



PERSONAL RIGHTS
Sierra Vista Child and Family Services
Children’s Short Term Residential Therapeutic Program, Foster Family,
Adoption, Intensive Services Foster Care, and
Nonminor Dependent Clients

EXPLANATION: The California Welfare and Institutions Code and Foster Family Agency Interim Licensing Standards require that any child admitted to a home/facility must be advised of his/her personal rights and exercise his/her personal rights without harassment or retaliation. Homes/Facilities are also required to post these rights in areas accessible to the public. Consequently, this form is designed to meet both the needs of children admitted to homes/facilities and the home/facility owners who are required to post these rights.

This form describes the personal rights to be afforded each child admitted to a home/facility. This form also provides the complaint procedures for the child and authorized representative.

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

SIGNATURES:

Acknowledgement

By signing below, client or client’s representative acknowledges that he/she has reviewed and fully understands the terms and conditions of this agreement. Client or client’s representative has discussed such terms and conditions with the treatment team and has had any questions about its terms and conditions answered to client’s satisfaction. Client agrees to abide by terms and conditions of this agreement and consents to participate in his or her treatment. Moreover, client or client’s representative agrees to hold Sierra Vista Child & Family Services free and harmless from any claims, demands, or suits for damages from any injury or complication whatsoever, save negligence, that may result from such treatment.

- I understand the information above to be an explanation of my Personal Rights & Responsibilities
- I do not understand the information above as an explanation of my Personal Rights & Responsibilities
- Client appears to lack the capacity to understand their Personal Rights & Responsibilities

_____	_____
Client Name	Date
_____	_____
Client Signature	Date
_____	_____
Signature of Client’s Legal Guardian (and relationship to client)	Date
_____	_____
FFA Social Worker Signature	Date
_____	_____
FFA Resource Parent	Date

Plan to meet on _____ in order to review these Personal Rights & Responsibilities, if needed

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**Personal Rights of Children in Short Term Residential Therapeutic Program,
Foster Family, Adoption, Intensive Services Foster Care, and Nonminor Dependents
(Numbers 1- 41):**

1. To live in a safe, healthy, and comfortable home where you are treated with respect. If you are an Indian child, you also have the right to live in a home that upholds the prevailing social and cultural standards of your Indian community, including, but not limited to, family, social and political ties.
2. To be free from physical, sexual, emotional, or other abuse, corporal punishment, and exploitation.
3. To receive adequate and healthy food, adequate clothing, grooming and hygiene products, and an age-appropriate allowance. The clothing and grooming and hygiene products provided must respect your culture, ethnicity, and gender identity and expression.
4. To be placed in the least restrictive setting possible, regardless of your age, physical health, mental health, sexual orientation, and gender identity and expression, juvenile court record, or status as a pregnant or parenting youth, unless a court orders otherwise
5. To be placed with a relative or nonrelative extended family member if an appropriate and willing individual is available.
6. To not be locked in any portion of your foster care placement, unless placed in a community treatment facility.
7. To have a placement that utilizes trauma-informed and evidence-based de-escalation and intervention techniques, to have law enforcement intervention requested only when there is an imminent threat to the life or safety of a child or another person or as a last resort after other diversion and de-escalation techniques have been utilized, and not to have law enforcement intervention used as a threat or in retaliation against you.
8. Not to be detained in a juvenile detention facility based on your status as a dependent of the juvenile court or the child welfare services department's inability to provide a foster care placement. If you are detained, you are entitled to all the rights afforded under the United States Constitution, the California Constitution, and all applicable state and federal laws.

9. To have storage space for private use.
10. To be free from unreasonable searches of personal belongings.
11. To be provided the names and contact information for social workers, probation officers, attorneys, service providers, foster our advocates and supporters, Court Appointed Special Advocates (CASAs), and education rights holder if other than your parent or parents, and when applicable representatives designated by your Indian tribe to participate in the juvenile court proceeding. You have the right to communicate with all of these individuals privately.
12. To visit and contact siblings, family members, and relatives privately, unless prohibited by court order, and to ask the court for visitation with your siblings
13. To make, send, and receive confidential telephone calls and other electronic communications, and to send and receive unopened mail, unless prohibited by court order.
14. To have social contact with people outside of the foster care system, including, but not limited to, teachers, coaches, religious and spiritual community members, mentors, and friends. If you are an Indian child, you have the right to have contact with tribal members and members of your Indian community consistent with the prevailing social and cultural conditions and way of life of your tribe.
15. To attend religious services, activities, and ceremonies of your choice including, but not limited to, engaging in traditional Native American religious practices.
16. To participate in extracurricular, cultural, racial, ethnic, personal enrichment, and social activities, including, but not limited to, access to computer technology and the internet, consistent with your age, maturity, developmental level, sexual orientation, and gender identity and expression.
17. 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.
18. To have caregivers, child welfare and probation personnel and legal counsel who have received instruction on cultural competency and sensitivity relating to gender identity and expression, and best practices for providing adequate care to lesbian, gay, bisexual, and transgender children in out-of-home care.
19. To be placed in out-of-home care according to your gender identity, regardless of the gender or sex listed in our court, child welfare, medical, or vital records, to be referred to by preferred name and gender pronoun, and to maintain privacy regarding sexual orientation and gender identity and expression, unless you

- permit that information to be disclosed, or disclosure is required to protect your health and safety, or disclosure is compelled by law or a court order.
20. To have child welfare and probation personnel and legal counsel who have received instruction on the federal Indian Child Welfare Act of 1978 (25 U.S.C Sec. 1901 et seq.) and on cultural competency and sensitivity relating to, and best practices for, providing adequate care to Indian children in out-of-home care.
 21. To have recognition of your political affiliation with an Indian tribe or Alaskan village, including a determination of your membership or citizenship in an Indian tribe or Alaskan village; to receive assistance in becoming a member of an Indian tribe or Alaskan village in which you are eligible for membership or citizenship; to receive all benefits and privileges that flow from membership or citizenship in an Indian tribe or Alaskan village; and to be free from discrimination based on your political affiliation with an Indian tribe or Alaskan village.
 22. To access and receive medical, dental, mental health, and substance use disorder services, and reproductive and sexual health care, with reasonable promptness that meet your needs, to have diagnoses and services explained in an understandable manner, and to participate in decisions regarding health care treatment and services. This right includes covered gender affirming health care and gender affirming mental health care and is subject to existing laws governing consent to health care for minors and nonminors and does not limit, add, or otherwise affect applicable laws governing consent to health care. To view and receive a copy of your medical records to the extent you have the right to consent to the treatment provided in the medical record and at no cost to you until you are 26 years of age.
 23. Except in an emergency, to be free of the administration of medication or chemical substances, and to be free of all psychotropic medications unless prescribed by a physician, and in the case of children, authorized by a judge, without consequences or retaliation. You have the right to consult with and be represented by counsel in opposing a request for the administration of psychotropic medication and to provide input to the court about the request to authorize medication. You also have the right to report to the court the positive and adverse effects of the medication and to request that the court reconsider, revoke, or modify the authorization at any time.
 24. (A) 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.
(B) At any age, to consent to or decline services regarding contraception, pregnancy care, and perinatal care, including, but not limited to, abortion services and health care services for sexual assault without the knowledge or consent of any adult.
(C) At 12 years of age or older, to consent to or decline health care services to prevent, test for, or treat sexually transmitted diseases, including HIV, and mental health services, without the consent or knowledge of any adult.

25. At 12 years of age, to choose, whenever feasible and in accordance with applicable law, your own health care provider for medical, dental, vision, mental health, substance use disorder services and sexual and reproductive health care, if payment for the service is authorized under applicable federal Medicaid law or other approved insurance, and to communication with that health care provider regarding any treatment concerns or needs and to request a second opinion before being required to undergo invasive medical, dental, or psychiatric treatment.
26. To confidentiality of medical and mental health records, including, but not limited to, HIV status, substance use disorder history and treatment, and sexual and reproductive health care, consistent with existing law.
27. To attend school, to remain in your school of origin, to immediate enrollment upon a change of school, to partial credits for any coursework completed, and to priority enrollment in preschool, afterschool programs, a California State University, and each community college district, and to receive all other necessary educational supports and benefits, as described in the Education Code.
28. To have access to existing information regarding the educational options available, including, but not limited to, the coursework necessary for career, technical, and postsecondary educational programs, and information regarding financial aid for postsecondary education, and specialized programs for current and former foster children available at the University of California, the California State University, and the California Community Colleges.
29. To attend Independent Living Program classes and activities, if you meet the age requirements, and to not be prevented by caregivers from attending as a consequence or punishment.
30. To maintain a bank account and manage personal income, consistent with your age and developmental level, unless prohibited by the case plan.
31. To work and develop job skills at an age-appropriate level, consistent with state law.
32. For children 14-17 years of age, inclusive, to receive a consumer credit report provided to you by your social worker or probation officer on an annual basis from each of the three major credit reporting agencies and to receive assistance with interpreting and resolving any inaccuracies.
33. To be represented by an attorney in juvenile court; to have an attorney appointed to advise the court of your wishes, to advocate for your protection, safety, and well-being, and to investigate and report to the court on legal interests beyond the scope of the juvenile proceeding; to speak to the attorney confidentially; and to request a hearing if you feel that your appointed counsel is not acting in your best interest or adequately representing your legal interests.

34. To receive a notice of court hearings, to attend court hearings, to speak to the judge, to view and receive a copy of the court file, subject to existing federal and state confidentiality laws, and to object to or request the presence of interested persons during court hearings. If you are an Indian child, you also have the right to have a representative designated by your Indian tribe be in attendance during hearings.
35. To the confidentiality of all juvenile court records consistent with existing law.
36. To view and receive a copy of your child welfare records, juvenile court records, and educational records at no cost to you until you are 26 years of age, subject to existing federal and state confidentiality laws.
37. To be involved in the development of your own case plan, including placement decisions, and plan for permanency. This involvement includes, but is not limited to, the development of case plan elements related to placement and gender affirming health care, with consideration of your gender identity. If you are an Indian child, the case plan shall include protecting your essential tribal relations and best interests by assisting you in establishing, developing, and maintaining political, cultural, and social relationships with your Indian tribe and Indian community.
38. To review your own case plan and plan for permanent placement if you are 10 years of age or older, and to receive information about your out-of-home-placement and case plan, including being told of changes to the plan.
39. To request and participate in a child and family team meeting as follows:
 - (A) Within 60 days of entering foster care, and every 6 months thereafter.
 - (B) If placed in a short-term residential therapeutic program, or receiving intensive home-based services or intensive case coordination, or receiving therapeutic foster care services, to have a child and family team meeting at least every 90 days.
 - (C) To request additional child and family team meetings to address concerns, including, but not limited to, placement disruption, change in service needs, addressing barriers to sibling or family visits, and addressing difficulties in coordinating services.
 - (D) To have both informal and formal support people participate, consistent with state law.
40. To be informed of these rights in an age-appropriate and developmentally appropriate manner by your social worker or probation officer and to be provided a copy of the rights in this section at the time of placement, any placement change, and at least once every six months, or at the time of a regularly scheduled contact with our social worker or probation officer.

41. To be provided with contact information for the Community Care Licensing Division of the State Department of Social Services, the tribal authority approving a tribally approved home, and the State Foster Care Ombudsperson, at the time of each placement, and to contact any or all of these offices immediately upon request regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints. Community Care Licensing Division of the State Department of Social Services address is 1314 E. Shaw Avenue, Fresno, CA 93710. The Department can be reached at (559) 243-8080 or the State Ombudsperson can be reached at (877) 846-1602 regarding the violation of rights.

Personal Rights of Children in Foster Family, Adoption, and Intensive Services Foster Care (Numbers 42-56):

In addition to Rights 1-41 listed above, a Resource Family shall ensure that each child is accorded the following personal rights:

42. To be informed of and exercise your rights without harassment or retaliation.
43. To be free from corporal or unusual punishment; infliction of pain; humiliation; intimidation; ridicule; coercion; threat; physical, sexual, emotional, mental, or other abuse; or other actions of a punitive nature including interference with the daily living functions of eating, sleeping, or toileting, or withholding of shelter, clothing, medication, or aids to physical functioning.
44. To make and receive confidential telephone calls and send and receive unopened mail and electronic communication, unless prohibited by court order. Unless prohibited by court order, you may acquire, possess, and use your own cellular telephone. Reasonable restrictions on the use of a cellular telephone may be imposed by a Resource Family, if approved by the social worker or probation officer for the child.
45. To have access to letter writing material and postage.
46. To be accorded dignity in your personal relationships with other persons in the home.
47. To be free from unreasonable searches of person and personal property.
48. Not to be restrained or placed in any restraining device other than specified in FFA ILS Section 88487.17, Postural Supports and Protective Devices.
49. To obtain, possess and use contraception including, but not limited to, birth control medication, emergency contraception, long-acting reversible contraceptives, condoms, and barrier methods.

50. To be free to accept or decline a Resource Family's request to babysit the Resource Family's children, including adopted, biological, foster, and guardianship children.
51. To be provided with and allowed to acquire, possess, and use adequate personal items, which include your own clothes, provided the clothes are age-appropriate, do not violate school standards when worn during school activities, and are in accordance with WIC 16001.9(a)(3). Toiletries and personal hygiene products including razors used for shaving, as age and developmentally appropriate. Toiletries and personal hygiene products for a child's skin and hair shall be appropriate for the child's cultural, religious, ethnic, or racial background, and gender identity and expression.
52. Provided the rights of others are not infringed upon, to have visitors that include relatives, unless prohibited by court order; the authorized representative for the child; and other visitors, unless prohibited by court order or by the authorized representative for the child.
53. To be informed, and to have your representative be informed, by the Resource Family of the provisions of law regarding complaints, the address and telephone number of the Department, and about the confidentiality of complaints without retaliation.
54. To be accorded the independence appropriate to the age, maturity, and capability of the child consistent with child's needs and services plan or transitional independent living plan (TILP), if applicable.
55. To have private or personal information, including, but not limited to, any medical condition or treatment, psychiatric diagnosis or treatment, history of abuse, educational records, and information relating to the biological family of the child, maintained in confidence. The Resource Family shall disclose information about the child to the foster family agency, the Department, the Juvenile Court, and the child's biological family, social worker, placement worker, probation officer, tribe, physician, psychiatrist, CASA, attorney, and authorized representative, unless the disclosure is prohibited by court order. Additionally, as needed to ensure appropriate care, supervision, or education of the child, a Resource Family shall disclose information to respite care providers, occasional short-term babysitters, alternative caregivers, school officials, and other persons, unless such disclosure is prohibited by court order.
56. To receive medical, dental, vision, and mental health services.
 - (A) Medical services may include, but are not limited to, services related to the prevention or treatment of pregnancy, sexual assault, or rape; and at 12 years of age or older, the prevention, diagnosis, or treatment of sexually transmitted diseases. A child may consent personally to these services described in section (A) without the knowledge or consent of a parent, guardian, social worker,

probation officer, judge, or authorized representative and may obtain these services confidentially, unless prohibited by law.

Personal Rights of Nonminor Dependents in Foster Family, Adoption, Intensive Services Foster Care (Numbers 57- 68):

In addition to Rights 1-50 and listed above, a Resource Family shall ensure that each Nonminor Dependent is accorded the following personal rights:

57. To be provided with and allowed to acquire, possess, maintain, and use adequate personal items which include your own (A) clothes (B) toiletries and personal hygiene products for your skin and hair that are appropriate for your cultural, religious, ethnic or racial background and (C) belongings, including gifts to you, furniture, equipment, and supplies, for your personal living space in accordance with your interests, needs, and tastes.
58. To have adequate privacy for visitors that include relatives, unless prohibited by court order; the placement agency; and other visitors, unless prohibited by court order.
59. To be informed by the Resource Family of the provisions of law regarding complaints, the address and telephone number of the Department, and about the confidentiality of complaints.
60. To have the independence appropriate to the status of a legal adult, consistent with the needs and services plan or the transitional independent living plan for you.
61. To have private or personal information, including, any medical condition or treatment, psychiatric diagnosis or treatment, history of abuse, educational records, and information relating to the biological family of the nonminor dependent, maintained in confidence. There shall be no release of confidential information without the prior written consent of a nonminor dependent, and this information shall only be released to the extent permitted by law. A Resource Family shall, with the consent of a nonminor dependent, disclose relevant and necessary information about the nonminor dependent. The Resource Family shall disclose information about the nonminor dependent to the foster family agency, the Department, the Juvenile Court, and the nonminor dependent's biological family, social worker, placement worker, probation officer, physician, psychiatrist CASA, attorney, and authorized representative, unless the disclosure is prohibited by court order. Additionally, as needed to ensure appropriate care, supervision, or education of the nonminor dependent, a Resource Family shall disclose information to school officials and other persons, unless such disclosure is prohibited by court order.
62. To access information regarding available educational, training, and employment options of your choosing.

63. To select, obtain, prepare, and store food of your choosing.
64. To select, obtain, or decline medical, dental, vision, and mental health care and related services at your discretion.
65. To leave or depart the home at any time at your discretion.
66. To acquire, possess, maintain, and use a personal vehicle for transportation.
67. To acquire, possess, and use a personal cellular telephone.
68. To exercise your voting privileges.

As specified in Welfare and Institutions Codes section 16001.9(a,b,c), the rights listed above do not require and shall not 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.

The personal responsibilities of SVCFS Short Term Residential Therapeutic Program, ISFC and Foster Care Clients, and Nonminor Dependents include, but are not limited to, the following:

1. Are expected to follow “house rules”.
2. Are expected to be responsible to maintain personal safety and the safety of others.
3. Are responsible for self-care and hygiene according to developmental and physical ability.
4. Are responsible to follow educational requirements.
5. Are responsible for always engaging in respectful interactions with SVCFS staff.
6. Are responsible for showing respect and consideration of organization’s staff and property, as well as other individuals and their property.
7. Are responsible to follow the rules and regulations based on the shared transitional agreement and shared living arrangement plan.
8. Are responsible to share expectations of and satisfaction with the program.
9. Are responsible about asking questions if you don’t understand your service and what you are expected to do.
10. Are responsible for following instructions on your care plan and express concerns, if applicable.
11. Are responsible for accepting the consequences for the outcome of your services if you do not follow your service plan.

References: California Welfare and Institutions Code section 16001.9(a, b, c); California Department of Social Services ILS Chapter 8.8 Foster Family Agencies, Articles 9, and subchapter 1.