** MAKE A WAY, CHILD PLACING AGENCY**

**CHILDREN’S ORIENTAION AND RIGHTS**

**For Children's Rules, Rewards, Consequences and/Orientation**

**Date:**

**Dear Client:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Foster Home:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

While you are in the care of Make A Way CPA, we want to ensure your rights as described in the enclosed list. Along with these rights, you also have certain responsibilities (rules—also enclosed), which you (and others in your foster home) must follow.

Make A Way CPA has assigned a team of case managers to make sure that you have the best care possible. They include:

* + - Foster Parents—responsible for your daily care and well-being
    - CPS Case Case manager—responsible for overseeing you and your family’s service plan
    - Make A Way CPA Case Manager—responsible for managing your team of case managers
    - Therapist—responsible for helping you deal with your feelings and behaviors
    - Psychologist—responsible for assessing your emotional and behavioral needs
    - Psychiatrist—responsible for assessing and monitoring your medication(s) needs
    - Others—physicians, dentists, teachers, administrators, court personnel—all working in support of YOU!

We want to quickly establish where you are going from here, what has to happen to get you there, and how long it should take. Within the first thirty (30) days, and each three (3) or (6) months thereafter, you and your treatment team will convene to determine how well you are doing in each area of your life. Then we will help you establish the goals that you wish to pursue and the plans to meet those goals.

Sincerely,

Make A Way Staff

##### CHILDREN'S RIGHTS

**As a child or youth in foster care I have the right to:**

**SAFETY AND CARE**

* 1. Be told:
* Why am I in foster care?
* What will happen to me?
* What is happening to my family (including brothers and sisters)?
* How is CPS planning for my future?
* 2. Good care and treatment that meets my needs in the most family-like setting possible. This means I

have the right to live in a safe, healthy, and comfortable place. And I am protected from getting hurt,

* treated with respect, and have some privacy for personal needs.
* 3. Be told the rules by a person at the place where I am living.
* 4. Be free from abuse, neglect, exploitation, and harassment from any person in the household or facility
* where I live.
* 5. Be treated fairly.

**FAMILY AND OTHER CONTACTS**

* 6. Live with my siblings who are also in foster care, if possible. If I am not living with my siblings, I have the
* right to know why. If there are no safety or other compelling reasons why I cannot live with my siblings,
* it is my caseworker's job to try and find a home where I can live with my siblings.
* 7. Visit and have regular contact with my family, including my brothers and sisters (unless a court order or
* case plan doesn't allow it) and to have my worker explain any restrictions to me and write them in my
* record.  I have the right to file a court petition to request access to my sibling(s) if I have been
* separated from my sibling(s) because of an action by DFPS.
* 8. Visit and have contact with persons outside the foster care system. These visitors can be, but are not
* limited to teachers, church members, mentors, and friends.

**HAVE A NORMAL LIFE**

* 9. Speak and be spoken to in my own language. This includes Braille if I am blind or sign language if I am
* deaf. If my foster parents or caregiver does not know my language, CPS will give me a plan to meet my
* needs to communicate.
* 10. Go to school and get an education that fits my age and individual needs.
* 11. Have my religious needs met.
* 12. Participate in childhood activities that are appropriate for my age and maturity, including youth
* leadership development, foster family activities, and unsupervised childhood and extracurricular activities
* (including playing sports, playing in the band, going on field trips, spending time with friends, etc.).
* 13. Privacy, including sending and receiving unopened mail, making and receiving private phone calls, and
* keeping a personal journal, unless an appropriate professional or court says that restrictions are
* necessary for my best interest.
* 14. Personal care, hygiene, and grooming products and training on how to use them.
* 15. Comfortable clothing for my age and size and similar to clothing worn by other children in my
* community. I also have the right to clothing that protects me against the weather. If I’m a teenager, I
* should have the reasonable opportunity to select my clothing.
* 16. Have my personal items and gifts at my home and to get additional things within reasonable limits, as

planned for and discussed by my caregiver and caseworker, and based on my caregiver's ability.

* 17. Personal space in my bedroom to store my clothes and belongings.
* 18. Be informed of search policies (going through my personal items). I have the right to be told if certain

items are forbidden (or if I am not allowed to have them) and why. If my belongings are removed, it must be documented.

* 19. Healthy foods in healthy portions for my age and activity level.
* 20. Seek employment, get paid for work done at my placement (except for routine chores or work

assigned as fair and reasonable discipline), keep my own money, and have my own bank account in my own name, depending on my age or level of maturity.

* 21. Give my permission in writing before taking part in any publicity or fund raising activity for the place
* where I live, including the use of my photograph.
* 22. Refuse to make public statements showing my gratitude to a foster home, child-placing agency, or

operation.

* 23. Not get pressured to get an abortion, give up my child for adoption, or to parent my child, if
* applicable.

**DISCIPLINE**

* 24. Be free of any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This means I
* should never:
  + Be shaken, hit, spanked, or threatened with being shaken, hit, or spanked
  + Be forced to do unproductive work
  + Be denied food, sleep, access to a bathroom, mail, or family visits
  + Have myself or my family made fun of, or
  + Be threatened with losing my placement or shelter
  + Be treated in a way meant to embarrass, control, harm, intimidate, or isolate me by use of physical force, rumors threats, or inappropriate comments.
* 25. Be disciplined in a manner that is appropriate to how mature I am, my developmental level, and my
* medical condition. I must be told why I was disciplined. Discipline does not include the use of restraint,
* seclusion, corporal punishment, or threat of corporal punishment.
* 26. Be informed of emergency behavioral intervention policies in writing. I have the right to know how

they will control me if I cannot control my behavior, and to know how they will keep me and those around me safe.

**PLANS FOR ME WHILE IN CARE**

* 27. See my caseworker at least once a month and in private.
* 28. Receive a complete plan that addresses my needs and services, including transition activities when I

am 14 or older that plans for my life as an adult, to include a career, college or help enrolling in an educational or vocational job training program. I also have the right to a copy or summary of my plan and the right to review it.

* 29. Actively participate in creating my plan for services and permanent living arrangements. I have the
* right to ask someone to act on my behalf or to support me in my participation. At age 14, I have the right
* to invite two or more additional people of my choosing, that are not my foster parent or caseworker, to
* participate in my case planning meetings.
* 30. If I am an older youth: If I am age 14 or older, I have the right to one or more Circle of Support

Conferences or Transition Planning Meetings.

* 31. If I am age 14 or older, I have the right to be told about services, programs and benefits available to
* me when I leave care (PAL, Education and Training Voucher program, College Tuition and Fee Waiver,
* STAR Health-Medicaid, Extended Foster Care, etc.).
* 32. If I am age 16 or older, I have the right to attend Preparation for Adult Living (PAL) classes and other

state and regional activities as required or appropriate to my plan for services.

* 33. If I am age 16 or older, I have the right to get help in obtaining a place to live and information on the
* cost of housing when aging out of care, so that I can plan for my future independence.

**MEDICAL**

* 34. Good medical, dental, and vision care, and mental health and developmental services that adequately
* meet my needs. I have the right to also request that the care or services be separate from adults (other
* than young adults) who are receiving services.
* 35. Not be forced to take unnecessary or too much medication.
* 36. Be involved in decisions about my medical care:
* I may consent to my own treatment in some cases if allowed by the health care provider. For

example, the law allows me to consent to my own counseling for suicide prevention, drug or

alcohol problems, or sexual, physical or emotional abuse, and I can agree to be treated for serious

contagious or communicable diseases.

* If I am pregnant and unmarried, I can agree to hospital, medical or surgical treatment, other than abortion, related to the pregnancy. If I have a child who is in my legal care, I can consent to all medical care for my child.
* If I am 16 years old or older, I have the right to ask a judge to legally authorize me to make some or all of my own medical decisions, such as which kinds of medications I should take.

**LEGAL/COURTS**

* 37. Contact and speak privately to: my caseworker, attorneys, ad litems, probation officer, court
* appointed special advocate (CASA), and Disability Rights of Texas at any time.
* 38. Go to court hearings and speak to the judge, including talking to the judge about where I am living and

what I like to see happen to me and my family.

**RECORDS**

* 39. Expect that my records and personal information will be kept private and will be discussed only when
* it is about my care.
* 40. A copy of the CPS Rights of Children and Youth in Foster Care and that they be explained to me in my

primary language or in any means that successfully explains it to me.

* 41. Have a credit report run annually beginning at age 14, be informed of the results, and receive
* assistance in interpreting the report and disputing any inaccuracies.
* 42. Receive help with getting my driver’s license, social security card, birth certificate, and state ID card if I

am age 16 or older.

* 43. Get necessary personal information within 30 days of leaving care, including my immunization
* records, proof of Medicaid enrollment, information about how to set up a Medical Power of Attorney,
* and information contained in my education portfolio and health passport.

**COMPLAINTS**

* 44. Make calls, reports, or complaints without being punished, threatened with punishment, or retaliated against; and I have the right to make any of these calls privately and anonymously if I choose and the call center permits it. Depending on the nature of the complaint, I have the right to call:
  + The DFPS Texas Abuse/Neglect Hotline at 1-800-252-5400.
  + The HHSC Ombudsman for Children and Youth currently in Foster Care at 1-844-286-0769.
  + The DFPS Office of Consumer Affairs at 1-800-720-7777.
  + Disability Rights of Texas at 1-800-252-9108.

45. To get information from my caseworker, attorney, CASA, or any other individual in my case about where I can make my complaint if I have one.

**Client Concern and Grievance Procedure:** The staff at Make A Way, Child Placing Agency will make every effort to meet your needs. If you feel that you are not receiving the assistance that you need, please feel free to take the following steps:

1. Call your assigned case manager. If your case manager is not available, please leave a detailed voicemail message letting your case manager know that you would like to speak with them about a concern that you have. The case manager is expected to schedule an appointment with you within 5 working days. Your case manager is responsible for putting the concern in writing, reading it back to you to verify correct information, and gathering signatures on the document. You will need to indicate on the signed document whether the concern is resolved or unresolved. If the concern cannot be resolved in conversation with your case manager, the document will be forwarded on to the program director; this is considered the filing of a formal grievance.
2. It is your case manager's responsibility to forward the document to the program director and the program director's responsibility to schedule an appointment with you within 7 working days. The program director is responsible for putting the grievance in writing, reading it back to you to verify correct information, and gathering signatures on the document. You will need to indicate on the signed document whether the grievance is resolved or unresolved. If your grievance is not resolved, it will be forwarded to the Vice President of the program.
3. It is the responsibility of the program director to contact the Executive Director of the program that you are receiving services from. It is the responsibility of this person to schedule an appointment with you within 10 working days. The Executive Director of the program is responsible for putting the grievance in writing, reading it back to you to verify correct information, and gathering signatures on the document. You will need to indicate whether the concern is resolved at this step or unresolved. If your grievance is not resolved, it will move to the next step. If your concern cannot be resolved with the vice president of the program you are receiving services from, your grievance will be forwarded to the Executive Director.
4. It is the responsibility of the Program Director that you are receiving services from to forward your concern to the Executive Director. It is the responsibility of Executive Director to schedule an appointment with you within 10 working days. Your grievance will be discussed and reviewed at this time. The Executive Director shall be the final level of formal grievance and all decisions made will be considered final. If you are unhappy with the final outcome of the grievance, you may file a complaint with an external regulatory entity.

I have read and understood Make A Way CPA’s Children’s Rights and Grievance Procedures.

Child’s Signature Date

Foster Parent Date

Case Manager Signature Date

##### RULES:

1. Keep Daily Schedule and routine of the Foster home
2. Obey my Foster parents the first time
3. Keep hands and feet to myself (unless I get permission from my Foster parents)
4. Knock and get permission to enter rooms with closed doors
5. Gets permission to use others’ property and return it in the same (or better) condition at (or before) the time agreed
6. Follow through on my responsibilities in my service plan
7. If I don’t know about something, ASK a trusted adult for guidance!
8. Alcohol, Tobacco, Cigarettes, Drug Paraphernalia, objects which can cause harm, sexual behaviors, and unauthorized drugs, including but not limited to marijuana, cocaine and heroin, are prohibited
9. Dating, use of phone, driving, hunting, and other privileges will be determined by my team of case managers. They will be in line with the habits and values of my Foster family and my desires and level of maturity.

**CONSEQUENCES:** (Level Systems, Point Systems, Other--All consistent and reasonable)

##### POSITIVE:

1. Encouragement--specific to the behavior
2. Privileges--TV, Video games, phone, music, free time, social activities, one-on-one time, extended awake time, (not food)
3. Money--define amount
4. Points or Level changes--formal written and approved system

**NEGATIVE**: (See Discipline Policy in Handbook for Foster Parents)

1. Restitution
2. Withdraw or reduce privileges (See above list)
3. Fines--define amounts
4. Restriction to house (no more than 24 hours’ w/o approval) grounds or care taker
5. Points or Level changes--formal written and approved system
6. Time out--One minute per year of age + 1/” Shadowing”—Defined distance and time period with care taker
7. Special Meeting--Support team decides on punishment for gross misconduct
8. Redirection

##### EMERGENCY BEHAVIOR INTERVENTIONS (RESTRAINTS)

**What is an emergency behavior intervention?**

An emergency behavior intervention is when your foster parents have to hold your arms and/or legs for a certain period of time in order to help you calm down or to keep you from hurting yourself or someone else. This will only happen if your foster parents have tried other ways of calming you down and these other ways have not worked.

##### Who can use an emergency behavior intervention?

Only your foster parents or another adult caregiver who is trained can use emergency behavior interventions.

##### The actions a caregiver must first attempt to defuse the situation and avoid the use of emergency behavior intervention

Foster parents must try to help you calm down by doing such things as:

1. Offering suggestions for a different way to express your anger, sadness, frustration, or other feeling that you have.
2. Giving you the opportunity to go to a different room to cool down.
3. Talking to you about the choices you have and what the result will be of the choices you make
4. Trying to help you by using humor in a positive way

##### The situations in which emergency behavior intervention may be used

Make A Way CPA allows restraints only if all other de-escalated techniques (attempts to help you calm down) have been tried, and a child continues to be a danger to himself or others.

##### The types of emergency behavior intervention Make A Way CPA authorizes

The following restraints are allowed: o Basket Hold (least restrictive) o One-person hold

Short Personal Restraint

Escort

##### When the use of an emergency behavior intervention must cease;

Foster parents must stop using an emergency behavior intervention once your behavior is calmed down and you are able to respond to their requests.

##### What action the child must exhibit to be released from the emergency behavior intervention

Your foster parents will tell you what actions you must do to be released from the emergency

behavior intervention. They will be specific with you about these behaviors during the emergency behavior intervention.

##### The way to report an inappropriate emergency behavior intervention

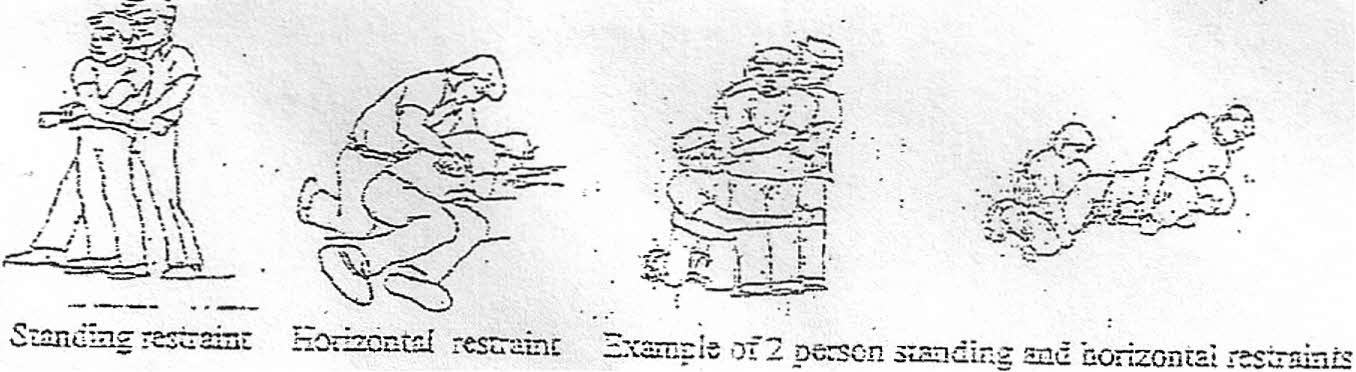
If you think that your foster parents have used an emergency behavior intervention in a wrong way with you or anyone else, you may tell your case manager or any other adult at Make A Way CPA. You can tell them verbally or in writing on any piece of paper you choose.

##### The way to provide voluntary comments on any emergency behavior intervention and the process for making such comments

If you would like to comment on any emergency behavior intervention you have seen (either

with you or with someone else), you may talk to any adult that works for Make A Way CPA. Your case manager will ask you if you would like to comment on any behavior intervention that occurs at your foster family’s house. You may either tell your case manager at this point, or you may write your comments out and give them to your case manager or any other Make A Way CPA staff member.

No child will be discharged from Make A Way CPA or have any negative consequences for reporting an inappropriate restraint or from making comments on a restraint. Also, if someone reports an inappropriate restraint in your behalf, you will not be discharged nor will there be negative consequences because of the report.

**Religious Participation:**

Children have the right to an opportunity to participate in religious activities, services and counseling, taking into account choices specified by the parents or guardian of the child.

The Foster parents will support or arrange for the child to practice his or her religion of

choice. If the child does not have a preference and would like to, he or she may participate in the religious practices of the foster parents. The child may also choose not to participate

in religious activities of any type.

**Trips**

Any time a foster child is to be away from the foster home overnight, either with the foster parent or without, the foster parent will discuss it with the child’s Case Manager and get

permission prior to the visit or trip. For any trip over 48 hours, the foster parent needs to

inform the agency staff so permission may be granted from the child’s managing conservator. If foster parents are planning to leave the county for more than 72 hours, they

will contact the agency Case Manager at least two weeks before they plan to leave, to

ensure they have the proper paperwork and to keep the agency staff aware of the child’s location at all times. If the foster parent wants to take the child along to travel outside of the state, authorization will be granted from the child’s managing conservator. For travel out of the state, at least 2-3 week’s notice is necessary to get the proper paperwork completed. The travel authorization paperwork will be carried at all times while traveling.

##### Preferred De-escalation Techniques

My foster parents or other caregivers can help me calm down by taking the following steps:

The Below Signed acknowledge that the following policies of Make A Way CPA: Children’s Rights; Rules, Rewards and Consequences; Policy on Discipline; Policy on Restraint; Policy on Trips and Visits; and Policy on Religious Participation—have been shared with

*\*\*All children must sign this form. Please note if the child is too young to sign.*

Child Date

Foster Parent Date

Make A Way CPA Case Manager Date

Cc: TDFPS Case Case manager, Child, and Child’s file