

SECTION .1100 – STANDARDS FOR LICENSING

10A NCAC 70E .1101 CLIENT RIGHTS

(a) Foster parents shall ensure that each foster child:

- (1) has clothing to wear that is appropriate to the weather;
- (2) is allowed to have personal property;
- (3) is encouraged to express opinions on issues concerning care;
- (4) is provided care in a manner that recognizes the child's cultural values and traditions;
- (5) is provided the opportunity for spiritual development and is not denied the right to practice his or her religious beliefs;
- (6) is not identified as a foster child in any way;
- (7) is not forced to acknowledge dependency on or gratitude to the foster parents;
- (8) is encouraged to contact and have telephone conversations with family members unless contraindicated in the child's visitation and contact plan;
- (9) is provided training and discipline that is appropriate for the child's age, intelligence, emotional makeup, and past experience;
- (10) is not subjected to cruel or abusive punishment, as established in G.S. 7B 101(1) and (15);
- (11) is not subjected to corporal punishment;
- (12) is not deprived of a meal or contacts with family for punishment or placed in isolation time-out except when isolation time-out means the removal of a child to an unlocked room or area from which the child is not physically prevented from leaving. The foster parent may use isolation time-out as a behavioral control measure when the foster parent provides it within hearing distance of a foster parent. The length of the isolation time-out shall be appropriate for the child's age, intelligence, emotional makeup, and past experiences;
- (13) is not subjected to verbal abuse, threats, or humiliating remarks about himself or herself or his or her family;
- (14) is provided a daily routine in the home that promotes a positive mental health environment and provides an opportunity for normal activities with time for rest and play;
- (15) is provided training in nutrition and personal hygiene. Each child shall be provided food with nutritional content for normal growth and health. Diets prescribed by a licensed medical provider shall be provided;
- (16) is provided medical care in accordance with the treatment prescribed for the child;
- (17) of mandatory school age, as established in G.S. 115C-378(a), maintains regular school attendance unless the child has been excused by the authorities;
- (18) is encouraged to participate in neighborhood and group activities, to have friends visit the home, and to visit in the homes of friends;
- (19) assumes responsibility for himself or herself and for household duties that are appropriate for the child's age intelligence, emotional makeup, and past experiences. Household tasks shall not interfere with school, sleep, or study periods;
- (20) is not permitted to do any task that violates child labor laws, as established in G.S. 95-25.5 and Fair Labor Standards Act (FLSA), incorporated by reference including subsequent amendments and editions, or not appropriate for the child's age, intelligence, emotional makeup, and past experiences;
- (21) is provided supervision that is appropriate for the child's age, intelligence, emotional makeup, and experience;
- (22) if less than eight years of age or weighs less than 80 pounds, is properly secured in a child passenger restraint system in accordance with the manufacturer's instructions;
- (23) is protected from disclosure of confidential information about the child or the child's family. Such confidential information shall not be shared unless lawfully authorized; and
- (24) is encouraged to participate in extracurricular, recreational, enrichment, cultural, and social activities in accordance with G.S. 131D-10.2A.

(b) Foster parents shall initially and at relicensure sign a Discipline Agreement that specifically acknowledges their agreement as specified in Subparagraphs (a)(9), (10), (11), (12), and (13) of this Rule, as well as discipline requirements outlined in the out-of-home family services agreement or person-centered plan. The foster parents and the supervising agency shall retain copies of these agreements.

History Note: Authority G.S. 131D-10.1; 131D-10.2A; 131D-10.3; 131D-10.5; 143B-153;
Eff. September 1, 2007;
Amended Eff. August 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,
2017.