



County of Santa Cruz

HUMAN SERVICES DEPARTMENT

Family and Children's Services

- | | | |
|---|---|---|
| <input type="checkbox"/> Mailing Address
P.O. Box 1320
Santa Cruz, CA 95061 | <input type="checkbox"/> 1400 Emeline Avenue
Santa Cruz, CA 95060
(831) 454-4222
Fax: (831) 454-4717 | <input type="checkbox"/> 12 West Beach Street
Watsonville, CA 95076
(831) 763-8850
Fax: (831) 763-8888 |
|---|---|---|

NON-MINOR DEPENDENT'S PERSONAL RIGHTS

The California Code of Regulations, Title 22 requires that any child/youth admitted to a home/facility must be advised of his/her personal rights. This form describes the personal rights afforded each child/youth admitted to a home/facility and the complaint procedures for the child and authorized representative. At the time of placement, the caregiver shall ensure that the non-minor dependent is verbally notified of the rights specified in this section and provided with a written copy of these rights and information regarding agencies the non-minor dependent may contact concerning violations of these rights.

The caregiver shall ensure that a non-minor dependent is accorded the following personal rights¹:

1. A non-minor dependent shall be free from corporal or unusual punishment; infliction of pain; humiliation; intimidation; ridicule; coercion; threat; physical, sexual, mental, or other abuse; or other actions of a punitive nature including, but not limited to, interference with the daily living functions of eating, sleeping, or toileting, or withholding of shelter, clothing, medication, or aids to physical functioning.
2. To acquire, possess, maintain, and use adequate personal items. These shall include, but not be limited to, the non-minor dependent's own:
 - a) Clothes
 - b) Toiletries and personal hygiene products
 - c) Belongings including furniture, equipment, and supplies, for his or her personal living space in accordance with his or her interests, needs, and tastes
3. To acquire, possess, maintain, and use a personal vehicle for transportation.
4. To select, obtain, and store food of his or her choosing.
5. To select, obtain, or decline medical, dental, vision, and mental health care and related services at his or her discretion.
6. To have adequate privacy for visitors that include:
 - a) Family members, unless prohibited by court order
 - b) The person or agency responsible for placing the non-minor dependent, such as a social worker or probation officer
 - c) Other visitors, unless prohibited by court order

¹ Title 22, Division 6, Chapter 9.5, Section 893172

7. To be informed by the caregiver of the provisions of law regarding complaints and information including, but not limited to, the address and telephone number of the licensing agency and about the confidentiality of complaints.
8. To send and receive unopened mail, acquire, possess, maintain, and use a personal landline or cellular telephone to make and receive confidential telephone calls or a personal computer to send and receive unopened electronic communication, unless prohibited by court order.
9. To leave or depart the home at any time at the discretion of the non-minor dependent.
10. To have the independence appropriate to the status of a non-minor dependent as a legal adult, consistent with the Transitional Independent Living Plan for the non-minor dependent.
11. Not to be restrained or placed in any restraining device other than as specified in Section 89475.2 Postural Supports and Protective Devices.
12. To have dignity in his or her personal relationships with others in the home.
 - a) To be free from unreasonable searches of person
13. To have private or personal information including, but not limited to, any medical condition or treatment, psychiatric diagnosis or treatment, history of abuse, educational records reflecting performance or behavior, and information relating to the biological family of the non-minor dependent maintained in confidence.
 - a) There shall be no release of confidential information without the prior written consent of the non-minor dependent, and this information must only be released to the extent permitted by law. The caregiver shall, with the consent of the non-minor dependent, only disclose relevant and necessary information about the non-minor dependent.
14. To access information regarding available educational, training, and employment options of his or her choosing.
15. To request assistance from the caregiver.

In ensuring the rights of a non-minor dependent, the caregiver is not required to permit or take any action that would infringe on the rights of others or impair the health and safety of the non-minor dependent or household members. The caregiver is not prohibited from taking the following actions for the protection of the non-minor dependent or household members:

1. Establishing house rules.
2. Locking exterior doors and windows as long as the non-minor dependent can enter or exit the home.

For more information on foster care rights visit www.fosteryouthhelp.ca.gov

Contact information for agencies the non-minor dependent may contact concerning violations of these rights:

California Department of Social Services Foster Care Ombudsman:
(877) 846-1602 OR fosteryouthhelp@dss.ca.gov