
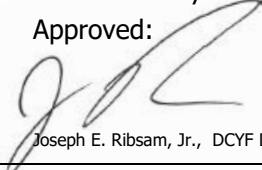


1960 BILL OF RIGHTS FOR YOUTH IN CARE	
Chapter: <b>Adolescent Services</b>	Section: <b>Supporting Transitions</b>
 <p>New Hampshire Division for Children, Youth and Families Policy Manual  Policy Directive: <b>18-07</b>  Effective Date: <b>April 2018</b>  Scheduled Review Date:</p>	<p>Approved:</p>  Joseph E. Ribsam, Jr., DCYF Director
Related Statute(s): <a href="#">RSA 169-B</a> , <a href="#">RSA 169-C</a> , <a href="#">RSA 169-D</a> , and <a href="#">RSA 170-E</a> Related Admin Rule(s): Related Federal Regulation(s): <a href="#">SSA 475</a> , and <a href="#">SSA 475A</a>	Related Form(s): <a href="#">FORM 1960</a> Bridges' Screen(s) and Attachment(s):

The DCYF recognizes that youth in out-of-home care have certain rights that should be honored and supported for these youth. New Hampshire Youth Voices, the DCYF Youth Advisory Board, has developed a Bill of Rights for Youth in Care. Advocating for these rights is intended to guide the delivery of care and services to youth in out-of-home care with the commitment to permanency, safety and well-being. These rights provide youth with a "voice" regarding their DCYF involvement while ensuring opportunities for "normal" life experiences.

### Purpose

This policy is intended to guide CPSW/JPPOs in the utilization of the Bill of Rights for Youth in Care in the course of their work with youth on their caseloads and assist CPSW/JPPOs in responding when a youth feels his/her rights are not being supported as outlined in the Bill of Rights for Youth in Care.

### Definitions

**"CPSW"** or **"Child Protective Service Worker"** means an employee of DCYF who is authorized by the Division to perform functions of the job classification Child Protective Service Worker.

**"DCYF"** or the **"Division"** means the Department of Health and Human Services' Division for Children, Youth and Families.

**"DCYF Youth Advisory Board"** or **"NH Teen Voices"** means an advisory board is made up of teens in out of home care between the ages of fourteen and twenty-one, which is composed of five regional teams that meet on a monthly basis and quarterly as one group to work on a variety of initiatives aimed at improving the lives of youth in care.

**"JPPO"** or **"Juvenile Probation and Parole Officer"** means an employee of DCYF who is authorized by the Division to perform functions of the job classification Juvenile Probation and Parole Officer.

**"Out-of-Home Caregiver"** means a family member, relative, guardian, foster parent, and other individual legally responsible for the care of a child in an out-of-home residential setting.

**"Reasonable and Prudent Parent Advocate"** means an individual a youth age 14 or older may select to assist in case planning (other than the CPSW/JPPO or Foster Parent) and designated to be the youth's advisor, and advocate, with respect to the application of the Reasonable and Prudent Parent Standard pursuant to SSA 475.

**"Youth in Care"** means any child 12 years old or older, who is in a relative placement, foster family home, or residential treatment program in the State of New Hampshire.

## **Policy**

- I. Every youth in care shall be made aware of the Bill of Rights for Youth in Care (Form 1960).
- II. DCYF shall honor and support the Bill of Rights for Youth in Care (Form 1960), which outlines all the rights as they relate to the following:
  - A. Case planning/permanency (including involvement in court proceedings);
  - B. Relationships with family/friends (including visitation);
  - C. Normalcy (including access to age and developmentally appropriate activities);
  - D. Privacy/personal space and belongings;
  - E. Communication with their CPSW/JPPPO (including access to medical records, educational records, birth records, social security card, and health insurance information youth will need when they leave care);
  - F. Personal appearance/expressions;
  - G. Adult living preparation (including credit checks);
  - H. Education;
  - I. Placement/care (including safety from exploitation);
  - J. Community involvement; and
  - K. Health and well-being.
- III. All parents/guardians of the youth in care shall be informed of the Bill of Right for Youth in Care (Form 1960).
- IV. DCYF shall ensure that out-of-home caregivers for the youth in care are aware and understand the Bill of Rights for Youth in Care (Form 1960).
- V. All youth in care shall have the ability discuss their concerns with the CPSW/JPPPO or their out-of-home caregiver when they feel like their rights are not being supported as outlined in the Bill of Rights for Youth in Care (Form 1960).

## **Procedures**

- I. CPSW/JPPPO must:
  - A. Meet face-to-face with the youth and out-of-home caregiver within 30 days of placement or within 30 days of the youth's 12<sup>th</sup> birthday, to ensure that they are aware of the youth's rights while in care.
    1. Provide the Bill of Rights for Youth in Care (Form 1960) to the youth and discuss the rights contained therein.

2. CPSW/JPPPO, out-of-home caregiver, and the youth will sign the Bill of Rights for Youth in Care (Form 1960) to acknowledge that they received and read the Bill of Rights for Youth in Care (Form 1960).
    - (a) The CPSW/JPPPO, out-of-home caregiver and the youth shall sign the signature page 14 and the Receipt for Bill of Rights for Youth in Care on the following page.
    - (b) CPSW/JPPPO shall remove the signed Receipt for Bill of Rights for Youth in Care and attach it to the youth's [case plan](#).
  3. The out-of-home caregiver can sign the acknowledgement and Receipt for Bill of Rights for Youth in Care at a later date if he/she is unable to attend the meeting with the CPSW/JPPPO and youth.
- B. Document in Bridges that the youth was provided the Bill of Rights for Youth in Care (Form 1960) by:
1. Selecting the appropriate face-to-face contact;
  2. Entering the correct date and time of the contact;
  3. Selecting the youth first in the "client/collateral/provider" pick list; and
  4. Typing "BOR provided" into the comment box of their contact screen.
- C. Within 30 calendar days of placement, make sure that the parent/guardian of the youth in care is made aware that the youth in care has received the Bill of Rights for Youth in Care (Form 1960). This can be done by:
1. Consulting with the family at court hearings;
  2. Reviewing the rights with the family during [F.A.I.R. meetings](#);
  3. Meeting with the family during home visits; and
  4. If appropriate, meeting with the family at treatment team meetings.
- D. Ensure that the youth is aware of the following process they should take if they are feeling that their rights, outlined within the Bill of Rights for Youth in Care (Form 1960), are not being supported by the out-of-home caregiver and/or the CPSW/JPPPO.
1. The youth should attempt to talk with their out-of-home caregiver and/or CPSW/JPPPO depending on who they feel is not supporting their rights in order to express their concerns/feelings;
  2. If the youth is not comfortable talking with their out-of-home caregiver or their CPSW/JPPPO then the youth can call their Reasonable and Prudent Parent Advocate (if applicable) or another member of their case planning team;
  3. If the youth is not comfortable talking with their out-of-home caregiver, the CPSW/JPPPO, or a case planning team member then the youth can call the

CPSW/JPPPO's supervisor at the District Office in order to express their concerns/feelings; and

4. If the youth has expressed his/her concerns/feelings and would like to discuss them with his/her treatment team then the person, to whom the youth expressed their concerns/feelings to, should support the youth by setting up a treatment team meeting if one is not scheduled for the immediate future, in order to provide the youth the opportunity to share his/her concerns/feelings.

### **Practice Guidance**

#### **How do we explain the Bill of Rights for Youth in Care to youth in our care?**

- When explaining it, emphasize to the youth that these rights are intended to guide DCYF and its providers in the delivery of care and services to youth in out-of-home care.
- It is also important to emphasize the fact that like all individual rights these rights are not absolutes and may be limited or altered based on the youth's behaviors, concerns for others, the environment they are living in or circumstances outside of DCYF's control (e.g. Everyone has the right to free speech, but that right is not always protected by the constitution when you falsely yell "fire" in a crowded movie theater).

#### **What do we do if the youth refuses to sign or even engage in a discussion about the Bill of Rights for Youth in Care?**

- If a youth has expressed that they are not interested in discussing the Bill of Rights for Youth in Care with you, then respect their decision, but continually touch base with the youth about it. It is important to explain to the youth that their signing of the Bill of Rights for Youth in Care means that they have received the document and understand what it means. In cases where the youth enters placement for the first time, it is common for them to feel frustrated and/or angry because of their current circumstances. Therefore, it will be important for the worker to be as supportive as possible and work on building a trusting relationship with the youth. The Bill of Rights for the Youth in Care can be a good discussion tool with a youth entering care because it will give them solid understanding of what to expect while in care and can be a catalyst for the youth developing their voice and self-advocacy skills.