**applicable laws, regulations and/or standards:**

**Federal Laws:**

*N/A*

**State Laws:**

[*A.R.S. § 8-529. Children in Foster Care; Rights*](http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/8/00529.htm&Title=8&DocType=ARS)

[*A.R.S. § 8-530 – Foster parents, rights*](http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/8/00530.htm&Title=8&DocType=ARS)

[*A.R.S. § 8-807–CPS Information, public record, use, confidentiality, violation, classification, definitions*](http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/8/00807.htm&Title=8&DocType=ARS)

**Regulations:**

*N/A*

**COA Standards:**

[*CR 1: Protection of Rights and Ethical Obligations*](http://coanet.org/standard/cr/1/)

[*CR 2: Confidentiality and Privacy Protections*](http://coanet.org/standard/cr/2/)

[*CR 3: Grievance Procedures*](http://coanet.org/standard/cr/3/)

**Policy:**

Clients of Arizona’s Children Association (AzCA) and its programs and services are afforded certain rights and responsibilities. Clients shall be informed of their rights and responsibilities at the time a decision has been made that services will be provided. The specific rights and responsibilities afforded the client may vary and are dependent upon the programs and services which the client is participating. Clients’ rights for all child welfare programs include:

1. To be treated with dignity, respect and consideration; which includes courtesy, respect for the client’s cultural, psychosocial, spiritual and personal values, beliefs and preferences and his/her right to self-determination;
2. To not be subjected to:
	1. Abuse;
	2. Neglect;
	3. Exploitation;
	4. Coercion;
	5. Manipulation;
	6. Sexual abuse;
	7. Sexual assault;
	8. Seclusion;
	9. Restraint, if not necessary to prevent imminent harm to self or others;
	10. Retaliation for submitting a complaint to any entity; AzCA will not discharge nor discriminate, in any way, against any client by whom, or on whose behalf, a complaint has been submitted or who has participated in a complaint investigation process; or
	11. Misappropriation of personal and private property by an AzCA employee, volunteer or intern.
3. No client and/or parent/guardian shall be denied the benefits of or be otherwise subjected to discrimination, or be excluded from participation in programs and activities provided by (AzCA) on the grounds of:
	1. race,
	2. color,
	3. ethnicity,
	4. national origin,
	5. culture,
	6. language,
	7. gender,
	8. age,
	9. sexual orientation/preference,
	10. gender identity and expression,
	11. disability,
	12. marital status,
	13. religion,
	14. veteran status,
	15. any other protected status, or
	16. source of or ability to pay.
4. To receive treatment and services that supports and respects the client’s individuality, choices, strengths and abilities;
5. To give general or informed consent for treatment and services;
6. To refuse or withdraw consent for treatment and services, except in an emergency;
7. To view their own medical record upon written request in accordance with *A.R.S. § 8-807;*
8. To provide written consent for the release of the client’s medical and/or financial records, except as permitted in *A.R.S. § 8-807and* *A.R.S. § 12-2294 ;*
9. To informed participation in the development of or decisions concerning treatment, care and services;
10. To be informed of the client complaint and grievance processes;
11. To consent to photographs of the client before the client is photographed, except as part of the intake process for AzCA identification and administrative purposes, as provided by *A.R.S. § 36-507(2*). To be informed and consent when audio or video recording will be used in the treatment process, including how and for what purpose such recordings will be used, and how and when such recordings will be destroyed except for video recordings used for security purposes that are maintained only on a temporary basis. Clients may rescind this consent for photographing, recording or filming used by the agency in any internal or external way except as noted above;
12. To participate or refuse to participate in research or experimental treatment or services;
13. To receive assistance from a family member, representative or other individual in understanding, protecting or exercising the client’s rights; and
14. To be free from discharge or transfer or threat of discharge or transfer for reasons unrelated to the client’s treatment needs, except as established in a fee agreement signed by the client or the client’s parent, guardian, custodian or agent.

Adult clients who are licensed foster parents are entitled to certain additional client rights in accordance with *A.R.S. § 8-530*. Arizona’s Children Association will provide the applicable rights or assist in advocating for the foster parent in obtaining the following rights from the applicable State agency:

1. To be treated with consideration and respect for the foster parent's personal dignity and privacy.
2. To be included as a valued member of the team that provides services to the foster child.
3. To receive support services that assist the foster parent to care for the child in the foster home, including open and timely responses from agency personnel.
4. To be informed of all information regarding the child that will impact the foster home or family life during the care of the foster child.
5. To contribute to the permanency plan for the child in the foster home.
6. To have placement information kept confidential when it is necessary to protect the foster parent and the members of the foster parent's household.
7. To be assisted in dealing with family loss and separation when a child leaves the foster home.
8. To be informed of all agency policies and procedures that relate to the foster parent's role as a foster parent.
9. To receive training that will enhance the foster parent's skills and ability to cope as a foster parent.
10. To be able to receive services and reach personnel on a twenty-four hour, seven days per week basis.
11. To be granted a reasonable plan for respite from the role of foster parent.
12. To confidentiality regarding issues that arise in the foster home.
13. To not be discriminated against on the basis of religion, race, color, creed, sex, national origin, age or physical handicap.
14. To receive an evaluation on the foster parent's performance.

Clients who are participating in the Independent Living Program are entitled to certain additional client rights in accordance with *A.R.S. § 8-529*. Arizona’s Children Association will provide the applicable rights or assist in advocating for the young adult in obtaining the following rights from the applicable State agency:

1. To appropriate care and treatment in the least restrictive setting available that can meet the child's needs according to the best judgment of the foster parent.
2. To live in a safe, healthy and comfortable placement where the child can receive reasonable protection from harm and appropriate privacy for personal needs and where the child is treated with respect.
3. To know why the child is in foster care and what will happen to the child and to the child's family, including siblings, and case plans.
4. Whenever possible, to be placed with a foster family that can accommodate the child's communication needs.
5. To be disciplined in a manner that is appropriate to the child's level of maturity.
6. To attend community, school and religious services and activities of the child's choice to the extent that it is appropriate for the child, as planned and discussed with the child's placement worker and caseworker and based on caregiver ability if transportation is available through a responsible party.
7. To go to school and receive an education that fits the child's age and individual needs.
8. To training in personal care, hygiene and grooming.
9. To clothing that fits comfortably and is adequate to protect the child against natural elements such as rain, snow, wind, cold and sun.
10. To have personal possessions at home that are not offensive to the foster family and to acquire additional possessions within reasonable limits, as planned and discussed with the child's foster parent, placement worker and caseworker and based on caregiver ability.
11. To personal space, in the foster home preferably, in the child's bedroom for storing clothing and belongings.
12. To healthy foods in healthy portions that are appropriate for the child's age.
13. To comply with any approved visitation plan, and to have any restrictions explained to the child in a manner and level of details deemed age appropriate by the foster parent in agreement with the caseworker and documented in the child's record.
14. If the child is six years of age or older, to receive contact information for the child's caseworker, attorney or advocate and to speak with them in private if necessary.
15. To participate in age appropriate child's service planning and permanency planning meetings and to be given a copy or summary of each service plan and service plan review. The child may request someone to participate on the child's behalf or to support the child in this participation.
16. To attend the child's court hearing and speak to the judge.
17. To have the child's records and personal information kept private and discussed only when it is about the child's care except the foster parent shall have full access to the records to determine if the child will be successful in the home. During the foster placement, if the foster parent requests to view the record upon experiencing problems with the child's adjustment, the full record shall be made available for viewing by the foster parent.
18. To be free of unnecessary or excessive medication.
19. To receive emotional, mental health or chemical dependency treatment separately from adults who are receiving services, as planned and discussed with the child's placement worker and caseworker, as is financially reasonable for the foster parent.
20. To report a violation of personal rights specified in this section without fear of punishment, interference, coercion or retaliation, except that an appropriate level of punishment may be applied if the child is proven to have maliciously or wrongfully accused the foster parent.
21. To be informed in writing of the name, address, telephone number and purpose of the Arizona protection and advocacy system for disability assistance.
22. To understand and have a copy of the rights listed in this section.

A child in foster care who is at least sixteen years of age has the following rights:

1. To attend preparation for adult living classes and activities as appropriate to the child's case plan, as is financially reasonable for the foster parent.
2. To a transition plan that includes career planning and assistance with enrolling in an educational or vocational job training program.
3. To be informed of educational opportunities before the child leaves foster care.
4. To assistance in obtaining an independent residency when the child is too old to remain in foster care from the child's caseworker, attorney or advocate.
5. To request a court hearing for a court to determine if the child has the capacity to consent to medical care that is directly related to an illness, disease, deformity or other physical malady.
6. To receive help with obtaining a driver license, social security number, birth certificate or state identification card, except that the foster parent shall have discretion to determine if the child is responsible and mature enough to become a licensed driver.
7. To receive necessary personal information within thirty days after leaving foster care, including the child's birth certificate, immunization records and information contained in the child's education portfolio and health passport.

Client responsibilities include:

1. Providing relevant information as a basis for receiving services and participating in service decisions;
2. Asking for clarification or additional information if you do not understand the services or treatments being provided or outlined in your case/service plan; and
3. Notifying AzCA of any changes to your address or phone number.
4. Notifying AzCA of any event or changes that impact foster licensing status, as noted in article 58 R6-5-5835 (only applicable to foster care applicants or licensed foster homes).

In addition to the client rights and responsibilities listed above, the client also has the right to know the rights afforded to Arizona’s Children Association (AzCA) which include, the right to:

1. Accept clients who can utilize and benefit from its services;
2. Discharge any client upon reasonable notice when it is determined by AzCA that they are no longer able to effectively provide a treatment program and/or the client’s conduct places the safety of self or others in jeopardy. Any additional program-specific behavioral expectations will be provided to the client upon intake; and
3. Be informed of expectations regarding behavioral conduct which could result in termination of services, including behavior or threats of behavior which places the safety of themselves or others in jeopardy, intoxication and disruptive behavior.

# PROCEDURES:

**1.0**

Every client and/or parent/guardian receives written notification of their rights and responsibilities and AzCA’s grievance process and procedures at the time of admission and annually thereafter. The client and/or parent/guardian are to acknowledge, in writing their receipt and understanding of their rights and responsibilities.

**2.0**

Client rights and responsibilities are explained, as necessary, in a language the client understands and are available in writing in both English and Spanish. If necessary, someone who can communicate with the hearing or visually impaired are made available to explain client rights.

**3.0**

Client rights and responsibilities are posted in English and Spanish at every AzCA facility in the public waiting room.

**4.0**

Clients who need an advocate in order to understand, protect or exercise their rights and responsibilities may select an advocate.

******