster care, and his or her authorized representative with an age and developmentally appropriate orientation that includes an explanation of the rights of the child and addresses the child's questions and concerns.
- (c) At admission, each child, and his/her authorized representative, shall be personally advised of and given a copy of the child's rights as specified below:

83072 PERSONAL RIGHTS (Continued)**83072**

- (1) To have visitors provided the rights of others are not infringed upon, including:
 - (A) Brothers and sisters, unless prohibited by court order.
 - (1) Other relatives, unless prohibited by court order or by the child's authorized representative.
 - (B) Authorized representative.
 - (C) Other visitors unless prohibited by court order or by the child's authorized representative.
- (2) To wear his/her own clothes.
- (3) To possess and control his/her own cash resources, maintain an emancipation bank account and manage personal income consistent with the child's age and developmental level, unless otherwise agreed to in the child's needs and services plan and by the child's authorized representative.
- (4) To possess and use his/her own personal possessions, including toilet articles.
- (5) To have access to individual storage space for his/her private use.
- (6) To make and receive confidential telephone calls, unless prohibited by court order.
 - (A) Reasonable restrictions to telephone use may be imposed by the licensee. The licensee shall be permitted to:
 1. Restrict the making of long distance calls upon documentation that requested reimbursement for previous long distance calls has not been received.
 2. Restrict phone use in accordance with the facility's discipline program;
 3. Impose restrictions to ensure that phone use does not infringe on the rights of others or restrict the availability of the phone during emergencies.
 - (B) All restrictions shall be documented in the child's needs and services plan or the facility's discipline policies, and be signed by the child's authorized representative.
 - (C) Calls permitted to be restricted by subsections (A)1. and (A)2. above shall not include calls to the child's authorized representative, placement agency, family members (except by court order), social workers, attorneys, Court Appointed Special Advocates (CASA), probation officers, Community Care Licensing Division of the California Department of Social Services or the State Foster Care Ombudsperson.

83072 PERSONAL RIGHTS (Continued)**83072**

- (7) To have access to letter writing material and to send and receive unopened correspondence unless prohibited by court order.
- (8) To be accorded dignity in his/her personal relationships with staff and other persons.
- (9) To live in a safe, healthy and comfortable home where he or she is treated with respect, in accordance with Section 83072(c)(11).
- (10) To be free of physical, sexual, emotional, or other abuse, and corporal punishment.
- (11) 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.
- (12) To receive adequate and healthy food, and adequate clothing.
 - (A) Clothing and personal items provided shall be in accordance with Section 83072(c)(11).
- (13) To receive medical, dental, vision, and mental health services.
- (14) To be free of the administration of medication or chemical substances, unless authorized by a physician.
- (15) To contact family members (including brothers and sisters), unless prohibited by court order, and social workers, attorneys, foster youth advocates and supporters.
- (16) To contact the Community Care Licensing Division of the California Department of Social Services or the State Foster Care Ombudsperson regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints.
- (17) To be informed, and to have his or her authorized representative informed by the licensee of the provisions of law regarding complaints including, but not limited to, the address and telephone number of the complaint receiving unit of the licensing agency, and of information regarding confidentiality.
- (18) To be free to attend religious services or activities of his/her choice and to have visits from the spiritual advisor of his/her choice. Attendance at religious services in or outside of the facility, shall be on a completely voluntary basis.
- (19) To not be locked in any room, building, or facility premises at any time.

83072 PERSONAL RIGHTS (Continued)**83072**

- (A) The licensee shall not be prohibited by this provision from locking exterior doors and windows or from establishing house rules for the protection of clients provided the clients are able to exit the facility.
 - (B) The licensee shall be permitted to utilize means other than those specified in (A) above for securing exterior doors and windows only provided the clients are able to exit the facility and with the prior approval of the licensing agency.
- (20) To attend school and participate in extracurricular, cultural, and personal enrichment activities consistent with the child's age and developmental level, in accordance with Section 83072(c)(11).
 - (21) To work and develop job skills at an age-appropriate level that is consistent with state law.
 - (22) To have social contacts with people outside of the foster care system, such as teachers, church members, mentors, and friends, in accordance with Section 83072(c)(11).
 - (23) To attend Independent Living Program classes and activities if he or she meets age requirements.
 - (24) To attend court hearings and speak to the judge.
 - (25) To review his or her own case plan if he or she is over 12 years of age and to receive information about his or her out-of-home placement and case plan, including being told of changes to the plan.
 - (26) To be free from unreasonable searches of personal belongings.
 - (27) To confidentiality of all juvenile court records consistent with existing law.
 - (28) Not to be placed in any restraining device. Postural supports may be used if they are approved in advance by the licensing agency as specified in (A) through (F) below.
 - (A) Postural supports shall be limited to appliances or devices including braces, spring release trays, or soft ties used to achieve proper body position and balance, to improve a client's mobility and independent functioning, or to position rather than restrict movement including, but not limited to, preventing a client from falling out of bed, a chair, etc.
 - 1. Physician-prescribed orthopedic devices such as braces or casts used for support of a weakened body part or correction of body parts are considered postural supports.
 - (B) All requests to use postural supports shall be in writing and include a written order of a physician indicating the need for such supports. The licensing agency shall be authorized to require other additional documentation in order to evaluate the request.
 - (C) Approved postural supports shall be fastened or tied in a manner which permits quick release by the child.