

<p style="text-align: center;"><b>DEPARTMENT OF HEALTH &amp; HUMAN SERVICES DIVISION OF JUVENILE JUSTICE &amp; YOUTH SERVICES POLICY AND PROCEDURES</b></p>		
<b>Policy: 04-01</b>		<b>Page 1 of 3</b>
<b>RIGHTS AND RESPONSIBILITIES OF MINORS</b>		
<p><b>RATIONALE:</b> This policy establishes operational practices to ensure a safe and respectful environment for minors. It reinforces the Division's commitment to treating minors with dignity and providing equal access to available services, including placement, care, and treatment.</p> <p><i>Relevant statutes and rules: R380-80-6 Client Rights; JJYS Policy 01-02 Code of Ethics; 01-13 Sexual Assault and Victimization Elimination; 04-02 Religious Programs; 04-03 Resident Mail; 04-04 Telephone Access; 04-06 Visitation; 04-07 Safety and Health Practices; 04-08 Youth Grievance Process; 06-01 Juvenile Records</i></p>		
<b>Original Effective: October 15, 2004</b>	<b>Revision: June 3, 2025</b>	<b>Next Review Due: June 3, 2028</b>

## I. Description

This policy outlines the Division of Juvenile Justice and Youth Services' (JJYS) commitment to ensuring a safe, respectful, and non-discriminatory environment for minors in their care. It details the basic rights and responsibilities of minors, including protections against abuse and discrimination, access to services, and expectations for conduct. The policy also includes procedures for informing minors of these rights and responsibilities upon admission.

## II. Definitions

The following terms are defined for this policy as:

- A. **Discrimination:** The unequal and unfair treatment of individuals or groups based on race, religion, national origin, color, sex, age, disability, pregnancy, sexual orientation, gender identity, or protected activity or class under state or federal law.
- B. **GRAMA:** The Government Records Access Management Act (UCA 63G-2). Governs records maintained by State Agencies, including the Division, and establishes guidelines related to public access to those records.

### III. Policy

- A. Division staff shall ensure that each minor in the care, custody, or control of the Division is informed of their rights and responsibilities.
- B. When minors are admitted to a Division facility or program, staff shall notify minors of their rights and responsibilities during orientation.
- C. Staff shall protect minors from discrimination, harassment and abuse, while providing an environment that is fair and respectful.
- D. A minor has the basic right to:
  - 1. Be in a safe environment that is mindful of diverse backgrounds and free from discrimination and harassment based on sex, gender identity, sexual orientation, or disability (R501-1-16);
  - 2. Be treated with respect, dignity, and fairness;
  - 3. Be referred to by preferred pronouns;
  - 4. Be free from sexual abuse and sexual harassment and free from retaliation for reporting such incidents;
  - 5. Be in a clean, safe environment, with equal access to services, including food, medical, dental, mental health, and treatment (as applicable);
  - 6. Maintain hair needs associated with hair texture or type, including, but not limited to, braids, locks, afros, curls, and twists;
  - 7. Be free from corporal punishment, harassment, abuse of any kind, injury, intimidation, property damage, threats, assaults, or humiliation;
  - 8. Have access to monitored and approved mail, phone calls, virtual visitation, and in-person visitation (as applicable); for security purposes mail, phone calls, virtual visits and in-person visitation in secure detention and secure care shall be monitored by staff;
  - 9. Private calls or meetings with their attorney, clergy, victim advocate, medical or mental health provider, or Child Protective Services (CPS) Hotline;
  - 10. Have access to public education and to attend classes (as applicable);
  - 11. Practice their religious faith and participate in religious services;
  - 12. Participate in physical activity;
  - 13. Vote if they are registered to vote, not adjudicated for a felony (UCA 20A-2-101.5) and have requested an absentee ballot as allowed by law;
  - 14. Review any and all information in their juvenile record or juvenile file as allowed by law;
  - 15. Privacy of private, protected, and controlled records;
  - 16. Be informed of rules, procedures, and expectations of the program within two program days (48 hours for residential) of admittance; and
  - 17. Be informed of their grievance rights and procedures.
- E. Minors have the following responsibilities, which include, but are not limited to:
  - 1. Following all rules, procedures, schedules, and direction of staff while in JJYS buildings and programs;
  - 2. Treating all minors, staff, and volunteers with respect, and honor their

- differences, identities, disabilities, and cultures;
3. Not sexually abusing or sexually harassing other minors, staff, volunteers, or contractors;
  4. Being part of creating a safe environment by not using language that will hurt any person. This includes but is not limited to, verbal abuse, name calling, obscene gestures, or any gang communication;
  5. Using respectful and appropriate language by trying first to listen and to understand instead of criticizing;
  6. Taking part in activities in a mindful way that values others and limits disruptions;
  7. Keeping a clean room, living area, and programming space (as applicable);
  8. Respect and maintain public and private property;
  9. Keeping their body, clothes, and hair in a clean condition; and
  10. Not using illegal drugs, alcohol, or tobacco.

#### **IV. Procedures**

- A. Staff shall inform the minor of the following information within 48 hours of admission:
  1. Their basic rights and responsibilities;
  2. The rules, procedures, and expectations of the facility or program;
  3. Their grievance rights and procedures in accordance with Division Policy 04-08 Youth Grievance Process; and
  4. Their right to review information in their JJYS record or file, subject to GRAMA restrictions.
- B. Staff shall provide and review with each minor a copy of the Division's approved written description of the Rights and Responsibilities of Minors (form 04-01A and 04-01B). A signed copy shall be included in the minor's file.
- C. Staff shall provide each minor with a copy of approved written rules, procedures, and expectations that are specific to the particular facility or program.

#### **V. Continuous Renewal**

This policy shall be reviewed every three years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team, and is approved upon the signature of the Director.



Brett M. Peterson, Director  
Division of Juvenile Justice and Youth Services

06/03/2025  
Signature Date