

NEVADA BILL OF RIGHTS FOR CHILDREN IN CARE

Every child in foster care is endowed with the rights inherently belonging to all children. In addition, because of the unique circumstances facing foster youth, special safeguards, resources, and care are also necessary. Below you will find a list of rights that are to be given to every child and youth in custody of Nevada's Child Welfare System. These rights must be explained by the Agency and/or agency designee to every child and youth in a manner in which they can understand. In addition, these rights are to be provided to all staff, youth, and foster parents and be easily accessible in all offices and foster homes.

A CHILD PLACED IN A FOSTER HOME HAS THE RIGHT

1. To live in a safe, healthy, and comfortable home where you are treated with dignity and respect, including receiving adequate, appropriate, and accessible shelter, clothing and healthy food.
2. To fair and equal access to treatment services, placement and care, and benefits in a way that respects your language, culture, or Tribe.
3. To confidentiality and privacy from being identified as a foster child to others who are not involved in your case.
4. To advocate for yourself and to speak to members of your team without negative repercussions and be provided the contact information for involved parties (e.g., caseworker, attorney, guardian ad litem/CASA, judge).
5. To attend and participate in court hearings.
6. To be involved in the development of your case plan, treatment plan, transition plan, visitation plan, or other plans, and to be provided copies.
7. To be placed, whenever possible, in your own home if it's safe and appropriate, with a relative, and/or with siblings, and to remain in the same community and school.
8. To receive additional help for school, have your records transferred if needed, and be given information about educational opportunities.
9. To receive appropriate evaluation and treatment for medical care, (i.e., dental, vision) and mental/behavioral health services.
10. To receive your own health information and learn how to manage your health including appointments, Healthcare Power of Attorney, psychotropic and regular medications etc.
11. To be protected from physical, sexual, emotional, or other abuse including corporal punishment. Use of physical restraints, locked rooms or buildings, and isolation may be used by trained professionals for the youth's safety.
12. To be free from discrimination or harassment based on actual or perceived race, ethnicity, ancestry, national origin, color, religion, sex, sexual orientation, gender identity or expression, mental, medical, or physical disability.
13. To have monthly contact with your caseworker, which includes individual time between yourself and the caseworker.
14. To be provided the reason you came into foster care and the permanency plan and status of your case.
15. To have the right to privacy and be free of unreasonable searches of your personal belongings or other unreasonable invasions of privacy.
16. To have all your personal belongings secured and transported to each placement.
17. To attend religious services of your choice or to refuse to attend religious services.
18. To have regular and ongoing contact, in person, phone, internet, or unopened mail with biological parents, relatives, and other important people in your life, unless it is contrary to your safety and/well-being, prohibited by a court order or you choose not to.
19. To be placed near your siblings to facilitate frequent contact if you cannot be placed together.
20. To the extent practicable, to contact and visit your siblings, including siblings who have not been placed in foster homes, and to have such contact arranged on a regular basis and on holidays, birthdays, and other significant life events, unless it is contrary to your safety and/or well-being, prohibited by a court order or you choose not to.

21. To not have contact or visitation with a sibling withheld as a form of punishment.
22. To be supported by the child welfare agency to maintain relationships with your siblings, including being informed of any plans for placement changes for a sibling (adoption, reaching age 18, leaving foster home, etc.), unless it is contrary to your or your sibling's safety and/or well-being.
23. To participate in and have transportation to normal activities within reason, such as employment, extracurricular, spiritual, cultural, or personal enrichment activities, including as *appropriate*, phone, mail, and internet access.
24. To have access to personal identification documentation (photo ID, birth certificate, insurance, and social security card).
25. To manage personal income, consistent with the age and developmental level of the child.
26. To an annual credit check starting at age 14, and if needed, receive assistance to correct errors.
27. To report or file a grievance for any alleged violation of your rights without being threatened or punished.

A MINOR PARENT IN FOSTER CARE HAS THE RIGHT:

1. To have the same rights and responsibilities to safely parent your child as any other person.
2. To be placed in the same home as your child, when appropriate.
3. To have support from the child welfare agency in learning how to become a safe and supportive parent.
4. To attend school every day and complete homework.
5. To participate in age and developmentally appropriate activities unrelated to and separate from parenting.

IF YOU BELIEVE YOUR RIGHTS HAVE BEEN VIOLATED

Your foster care provider may impose reasonable house rules for the time, place, and manner in which you can exercise your rights if they determine that any restrictions are necessary to keep the order, discipline, or safety of the foster home. This is called the Reasonable and Prudent Parent Standard.

If you believe that your rights have been violated, complete the grievance form for your child welfare agency and/or talk to a trusted adult to assist you with this process.

To obtain information on how to file a grievance please visit:

1. The Internet website of the Division (SA (nv.gov)).
2. Any court in this State.
3. The local juvenile probation department.
4. The court appointed attorney; and
5. Any office of the court appoints a special advocate.

(Note from CIP: This document is also available at http://dcfs.staging.nv.gov/uploadedFiles/dcfsvgov/content/Programs/CWS/Foster_Care/FPO_0218A_Bill_of_Rights_for_Children_in_Care_Final_5_31_2023_English.pdf)