



Know Your Rights in Residential Treatment Facilities

Office of the Youth Ombudsperson (OYO)

Our Team



Youth
Ombudsperson



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Associate Youth Ombudspersons



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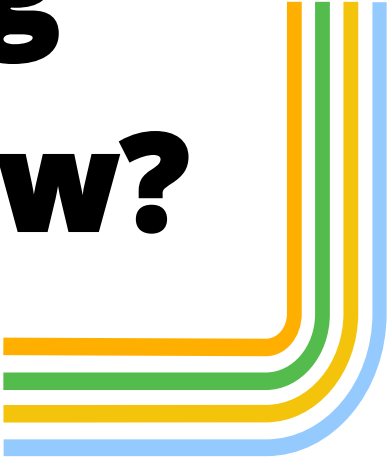
Administrative
Assistant



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**How are you
feeling
right now?**



I am feeling:



Overview

- 1 What is the OYO?
- 2 What do we do?
- 3 Your rights!!
- 4 Making a complaint
- 5 Survey!

What is an Ombudsperson?

(om-budz-per-son)

A “representative”

A person who listens to,
reports on, and helps settle
problems



Why does the OYO exist?

History of Philadelphia youth facing harm and rights violations while in placement

“—

While in a group home, there were times when I did speak up about the violence and mistreatment, and nothing changed. The mistreatment and violence continued to happen. Many adults didn't hate me, maybe, but they disliked me because they disagreed that I was speaking the truth, and I was standing up for what was right... I wanted someone who would always defend me. When I realized that no one was listening to me, I lost hope and was silent.

—”
- Duane (JLC Youth Advocate)

2018-2019

Youth Residential Task Force recommended that the OYO be created

2020-2021

JLC Youth Advocates shared their placement experiences with City Council

2021-2022

The Mayor signed an executive order that created the OYO

April 2023

Tracie Johnson, Youth Ombudsperson, was hired, and the OYO officially opened



What does the OYO do?

1. *Conduct Know Your Rights trainings* for youth in residential treatment facilities
2. *Administer surveys* to youth in residential treatment facilities to determine service complaints
3. *Collect and analyze data* on demographic disparities
4. *Independently oversee city investigations* regarding complaints about residential treatment facilities

What does that look like?



Steps of the oversight process

1

COMPLAINT RECEIVED



- ☐ Receive a complaint about an issue/concern
- ☐ Promptly follow up with the complainant
- ☐ Conduct an interview and gather information

2

ASSESSMENT



- ☐ Assess scope
- ☐ Review laws, policies, regulations and identify potential violations
- ☐ Notify city agency that oversees the facility

OYO's Scope



Is there a youth safety or well-being issue/concern?



Is the youth in a congregate care facility?



Is that youth's care funded by the City of Philadelphia?



3

OVERSEE & MONITOR

- ☐ **Oversee & monitor the City agency's investigation:**
 - Visit the facility
 - Interview staff and youth at the facility
 - Review the city agencies' policies, procedures, practices, and performance tools

4

EVALUATE PROCESS




- ☐ Evaluate any corrective actions taken by the City in response to the complaint
- ☐ Evaluate the facility's compliance with the corrective action



RECOMMENDATIONS

5

- ☐ **Write a report about the complaint, which includes:**
 - Recommendations for the city agency
 - Recommendations for the facility
 - ☐ Engage in ongoing monitoring of the facility if necessary
- 

YOUTH RIGHTS



A right is something already mine by legal protections of the law and DHS/CBH rules.

Starting from day one here, I have rights that are in this guide:

A few items in this guide are not legally protected. When I see words “should,” or “I can ask,” it means that DHS or CBH think that the idea is respectful and encourage the facility to do it, but it is not a right.

I do not have to earn my rights or get them as a reward, especially communicating with family.

I must not lose my rights for any reason. This means I cannot lose my rights as punishment, especially communicating with my family. The court may make limits on this depending on my situation.

Raise your hand if you know your rights in this place!

What are some examples?



Let's test
your
knowledge!



True or False:

You have the right to...

1. ...get three meals and one snack a day, but ONLY if you have very good behavior.
2. ...know why you're at your facility and how long you can expect to be there.
3. ...always eat dessert after dinner.
4. ...practice the religion or faith of your choice, if you want to.

SAFE.
RESPECTED.
SUPPORTED.





What Are Your Rights in This Facility?



As a young person in a placement facility,

I HAVE THE RIGHT TO...

BE INFORMED

- ☐ Ask questions
- ☐ Keep documents with me
- ☐ Get updates about my case
- ☐ Talk with my lawyer in private
- ☐ Know why, how, and when my belongings get searched

MAKE A COMPLAINT

- ☐ Make a complaint at my facility in private
- ☐ Not be punished or threatened for making a complaint
- ☐ Ask for help from people outside my facility



As a young person in a placement facility,

I HAVE THE RIGHT TO...

BE TREATED FAIRLY & RESPECTFULLY

- ☐ Not be abused or harassed, including physical, sexual, or emotional abuse
- ☐ Have staff that prevent and respond to any mistreatment by my peers

HAVE A PLAN

- ☐ Know why I'm in placement and how long I can expect to be here
- ☐ Take part in planning for my discharge or transition

As a young person in a placement facility,

I HAVE THE RIGHT TO...

GO TO SCHOOL

- ☐ Have access to information about my school progress, credits, and grades
- ☐ Get the learning evaluations and support that I need
- ☐ Learn at my skill level

STAY CONNECTED & HAVE PRIVACY

- ☐ Have the option to visit with family at least once every 2 weeks
- ☐ Contact my loved ones by phone, subject to facility policies
- ☐ Communicate with my attorney and clergy in private
- ☐ Have staff keep my personal information private

As a young person in a placement facility,

I HAVE THE RIGHT TO...

RECEIVE HEALTH SERVICES

- ☐ Have a health assessment within 24 hours of admission
- ☐ Consent to mental health treatment if I am 14 or older
- ☐ Receive sexual health and reproductive services and tests
- ☐ Not be excessively medicated
- ☐ Know my health history

KEEP MY MONEY AND THINGS SAFE

- ☐ Have the belongings and money I entered with kept safe
- ☐ Receive all my belongings and money back when I leave
- ☐ Know what items I can and cannot have in the facility
- ☐ Make a plan for getting my vital documents

As a young person in a placement facility,

I HAVE THE RIGHT TO...

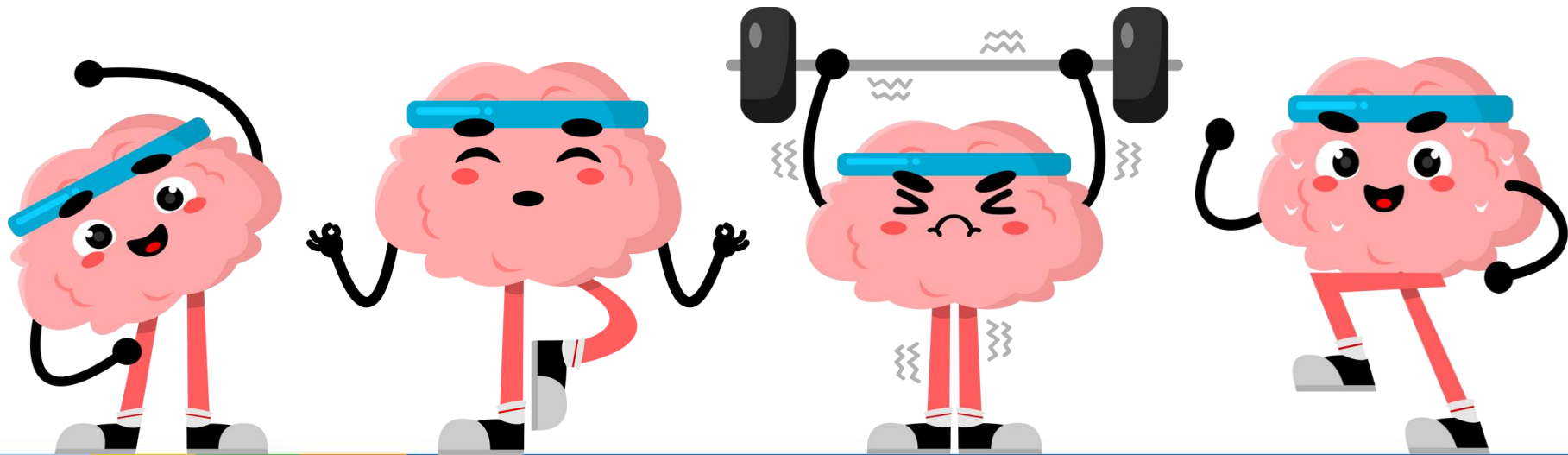
HAVE PERSONAL NEEDS MET

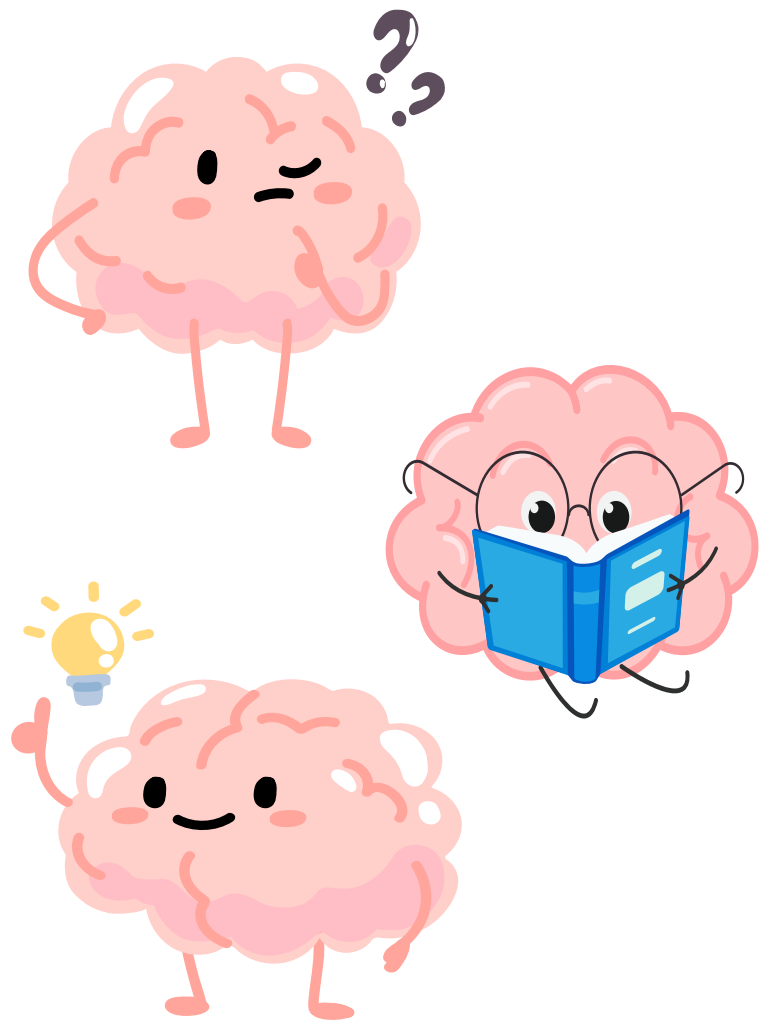
- ☐ Practice religion/faith of my choice
- ☐ Have clean/comfy clothing
- ☐ Have hygiene items and time for hygiene care
- ☐ Eat food that matches my medical/religious restrictions
- ☐ Have 3 meals and 1 snack a day
- ☐ Have my sheets and clothing washed weekly

BE SAFE IN CRISIS

- ☐ Calm myself down safely before staff use a “restrictive procedure”
- ☐ Be subject to restrictive procedures only when I pose a safety threat to myself or others
- ☐ Be restricted only in a way that keeps me safe and for the shortest period of time possible

Brain Break!





**Ready for
the next
game?**

Is this a rights violation?

#1.

A youth in a residential treatment facility has an Individualized Education Program (IEP). However, staff tell them that they don't have a way to provide special education services and so the youth will not receive any help with their learning.

ANSWER:

Yes, it's a rights violation!

You have the right to get the supports you need to learn and work towards graduating. If you have an IEP, you must get the services and help listed in your IEP.



**GOING TO
SCHOOL**

Is this a rights violation?

ANSWER:

No, it's not a rights violation!

The facility must help you keep your ties to your home community and relationships, and you have the right to contact your family and loved ones using the telephone without unreasonable limits.



GETTING
HEALTH SERVICES



#2.

A youth in a residential treatment facility wants to call a family member to update them on how they're doing in treatment. Staff arrange a private phone call with that person because they are on the approved phone call list.

Is this a rights violation?

#3

A youth in a residential placement facility has a toothache and asks to go to the dentist. Staff tell them that they have a routine check-up scheduled in a couple of weeks and refuse to take them to the dentist any sooner.

ANSWER:

Yes, it's a rights violation!

You have the right to get appropriate medical, dental, mental and behavioral health services to help you stay healthy.



What does your facility have to do?

Keep your info confidential:

- ☐ Complaint information
- ☐ Health information
- ☐ Case information

Allow you to:

- ☐ Access this training!
- ☐ Take our survey!
- ☐ Talk to us privately!

Allow our office to:

- ☐ Evaluate conditions
- ☐ Review records/files
- ☐ Visit all areas of facility

Information your facility should provide to you:

How to file a complaint, how to contact us, what your rights are

Information your facility should provide to our office:

Inform us of any complaints that you file with them about your rights

Your facility should not retaliate against any youth or employee for cooperating with our office, speaking to us, or filing a complaint

Now that you know what the facility responsibilities are...

How can you use this knowledge to hold your facility accountable?

Q What if staff isn't doing this?

- 1 Write OYO a letter
- 2 Give OYO a call
- 3 Ask staff to record it in your file
- 4 Write it in your journal
- 5 Reach out for help

Making a Complaint to the OYO



601 Walnut St. Suite 300E
Philadelphia, PA 19106



(215) 686-1178



OYO@phila.gov



OYO Complaint Form

Who else can you contact for help?

Facility staff you trust!

Pennsylvania ChildLine

Your case manager!

Your probation officer!

Your attorney!

Department of Human Services!

I have a problem.

Example: My clothes are starting to get too tight.

Who to ask for help:

- » Staff I trust at the facility if I feel safe.

I don't feel safe telling anyone at my facility or the problem got bigger.

Example: I have not gotten bigger clothes.

If I am in the child welfare system:

- » My DHS or CUA case manager; then their supervisor if they don't answer.

If I don't have a DHS or CUA case manager:

- » Community Behavioral Health Member Services **1-888-545-2600**
- » My juvenile probation officer (JPO)
- and
- » My lawyer

My problem got worse and I don't know what to do.

Example: I have no clothes left that fit me.

If I am in the child welfare system:

- » The Philadelphia Department of Human Services Commissioner's Action Response Office (CARO) **(215)-683-6000** or **dhscaro@phila.gov**

If I don't have a DHS or CUA case manager:

- » Community Behavioral Health Member Services **1-888-545-2600**
- » My juvenile probation officer (JPO)
- and
- » My lawyer and child advocate.

My rights have been taken away or broken.

Example: The facility tells me I must earn talking time with family.

- » Staff I trust at the facility if I feel safe.

If I am in the child welfare system:

- » My DHS or CUA case manager; then their supervisor if they don't answer
- » The Philadelphia Department of Human Services Commissioner's Action Response Office (CARO) **(215)-683-6000** or **dhscaro@phila.gov**

If I don't have a DHS or CUA case manager:

- » Community Behavioral Health Member Services: **1-888-545-2600**
- » My juvenile probation officer (JPO)
- and
- » My lawyer and child advocate.

I am being hurt, abused, neglected (not cared for) or feels unsafe in any way.

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

Childline takes calls 24/7 and will move to get more help based on the level of immediate risk to me. Action could be right away for abuse claims, to a few days for other concerns.

- » The local police department
- and
- » Anyone on my team I trust a lot. They can tell the right people for help.

Youth Rights Survey

We want to hear about your experiences here, including the good and the bad! This helps us ensure that your rights are being upheld, and you are getting what you need!



Participation is **OPTIONAL**



You can skip questions or stop at any time!



Make sure you fill the survey out for your **CURRENT** facility!



Your group home is **NOT** allowed to retaliate against youth who file a complaint



This is a **confidential** and **anonymous** survey. **Not all reported violations will lead to an investigation.** Deidentified responses may be shared in an annual report



If rights violations are reported, we **MUST** inform DHS



If abuse/neglect is reported, we **MUST** make a ChildLine report

IMPORTANT