

INDIVIDUAL RIGHTS

Policy:

RIGHTS APPLICABLE TO ALL PEOPLE WITH INTELLECTUAL DISABILITIES

People with intellectual disabilities have the same rights as other people unless their rights have been limited by court order or law. There are basic human and civil rights that are protected by the United States Constitution, and state and federal laws. Many of these laws take the form of protecting people from discrimination. People with intellectual disabilities must be treated fairly and equally when services are being developed and provided. People with intellectual disabilities are entitled to the same human rights as those of individuals who do not have intellectual disabilities.

All persons served by KDS possess the following rights unless otherwise indicated and explained as part of their treatment team. You may exercise your rights by practicing good citizenship and obeying all laws. If you feel that any of your rights have been violated or denied you, you have the right to protest. You can protest verbally, through the KDS grievance process or seek help through legal means. Individuals receiving services shall be entitled to the following rights included but not limited to:

1. To be treated with respect and dignity as a human being.
2. To have the same legal rights and responsibilities as any other person unless otherwise limited by law.
3. To receive services regardless of gender, race, creed, marital status, national origin, disability, sexual orientation, ethnicity or age.
4. To be free from abuse, neglect and exploitation.
5. To receive appropriate, quality services and supports in the most integrated and least restrictive setting that is appropriate based on the particular needs of the person supported.
6. To have access to personal records and to have services, supports and personal records explained so that they are easily understood.
7. To have personal records maintained confidentially.
8. To own and have control over personal property.
9. To have access to information and records pertaining to expenditures of funds for services provided.
10. To have choices and make decisions.

11. To have privacy.
12. To receive mail that has not been opened by provider staff or others unless the person or legal representative has requested assistance in opening and understanding the contents of incoming mail.
13. To be able to associate, publicly or privately, with friends, family and others unless otherwise restricted by courts or court documents.
14. To have personal relationships with other people of their own choosing.
15. To practice the religion or faith of one's choosing.
16. To be fairly compensated for employment.
17. To seek resolution of rights violations or quality of care issues without retaliation.

Agency policy, contractual obligations and licensing rules and regulations may also dictate modifications and/or restrictions of individual rights of persons with intellectual disabilities while enrolled at The King's Daughters' School:

1. To privacy with respect to a person's need for assistance with personal hygiene.
2. To possess and spend money.
3. To participate in research activities.
4. To self-administration of medications.
5. Court and/or custodial orders.

Every staff member has the responsibility and obligation to be involved in guaranteeing these rights are protected and are not violated.

In compliance with Title VI of the Civil Rights Act of 1964, any individual served by KDS shall not be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity on the basis of race, color, gender, religion, national origin, ethnicity or disability. Any person who applies for or receives any benefit or service provided by KDS may file a complaint if her/she has had unfair or different treatment because of race, color, sex, religion, national origin, ethnicity or disability. Complaints must be filed in writing with the KDS Title VI representative, or with the appropriate regional or central office of the Department of Intellectual Disabilities or the Department of Children's Services, or with the Office of Civil Rights, 101 Marietta Tower, Suite 2706, Atlanta, Georgia 30323.

Procedure:

Each client served by KDS and his/her parent or other responsible party will be provided a copy of the client and parental rights at the initial and annual IPP meeting. At these meetings, the participating team will review the client's Individual Rights. The following standards will be followed if a right of a client is to be modified or restricted:

- The modification of a right is specific to a client's ability to exercise it; contractual obligations/law and licensing rules;
- When modification of a client's rights is under consideration, the rights to be modified are specifically explained to the client and his/her parent or other responsible party, and other interested persons (as appropriate) are advised of the process involved in modifying such rights and a consensus (unless court ordered) reached regarding any modification or restriction;
- The client's ability to exercise a right to be modified is evaluated by his/her IPP team and is documented in the IPP and based upon assessments;
- The client or his/her advocate is given the opportunity to contest a proposed modification;
- When a client's right has been modified, the continuing need for the modification is reviewed when warranted, but at least annually;
- A right that has been denied is restored when circumstances justify its restoration; and
- Opportunity is provided for appeal concerning modification of a client's rights.

A Human Rights Committee has been established to insure that the rights of all clients are not being denied, infringed upon, or violated in service delivery.