

City of Philadelphia



(Bill No. 110304)

AN ORDINANCE

Amending Title 21 of The Philadelphia Code, entitled “Miscellaneous,” by adding a new Chapter requiring the Department of Human Services to report on its compliance with a policy that requires that a summary of children’s rights to be free from abuse be communicated to all children who are the subject of an investigation into a credible report of child abuse or who are being placed in another home, foster home, group home, or other facility, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 21 of The Philadelphia Code is hereby amended to read as follows:

TITLE 21. MISCELLANEOUS.

* * *

CHAPTER 21-1800. FREEDOM FROM ABUSE RIGHTS REPORTING.

§21-1801. Definitions.

- (1) DHS. The Philadelphia Department of Human Services.*
- (2) Provider Worker. An employee or agent for an organization under contract with DHS.*
- (3) SWSM. Social Work Services Manager.*
- (4) FAR. Freedom from Abuse Rights, which shall consist of the following, or such other statement of rights as DHS may provide by policy or Commonwealth law or regulation:*

City of Philadelphia

BILL NO. 110304 continued

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“You have the right to be safe. You have the right to freedom from abuse. Anyone can be an abuser – adults, teenagers, and children. They can be people you know or people you do not know. There are four kinds of abuse.

- 1. Physical Abuse – When someone hurts your body using their bare hands, other body parts or with objects that bruise or injure you and make you afraid.*
- 2. Sexual Abuse – When someone shows you their private parts or gets you to touch their private parts or touches you in ways that feel wrong or make you uncomfortable. When someone takes pictures of you without any clothes on or tries to show you naked pictures of themselves or other people. Sexual abuse often happens when nobody else is around.*
- 3. Emotional Abuse – When someone makes fun of you, picks on you, or says things that hurt your feelings or make you feel bad or think that no one loves you.*
- 4. Neglect – When people you live with leave you alone to take care of yourself but you don’t know how. When a lot of the time, you are not fed, or given what you need to clean your body or given clothes for the kind of weather it is. When the people you live with do not send you to school, or take you to a doctor or a dentist when you are sick.*

If you are abused, tell an adult you can trust or call 1-800-932-0313 or DHS at 215-683-6100 and someone will get you help. Abuse is never your fault.”

§21-1802. FAR Policy. Council calls upon DHS to adopt a policy in which FAR is communicated to certain children and youth, including but not limited to:

(a) Oral Disclosure. FAR will be communicated by a DHS SWSM age appropriately to all children and youth under the age of 18 years who are the subject of an indicated Child Protective Services report or upon the initial removal of any child or youth from one home to another home, foster home, group home or other facility by a DHS SWSM or a Provider Worker.

(b) Written Disclosure. A pamphlet containing the text of the oral disclosure will be provided with age appropriate content to each child or youth under the age of 18 years who is the subject of an indicated Child Protective Services report or upon initial removal of any child or youth from one home to another home, foster home, group home or other facility by a DHS SWSM or a Provider Worker. The pamphlet shall include illustrations that express and convey the verbal message for the benefit of children with low literacy levels, cognitive disabilities or language barriers.

City of Philadelphia

BILL NO. 110304 continued

Certified Copy

(c) Subsequent Out-of-Home Placement(s). FAR will be re-communicated orally and pamphlet will be provided by a DHS SWSM or a Provider Worker to each child or youth under the age of 18 upon any subsequent out-of-home placement.

§21-1803. Required FAR Policy Compliance Reports.

(1) Within thirty days after the close of each calendar quarter, DHS shall produce a written report setting forth:

(a) The number of children and youth who were subject to the FAR Policy during the prior calendar quarter because they were the subject of an indicated Child Protective Services report or because they were placed in another home, foster home, group home, or other facility or because they were subject to subsequent out-of-home placement(s).

(b) The number of such children and youth for whom DHS fully complied with the FAR Policy, and for each child or youth for whom DHS was not in full compliance, the reason(s) why DHS did not fully comply.

(c) If DHS has by regulation modified the statement of FAR rights in accordance with §21-1801(4), a copy of the statement that was in effect during the prior calendar quarter must be submitted to City Council.

(2) The reports required by subsection (1) shall be filed with the Chief Clerk of Council, with copies to the Department of Records and the Managing Director. DHS shall also see to it that copies are promptly posted on the City's official website.

SECTION 2. This Ordinance shall take effect January 1, 2012.

Explanation:

Italics indicate new matter added.

City of Philadelphia

BILL NO. 110304 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 9, 2011. The Bill was Signed by the Mayor on June 22, 2011.



Michael A. Decker
Chief Clerk of the City Council