Youth and Family Rights

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List of Youth and Family Rights

Consistent with Ohio Civil Rights Commission, children receiving services from The Buckeye Ranch have the protection again unlawful discrimination based on race, color, religion, sex, military status, national origin, disability, age, or ancestry.

Consistent with Ohio Administrative Code 5122-26-18, families receiving services from The Buckeye Ranch have the following rights:

1) The right to be treated with consideration and respect for personal dignity, autonomy and privacy;
2) The right to reasonable protection from physical, sexual or emotional abuse, neglect, and inhumane treatment;
3) The right to receive services in the least restrictive, feasible environment;
4) The right to participate in any appropriate and available service that is consistent with an individual service plan (ISP), regardless of the refusal of any other service, unless that service is a necessity for clear treatment reasons and requires the person's participation;
5) The right to give informed consent to or to refuse any service, treatment or therapy, including medication absent an emergency;
6) The right to participate in the development, review and revision of one's own individualized treatment plan and receive a copy of it;
7) The right to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others;
8) The right to be informed and the right to refuse any unusual or hazardous treatment procedures;
9) The right to be advised and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs or other audio and visual technology. This right does not prohibit an agency from using closed-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas;

10) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations;
11) The right to have access to one's own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction;
12) The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary;
13) The right to be informed of the reason for denial of a service;
14) The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;
15) The right to know the cost of services;
16) The right to be verbally informed of all client rights, and to receive a written copy upon request;
17) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations;
18) The right to file a grievance;
19) The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested;
20) The right to be informed of one's own condition; and,
21) The right to consult with an independent treatment specialist or legal counsel at one's own expense.

Consistent with Ohio Administrative Code 5180:2-5-35, foster youth receiving services from The Buckeye Ranch have the following rights:

1) The right to be free from physical, verbal, and emotional abuse and inhumane treatment.
2) The right to be protected from all forms of sexual abuse and exploitation.
3) The right to receive timely and consistent access to:
    a) Housing that is a clean and safe living environment, free of infestation and contaminants. This includes the right to enter their housing at any time during their placement.
    b) Food in accordance to rule 5180:2-7-06 or 5180:2-9-20 of the Administrative Code. This includes the right to have other special considerations regarding food as a result of trauma included in their service and/or case plan.
    c) Clothing appropriate to the child's age and gender identity. This includes the right to participate and provide input regarding the selection of their clothing.
4) The right to privacy and personal belongings.

5) The right to their own money. As age and developmentally appropriate, the right to earn their own money, open a bank account, and be provided guidance on how to save and spend money. For youth age fourteen and older, this is to be addressed as a part of the youth independent living plan pursuant to rule 5180:2-42-19 of the Administrative Code.
6) The right to visitation and communication with parents, siblings, other family members, non-related kin, friends and significant others from whom they are living apart, in accordance with the child's service or case plan. Unless restricted in the case plan or in accordance to paragraph (E) of this rule, the youth has the right to communicate with these persons in private.
7) The right to contact their attorney, caseworker, custodial agency worker, probation officer, court appointed special advocate (CASA) and guardian ad litem (GAL) as well as other professionals involved with the youth in private, within twenty-four hours of the request. Each of the phone numbers for these individuals and the recommending and custodial agency hotline is to be accessible to the youth.
8) The right to have their opinions heard and be included when any decisions are being made affecting their lives. As age or developmentally appropriate, this includes the right to be invited to and prepared for meetings and court hearings including information about their permanency options.
9) The right to receive timely, adequate, and appropriate medical care, dental services, vision care, and mental health services. This includes the right to have appointments scheduled and be transported to these appointments.
10) The right to enjoy freedom of thought, conscience, and religion or to abstain from the practice of religion.
11) The right to receive appropriate and reasonable guidance, support, and supervision from adults in their lives including parents, resource caregivers, agency staff, mentors, youth advisory boards, and others, as applicable.
12) The right to participate in an appropriate educational program including the following:
    a) The right to provide their input regarding selection of schools consistent with the Every Student Succeeds Act (ESSA) 2015.
    b) The right to participate in educational and school related activities, without any barriers to access.
    c) For youth aged fourteen and older, the right to have access to information regarding vocational and post-secondary educational programs and financial assistance for post- secondary education.
13) The right to life skills preparation pursuant to rule 5180:2-42-19 of the Administrative Code.
14) The right to participate in age-appropriate extracurricular, enrichment, and social activities per section 2151.315 of the Ohio Revised Code.
15) The right to protection against being discriminated against or harassed on the basis of race, sex, gender, gender identity, sexual orientation, disability, religion, color or national origin.

Consistent with Ohio Administrative Code 5122-30-22, youth receiving residential services from The Buckeye Ranch have the following rights:

1) The right to be verbally informed of all resident rights in language and terms appropriate for the residents understanding, prior to or at the time of residency, absent a crisis or emergency.
2) The right to request a written copy of all resident rights and the grievance procedure.
3) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations.
4) The right to file a grievance.
5) The right to be treated all times with courtesy and respect, and with consideration for personal dignity, autonomy and privacy.
6) The right to receive services in the least restrictive, feasible environment.
7) The right to receive humane services in a clean, safe, comfortable, welcoming, stable and supportive environment.
8) The right to reasonable protection from physical, sexual and emotional abuse, neglect, and exploitation.
9) The right to freedom from unnecessary or excessive medication, and the right to decline medication, except a class one facility which employs staff authorized by the Ohio Revised Code to administer medication and when there is imminent risk of physical harm to self or others.
10) The right to be free from restraint or seclusion unless there is imminent risk of physical harm to self or others.
11) The right to be advised and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs or other audio and visual technology. This right does not prohibit a facility from using closed-circuit monitoring to observe seclusion rooms or other areas in the facility, other than bathrooms or sleeping areas, or other areas where privacy is reasonably expected, e.g. a medical examination room.
12) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of resident information under state and federal laws and regulations.
13) The right to have access to one's own record unless access to certain information is restricted for clear treatment reasons. If access is restricted, a treatment/service plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment/service being offered to remove the restriction.
14) The right to be informed of one's own condition.
15) The right not to be discriminated against on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental disability, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws.
16) The right to practice a religion of his or her choice or to abstain from the practice of religion.
17) The right to be informed in writing of the rates charged by the facility as well as any additional charges, and to receive thirty days notice in writing of any change in the rates and charges.

18) The right to reside in a class one residential facility, as available and appropriate to the type of care or services that the facility is licensed to provide, regardless of previous residency, unless there is a valid and specific necessity which precludes such residency. This necessity shall be documented and explained to the prospective resident.
19) The right to continued residency unless the facility is no longer able to meet the residents care needs; the resident presents a documented danger to other residents, staff or visitors; or the monthly charges have not been paid for more than thirty days.
20) The right not to be locked out of the facility at any time.
21) The right of adult residents not to be locked in the facility at any time for any reason.
22) The right to consent to or refuse treatment or services, or if the resident has a legal custodian, the right to have the legal custodian make decisions about treatment and services for the resident.
23) The right to consult with an independent treatment specialist or legal counsel at one's own expense.
24) The right to communicate freely with and be visited without staff present at reasonable times by private counsel and, unless prior court restriction has been obtained, to communicate freely with and be visited at reasonable times by a personal physician, psychologist or other health care providers, except that employees of a board, a provider, personnel of the Ohio protection and advocacy system, or representatives of the state long-term-ombudsman program may visit at any time when permitted by the Revised Code. The right to communicate includes receiving written communications, which may be opened and inspected by facility staff in the presence of the resident recipient so long as the communication is then not read by the staff and given immediately to the resident.
25) The right to meet with staff from the Ohio department of mental health and addiction services in private.
26) The right not to be deprived of any legal rights solely by reason of residence in the facility.
27) The right to personal property and possessions:
    a) The right of an adult resident to retain personal property and possessions.
    b) The right of a child resident to personal property and possessions in accordance with one's health and safety considerations, and developmental age, and as permitted by his/her parent or guardian.
28) The right of an adult resident to manage his/her own financial affairs, and to possess a reasonable sum of money.
29) The right to use the common areas of the facility. Adult residents shall have right of access to common areas at all times. Children and adolescent residents shall have the right of access to common areas in accordance with the facility's program schedule.
30) The right to engage in or refrain from engaging in activities:
    a) The right of an adult to engage in or refrain from engaging in cultural, social or community activities of the residents own choosing in the facility and in the community.
    b) The right of a child or adolescent to access cultural and social activities.
31) The right to meet or communicate with family or guardians, and visitors and guests:

a) The right of an adult:
    i) To reasonable privacy and the freedom to meet with visitors and guests at reasonable hours.
    ii) To make and/or receive confidential phone calls, including free local calls.
    iii) To write or receive uncensored, unopened correspondence subject to the facility's rules regarding contraband.
b) The right of a minor:
    i) To visitors and to communicate with family, guardian, custodian, friends and significant others outside the facility in accordance with instructions from the minor's parent or legal guardian.
    ii) To write or receive mail subject to the facility's rules regarding contraband and directives from the parent or legal guardian, when such rules and directives do not conflict with federal postal regulations.

32) The right to be free from conflicts of interest; no residential facility employee may be a resident's guardian, custodian, or representative with the exception of an employee that has a previously established legal relationship to a resident, e.g. parent, spouse or child if permitted by facility policy.

Consistent with Ohio Administrative Code 5180:2-42-20, resource families receiving services from The Buckeye Ranch have the following rights:

1) The right to be treated with dignity and respect as the resource family providing the day to daycare for children in the children services system.
2) The right to be free of discrimination including race, color, religion, gender, gender identity or expression, national origin (ancestry), military status (past, present or future), disability, age(forty years or older), genetic information, or sexual orientation.
3) The right to receive training from either the recommending agency or the training designee and support from the recommending and custodial agencies to strengthen resource parenting skills and meet the needs of children in their care.
4) The right to review the home study information that is not deemed confidential by the recommending agency.
5) The right to receive clear expectations that relate to their role as a resource caregiver in partnership with the child in foster care, the child's family and with all other team members.
6) The right to access a staff person representing the recommending or custodial agency inside and outside of normal business hours.
7) The right to be informed of all known information about a child placed in their care pursuant to rule 5101:2-42-90 of the Administrative Code including information that may impact the health, safety, and well-being of any member of the resource family and community.
8) The right to receive notification prior to court hearings and scheduled meetings concerning a child in their care and to be encouraged to share information during those opportunities.

9) The right to receive training on the reasonable and prudent parent standard and, once trained, to act as the reasonable and prudent parent in making decisions for children placed in their care to participate in normal childhood activities that still maintain their health and safety.
10) The right to actively work with the agency toward the permanency goal identified in the family case plan (e.g., reunification) and to support supplemental planning as established in rule 5180:2-38-05 of the Administrative Code and participate in treatment planning (including independent living skills for children fourteen and older) for children in their care.
11) The right to be informed of the processes available to submit grievances and/or complaints including with regards to these rights and to make their concerns known without fear of reprisal.
12) The right to be informed of the process when a resource caregiver is investigated based on an allegation of maltreatment and points of contact, and what to anticipate as a person who is under investigation. The resource family has the right to be informed what supports and resources are available to them during the process and how the outcome may affect their relationship with the recommending and/or custodial agency.

Consistent with Ohio Revised Code 5123.62, persons with a developmental disability have the right to:

1) The right to be treated at all times with courtesy and respect and with full recognition of their dignity and individuality;
2) The right to an appropriate, safe, and sanitary living environment that complies with local, state, and federal standards and recognizes the persons' need for privacy and independence;
3) The right to food adequate to meet accepted standards of nutrition;
4) The right to practice the religion of their choice or to abstain from the practice of religion;
5) The right of timely access to appropriate medical or dental treatment;
6) The right of access to necessary ancillary services, including, but not limited to, occupational therapy, physical therapy, speech therapy, and behavior modification and other psychological services;
7) The right to receive appropriate care and treatment in the least intrusive manner;
8) The right to privacy, including both periods of privacy and places of privacy;
9) The right to communicate freely with persons of their choice in any reasonable manner they choose;
10) The right to ownership and use of personal possessions so as to maintain individuality and personal dignity;
11) The right to social interaction with members of either sex;
12) The right of access to opportunities that enable individuals to develop their full human potential;
13) The right to pursue vocational opportunities that will promote and enhance economic independence;
14) The right to be treated equally as citizens under the law;
15) The right to be free from emotional, psychological, and physical abuse;

16) The right to participate in appropriate programs of education, training, social development, and habilitation and in programs of reasonable recreation;
17) The right to participate in decisions that affect their lives;
18) The right to select a parent or advocate to act on their behalf;
19) The right to manage their personal financial affairs, based on individual ability to do so;
20) The right to confidential treatment of all information in their personal and medical records, except to the extent that disclosure or release of records is permitted under sections 5123.89 and 5126.044 of the Ohio Revised Code;
21) The right to voice grievances and recommend changes in policies and services without restraint, interference, coercion, discrimination, or reprisal;
22) The right to be free from unnecessary chemical or physical restraints;
23) The right to participate in the political process;
24) The right to refuse to participate in medical, psychological, or other research or experiments

All rights can be located online through Ohio Administrative Code and Ohio Revised Code websites.
codes.ohio.gov/ohio-administrative-code
codes.ohio.gov/ohio-revised-code