

Rights of Children in Foster Care

- ✓ 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, 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 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.
- ✓ 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.
- ✓ Opportunity to participate in extracurricular, cultural, social and personal enrichment activities that are reasonably available and accommodated and consistent with the child's age and developmental level.
- ✓ 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.
- ✓ 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. 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.

Rights of Children in Foster Care (continued)

- ✓ 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:
 - Safety.
 - Stability.
 - Permanence and well-being, including stable and safe housing, opportunities for postsecondary education and training, employment and a stable source of income, health insurance and a plan for future treatment.
 - 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 (relating to definitions).
- ✓ The grievance policy and procedure from a county agency or private agency (which would be based on the DHS model).
- ✓ 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.
- ✓ Opportunity to consent to medical and mental health treatment consistent with applicable laws.
- ✓ Opportunity to gain experience and mastery of skills needed to transition to successful adulthood and managing freedom and responsibility (including independent living services) for youth 14 and older.
- ✓ Participation in the development of their own case plan and transition planning for a successful adulthood for youth 14 years of age and older. This includes a youth's right to identify two individuals besides the caseworker and resource parent to participate in case planning.
- ✓ Free copies of their consumer reports from each of the 3 credit bureaus every year, help understanding the reports and help with resolving inaccuracies for youth 14 or older.
- ✓ Receipt of certain important, permanent documents when a youth leaves foster care at age 18 or older. These documents include but are not limited to an official or certified birth certificate, a social security card, a driver's license or state photo ID, health insurance information and a copy of the youth's health records.

Act 119: Children in Foster Care Act

H.R. 4980: Preventing Sex Trafficking and Strengthening Families Act

Act 75: Activities and Experiences for Children in Out-Of-Home Placements Act