

**6004            RIGHTS AND RESPONSIBILITIES OF FOSTER CHILDREN  
LIVING IN FOSTER HOMES**

6004.1            The following principles and rights are to govern the care and treatment of foster children.

Each child is:

- (a)    To receive (or have his or her legal representative or guardian *ad litem*) a printed copy of this section.
- (b)    To be treated with fairness, dignity, and respect.
- (c)    To receive appropriate and reasonable adult guidance, support, and supervision, consistent with his or her age and level of development.
- (d)    Not to be abused, mistreated, threatened with harm, harassed, subjected to corporal punishment or other unusual or extreme methods of discipline.
- (e)    Not to be denied the opportunity to have visits, telephone calls, or mail contact with his or her family members, social workers, guardian *ad litem*, or attorney, as a form of discipline.
- (f)    To receive language translation in accordance with the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code §§ 2-1931 *et seq.*)).
- (g)    Not to be subjected to discrimination as provided in the D.C. Human Rights Act of 1977, as amended, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code §§ 2-1401.01 *et. seq.*))
- (h)    As appropriate and consistent with his or her age and level of development, to know the reason he or she came into foster care and his or her permanency goal.
- (i)    As appropriate for his or her age and level of development, to be informed of decisions made on his or her behalf by the Agency and have the opportunity to participate in meetings where decisions are being made regarding him or her.
- (j)    To receive a social security card, state or District identification card, and available copies of his or her birth certificate, immunization records, medical insurance information, health records, education records, and immigration documents at least 30 days before leaving care. If the foster

child is not 18 years of age, copies of these documents will be given to his or her guardian *ad litem* and legal guardian.

- (k) To receive assistance in opening an individual interest bearing savings account in a financial institution that is federally insured, as appropriate and consistent with his or her age and level of development.
- (l) To have his or her records and personal information kept confidential and disclosed only in accordance with law.
- (m) To have reasonable privacy with respect to his or her person and property and when using the telephone and computer.
- (n) To receive reasonable accommodation to attend religious services, events, and activities of his or her choice.
- (o) Not to be coerced into attending religious services, events, or activities against his or her belief.
- (p) To reside in a foster home that is maintained in a safe, sanitary condition with reasonable measures being taken to keep it free from rodent and insect infestation.
- (q) To be permitted to bring personal belongings into foster care, acquire them while in care and take these belongings when he or she changes placements or exits foster care.
- (r) Subject to the availability of appropriate placements, to be placed with all or some siblings unless the placement is precluded by court order or not appropriate to the safety, best interest, or needs of the children.
- (s) To have visitation and communication with parents and siblings consistent with applicable court orders and reasonable, age and clinically appropriate visitation and communication with other relative or friends.
- (t) To have opportunities for continued connections with his or her family and others with whom he or she has meaningful relationships unless such a connection would be harmful to his or her safety or is precluded by court order.
- (u) To have the contact information of his or her current social worker, guardian *ad litem*, attorney and court-appointed special advocate, as applicable.

- (v) To have regular communication and visitation from his or her social worker and his or her telephone calls and emails to his or her social worker returned within a reasonable amount of time.
- (w) To receive adequate and healthy food in accordance with his or her religious beliefs and reasonable dietary preferences, including vegetarianism, or medically or specially prescribed dietary needs.
- (x) To have his or her own adequate and appropriate seasonable clothing and footwear as well as necessary uniforms and professional clothing. Depending on his or her age and level of development, he or she should have the opportunity to provide input on the choice of clothing and footwear.
- (y) To have his or her own appropriate personal hygiene items.
- (z) To receive timely, adequate, and appropriate medical, dental, vision, mental health services, and drug and alcohol abuse and addiction services.
- (aa) To have information and the opportunity to communicate a preference or concern regarding treatment, medication, and medication options, as appropriate and consistent with his or her age and level of development.
- (bb) To receive a free and appropriate public education if he or she is of compulsory school age.
- (cc) To remain in his or her school of origin and maintain school continuity, unless it is contrary to his or her best interests or is inconsistent with the provision of special services to the child.
- (dd) Be permitted to participate in school-related extracurricular and recreational activities, and receive appropriate educational supports, as appropriate and consistent with his or age and her level of development.
- (ee) To receive post-secondary education, job readiness, and vocational training support, as needed.
- (ff) To receive timely notice of and have the ability to attend and be heard at court hearings relating to his or her case, as applicable and consistent with his or her age and level of development.
- (gg) To be represented by a guardian *ad litem* subject to the order of appointment by the Superior Court.
- (hh) To be permitted to request the court to appoint an attorney to represent his or her interest.

- (ii) To participate in the development of service plans and a transition plan that includes or addresses specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, workforce supports, and employment services as applicable, consistent with his or her age and level of development and the availability of such program services.
- (jj) To be provided with opportunities to participate in age appropriate independent living activities and programs.
- (kk) To receive assistance in applying for a state identification card or driver's license.
- (ll) To be considered for limited financial assistance for a driver's education program at age 18, as funding allows if he or she has demonstrated the maturity and personal, social, and educational responsibility necessary for the operation of a motor vehicle.
- (mm) To receive a copy of consumer credit report annually at age 16 and assistance in interpreting and attempting to resolve any inaccuracies in the report as required by 42 U.S.C. § 675(5)(I).
- (nn) To be provided reasonable transportation to and from normal daily activities, including school, after school activities, medical appointments, employment, family visitation, religious events, cultural events, and activities, as funding allows, included in his or her case plan or service plan.
- (oo) To be permitted to report concerns under this section or concerns regarding care, placement, and services to the Agency and to be free from retaliation or threats of retaliation for reporting a concern.
- (pp) To receive an explanation of the process for reporting concerns to the Agency and receive a timely response when a concern is reported to the Agency.
- (qq) To be integrated into household and family activities, consistent with his or her age and level of development.
- (rr) To have privileges and responsibilities that correspond with those provided to other children living in the foster home, consistent with his or her age and level of development.

6004.2 A foster child living in a foster home is responsible for:

- (a) Keeping his or her room and possessions in good order and completing assigned daily or weekly chores, consistent with the foster child's age and level of development;
- (b) Attending school or other alternate education or training programs, if the foster child is of school age; and
- (c) Following appropriate minimum personal care and hygiene standards consistent with the foster child's physical and developmental capabilities.

6004.3 This section does not establish any additional private right of action beyond that which already exists under federal or District law.

SOURCE: Final Rulemaking published at 48 DCR 6617 (July 27, 2001); as amended by Final Rulemaking published at 61 DCR 9579 (September 19, 2014); as amended by Final Rulemaking published at 62 DCR 11539 (August 21, 2015).