

PERSONAL RIGHTS Children's Residential Facilities

EXPLANATION: The California Code of Regulations, Title 22, Division 6 requires that each child and nonminor dependent placed in a licensed children's residential facility or home must be advised of his/her personal rights and given a copy of these rights. Group Homes are also required to post these rights in the facility. Consequently, this form is designed to meet both the needs of children and nonminor dependents placed in homes/facilities and the licensees who are required to provide copies and post these rights.

This form describes the personal rights to be afforded each child and nonminor dependent placed in a home/facility and states the name of the appropriate licensing agency to contact regarding complaints. A complaint regarding a licensed children's residential facility may also be filed by contacting the Centralized Complaint and Information Bureau at (844) 538-8766.

This form is to be reviewed, completed and signed by each child, nonminor dependent, and authorized representative upon the child's or nonminor dependent's admission to the home/facility. The child, nonminor dependent, and authorized representative also have the right to receive a completed copy of the original signed form. The original signed form shall be retained in the child's or nonminor dependent's file which is maintained by the home/facility.

TO: CHILD, NONMINOR DEPENDENT AND AUTHORIZED REPRESENTATIVE:

Upon satisfactory and full disclosure of the personal rights as explained, complete the following acknowledgment:

ACKNOWLEDGMENT: I/We have been personally advised of, and have received a copy of the personal rights contained in Welfare and Institutions Code section 16001.9(a) and California Code of Regulations, Title 22, Division 6 at the time of admission to:

(PRINT THE NAME OF THE HOME/FACILITY)

(PRINT THE ADDRESS OF THE HOME/FACILITY)

(PRINT THE NAME OF THE CHILD/NONMINOR DEPENDENT)

(SIGNATURE OF THE CHILD/NONMINOR DEPENDENT)

(DATE)

(SIGNATURE OF THE AUTHORIZED REPRESENTATIVE)

(TITLE OF THE AUTHORIZED REPRESENTATIVE)

(DATE)

THE CHILD, NONMINOR DEPENDENT AND AUTHORIZED REPRESENTATIVE HAVE THE RIGHT TO BE INFORMED OF THE APPROPRIATE LICENSING AGENCY TO CONTACT REGARDING COMPLAINTS, WHICH IS:

NAME

ADDRESS

CITY

ZIP CODE

AREA CODE/TELEPHONE NUMBER

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PERSONAL RIGHTS

Children's Residential Facilities

As specified in Welfare and Institutions Code section 16001.9(a), you are afforded the following personal rights:

- ◆ To live in a safe, healthy, and comfortable home where you are treated with respect.
- ◆ To be free from physical, sexual, emotional or other abuse, or corporal punishment.
- ◆ To receive adequate and healthy food, adequate clothing, and, for youth in group homes, an allowance.
- ◆ To receive medical, dental, vision, and mental health services.
- ◆ To be free of the administration of medication or chemical substances, unless authorized by a physician.
- ◆ To contact family members, unless prohibited by court order, and social workers, attorneys, foster youth advocates and supporters, Court Appointed Special Advocates (CASAs), and probation officers.
- ◆ To visit and contact brothers and sisters, unless prohibited by court order.
- ◆ To contact the Community Care Licensing Division of the State 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.
- ◆ To make and receive confidential telephone calls and send and receive unopened mail, unless prohibited by court order.
- ◆ To attend religious services and activities of your choice.
- ◆ To maintain an emancipation bank account and manage personal income, consistent with your age and developmental level, unless prohibited by your case plan.
- ◆ To not be locked in a room, building, or facility premises, unless placed in a community treatment facility.
- ◆ To attend school and participate in extracurricular, cultural, and personal enrichment activities, consistent with your age and developmental level, with minimal disruptions to school attendance and educational stability.
- ◆ To work and develop job skills at an age-appropriate level, consistent with state law.
- ◆ To have social contacts with people outside of the foster care system, including teachers, church members, mentors and friends.
- ◆ To attend Independent Living Program classes and activities if you are 16 or older.
- ◆ To attend court hearings and speak to the judge.
- ◆ To have storage space for private use.
- ◆ To be involved in the development of your case plan and plan for permanent placement.
- ◆ To review your case plan and plan for permanent placement, if you are 12 years of age or older and in a permanent placement, and to receive information about your out-of-home placement and case plan, including being told of changes to the plan.
- ◆ To be free from unreasonable searches of personal belongings.
- ◆ To the confidentiality of all juvenile court records consistent with existing law.
- ◆ 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.
- ◆ To be placed in out-of-home care according to your gender identity, regardless of the gender or sex listed in your court or child welfare records.
- ◆ 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.
- ◆ 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.
- ◆ To have access to age-appropriate, medically accurate information about reproductive health care, the prevention of unplanned pregnancy, and the prevention and treatment of sexually transmitted infections at 12 years of age or older.

Personal rights for children and children with special health care needs are specified in Division 6 of Title 22 of the California Code of Regulations:

- Group Home: 22 CCR §§ 84072, 84072.3, 84272
- Small Family Home: 22 CCR §§ 83072, 83072.2
- Community Treatment Facility: 22 CCR § 84172(b)
- Transitional Housing Placement Provider: 22 CCR § 86072
- Foster Family Home/Certified Family Home: 22 CCR § 89372(a)

Personal rights for nonminor dependents are specified in the AB 12 Interim Licensing Standards for Nonminor Dependents in Foster Care:

- Group Home: § 84472(b)
- Small Family Home: § 83172(b)
- Transitional Housing Placement Program: § 86172(b)
- Foster Family Home/Certified Family Home: § 893172(b)