



Information About

Your Rights While Living at a Residential Facility for Children

What is a Residential Facility for Children?

Any facility in Virginia operated by the Department of Education (DOE), Department of Juvenile Justice (DJJ), Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), or Department of Social Services (DSS) that provides residential services for children and adolescents.

While Living at a Residential Facility for Children, You Have the Right to:

- contact and visit with advocates from the Virginia Office for Protection and Advocacy;
- contact and visit with advocates from the Department of Mental Health, Mental Retardation and Substance Abuse Services;
- contact and visit with your attorney, probation officer, facility regulators, or child-placement staff;
- contact and visit with your family or legal guardian;
- receive adequate food and water; at least three nutritionally balanced meals and an evening snack daily;
- have adequate clean, comfortable, and well-fitting clothing;
- send and receive mail;
- live in clean and healthy conditions;
- have access to toilet and bathing facilities;
- have an adequate supply of personal items including but not limited to soap, toilet tissue, toothpaste, toothbrush, comb, and shaving equipment;
- receive adequate medical and dental care;
- have privacy from routine sight supervision by staff members of the opposite gender while bathing, dressing, or conducting toileting activities;
- receive appropriate services and treatment;
- have adequate opportunities for sleep and rest;
- have a separate, clean, and comfortable bed;
- be enrolled in an appropriate school program;

- receive educational guidance and counseling;
- choose whether to participate in religious activities;
- have opportunities for recreation;
- have opportunities to participate in community activities (except residents of secure custody facilities);
- receive allowances and spending money (except residents of secure custody facilities);
- be told about and have access to a grievance procedure;
- have an appropriate, written discharge plan that addresses your needs;
- not have strip searches and body cavity searches except as permitted by state regulation or court order;
- not be subjected to humiliating, degrading, or abusive treatment, corporal punishment, or aversive stimuli;
- not be given laxatives, enemas, or emetics (except as ordered by a doctor for a legitimate medical reason);
- not be subjected to chemical restraints;
- only be put in time out as permitted by state regulation; and
- only be subjected to seclusion or restraint in an emergency.

How Do I File A Complaint?

To file a complaint or for information, you may contact any of the following:

- DOE, Ombudsman, (800) 422-2083 (toll-free)
- DJJ, Ombudsman, (804) 786-5914
- DSS, Division of Licensing Programs, (800) 543-7545 (toll-free)
- DSS, Child Protective Services Hotline, (800) 552-7096 (toll-free)
- DMHMRSAS, Office of Licensing, (804) 786-1747
- DMHMRSAS, Office of Human Rights, (804) 786-3988
- Virginia Office for Protection and Advocacy (VOPA), (800) 552-3962 (toll-free)

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VOPA publications are available in alternate format, upon request.