

Adopt Section 31-137 to read:

TRANSITIONAL CARE PRIOR TO PLACEMENT

31-137

.1 For purposes of this section, "transitional care" shall mean the duties and responsibilities of the county child welfare services and probation agencies to children residing in the State of California during:

.11 The time period between removal of a child pursuant to Section 31-135 and the detention of that child pursuant to Welfare and Institutions Code Section 309(d)(1) or placement of that child with a licensed or approved care provider, or;

.12 The time period between removal of a child from an approved or licensed care provider or a person providing care pursuant to Welfare and Institutions Code Section 309(d)(1) and the placement of that child with another licensed or approved care provider or a person providing care pursuant to Welfare and Institutions Code Section 309(d)(1).

.2 During the period a child is in transitional care, the county child welfare agency or probation agency shall:

.21 Provide or ensure the provision of adequate care and supervision to the child, which shall include the following;

.211 Adequate food;

.212 Supervision by an adequate number of staff trained to address the needs and ensure the safety and wellbeing of children in crisis;

.213 Age-appropriate activities;

.214 Ensuring the child's medical needs are met.

.215 Protecting the personal rights of children as appropriate and consistent with Welfare and Institutions Code Section 16001.9, considering the transitional care setting.

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Efforts shall be made to protect and adhere to the personal rights of children to the extent possible in a transitional care setting. For example, while it may be difficult to meet a child's educational right to attend their school of origin, other temporary educational needs can be reasonably fulfilled. Such activities may include

supporting communication with the child's school, accommodating for completion of the child's homework, or facilitating the child's attendance to Individual Education Plan (IEP) meetings and other significant school events.

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- .22 Ensure that all adults having regular contact with children obtain a criminal record clearance consistent with California Health and Safety Code Section 1522.
- .23 Ensure that a check of the Child Abuse Central Index has occurred for all adults who have regular contact with children in transitional care consistent with California Health and Safety Code Section 1522.1.
- .24 Provide a physical environment that adequately protects the health and safety of the child including, but not limited to:
 - .241 Adhering to local zoning, safety and building ordinances;
 - .242 Provision of adequate sleeping arrangements when needed that meet age appropriate privacy needs of children;
 - .243 Provision of adequate bathrooms and bathing areas;
- .3 The length of time a child in transitional care may remain in an assessment or receiving center or other unlicensed child care facility or location shall be less than 24 hours.
- .31 The child's caseworker shall document in the child's case file any location where the child stayed for a period of 24 hours or more during the period of transitional care, and information explaining why the child was not placed in an approved or licensed home or facility during this time period.
 - .311 The child's caseworker shall enter the child's removal time, removal date, and location in the child's case file within 12 hours of removal.
- .32 The social worker or probation officer shall adhere to the responsibilities for placement as specified in Section 31-405.
- .4 The California Department of Social Services, Children and Family Services Division may:
 - .41 Investigate complaints related to alleged violations of this section.

- .42 Conduct inspections of the buildings and grounds where children in transitional care are located and to conduct interviews of individuals relating to the provisions of transitional care;
- .43 Develop a corrective action plan or review a corrective action plan developed by the county child welfare services agency or probation agency to correct identified deficiencies in the fulfillment of the requirements of this section;
- .44 Monitor county child welfare services agency and probation agency compliance with the approved corrective action plan;
- .45 Take action as appropriate pursuant to Welfare and Institutions Code Section 10605 to ensure compliance with these regulations.

- .5 The CFSD may delegate its authority to conduct the appropriate activities of this section to the California Department of Social Services, Community Care Licensing Division, to ensure prompt complaint response and deficiency correction.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 1522 and 1522.1, Health and Safety Code, and Sections 309(d)(1), 16001.9, 10605 and 16501(a), Welfare and Institutions Code.