

6. Rights

A. Client Rights

Clients involved with DHS Child Welfare are entitled to certain rights. It is the caseworker's responsibility to inform clients of their rights at the time a decision has been made that services will be provided. Clients are entitled to the following:

- To apply for any service provided by DHS child welfare
- To receive courteous and fair treatment by DHS staff
- To refuse services that have not been ordered by a court or requested by the client
- To non-discriminatory treatment regardless of race, color, religion, national origin, sex, age, citizenship, political affiliation, language, marital status, and disability.
- Persons with a disability are entitled to receive material in alternate format (large print, computer disc, Braille, audio tape and/or oral presentation).
- To have communication held in confidence except:
 1. When the client has signed a release of information that authorizes the disclosure to specific organizations;
 2. When communication with other parties is necessary to administer DHS programs;
 3. When caseworkers are directed to testify in a civil or criminal court about the client; or
 4. When in the caseworker's judgment a child presents a specific and immediate danger to another person or the public.

B. Language Interpretation

Friends and family (including children) may not be used for interpretation. When an interpretation/translation service is needed, the caseworker calls one of the services (see appendix) to see if they are able to do the interpretation/translation.

- If the needed service is a translation, the worker faxes a CF 10A to the translation agency.
- If the needed service is interpretation, the worker arranges with the agency the days/times etc.

C. Rights of Foster Parents

The foster parent has a right to be valued as having significant knowledge about the child, as it is the foster parent living with the child day-to-day. Specific rights are granted to foster parents in Oregon law.

All Child Welfare staff need to be aware of and follow the specific rights granted to a certified family. These rights include the right to:

- Be treated with dignity, respect and trust as a member of a team, including respect for the family values and routines of the foster parent.
- Be included as a valued member of a team that provides care and planning for a foster child placed in the home of the foster parent.
- Receive support services, as resources permit, from Department of Human Services that are designed to assist in the care of the foster child placed in the home of the foster parent.
- Be informed of any condition that relates solely to a foster child placed in the home of the foster parent that may jeopardize the health or safety of the foster parent or other members of the home or alter the manner in which foster care should be provided to the foster child. The information shall include complete access to written reports, psychological evaluations and diagnoses that related solely to a foster child placed in the home of the foster parent provided that confidential information given to a foster parent must be kept confidential by the foster parent, except as necessary to promote or to protect the health and welfare of the foster child and the community.
- Have input into a permanency plan for a foster child placed in the home of the foster parent.
- Receive assistance from the Department in dealing with family loss and separation when the foster child leaves the home of the foster parent.
- Be informed of all policies and procedures of the Department that related to the role of the foster parent.
- Be informed of how to receive services and to have access to Department personnel or service providers 24 hours a day, seven days a week.
- Initiate an inactive referral status for a reasonable period of time, not to exceed 12 months, to allow a foster parent relief from caring for foster children.
- Not to be discriminated against on the basis of race, color, religion, sex, national origin, age or disability.
- Be notified of the foster parent's right to limited participation in proceedings in the juvenile court and provided with an explanation of that right.

Role of the Caseworker

Procedure

- It is the caseworker or certifier's responsibility to work with the foster parent to provide the information and support outlined above. Upon placement of a child in a certified home, the caseworker needs to provide information to the certified family regarding the child. This can be done on the CF261 DHS Child Welfare Placement Form, Child's Book (Department Publication PAM 9604), CF 97 Evaluation of Need (Services and Level of Care), or other form as consistent with providing at a minimum the following information:
 1. Child's legal name, date of birth, name of child's parent(s)
 2. Reason why the child is being placed into substitute care or changing placements
 3. Legal status of child
 4. Religious and cultural preferences
 5. Who may have contact with child
 6. The visitation and family contact plan.
 7. Any known medical needs, medications and allergies; any mental health concerns or needs; immunization records; health insurance information; and family physician.
 8. Educational information for the child, current school, grade, teacher(s) name. Information that may contribute or prevent the child from attending the same school or re-enroll in a neighborhood school.
 9. Case plan for the child and anticipated timeline for providing the substitute care service.
 10. The assigned caseworker's name and telephone number, and an after-hours emergency phone number.
- Provide the certified family with emergency contact information for Child Welfare, and provide the family with the caseworker's and caseworker's supervisor's contact information.
- The caseworker must notify the certified family of court hearings, CRB's, and treatment reviews for the child. The caseworker needs to keep the certified family aware of the legal status of the case.

Role of the Supervisor

- The supervisor is responsible for assuring his or her staff understands the rights of a certified family.
- The supervisor is the first contact for a certified family's concerns regarding the caseworker or the case plan.

D. Rights of Relatives

The Department recognizes the importance of preserving the family ties and relationships of children in the legal custody of Child Welfare. Relatives are important to a child's sense of identity and belonging. Relatives who express an interest in a child have a right to provide information about the child's background and to make recommendations for the child's future. Relatives have a right to communicate and visit with a child in Child Welfare's legal custody within reasonable guidelines as set by the child's case plan and by the direction of the court.

Child Welfare considers placement with relatives in preference to persons the child does not know if there is reason to believe that the child's relatives will be able to provide appropriate care, stability and security for the child. If a relative becomes a certified caregiver, the relative has all the rights discussed in the section, Rights of Foster Parents



C Role of the Caseworker

- The caseworker works with relatives of the child in order to gather information about the child, seek out placement resources, and determine if it is in the best interests of the child to visit with his/her relatives. Also refer to Chapter IV, Sections 2 and 3 for additional procedures when working with a child's relatives.



S Role of the Supervisor

- The supervisor discusses relative resources with the caseworker on a regular basis.
- Even if a child is not initially placed with a relative, the supervisor consults with the caseworker to consider if there is a viable relative resource, for placement, visitation or other contact.