

YOUTH RIGHTS GUIDE



This is a short look at my rights in residential placement. If I have more questions, I can look at the full guide because it has more info. Starting the first day I am in placement, I have the rights described in this guide. These rights are legally protected. **I do not have to earn these rights and I cannot lose them for any reason.**

For Philadelphia Youth in Residential Placement



A SHORT OVERVIEW

NOTE: This short guide puts laws, regulations, and contract requirements protecting Philadelphia youth who live in a residential placement facility into plain language. The guides do not apply to juvenile justice facilities run by the Commonwealth of Pennsylvania (like Youth Development Centers), but youth at these locations do have constitutional rights and other legal protections. The City is working to encourage the guide's use in those sites too. Please see the full guide for more information. This information is up to date now, but laws and rules can change over time.

WHAT ARE MY RIGHTS?



BEING INFORMED

- » I have the right to get a paper copy of the full *Youth Rights Guide* and this facility's steps to make an official grievance or complaint over something I think is wrong, unsafe, or unfair. Someone at the facility must go over both with me and any parent or guardian.
- » The facility must tell me the rules on why, how and when me, my room or my personal items may get searched.
- » I have the right to keep these documents with me and in my room so I can look at them when I need.



KNOWING HOW TO MAKE A GRIEVANCE

- » I have the right to speak up and make a grievance about my facility, my rights, or my care if I want to.
- » I have the right to submit my grievance in private (away from others who can hear me or read my writing) and to get help if I need it.
- » My parent or guardian can file a grievance for me. We can ask for help from my case manager, lawyer, or other people or agencies outside my facility to write up a grievance.
 - No one can punish or threaten me or my family if we do.

There are also ways to get help from outside of the facility, by contacting team members on my list in the guide and by contacting the following:

If I am being abused or neglected (not cared for) in any way:

The Pennsylvania Child Abuse Hotline, ChildLine at **1-800-932-0313**

If I am in a child welfare or juvenile justice placement:

- My CUA or DHS case worker
- My juvenile probation officer or my lawyer
- The Philadelphia Dept. of Human Services Commissioner's Action Response Office (CARO) at **215-683-6000** or dhscaro@phila.gov

If I am in Residential Treatment (RTF) or mental health facility:

The Community Behavioral Health Non-Emergency Services 24/7 Member Services Hotline: **1-888-545-2600**



BEING TREATED IN A FAIR AND RESPECTFUL WAY

- » I must be treated in a fair and respectful way, no matter my race or ethnicity, language or culture, gender identity or sexual orientation, how much money I have, national origin, religious beliefs, age, or disability.
- » I must not be hurt or abused in any way, including mistreatment, harassment, threats, or physical punishment.
- » The facility must provide safe housing for me in a way that affirms my gender expression.



HAVING A PLAN

- » I have the right to know why I am in placement and how long I can expect to be here.
- » I have the right to services that meet my needs and goals for my time in placement. This must be written in a plan I help make and review during the entire time I am here.



MEETING MY PERSONAL NEEDS

- » I have the right to practice the religion or faith of my choice if I want to.
- » I have the right to clean, comfortable clothing, plus personal care and hygiene products that I need for my gender, gender identity, sex, or ethnicity.
- » My clothes, bedding, and towels must get washed at least every week.
- » I must get at least three meals and one snack every day, with foods that are healthy and fresh. I must have access to as much water as I need.



THE BUILDING'S CONDITIONS

- » The facility must be clean and without harmful or dirty conditions. This includes free from mice, rodents, bedbugs, and infestations of bugs or insects.



KEEPING MY MONEY AND PERSONAL ITEMS SAFE

- » Any money I earn or get is my personal property, which must be kept away from facility money. My money cannot be used for staff, materials, or other kids.
- » I have the right to know how much money I have, to get a reasonable amount of my money when I need it, and to get all of my money back when I leave the facility.
- » The facility must tell me if any items are not allowed here and why.
- » The facility must tell me the rules on why, how, and when me, my room, or personal items can be searched, and items possibly taken.
 - The staff must explain a reason and need for the staff to do a search. The facility cannot look at my things just because they want to.
- » I can work with my case manager to get my needed documents. These might be my social security card, my health insurance card and my ID card.



GOING TO SCHOOL

- » I have the right to share my opinion in decision making about my education, including where I go to school.
 - » I have the right to possibly continue to go to my old school, or to get signed up and start classes right away at a new school.
 - » I have the right to take part in fun things like music, sports, or other after school clubs. These could be at the facility, in the local community, and in my home community.
- This will depend on what's safe for me and what's available. My case manager and the staff at my facility should plan for this together.*
- » I have the right to receive the supports I need to learn and get closer to graduating.



STAYING CONNECTED AND HAVING MY PRIVACY

- » I have the right to say who is family to me.
- » I have the right to visit with family in-person at least once every 2 weeks, unless the Court says differently.
- » I have the right to contact my family and loved ones. I also have the right to send mail without staff reading it. Most of the time, staff cannot read mail I get, unless there is reason to think items not allowed or other harmful info is inside.
- » I have the right to talk, communicate and share items with my attorney or religious leader in private.
- » I have the right to privacy with my medical and personal info. My info must be kept private and stored in a safe location. Staff must not talk about my health or other personal information with people who are not part of my direct care, unless my safety is at risk.



GETTING HEALTH SERVICES

- » My health and safety must get assessed within 24 hours of getting here.
- » If I am 14 years or older, I have the right to agree to mental health treatment without a parent, guardian, or agency approval. My parent/guardian and a doctor can also approve mental health care for me if I am younger than 18, even if I do not want it.
- » I have the right to get medical, dental, mental and behavioral health services when I need them. This includes getting emergency health services.
- » I must not get more medicines than I need for my health.
- » I have the right to get sexual health services that match my age, including pregnancy testing if I need it.
- » No matter my age, I have the right to get tested and treated for a sexually transmitted disease and/or drug and alcohol abuse.
- » I have the right to know what my health info says in most cases.

STAYING SAFE IN CRISIS: PREVENTING THE USE OF RESTRAINTS, EXCLUSION, AND SECLUSION

Sometimes, I might feel a lot of emotions. I could need help with these feelings and calming down in ways that work for me.

- » First, staff must let me try many ways to calm down.
- » As a last resort, a “restrictive procedure” could be used to protect me from harming myself or others. If staff use one, it must happen in a safe way for the shortest time needed.
- » I must be able to breathe if one is used. **Staff are never allowed to put weight on my mouth, nose, neck, chest or back because this could cause extreme danger.**
 - When I am calm again, staff must stop right away.
 - Staff cannot use one of the types to punish me or to make their job easier.
 - Staff must never ask or make another youth do one of these procedures to me.

It is the facility’s job to make my time here safe and healing. This means that staff must work to use less of, or not at all, any of these restrictive procedures this guide talks about. However, it is important for me to know that Pennsylvania still allows the facilities to use some types if someone’s safety is at risk. No matter what, I must be respected and that is why there are rules for how they can be used. I can look in the full Youth Rights Guide to see those rules.