

# Allegheny County Department of Human Services Office of Children, Youth and Families (CYF) Current as of February 2014

Terms in blue ink are defined in Glossary

## CYF 012 – Parent and Youth Rights

### Parent Rights

During the Intake process, DHS gives (available in English and Spanish) A Parent's Handbook to parents involved with CYF. The booklet provides information about what they can expect from the agency as well as a description of rights and responsibilities for their children if they must go into Foster Care.

#### All Situations

Within legal mandates and court orders, parents with children involved with CYF have the right to:

- Be treated with respect (*freedom from discrimination based on disability, age, race, sex, religion, ethnic origin, economic status, or sexual orientation*);
- Privacy and confidentiality (*There are exceptions: CYF must tell the proper authorities about any child abuse, criminal activity, or a person's threat to harm themselves or others.*);
- Contact Information for CYF, including telephone numbers for their family's Caseworker/s and Supervisor/s and a 24-hour phone number for CYF: 412-473-2000;
- Information about the existence of ChildLine Reports (*Parents can request a copy from the Caseworker, but some information (like the reporting source) will be removed*);
- Information about actions CYF has taken;
- Contact information for the DHS Director's Action Line 1-800-862-6783 (for complaints);
- Review and inspect records and documents;
- An interpreter if you do not speak English, or if you are hearing impaired; and
- Reformatted or translated documents when there is Limited English Proficiency or a disability

#### Court-Active

If your family becomes involved with the Allegheny County Court of Common Pleas Juvenile Section for dependency-related matters, parents have the right to:

- Be informed of Court proceedings and court actions, copies of court orders, and other legal documents.
- The right to choose to have an attorney for legal advice and representation in court.

#### Accepted for services

Parents who receive services from CYF have the right to:

- Explanations about the reasons why the family is involved with CYF (and appeal rights)
- Copies of Family (Service) Plans, including Child Permanency Plans (and Concurrent Plans)
- The right to services described in the plan that alleviate abuse and neglect, meeting standards set by federal, state, and local regulations to be able to close your family's case. (*Parent/s have the right to refuse services, but are responsible for the result.*)

## **Parents with Children in Foster Care**

Parents maintain the following rights when their children are in foster care, unless denied by the court or as otherwise proscribed by law. Sometimes a Judge will consent or appoint someone to make decisions if the parent is not able or available to make decisions.

### Location Information and Visits

Parents are informed of the location of their child/ren (or changes in location), and may visit at least every two weeks at a place and time all parties agree upon; unless visits or other types of contact are deemed not in the child's best interests, incompatible with the child's placement goal, or otherwise restricted or prohibited by a Court order. When location information is withheld from parents (*which is rare*), the Juvenile Court Judge will rule on whether to continue withholding the information at hearings.

Parents are encouraged to keep in touch with their child/ren in foster care through visits, telephone calls, cards, gifts and/or letters, etc.

Children will be returned home when all of the conditions required by the court have been met. (*Note: A return home must be in the best interest of the child. This decision is made by a Judge at a hearing.*)

### Medical/Dental Care

With the parent's consent or that of the Court, CYF will ask that the child's caregiver arrange for his/ her routine medical and dental care. Parents may take part in the child's medical and dental care. Parents continue to have the right to consent to any non-routine medical care or needed surgery for the child, but if the child needs immediate medical treatment or hospitalization, parents will be notified as soon as possible. Parents may go with their child/ren to medical or dental appointments.

### Financial

Parents continue to have financial responsibility for their child during placement, including child support payments to CYF.

### Other

Parents have the right to be consulted and make decisions about their child's:

- Religion;
- General or Special Education needs;
- Hospitalizations and/or medical and surgical treatment;
- Out-of-county travel;
- Involvement in contact sports, such as football;
- Giving photos or information about your child for publication or media purposes;
- Waivers of liability (*usually for sports, trips or camp applications*); and or
- Marriage or enlistment in the military.

## Youth Rights

Youths involved with CYF have been provided with information and ways to lodge formal and informal 'grievances' for many years. In 2010, Pennsylvania passed a law known as the Children in Foster Act, which specifically enumerates these rights for children in foster care: <http://www.legis.state.pa.us/WU01/LI/LI/US/HTM/2010/0/0119..HTM>

- Treatment with fairness, dignity and respect.
- Freedom from discrimination because of race, color, religion, disability, national origin, age or gender.
- Freedom from harassment, corporal punishment, unreasonable restraint and physical, sexual, emotional and other abuse.
- The ability to live in the least restrictive, most family-like setting that is safe, healthy and comfortable and meets the child's needs.
- Proper nourishment.
- Clothing that is clean, seasonal and age and gender appropriate.
- Access to medical, dental, vision, mental health, behavioral health and drug and alcohol abuse and addiction services consistent with the laws of this Commonwealth and for which the child qualifies.
- Information related to services [listed in bulleted item above] including, but not limited to, medication and medication options and the opportunity to communicate a preference regarding a treatment plan, medication or medication options. If a child objects to a treatment plan, his or her objection shall be noted in the child's case record.
- Opportunity to consent to medical and mental health treatment consistent with applicable law.
- Permission to visit and have contact with family members, including siblings, as frequently as possible, consistent with the family service plan and the child's permanency plan, unless prohibited by court order, but no less than that prescribed by statute or regulation.
- The contact information of the child's guardian ad litem, attorney, court-appointed special advocate and members of the integrated services planning team and the opportunity to contact those persons.
- An environment that maintains and reflects the child's culture as may be reasonably accommodated.
- Education stability and an appropriate education consistent with the laws of this Commonwealth, including the opportunity to participate in extracurricular, cultural and personal enrichment activities that are reasonably available and accommodated and consistent with the child's age and developmental level.
- The opportunity to work and develop job skills at an age-appropriate level, consistent with the laws of this Commonwealth and as may be reasonably accommodated.
- The ability to receive appropriate life skills training and independent living services to prepare the child for the transition to adulthood, as consistent with Federal and State laws.
- Notice of and the ability to attend court hearings relating to the child's case and to have the opportunity to be heard consistent with 42 Pa.C.S. Ch. 63 (relating to juvenile matters).
- Confidentiality consistent with the laws of this Commonwealth.
- First consideration for placement with relatives, including siblings. In the absence of relatives, to have any kinship resource be considered as the preferred placement resource if the placement is consistent with the best interest of the child and the needs of other children in the kinship residence.
- Consideration of any previous resource family as the preferred placement resource, if relative and kinship resources are unavailable and the placement resource is consistent with the best interest of the child.
- If the child in foster care has a child of his or her own and that child has been placed in the same resource family with the parent, the child in foster care may exercise parental and decision-making authority over his or her own child, so long as there are no safety concerns on the part of the county child welfare agency or determined by the juvenile court.
- Permission to participate in religious observances and activities and attend religious services of the child's preference or the religion of the child's family of origin or culture as may be reasonably accommodated.

- A permanency plan and transition plan developed in conjunction with the child, and reviewed with the child, that provides the child with:
  - (i) Safety.
  - (ii) Stability.
  - (iii) Permanence and well-being, including stable and safe housing, opportunities for postsecondary education and training and employment and a stable source of income, health insurance and a plan for future treatment.
  - (iv) Connections with reliable adults.
- Notification that the child may request to remain under the court's jurisdiction under paragraph (3) of the definition of "child" under 42 Pa.C.S. [§ 6302](#).
- The grievance policy and procedure from a county agency or private agency and in accordance with [this law].
- The ability to file a grievance related to any of the provisions under this section to the appropriate official overseeing the child's care in accordance with a county or private agency's grievance policy and procedure.