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Regulation Package #0709-07

CDSS MANUAL LETTER NO. CCL-10-10

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22,  
DIVISION 6, CHAPTER 7, TRANSITIONAL HOUSING PLACEMENT  
PROGRAM

**Regulation Package #0709-07**

**Effective 10/03/2010**

**Section 86065**

This manual letter has been posted on the Office of Regulations Development website at <http://www.cdss.ca.gov/ord/PG649.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-10-09. The latest prior manual letter containing Transitional Housing Placement Program regulation changes was Manual Letter No. CCL-10-03.

Page(s)

Replace(s)

26 through 27

Pages 26 through 27

Attachments

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**86064 ADMINISTRATOR QUALIFICATIONS AND DUTIES 86064**  
(Continued)

1. Knowledge of the THPP operations.
  2. Training in programs provided by the THPP.
  3. Authority to correct deficiencies that constitute immediate threats to the health and safety of children in the THPP.
- (3) Additional duties of the administrator shall include:
- (A) Appointing and dismissing staff.
  - (B) Organizing and administering a program of staff development for all staff.
- (4) The administrator may also serve in another personnel capacity, provided he or she meets the applicable qualifications of both positions.

NOTE: Authority cited: Sections 1530 and 1559.110, Health and Safety Code. Reference: Sections 1501, 1531, and 1559.115, Health and Safety Code; and Section 16522.1, Welfare and Institutions Code.

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**86065 PERSONNEL REQUIREMENTS 86065**

- (a) In addition to Section 80065, excluding Subsections 80065(c) and (e) the following shall apply:
- (1) All THPP personnel shall, at a minimum, receive training that provides knowledge of and skill in the following areas, as evidenced by safe and effective job performance:
    - (A) All THPP personnel shall complete a minimum of one-hour training in the area of child abuse identification and reporting.
  - (2) All THPP personnel shall, at a minimum, receive training about the characteristics of persons 16 - 21 years of age, placed in long-term foster care pursuant to Welfare and Institutions Code Section 16522.1(c).
  - (3) Training for all personnel shall address the child's right 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.

## 86065 PERSONNEL REQUIREMENTS (Continued)

86065

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**HANDBOOK BEGINS HERE**

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- (A) Welfare and Institutions Code Section 16522.1(c) states:

“A training program designed to educate employees who work directly with participants about the characteristics of persons in this age group placed on long-term care settings, and designed to ensure that these employees are able to adequately supervise and counsel participants and to provide them with training in independent living skills.”

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**HANDBOOK ENDS HERE**

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- (4) The THPP shall employ personnel necessary to perform the duties as follows:
- (A) An administrator as specified in Section 86064.
  - (B) A social work supervisor as specified in Section 86065.2.
  - (C) Social work personnel as specified in Section 86065.3.
- (5) The THPP shall have qualified social work personnel available on a 24-hour basis to respond to any emergency.
- (6) The THPP shall employ or retain qualified consultants necessary to implement the plan of operation.
- (7) THPP personnel, who provide care and supervision of foster youth, shall be trained on existing laws and procedures regarding the safety of foster youth at school as specified in the California Student Safety and Violence Prevention Act of 2000.

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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.

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**HANDBOOK CONTINUES**

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**86065 PERSONNEL REQUIREMENTS (Continued)****86065**

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**HANDBOOK CONTINUES**

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(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."

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**HANDBOOK ENDS HERE**

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NOTE: Authority cited: Sections 1530 and 1559.110, Health and Safety Code. Reference: Section 51, Civil Code; Sections 1501, 1506, 1529.2, 1531 and 1559.115, Health and Safety Code; Sections 16001.9, and 16522.1, Welfare and Institutions Code; and Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code.

**86065.2 SOCIAL WORK SUPERVISOR****86065.2**

- (a) Each social work supervisor in a THPP shall be responsible for, but not limited to, the following duties:
- (1) Orientation and training of new social work personnel.
  - (2) Review and oversight of assigned social work personnel to ensure compliance with applicable laws, regulations, policies and procedures.
- (b) Social work supervisors shall meet the following education and experience requirements:
- (1) A Master's Degree from an accredited graduate school, as defined in Section 94302 of the Education Code, or a graduate program approved by the California Private Post-Secondary and Vocational Education Bureau in one or more of the following areas:
    - (A) Social work or social welfare;
    - (B) Marriage, family and child counseling;
    - (C) Child psychology, child development;
    - (D) Counseling psychology, social psychology;
    - (E) Clinical psychology or Educational psychology, consistent with the scope of practice as described in Section 4986.10 of the Business and Professions Code;
    - (F) Education with a counseling emphasis; or
    - (G) Equivalent Master's Degree in human services or behavioral science degree as determined by the Department.
  - (2) In addition to the degree specifications, all of the following coursework and field practice or experience shall be completed prior to employment:
    - (A) At least three semester units or 100 days of internship, field practice or experience in a public or private social service agency setting at the Master's Degree level.
    - (B) At least nine semester units of coursework related to children and families or 18 months experience working with children and families.