

Procedure Title:	Rights and Responsibilities of Program Participants Procedure		
Procedure Number:	SDA-CR-002		
Chapter:	Administration and Service Delivery	Sub-section:	Client Rights
Nullifies:	Client Rights		
Revision History:	NA		
Initiating Authority:	Cynthia Williams, Chief Transformation Officer		
Approving Authority:	Carol Klocek, Chief Executive Officer		
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STATEMENT OF PURPOSE:

To establish Procedure which protects the civil, legal, and human rights of program participants.

SCOPE:

This Procedure applies to employees at all levels of the organization, agents, board members, and program participants served in Housing Services: Rapid Rehousing, Transitional Housing, Emergency Shelter; Economic Mobility; Clinical Counseling Services; and Child and Family Services: Head Start, Early Head Start, and Traditional Early Childhood Education.

This Procedure does not apply to customers served by Social Enterprises operated by CTL.

Violation of this Procedure is proper cause for disciplinary action, up to and including, termination of employment.

DEFINITIONS:

1. *Agent*. A person authorized to act on behalf of CTL. Such persons include, but are not limited to, EHS Partners, contractors, independent contractors, volunteers, and interns.
2. *Next level of authority*. Organizational structure which determines the flow of information within and across departments, programs, and executive leadership.
3. *Personally Identifiable Information (PII)*. Refers to any information about an individual maintained by an agency, including, but not limited to, education, financial transactions, medical history, and criminal or employment history, also any information which can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc., including any other personal information which is linked or linkable to an individual. Other examples of PII may include: Social Security benefit data, official State or government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, home address, medical information, proprietary information or data submitted by or pertaining to an institution or organization.
4. *Program participant*. Any person or family or parent/legal guardian of a minor child currently enrolled in a CTL program or service.

STATEMENT OF PROCEDURE:

Respect

During the course of service delivery, program participants have the right to:

1. Be treated with consideration for personal dignity, courtesy, autonomy, respect without regard to race, color, creed, religion, national origin, actual or perceived sexual orientation, gender identity/gender expression, marital/family status, disability, economic status, or any other classification protected by applicable federal or state laws (CR 1.05(a)).
2. Know what is expected as a program participant and experience consistent enforcement of program rules and expectations (CR 1.05(b)).
3. Receive services which are culturally and linguistically respectful of, and responsive to, their unique needs (CR 1.05(c)).

Confidentiality and Privacy

During the course of service delivery, program participants have the right to:

1. Privacy and confidentiality of PII within the limits of applicable state and federal laws and regulations.

2. Consent to the release of any PII; be informed if such any information is released; and have the right to review PII and request a correction or amendment.
3. Expect confidentiality of their records and PII to be maintained and only released with their written consent.
4. Be informed of the duty and responsibility of CTL employees and its agents to report suspected abuse and neglect in adherence to the organization's *Mandated Reporter Policy and Procedure* and applicable state laws and regulations:
 - 4.1. Suspected child/elder abuse and neglect;
 - 4.2. Immediate danger to self or others;
 - 4.3. Medical emergency;
 - 4.4. Active subpoena or court order;
5. Be informed of exceptions to PII disclosures and practices CTL employs to assure and promote privacy:
 - 5.1. Sharing and obtaining information with internal programs and departments on a "need to know" basis;
 - 5.2. Sharing and obtaining information with agents of the organization (individuals acting for the program i.e., contractors, independent contractors) on an "need to know" basis; and
 - 5.3. Allowing contract authorities/funders access to program participant records.

Satisfaction

During the course of service delivery, program participants have the right to:

1. Be fully informed of oral and written procedures for lodging a complaint, grievance, or appeal against a CTL employee or agent when the program participant feels their rights have been compromised and continue receiving services without fear of negative consequences or retaliation for exercising those rights (CR 1.01(f)).
2. Discuss questions or concerns regarding program Policy and Procedure with a supervisor or next level of authority.
3. Be informed of procedures and instructions for accessing state regulations and contacting the local, state, and federal regulatory authorities.

Health and Safety

During the course of service delivery, program participants have the right to:

1. Be safe and protected from threats, harassment, inhumane treatment, emotional and physical abuse, sexual exploitation, neglect, and reckless or intentional mistreatment.
2. Be free from any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment.
3. Report abuse, neglect, exploitation, or violation of personal rights without fear of punishment, interference, coercion, or retaliation.
4. Be informed, at entry, of measures CTL enforces to ensure the health, safety, and well-being of employees, agents, and program participants enrolled in a CTL residential program. Safety measures include regular and random searches of personal space and property and seizure of prohibited items.

Service Provision

During the course of service delivery, program participants have the right to:

1. Provide consent before any direct and/or remote service is initiated; and participate in all service decisions, to the greatest extent possible, and as developmentally appropriate, when any decision affects the program participant's life. When services are not delivered in real time, program participants have the right to be informed of how often designated employees and agents will review and respond to information they submit online and response time of limitations (CR 1.01, CR 1.07(a)).
2. Access CTL programs and services based on eligibility and admission Policy and Procedure of the respective program. CTL programs and services make fair and consistent eligibility and admission determinations and do not consider special treatment, influence, or an ability to pay.
3. Receive non-coercive services, which respect and protect their right to self-determination (CR 1.07(b)).

4. Refuse any CTL service or treatment, unless mandated by law or court order, and be informed about the consequences of a refusal (CR 1.07(d)(e)).
5. Actively participate in the development, periodic review, and reassessment of individualized service/action/family plans, when applicable.
6. Request an in-house review of his or her care, treatment, and individualized service/action/family plans and receive copies, when applicable. Individualized plans address the strengths and needs of program participants and their children and specify provision of appropriate and adequate services as available, either directly or by referral. Areas of need may include housing, financial education, early childhood education, employment, mental health, and transportation, etc. (CR 1.07(c)).
7. Add a statement to their record; be informed of any updates made in the record in response to their statement; and be provided an opportunity to review the addition in accordance with the *Case Record Access, Review, and Amendment Policy and Procedure*.
8. Consent to any human subject research without penalty or consequence to any other services of which he or she may be enrolled.
9. Parents/legal guardians of minor program participants enrolled in a CTL early childhood education program have the right to:
 - 9.1. Be informed of program activity schedules.
 - 9.2. Participate in any appropriate and available program activity offered.
 - 9.3. Make unannounced visits to any location/site during hours of operation where the parent has a minor program participant enrolled. The parent/legal guardian has the right to observe program activities, the building, and equipment, within limits defined by CTL, without prior approval or notice.
 - 9.4. Be provided a comfortable place with a seat that enables a mother to breast feed her child who is enrolled in a CTL child development center.
 - 9.5. Supply breast milk and be provided a written daily infant report at pick-up time.
 - 9.6. Be notified timely of incidents involving their child while under the care and supervision of CTL.

Education Rights

During the course of service delivery, program participants enrolled in a community-based CTL housing program, with school-age children, have the right to:

1. Be connected with the Local Educational Agency's (LEA) homeless education liaison and provide written consent authorizing CTL representatives to communicate with the liaison, school administrators, and teachers.
2. Be assisted with enrolling their child in the school of origin or the last school in which the child was enrolled, including preschool, if it is in the child's best interest.
3. Be housed in the school district of the child's school of origin or the school/preschool where the child was last enrolled, to the greatest extent possible. Be assisted with accessing transportation to and from the school of origin.

Agency Responsibilities

CTL has the responsibility to:

1. Orient program participants of their rights and responsibilities at initial contact. Provide him or her a copy of the *Rights and Responsibilities of Program Participants* and offer an opportunity to ask questions. A signed copy is maintained in each program participant record (CR 1.01(a)).
2. Orient program participants of their rights and responsibilities, at an appropriate time, if he or she presents as disoriented, suffering from impaired cognition, or is experiencing a crisis at initial contact. In such cases, the responsible employee shall immediately notify his or her supervisor.
3. Inform program participants of:
 - 3.1. Basic expectations for use of CTL programs and services.
 - 3.2. Hours of operation and when services are available.
 - 3.3. Rules, expectations, and other factors that could result in involuntary discharge or termination of services (CR 1.01(b-d)).

- 3.4. Any applicable fees in the form of a written schedule; the amount that will be charged (i.e., childcare fee, rent payments, incidental charges for keys); when fees are charged, changed, refunded, waived, or reduced; and the manner and timing of payment.
- 3.5. Consequences for nonpayment (CR 1.08 (a)(b)(c)(d)).
4. Post a copy of the *Rights and Responsibilities of Program Participants Declaration* at all service locations in the reception area, or other common location, where it is visible and reasonable to expect prospective and existing program participants will be able to read it (CR 1.02).
 5. Provide program participants a copy of procedures for voicing a complaint, filing a grievance, or requesting an appeal through CTL and/or the appropriate public authority/regulatory body. Any instance of a rights violation shall be addressed and resolved in adherence to the *Grievance-Program Participant Policy and Procedure* (CR 1.01(f)).
 6. Make rights and responsibilities available on the organization's public website and accessible to program participants who receive remote services.
 7. Inform program participants of response times to information submitted online and response time limitations for remote services, not provided in real time (CR 1.01 Interpretation).
 8. Make every effort to recruit employees with the ability to communicate in a language or literacy level understandable to all program participants or utilize other means. When such efforts are unsuccessful, CTL shall document a plan to meet the communication needs of the program participant and maintain a copy in the program participant record (CR 1.06(a)(c)(d)(e)).
 9. Provide oral and written information in the major languages of the defined service population for each CTL service, to the greatest extent possible (CR 1.06 (a)).
 10. To the greatest extent reasonably possible, CTL will provide or arrange for:
 - 10.1. Bilingual personnel or translators or arrange for the use of communication technology, as needed;
 - 10.2. Telephone amplification, sign language services, or other communication methods for deaf or hearing-impaired persons;
 - 10.3. Communication assistance for persons with special needs who have difficulty making their service needs known and considering the person's literacy level; and
 - 10.4. Design and adapt programs and services, as appropriate to accommodate the visual, auditory, linguistic, and motor abilities of program participants served, to the greatest extent possible (CR 1.09). (CR 1.06 a-e).

Program Participant Responsibilities

Program participants have the responsibility to:

1. Provide accurate and relevant information and participate in decisions necessary to determine eligibility and appropriateness of services, including but not limited to, household income and involvement with other service providers (CR 1.04).
2. Learn and comply with all reasonable rules, expectations, policies, and requests related to their care, service, and support.
3. Respect the rights of other program participants and CTL employees and agents. Failure to do so could result in non-provision, suspension, or termination of services.
4. Participate actively in services and openly and honestly communicate with others during service provision.
5. Respect the property of others while on CTL premises and or during the provision of a service.
6. Support a safe and welcoming environment. Weapons, violence, gang activity or any other illegal behavior is strictly prohibited at all CTL locations/programs. Violations may result in non-provision, suspension, or termination of services.
7. Refrain from any activity that could threaten or endanger themselves, other program participants, CTL employees, agents, and visitors.
8. Refrain from bringing illicit drugs or alcohol onto premises. Be sober during service provision. If a program participant is under the influence of alcohol or any illegal drugs or presents a safety risk to themselves or others, he or she may be refused services.
 - 8.1. If an employee or agent has reason to believe a program participant is unable to drive safely, he or she shall immediately consult a direct supervisor or next level of authority.

9. Refrain from tobacco use on CTL premises.
10. Notify CTL timely of all cancelled appointments; and
11. Pay fees when fees are charged, including individualized payment plans. Communicate with a supervisor if he or she is unable to pay in order to establish payment plan.

Training

1. Within 90-days of hire, CTL provides employees and agents training in:
 - 1.1. The *Rights and Responsibilities of Program Participants* Policy and Procedure and related forms;
 - 1.2. How to effectively orient program participants to their rights and responsibilities; and
 - 1.3. The organization's strict adherence to protecting the rights of program participants (TS 2.02).

Continuous Quality Improvement (CQI)

1. The CQI department shall track, analyze, and report incidents of program participant right violations to the Executive Team, the Board of Directors-Program Committee, and CQI Council on a quarterly basis.
2. Reports shall include a summary review of:
 - 2.1. The number of substantiated program participant right violations;
 - 2.2. Resolution of violations;
 - 2.3. Patterns and any problematic or unresolved issues; and
 - 2.4. Implementation and completion of corrective action plans, when indicated.

COMPLIANCE:

This Procedure complies with State regulation: 746.501(b)(1) and McKinney Vento Act-Texas.

Council on Accreditation (COA) Client Right Standards: CR 1, CR 1.01, CR 1.04, CR 1.05, CR 1.06, CR 1.07, CR 1.08, and CR 1.09.

Related Policy and Procedures:

Case Record Access, Review, and Amendment Policy and Procedure

Confidentiality and Privacy Protections Policy and Procedure

Grievance – Program Participant Policy and Procedure

Involuntary Discharge Policy and Procedure

Mandated Reporter Policy and Procedure

Related Documents:

Rights and Responsibilities of Program Participants Declaration

Program Handbook: (RRH) (TH) (ES) (CC) (EM) (ECE)

Department of Education: <https://www2.ed.gov/policy/elsec/leg/esea02/pg116.html>

Other Related Forms:

Acknowledgement of Receipt-Parent / Participant Handbook: (RRH)(TH)(ES)(Clinical)(EM)(ECE.)

Declination of Services

Housing Assistance Payment Contract (TH)(RRH)

Informed Consent to Services: (RRH)(TH)(ES)(Clinical)(EM)(ECE)

MDT Program Admission Determination-Housing Services

Notification of Admission-RRH

Notification of Eligibility and Admission-Clinical

Notification of Eligibility, Admission, and Extension-RRH

Notification of Ineligibility and Admission Denial-ES/TH

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