**Section 411.300 Client Rights and Confidentiality**

a) The legal rights of children and youth shall be protected in accordance with Chapter 2 of the Mental Health and Developmental Disabilities Code [405 ILCS 5].

b) The confidentiality of records for children and youth placed or residing in secure child care facilities shall be governed by the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110].

c) Staff of the secure child care facility shall inform children and youth, in writing, of:

1) Their rights in accordance with subsections (a) and (b) of this Section;

2) Their right to contact protection and advocacy agencies such as the Guardianship and Advocacy Commission and Equip for Equality, Inc., their attorney, Guardian ad Litem, foster parents, and/or parents. Staff shall offer to assist children and youth in contacting these groups or individuals, and shall give each child or youth the address and telephone number of the Guardianship and Advocacy Commission and Equip for Equality, Inc.; and

3) Their right to contact the Department.

d) The facility shall develop and implement a written plan of action describing how the facility will address the communication requirements of each child or youth and family in their preferred mode of communication. The plan shall address oral and written communication, as well as alternative modes of communication for the visually, hearing and speech impaired.

1) The facility shall assure that all written materials available for English-speaking clients are either available in each individual client's preferred mode of communication or are translated orally to the client in his or her preferred mode of communication. Copies of translated documents and documentation of oral translations shall be placed in the client file.

2) The information in subsection (c) of this Section shall be explained using the child's or youth's preferred mode of communication and documentation of the explanation shall be placed in the client file.

e) Justification for restriction of client rights under the statutes cited in subsections (a) and (b) of this Section shall be documented in the client file. In addition, the child or youth affected by such restriction, the parents, attorney, Guardian ad Litem, the Guardianship and Advocacy Commission, and any agency designated by the client pursuant to subsection (c)(2) of this Section shall be notified of the restriction.

f) Every child and youth shall be free from all forms of abuse and neglect, including physical, emotional, medical, etc.

g) Children and youth, their parents and/or guardians may appeal service decisions made by staff of the secure child care facility through the service appeal process (89 Ill. Adm. Code 337), through a formal grievance procedure established by the secure child care facility, or both. If a secure child care facility establishes a formal grievance procedure, the procedure shall require the facility to document all grievances and service appeals, and all responses thereto, in the client file, and provide a copy to the Director of the Department. All grievances unresolved by the facility director shall be referred to the Director of the Department for resolution. The Director's decision shall constitute a final administrative decision and shall be subject to review in accordance with the Administrative Review Law [735 ILCS 5/Art. III].

h) Children and youth shall not be denied, suspended or terminated from services or have services reduced for exercising any of their rights.