

1.1 moves to amend H.F. No. 3024 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. [260C.009] FOSTER YOUTH BILL OF RIGHTS.

1.4 Subdivision 1. **Legislative intent.** (a) It is the intent of the legislature and the purpose
1.5 of this section to ensure that the right of foster youth to receive a level of care (1) comparable
1.6 to nonfoster youth, and (2) higher than the care foster youth would have received if not
1.7 placed in foster care, due to the state of Minnesota choosing to intervene in a foster youth's
1.8 life.

1.9 (b) The rights under this section are established for the benefit of children and youth in
1.10 foster care and the extended foster care program. The rights granted in this section do not
1.11 replace or diminish other rights, liberties, or responsibilities relating to children and youth
1.12 in foster care or the extended foster care program, including any rights under the Indian
1.13 Child Welfare Act, the Minnesota Indian Family Preservation Act, and the African American
1.14 Family Preservation and Child Welfare Disproportionality Act.

1.15 (c) A juvenile court reviewing a foster youth's out-of-home placement may enforce this
1.16 section by changing the foster youth's placement; ordering the responsible social services
1.17 agency, any state agency, guardian ad litem, or foster parent or placement provider to correct
1.18 any violation of this section; or by ordering any other remedy under this chapter, chapter
1.19 260B, or 260D.

1.20 Subd. 2. **Definitions.** (a) For the purposes of this section, the following terms have the
1.21 meanings given.

1.22 (b) "Age appropriate" means the activities, rights, and responsibilities that align with a
1.23 foster youth's chronological age and are common to the foster youth's peers.

2.1 (c) "Appropriate" means in alignment with age and developmental ability of a foster
2.2 youth based on the reasonable treatment a foster youth would receive if not placed in the
2.3 foster care system.

2.4 (d) "Belongings" means personal effects or possessions as defined reasonably by the
2.5 foster youth.

2.6 (e) "Chemical restraint" means any psychopharmacologic drug used for discipline or
2.7 convenience and is not required to treat medical symptoms.

2.8 (f) "Clean" means: (1) free from accumulations of dirt, grease, garbage, peeling paint,
2.9 vermin, or insects; (2) free from animal feces and urine on carpets, floors, or furniture; and
2.10 (3) not having a direct negative impact on the health and safety of foster youth.

2.11 (g) "Culturally appropriate" means in alignment with practices, resources, or services
2.12 that reflect, honor, and celebrate a foster youth's cultural background, including foods,
2.13 clothing, personal care products, traditions, values, and social norms.

2.14 (h) "Developmentally appropriate" means activities, resources, education, or information
2.15 suitable for the foster youth's age, cognitive level, and emotional maturity.

2.16 (i) "Disability" has the meaning given in section 363A.03, subdivision 12.

2.17 (j) "Discipline" means actions used to correct or deter negative or harmful behaviors.

2.18 (k) "Discrimination" means the unfair treatment of a person or group of people because
2.19 of an actual or perceived difference, including age, race, sex, nationality, sexual orientation,
2.20 gender identity, gender expression, religion, or disability.

2.21 (l) "Excessive medication" means medication administered as a substitute for a behavioral
2.22 or therapeutic program, for punishment, for the convenience of any foster parents or care
2.23 providers, in quantities that interfere with learning or other social-emotional goals, or beyond
2.24 prescribed limits, as determined by a licensed health care professional.

2.25 (m) "Foster youth" means (1) a child under 18 years of age who is under the placement
2.26 and care responsibility of a responsible social services agency and is placed away from the
2.27 child's parents or guardians, or (2) an individual under 21 years of age who is in foster care
2.28 pursuant to section 260C.451. Foster youth includes but is not limited to youth in out-of-home
2.29 placements pursuant to this chapter, chapter 260B, or 260D.

2.30 (n) "Health care" or "health care services" means medical, dental, vision, and mental
2.31 health services, treatments, and procedures.

2.32 (o) "Maltreatment" has the meaning given in section 260E.03, subdivision 12.

3.1 (p) "Medically prescribed diet" means a diet specifically recommended by a medical
3.2 professional to support a foster youth's health that must be respected and adhered to in all
3.3 care settings.

3.4 (q) "Physical discipline" means directly causing physical harm to a foster youth to punish
3.5 or correct the foster youth's behavior.

3.6 (r) "Physical restraint" means any manual method or physical or mechanical device,
3.7 material, or equipment attached or adjacent to an individual's body that the individual cannot
3.8 remove easily that restricts freedom of movement or normal access to one's body.

3.9 (s) "Privacy" means freedom from the attention of others, including physical privacy or
3.10 verbal confidentiality.

3.11 (t) "Relative" has the meaning given in section 260C.007, subdivision 27.

3.12 (u) "Seclusion" has the meaning given in section 245.8261, subdivision 3, paragraph
3.13 (j).

3.14 Subd. 3. **Physical and emotional safety.** While in foster care, foster youth have a right
3.15 to be safe and free from maltreatment. This includes a foster youth's right to:

3.16 (1) appropriate discipline and caregiving that considers the foster youth's unique history
3.17 and needs, including freedom from all physical discipline;

3.18 (2) discipline that is only intended to foster positive behavior, including teaching and
3.19 modeling skills to achieve those behaviors. Discipline must be constructive and supportive
3.20 and free from physical punishment, confinement, restraint, or withholding of basic needs;

3.21 (3) be free from maltreatment;

3.22 (4) the rights, protections, and services under section 260C.212, and Minnesota Rules,
3.23 parts 2960.3000 to 2960.3080;

3.24 (5) be free from discipline for the unrelated behavior or action of another, except for the
3.25 imposition of restrictions on the foster youth's peer group as part of a recognized treatment
3.26 program;

3.27 (6) be free from seclusion, in accordance with the laws and policies governing secure
3.28 facilities;

3.29 (7) be free from physical or chemical restraint used for the purposes of discipline or
3.30 convenience. Physical or chemical restraints must only be used in the case of immediate
3.31 threat to life or bodily harm and in accordance with the law. Deescalation tactics should be
3.32 exhausted before physical and chemical restraints are considered and the least restrictive

4.1 interventions should be prioritized. Any restraint of the foster youth must be documented
4.2 and shared with the court;

4.3 (8) not have law enforcement intervention or placement disruption used as a threat,
4.4 retaliation, or discipline;

4.5 (9) have law enforcement intervention requested by adult caregivers only as a last resort
4.6 after other diversion and deescalation techniques have been used and in circumstances where
4.7 there is an imminent threat to the health or safety of a person or when a crime may have
4.8 been committed;

4.9 (10) appropriate supervision;

4.10 (11) be free from discrimination in accordance with section 363A.02, including but not
4.11 limited to avoidable denial or delay of placement or services, more restrictive placement
4.12 options, and any maltreatment based on these identities;

4.13 (12) have appropriate actions taken to keep the foster youth safe and comfortable if the
4.14 foster youth shares any information regarding previous or ongoing maltreatment to the foster
4.15 youth's family and permanency team, including consideration of accommodations so that
4.16 the foster youth does not need to face a person who harmed the foster youth while exercising
4.17 the foster youth's rights;

4.18 (13) bodily autonomy, including being able to refuse physical touch or emotional
4.19 affection, including but not limited to hugs and kisses;

4.20 (14) age-appropriate and developmentally appropriate curfew and house rules that are
4.21 clear and consistent and explained to the foster youth in a way the foster youth can
4.22 understand. If the foster youth is living in a residential treatment facility, licensed residential
4.23 family-based substance use disorder treatment program, qualified residential treatment
4.24 program, secure detention facility, or shelter care facility as those terms are defined in
4.25 section 260C.007, the foster youth should have access to written rules or policies upon
4.26 entering and at the foster youth's request; and

4.27 (15) be provided with alternative pathways in juvenile delinquency court, if available
4.28 and appropriate, including diversionary courts and restorative or transformative justice
4.29 circles or practices.

4.30 Subd. 4. **Basic needs and normalcy.** While in foster care, foster youth have a right to
4.31 have their basic needs met and experience childhood and adolescence in a way similar to
4.32 peers who are not in foster care, including a foster youth's right to:

5.1 (1) not have the foster youth's basic needs withheld as a form of discipline, including
5.2 but not limited to the foster youth's usual diet, drinking water, clothing, shoes, hygiene
5.3 facilities, hygiene products, hair care products, medications, menstrual products, comfortable
5.4 and normal sleeping conditions, proper lighting, educational services, privacy, self-regulation
5.5 tools, exercise activities, ventilation and proper temperature, visitations, positive
5.6 reinforcement, nurturing, or health care;

5.7 (2) sufficient food and beverages that:

5.8 (i) promote the foster youth's health and nutrition;

5.9 (ii) are culturally appropriate and in accordance with the foster youth's religious, spiritual,
5.10 and cultural observances;

5.11 (iii) follow the foster youth's medically prescribed diet;

5.12 (iv) align with allergies and sensitivities;

5.13 (v) reasonably align with food aversions; and

5.14 (vi) are palatable, of adequate quantity and variety, served at appropriate temperatures,
5.15 and of the same quality as food eaten by others in the household;

5.16 (3) not be put on a diet to lose or gain weight unless under the direction of a health care
5.17 professional;

5.18 (4) clothing that fits comfortably, sufficiently protects against outside elements, is of
5.19 the same or similar quality as the clothes worn by other children in the household, and is
5.20 in accordance with the foster youth's gender expression and religious, cultural, and spiritual
5.21 identities and beliefs;

5.22 (5) dress themselves and pick out the foster youth's own clothing, as developmentally
5.23 appropriate;

5.24 (6) have access to a bedroom, whenever safe and appropriate, in the place where the
5.25 foster youth is living;

5.26 (7) have access to a clean home and safe methods and products for the foster youth to
5.27 clean themselves and the foster youth's belongings;

5.28 (8) have access to safe, appropriate, and sufficient menstrual products with consideration
5.29 of the foster youth's preferences;

5.30 (9) have access to a comfortable and clean place to sleep furnished to the same or similar
5.31 quality as other rooms;

6.1 (10) the foster youth's own personal belongings that the foster youth is not required to
6.2 share with others;

6.3 (11) acquire more belongings and bring the foster youth's belongings with them if the
6.4 foster youth moves to a new placement;

6.5 (12) have the space to store personal belongings, including hygiene items, clothes,
6.6 sentimental belongings, and religious or spiritual altars, artifacts, books, or pieces, with
6.7 private access to those belongings, if reasonable;

6.8 (13) appropriate travel bags to pack the foster youth's belongings if the foster youth
6.9 needs to move, not including trash or grocery bags;

6.10 (14) have access to a method of communication appropriate for the foster youth's age
6.11 and developmental level, including a cell phone;

6.12 (15) the foster youth's own money that the foster youth has earned or has been gifted.
6.13 A foster youth should not be required to pay for the foster youth's basic needs;

6.14 (16) support to open and access the foster youth's own bank account, as developmentally
6.15 appropriate, that must not be accessed or borrowed from by others;

6.16 (17) have the foster youth's credit frozen upon entry into foster care at any age and
6.17 support in unfreezing and refreezing the foster youth's credit upon the foster youth's request
6.18 if the foster youth is 15 years of age or older;

6.19 (18) receive and be supported in understanding a yearly credit report. If a foster youth's
6.20 credit is being used fraudulently, the responsible social service agency must support the
6.21 foster youth to resolve any discrepancies; and

6.22 (19) have chores and tasks assigned to the foster youth to be typical for the foster youth's
6.23 age and development and comparable to other children in the home, if applicable, including
6.24 a consideration of the type, volume, and duration of the chores and tasks.

6.25 Subd. 5. **Privacy.** While in foster care, foster youth have a right to privacy, including a
6.26 foster youth's right to:

6.27 (1) communication privacy. A foster youth's communication can only be monitored due
6.28 to a safety concern and if a safety concern is determined, the monitoring of any
6.29 communication must be communicated to the foster youth and documented in the foster
6.30 youth's out-of-home placement plan. Communication may include but is not limited to
6.31 technology usage or personal belongings, including writings and artwork;

7.1 (2) change clothes, bathe, and use the bathroom privately, as developmentally appropriate
7.2 and safe;

7.3 (3) data privacy. Details of the foster youth's personal and medical history or immigration
7.4 status must only be shared as permitted by law and necessary to ensure the foster youth's
7.5 safety and well-being;

7.6 (4) request for the court to make the foster youth's medical and therapeutic information
7.7 confidential from the public, as allowed by law;

7.8 (5) only have cameras in common areas and not have cameras in areas such as bathrooms,
7.9 bedrooms, or areas in which the foster youth is expected to bathe and change clothing;

7.10 (6) be informed when the foster youth is being recorded while at the foster youth's
7.11 residence and have concerns about recording addressed by the foster youth's family and
7.12 permanency team; and

7.13 (7) be free from unreasonable searches of the foster youth's personal belongings, space,
7.14 or body. Searches must be based on an articulated and individualized need that must be as
7.15 minimally invasive as possible in relation to that need.

7.16 Subd. 6. **Health and wellness.** While in foster care, foster youth have a right to be
7.17 healthy and receive high-quality health care, including a foster youth's right to:

7.18 (1) timely access and transportation to health care services, as recommended by the
7.19 foster youth's health care team and upon the foster youth's request;

7.20 (2) have the foster youth's health care explained in a manner the foster youth can
7.21 understand by the provider, caseworker, or other professional; have the foster youth's
7.22 concerns addressed; meet with the foster youth's provider in private; and have a trusted
7.23 adult present if requested by the foster youth;

7.24 (3) be free from excessive or unnecessary medication, procedures, or treatments.
7.25 Determinations for excessiveness must be made by a licensed health care professional;

7.26 (4) give input on the foster youth's health care providers, including selecting health care
7.27 providers or switching a provider for any reason, as available;

7.28 (5) access or refuse contraceptives and abortion services, unless a health care professional
7.29 determines a contraceptive or procedure to be medically necessary;

7.30 (6) be free from secondhand smoke exposure;

7.31 (7) consent to the foster youth's own health care in accordance with sections 144.341 to
7.32 144.344 and 253B.04;

8.1 (8) be free from drug testing as a condition of the foster youth's placement, unless ordered
8.2 by a judge or part of an evidence-based substance use treatment program;

8.3 (9) have support in accessing or refusing family therapy with relatives, unless required
8.4 by the foster youth's out-of-home placement plan;

8.5 (10) have support in accessing an alternative mental health treatment option of the foster
8.6 youth's preference;

8.7 (11) have support in accessing education and services regarding consent, healthy
8.8 relationships, and sexual and reproductive health and safety, as developmentally appropriate;
8.9 and

8.10 (12) be informed of and supported in accessing counseling and mental health support,
8.11 including resources at school.

8.12 Subd. 7. **Family and relative connections.** While in foster care, foster youth have a
8.13 right to be connected to relatives, including a foster youth's right to:

8.14 (1) be supported in having frequent, consistent, and quality contact with relatives,
8.15 including both in-person or virtual opportunities, with in-person visits prioritized. Other
8.16 communications such as letters, emails, texts, or telephone calls should be supported;

8.17 (2) have contact or visits with relatives only be restricted in circumstances when the
8.18 foster youth's family and permanency team has collaboratively weighed factors, including
8.19 but not limited to the foster youth's physical and emotional safety; the input of the foster
8.20 youth's health care team, when applicable; the foster youth's own input; and whether
8.21 alternative forms of visits or contact may be more appropriate;

8.22 (3) have the foster youth's caseworker notify the foster youth's relatives who responded
8.23 to the initial search, regardless of whether the relative indicated interest in being a placement
8.24 option, or relatives identified by the foster youth, when the foster youth moved to a new
8.25 placement, within five business days of the caseworker being informed of the placement
8.26 change;

8.27 (4) be told in a personal and confidential manner if a relative of the foster youth dies or
8.28 is experiencing life-threatening health issues when the agency is aware. When practicable,
8.29 a foster youth has the right to attend the death-related services for a person the foster youth
8.30 knew or to visit a person the foster youth knows who is experiencing life-threatening health
8.31 issues;

8.32 (5) have the responsible social services agency continue to search for and identify
8.33 relatives, in accordance with section 260C.22;

9.1 (6) have the foster youth's caseworker update the courts regarding the caseworker's
9.2 efforts to support sibling and relative relationships at each court hearing;

9.3 (7) have the foster youth's family and permanency team make every effort to support
9.4 relationships with all of the foster youth's siblings and relatives, including adult siblings,
9.5 whether the siblings are in foster care or not, unless the agency has documented a verifiable
9.6 safety concern in the foster youth's out-of-home placement plan. This support must include:

9.7 (i) having the foster youth's input prioritized regarding any sibling and relative
9.8 relationships. This may include the frequency and methods of communication, including
9.9 telephone calls, letters, or in-person or virtual visits;

9.10 (ii) frequent contact and support in contacting the foster youth's siblings, including
9.11 weekly regular face-to-face visits, whenever possible, and weekly virtual contact. Virtual
9.12 contact includes but is not limited to telephone calls, text messaging, social media, other
9.13 Internet use, and video calls;

9.14 (iii) not withholding or restricting sibling and relative relationships as a consequence
9.15 for behavior;

9.16 (iv) regular visits of siblings and relatives being ensured by members of the foster youth's
9.17 family and permanency team and the coordination of dates, times, transportation, and other
9.18 accommodations as necessary;

9.19 (v) the timing and regularity of visits to be outlined in each sibling's service plan; and

9.20 (vi) alternative ways to preserve relationships being supported in the event of a
9.21 documented verifiable safety concern;

9.22 (8) have efforts made by the foster youth's caseworker to receive at least quarterly a
9.23 telephone number, address, or email address for all the foster youth's siblings, both those
9.24 in foster care and not in foster care, and receive updated photographs of siblings regularly;

9.25 (9) be actively involved in the lives of the foster youth's siblings and be provided with
9.26 support in doing so, including but not limited to attending celebrations, birthdays, holidays,
9.27 graduations, school and extracurricular activities, and other milestones;

9.28 (10) be promptly informed about changes in a sibling's placement or circumstance,
9.29 including but not limited to new placements, discharge from placements, significant life
9.30 events, and discharge from foster care unless the responsible social service agency documents
9.31 specific reasons the information is contrary to the safety and well-being of any sibling or a
9.32 sibling requests for the information not to be shared;

10.1 (11) be included in permanency planning decisions for any siblings;

10.2 (12) have the adult siblings and relatives of the foster youth be notified of the opportunity
10.3 to become a foster care provider, adoptive parent, or relative custodian;

10.4 (13) have the foster youth's siblings, if known, notified of their rights as a sibling through
10.5 materials in a format specified by the Office of the Foster Youth Ombudsperson. This
10.6 includes adult siblings and siblings not in foster care; and

10.7 (14) have support in planning to maintain sibling and relative relationships after the
10.8 foster youth exits foster care for any reason. This may include communication and contact
10.9 agreements.

10.10 Subd. 8. **Community and cultural connections.** While in foster care, foster youth have
10.11 a right to be connected to the foster youth's community and culture, including a foster youth's
10.12 right to:

10.13 (1) have support in finding and maintaining regular contact with communities that reflect
10.14 the foster youth's culture, ethnicity, religion, sexual orientation, and gender identity and
10.15 gender expression with specific attention paid to maintaining the community connections
10.16 the foster youth had prior to entering foster care. The foster youth's cultural and community
10.17 needs must be documented in the foster youth's out-of-home placement plan;

10.18 (2) be cared for by people with training on understanding and validating the foster youth's
10.19 cultural, racial, and ethnic heritage in a trauma-informed manner;

10.20 (3) ethnically and culturally appropriate hygiene and hair care products, tools, and
10.21 services, including access to protective hairstyling services, oils, bonnets, du rags, lotions,
10.22 shampoo, conditioner, and body wash;

10.23 (4) have support in accessing education in personal care, hygiene, and grooming that
10.24 reflects the foster youth's race, ethnicity, culture, and gender identity and gender expression;

10.25 (5) have support to make and cultivate friendships, including connections made before
10.26 the foster youth's time in foster care or while in a previous placement. Connections should
10.27 be supported through in-person or virtual opportunities, with in-person visits prioritized.

10.28 Letters, emails, texts, or telephone calls should also be supported. The foster youth's
10.29 communications with friends must only be limited due to safety or well-being concerns of
10.30 the foster youth;

10.31 (6) communicate and be communicated with in the foster youth's own languages, which
10.32 may include Braille or sign language. If the foster youth's foster parent or caregiver does

11.1 not know the foster youth's language, the foster youth's caseworker must provide a plan to
11.2 meet the foster youth's needs to communicate; and

11.3 (7) have support in accessing online or in-person peer support groups that are age
11.4 appropriate including support or affinity groups that align with the foster youth's protected
11.5 class status under section 363A.02.

11.6 Subd. 9. **Religious and spiritual practices.** While in foster care, foster youth have rights
11.7 regarding religious and spiritual practices, including a foster youth's right to:

11.8 (1) participate in cultural, religious, and spiritual events and practices that are meaningful
11.9 to the foster youth. This may include spaces and materials to practice the foster youth's
11.10 religion or spirituality, including but not limited to the ability to smudge, which is the
11.11 ceremonial burning of sage or herbs; light incense; or light candles safely or under appropriate
11.12 supervision;

11.13 (2) choose not to participate in cultural, religious, and spiritual events and practices; and

11.14 (3) be in a placement that is informed and respectful of the foster youth's religious and
11.15 spiritual practices and needs.

11.16 Subd. 10. **Sexual orientation, gender identity, and gender expression.** While in foster
11.17 care, foster youth have rights regarding sexual orientation and gender identity, including a
11.18 foster youth's right to:

11.19 (1) have the foster youth's sexual orientation, gender identity, and gender expression
11.20 affirmed and supported, including the right for the foster youth to express themselves in the
11.21 way the foster youth decides, including but not limited to the foster youth's hair styles,
11.22 makeup choices, chosen pronouns, chosen name, and the way the foster youth dresses,
11.23 including gender-affirming undergarments;

11.24 (2) request and be supported in obtaining gender-affirming care including counseling,
11.25 medication, and other supportive services;

11.26 (3) privacy regarding the foster youth's sexual orientation and gender identity. Whenever
11.27 possible, a foster youth has the right to not have the foster youth's gender identity or sexual
11.28 orientation disclosed without consent; and

11.29 (4) not experience conversion or reparative therapies.

11.30 Subd. 11. **Disability and accommodation.** While in foster care, foster youth have rights
11.31 regarding disability status and accommodation, including a foster youth's right to:

12.1 (1) receive proper and reasonable accommodation and services to help the foster youth
12.2 thrive in the foster youth's placement and at school, including support in obtaining full
12.3 access to education;

12.4 (2) be in a placement that is informed about the foster youth's disability and the
12.5 accommodations the foster youth may need;

12.6 (3) the same access to age-appropriate and developmentally appropriate activities and
12.7 experiences as the foster youth's peers and given accommodations to participate in such
12.8 experiences; and

12.9 (4) not be excluded from participation in or be denied benefits of services, programs, or
12.10 activities due to the foster youth's disability status.

12.11 Subd. 12. **Education.** While in foster care, foster youth have rights regarding school
12.12 and education, including a foster youth's right to:

12.13 (1) have support to attend school in a consistent setting, including staying in the same
12.14 school throughout the foster youth's time in foster care and attending the same school as
12.15 the foster youth's siblings, if possible, including timely transportation at no cost to the foster
12.16 youth;

12.17 (2) have support in transferring credits, including partial credits, and maximizing credits
12.18 if the foster youth changes schools;

12.19 (3) have support to ensure the foster youth does not receive a reduction of a grade or
12.20 disciplinary action solely due to foster care-related absences or lateness and supported in
12.21 accessing and identifying recovery options in the foster youth's classes during school hours,
12.22 if possible, when these circumstances occur;

12.23 (4) be provided with recovery options in the foster youth's classes during school hours,
12.24 if possible, when these circumstances occur;

12.25 (5) not have the foster youth's scheduled activities, including school, disrupted by foster
12.26 care-related meetings and events, if possible, in accordance with the foster youth's preferences
12.27 or if there is a safety need or necessity;

12.28 (6) only have the foster youth's foster care status or personal information disclosed to
12.29 necessary staff members at the foster youth's school;

12.30 (7) have support in accessing quality education, including access to the materials, time,
12.31 or accommodations needed to complete the foster youth's homework;

13.1 (8) have support from the foster youth's family and permanency team to graduate high
13.2 school in a timely manner and in a similar time frame to the foster youth's peers;

13.3 (9) have support in enrolling in any accelerated and college-level courses and programs
13.4 the foster youth is qualified to enroll in, including timely support to prepare for postsecondary
13.5 education;

13.6 (10) have support in accessing extra help and tutoring if needed;

13.7 (11) make choices about the foster youth's classes in accordance with the foster youth's
13.8 school's requirements and policies; and

13.9 (12) own or have access to all necessary school supplies.

13.10 Subd. 13. **Activities.** While in foster care, foster youth have a right to participate in
13.11 various activities, including a foster youth's right to:

13.12 (1) be included in activities with the foster youth's placement, relatives, and friends,
13.13 including but not limited to birthdays, special celebrations, holidays, and vacations;

13.14 (2) participate in age-appropriate and developmentally appropriate activities that align
13.15 with the foster youth's preferences and to not be denied access to an activity based on the
13.16 fact that the foster youth is in foster care, including but not limited to social activities, school
13.17 events, sports, arts programming, clubs, community activities, cultural customs, and other
13.18 extracurricular activities;

13.19 (3) have support in ensuring continuation of activities if the foster youth's foster care
13.20 status or related circumstances affects the foster youth's participation or attendance; and

13.21 (4) timely transportation to activities at no cost to the foster youth.

13.22 Subd. 14. **Case management and planning.** While in foster care, foster youth have
13.23 rights regarding case management and planning, including a foster youth's right to:

13.24 (1) a guardian ad litem and caseworker;

13.25 (2) be involved with case planning, including having a current out-of-home placement
13.26 plan, receiving a copy of the placement plan, having the contents of the placement plan
13.27 explained to the foster youth in a developmentally appropriate and accessible manner,
13.28 helping create and edit the plan, and having the plan updated every six months and upon
13.29 request;

13.30 (3) receive contact information for the foster youth's caseworker and guardian ad litem,
13.31 to be able to contact them when desired and privately, and to receive a response that is
13.32 reasonably prompt;

14.1 (4) timely, high-quality, and private in-person visits with the foster youth's caseworker
14.2 and guardian ad litem at least every 30 days, including if the foster youth is out of state;

14.3 (5) be represented by and communicate with an attorney if the foster youth is ten years
14.4 of age or older, to have the right to an attorney be explained to the foster youth, to
14.5 confidentially receive contact information for the foster youth's attorney and contact them
14.6 when desired, and to request and receive a new attorney, as available;

14.7 (6) know why the foster youth is in foster care and what will or might happen to the
14.8 foster youth while in foster care, explained to the foster youth by the agency in a
14.9 developmentally appropriate and accessible manner;

14.10 (7) translation support for all court hearings, foster care-related meetings, and materials
14.11 if needed or requested;

14.12 (8) participate in and attend all court hearings and receive transportation to court hearings.
14.13 The foster youth must be given as much advance notice as possible of their right to attend
14.14 each court hearing, and notification must be given in writing by court administration and
14.15 given verbally by the foster youth's caseworker;

14.16 (9) communicate with the court through the foster youth's family and permanency team
14.17 and attorney, if applicable, or directly in a court setting open to other parties;

14.18 (10) if the foster youth has an attorney, to have court processes and participation explained
14.19 to the foster youth in an age-appropriate and developmentally appropriate way;

14.20 (11) have the foster youth's input prioritized in decision-making by the foster youth's
14.21 family and permanency team;

14.22 (12) select two people to be on the foster youth's family and permanency team. Upon
14.23 the foster youth's request, these two people may attend meetings instead of the foster youth;

14.24 (13) select one member of the foster youth's family and permanency team to be the foster
14.25 youth's advisor. This person can also advocate for the foster youth to have reasonable and
14.26 prudent parenting standards;

14.27 (14) give input on where the foster youth will live, including:

14.28 (i) being placed in the least restrictive placement possible. If the considerations regarding
14.29 the least restrictive placement change, other less restrictive placement options must be
14.30 evaluated;

14.31 (ii) being in a placement that affirms and supports the foster youth's identities;

15.1 (iii) requesting to have the placement changed if it is not affirming of the foster youth's
15.2 identities;

15.3 (iv) being placed with the foster youth's relatives prioritized over nonrelatives in
15.4 accordance with the foster youth's preferences, as developmentally appropriate;

15.5 (v) being in the same placement as any siblings, whenever possible; and

15.6 (vi) not being placed in a juvenile detention facility for more than 24 hours due to foster
15.7 care status;

15.8 (15) be placed in close geographical proximity to any siblings to facilitate frequent and
15.9 meaningful contact if placement together is not possible;

15.10 (16) receive as much advance notice as possible before a transition to a new placement
15.11 and to be informed about what the foster youth can expect, including but not limited to
15.12 placement location and type, where the foster youth will sleep, if the foster youth will have
15.13 roommates, and any changes in the foster youth's life that will result from the placement
15.14 change;

15.15 (17) within 60 days of entry into foster care, receive screening from the caseworker to
15.16 determine if the foster youth has both a United States birth certificate and Social Security
15.17 number. The caseworker must notify the court that reviews the foster youth's placement
15.18 that the screening has been provided without disclosing details of the youth's immigration
15.19 status. If the foster youth does not have both documents, the foster youth must receive a
15.20 referral to an immigration legal services provider that provides services in the jurisdiction
15.21 where the child resides;

15.22 (18) have support from the foster youth's caseworker to navigate how the foster youth
15.23 can pursue Tribal enrollment, if applicable; and

15.24 (19) have support from the foster youth's family and permanency team to advocate for
15.25 the foster youth's rights.

15.26 Subd. 15. **Transition resources and support.** While in foster care, a foster youth has
15.27 the right to receive comprehensive, ongoing support to successfully prepare for adulthood,
15.28 including a foster youth's right to:

15.29 (1) request, receive, and give input on an independent living plan once the foster youth
15.30 is 14 years of age and to review the foster youth's independent living plan regularly and
15.31 upon request;

16.1 (2) receive appropriate resources to meet the objectives of the foster youth's independent
16.2 living plan, including but not limited to educational and vocational resources, mental and
16.3 physical health management, life skills, financial literacy, insurance, and social and
16.4 recreational skills;

16.5 (3) remain or enroll in extended foster care until the foster youth is 21 years of age if
16.6 the foster youth is in foster care immediately prior to the foster youth's 18th birthday and
16.7 meets eligibility requirements. This may include being exempted due to a medical condition.
16.8 If the foster youth is eligible, the foster youth must be notified in writing of the enrollment
16.9 at least six months prior to the foster youth turning 18 years old. The foster youth must be
16.10 automatically enrolled into extended foster care when the foster youth turns 18 and must
16.11 receive all associated support and benefits, unless the foster youth otherwise notifies the
16.12 foster youth's caseworker with a signed form created by the commissioner of children,
16.13 youth, and families. This signed form must be submitted with the court in conjunction with
16.14 the required court report under section 260C.202, subdivisions 3 and 4;

16.15 (4) receive clear communication regarding case management services ending for a foster
16.16 youth who is at least 18 years of age and under 23 years of age. The responsible social
16.17 services agency shall give the foster youth: (1) written notice that case management services
16.18 for the foster youth shall terminate; and (2) written notice that the foster youth has the right
16.19 to appeal the termination of case management services under section 142A.20, subdivision
16.20 2, by responding in writing within ten days of the date that the agency mailed the notice.
16.21 The termination notice must include information about services for which the foster youth
16.22 is eligible, how to access the services, and must be sent 60 days before case management
16.23 services end;

16.24 (5) request, receive, and give input on a transition plan, at least six months before the
16.25 expected date of discharge from foster care for any reason, if the foster youth is in foster
16.26 care at 17 years and six months of age. This plan must be in accordance with section
16.27 260C.452, subdivision 4. The foster youth has the right to receive support from the foster
16.28 youth's caseworker in accessing these services and resources;

16.29 (6) request and receive the foster youth's social and medical history, and genetic health
16.30 conditions of the foster youth's biological family, if available, upon discharge from foster
16.31 care. If the foster youth is 18 years of age or older when exiting foster care, a foster youth
16.32 has the right to receive these records from the foster youth's caseworker;

16.33 (7) receive the foster youth's social security card, an official or certified copy of the
16.34 foster youth's birth certificate, a state identification card or driver's license, a Tribal

17.1 enrollment identification card, immigration documents, health insurance information, the
17.2 foster youth's health care records, a contact list of the foster youth's health care providers,
17.3 social and educational history and records, and contact information for the foster youth's
17.4 siblings, if they are in foster care, at no cost to the foster youth if the foster youth is 18 years
17.5 of age or older when exiting foster care;

17.6 (8) timely support from the foster youth's caseworker in obtaining and providing the
17.7 foster youth's vital documents, as age appropriate, at no cost to the foster youth;

17.8 (9) maintain employment or professional development opportunities, in accordance with
17.9 the law, and to receive support in accessing transportation to and from these opportunities
17.10 at no or low cost to the foster youth;

17.11 (10) have support to enroll in and attend a driver's education class and take a permit and
17.12 driver's license test, in as many attempts as it may take, at no cost to the foster youth;

17.13 (11) own a motor vehicle, purchased by or gifted to the foster youth, which the foster
17.14 youth may access in accordance with the law and only restricted due to safety or well-being
17.15 concerns;

17.16 (12) have support from the agency to obtain car insurance, including assistance in
17.17 gathering documents, enrolling, and support from the agency to access available financial
17.18 supports;

17.19 (13) as reasonably known by the foster youth's caseworker, be notified by the agency
17.20 of all benefits that the foster youth is eligible to receive during the foster youth's time in
17.21 foster care at the point when the foster youth is eligible and every six months after and be
17.22 supported in accessing them, including but not limited to fostering independence grants, an
17.23 education training voucher, the Free Application for Federal Student Aid, a fostering youth
17.24 independence voucher, medical assistance, and extended foster care;

17.25 (14) be notified in person by the legally responsible agency and the guardian ad litem,
17.26 and in a manner that best helps the foster youth understand the information, when a
17.27 financially responsible agency receives benefits on behalf of the foster youth if the foster
17.28 youth is 13 years of age or older;

17.29 (15) request and receive, in accordance with the law, the foster youth's foster care records
17.30 upon discharge from foster care or transition to extended foster care, and if the foster youth
17.31 is 13 years of age or older, to receive official documentation that shows the foster youth
17.32 was in foster care;

18.1 (16) request and be notified if the foster youth has any personal effects that are in the
18.2 foster youth's file, including pictures, letters, notes, or other personal effects;

18.3 (17) have support from the foster youth's caseworker to ensure the foster youth has and
18.4 can maintain safe and stable housing while the foster youth is enrolled in extended foster
18.5 care; and

18.6 (18) be enrolled in medical assistance during the foster youth's time in foster care,
18.7 including extended foster care. If the foster youth is in the foster care system when the foster
18.8 youth turns 18 years of age, the foster youth has a right to maintain eligibility for medical
18.9 assistance until the foster youth turns 26 years of age.

18.10 Subd. 16. **Pregnant and parenting.** While in foster care, foster youth who are pregnant
18.11 or parenting have rights, including a foster youth's right to:

18.12 (1) legal and physical custody of the foster youth's child, unless otherwise determined
18.13 by a court order and in accordance with the Parentage Act in sections 257.51 to 257.75;

18.14 (2) receive clear and accurate information regarding the foster youth's parental rights
18.15 from the foster youth's caseworker;

18.16 (3) be informed of the foster youth's legal rights relating to paternity and child support,
18.17 and to receive support in engaging with related court processes upon request by the foster
18.18 youth;

18.19 (4) have support from the foster youth's family and permanency team in maintaining the
18.20 foster youth's parental rights through:

18.21 (i) accessing any resources needed to adequately and safely care for the foster youth's
18.22 child, including affordable child care;

18.23 (ii) accessing health care appointments and services for the foster youth and the foster
18.24 youth's children, including transportation that is at no cost to the foster youth; and

18.25 (iii) federal Title IX protections in United States Code, title 20, chapter 38;

18.26 (5) access services to support the foster youth's birth plan and postpartum needs and
18.27 resources needed to ensure these services are free or low cost to the foster youth;

18.28 (6) access resources to establish a health care directive and will for the foster youth and
18.29 the foster youth's children;

18.30 (7) access proper and reasonable accommodations in school and work if the foster youth
18.31 becomes pregnant or is parenting while in foster care;

19.1 (8) determine the foster youth's own birth and parenting plans, in collaboration with the
19.2 foster youth's birth services provider, that are aligned with the foster youth's religious,
19.3 spiritual, cultural, racial, and ethnic identities;

19.4 (9) certain rights if the foster youth is not the primary caregiver of the foster youth's
19.5 child, which include:

19.6 (i) support to coparent, if possible and safe;

19.7 (ii) support in attending regular visitations and overnights with the foster youth's children
19.8 in the foster youth's choice of location, in accordance with custody orders; and

19.9 (iii) regular contact with the foster youth's child, including in-person and virtual visits,
19.10 telephone calls, and letters;

19.11 (10) not be coerced into terminating the foster youth's parental rights. The foster youth
19.12 should not have to choose between staying in the foster youth's placement, receiving services,
19.13 or accessing basic needs, and maintaining the foster youth's parental rights;

19.14 (11) be placed with the foster youth's children in a setting as similar to a family as
19.15 possible;

19.16 (12) provide recommendations of where the foster youth would like the foster youth's
19.17 children to live if the foster youth's children are removed from the foster youth's care or the
19.18 foster youth willingly chooses to release them from the foster youth's care;

19.19 (13) not have the foster youth or the foster youth's children drug tested solely due to the
19.20 foster youth's foster care status, in accordance with the law; and

19.21 (14) only be subjected to a paternity test as authorized by law.

19.22 Subd. 17. **Feedback, complaints, and grievances.** While in foster care, foster youth
19.23 have the right to receive information and give feedback, including a foster youth's right to:

19.24 (1) provide feedback, share a concern, make a complaint, or file a grievance and have
19.25 that feedback be directed to the foster youth's placement, the agency, the Office of the Foster
19.26 Youth Ombudsperson, or another complaint body related to:

19.27 (i) the conduct of a person on the foster youth's family and permanency team;

19.28 (ii) the quality of care received in the foster youth's foster care placement;

19.29 (iii) services the foster youth is receiving or should be receiving;

19.30 (iv) if previously shared concerns, complaints, or feedback are unresolved; and

19.31 (v) a violation or confusion regarding the rights enumerated under this section;

- 20.1 (2) file a complaint or grievance regarding the foster youth's caseworker, guardian ad
20.2 litem, attorney, or placement. The foster youth may request instructions on submitting a
20.3 complaint or grievance from any person on this list or the Office of the Foster Youth
20.4 Ombudsperson. The instructions must include:
- 20.5 (i) who to address a complaint to;
20.6 (ii) the manner to bring a complaint forward;
20.7 (iii) the time frame to expect to receive a response;
20.8 (iv) possible actions that may be taken as a result of the complaint; and
20.9 (v) that the foster youth cannot face any retaliation, punishment, or discrimination as a
20.10 result of exercising this right;
- 20.11 (3) receive materials related to the foster youth's rights, which must include:
- 20.12 (i) materials relating to the bill of rights under this section and the Office of the Foster
20.13 Youth Ombudsperson, in a format specified by the Office of the Foster Youth Ombudsperson;
- 20.14 (ii) receiving the materials under item (i) from the foster youth's caseworker when
20.15 entering or re-entering foster care and at least every six months, or upon the foster youth's
20.16 request;
- 20.17 (iii) signing a verification that the foster youth has received the materials under item (i)
20.18 every six months that must be submitted to the court; and
- 20.19 (iv) a copy of the bill of rights under this section that is easily accessible to the foster
20.20 youth, either posted in a common area where the foster youth lives or the foster youth's own
20.21 copy;
- 20.22 (4) have any person file a grievance with the Office of the Foster Youth Ombudsperson
20.23 on the foster youth's behalf;
- 20.24 (5) ask for anything the foster youth needs, including the rights under this section or
20.25 under any other law. The foster youth must not be retaliated against or disciplined for asking
20.26 for, accessing, reporting, or raising concern about accessing the rights under this section or
20.27 any other law. The rights under this section or any other law must not be taken away from
20.28 the foster youth as discipline or retaliation;
- 20.29 (6) receive intervention and remedy if the foster youth's rights are being violated. If a
20.30 person is in violation of the foster youth's rights under this section or any other law, and the
20.31 caseworker is aware, the caseworker must intervene and remedy the violation of rights to
20.32 the extent possible. If the foster youth's caseworker is in violation of the foster youth's rights,

21.1 the agency must intervene and remedy the violation of rights to the extent possible. The
21.2 foster youth and their attorney may be present, as desired by the foster youth, during meetings
21.3 or hearings regarding the violation of the foster youth's rights;

21.4 (7) if the foster youth reports any violation of rights to the foster youth's family and
21.5 permanency team, have the family and permanency team report the violation of the foster
21.6 youth's rights to the foster youth's caseworker and attorney, or if the caseworker is violating
21.7 the rights of the foster youth, to the agency and the foster youth's attorney. The foster youth's
21.8 caseworker or the agency must submit any reported violation to the court; and

21.9 (8) have the juvenile court issue any necessary orders to any party, including the agency,
21.10 any state agency, guardian ad litem, foster parents, or placement provider, upon appropriate
21.11 motion by any party, to ensure the foster youth is provided with the rights enumerated under
21.12 this section.

21.13 **EFFECTIVE DATE.** This section is effective November 1, 2026.

21.14 Sec. 2. Minnesota Statutes 2025 Supplement, section 260C.202, subdivision 2, is amended
21.15 to read:

21.16 **Subd. 2. Court review for a child placed in foster care.** (a) If the court orders a child
21.17 placed in foster care, the court shall review the out-of-home placement plan and the child's
21.18 placement at least every 90 days as required in juvenile court rules to determine whether
21.19 continued out-of-home placement is necessary and appropriate or whether the child should
21.20 be returned home.

21.21 (b) This review is not required if the court has returned the child home, ordered the child
21.22 permanently placed away from the parent under sections 260C.503 to 260C.521, or
21.23 terminated rights under section 260C.301. Court review for a child permanently placed
21.24 away from a parent, including where the child is under guardianship of the commissioner,
21.25 is governed by section 260C.607.

21.26 (c) When a child is placed in a qualified residential treatment program setting as defined
21.27 in section 260C.007, subdivision 26d, the responsible social services agency must submit
21.28 evidence to the court as specified in section 260C.712.

21.29 (d) No later than three months after the child's placement in foster care, the court shall
21.30 review agency efforts to search for and notify relatives pursuant to section 260C.221, and
21.31 order that the agency's efforts begin immediately, or continue, if the agency has failed to
21.32 perform, or has not adequately performed, the duties under that section. The court must
21.33 order the agency to continue to appropriately engage relatives who responded to the notice

22.1 under section 260C.221 in placement and case planning decisions and to consider relatives
 22.2 for foster care placement consistent with section 260C.221. Notwithstanding a court's finding
 22.3 that the agency has made reasonable efforts to search for and notify relatives under section
 22.4 260C.221, the court may order the agency to continue making reasonable efforts to search
 22.5 for, notify, engage, and consider relatives who came to the agency's attention after sending
 22.6 the initial notice under section 260C.221.

22.7 (e) The court shall review the out-of-home placement plan and may modify the plan as
 22.8 provided under section 260C.201, subdivisions 6 and 7.

22.9 (f) When the court transfers the custody of a child to a responsible social services agency
 22.10 resulting in foster care or protective supervision with a noncustodial parent under subdivision
 22.11 1, the court shall notify the parents of the provisions of sections 260C.204 and 260C.503
 22.12 to 260C.521, as required under juvenile court rules.

22.13 (g) Upon motion of any party, the court shall consider any alleged violations of section
 22.14 260C.009 and, when appropriate, issue or modify an order to remedy the violations.

22.15 **EFFECTIVE DATE.** This section is effective November 1, 2026.

22.16 Sec. 3. Minnesota Statutes 2025 Supplement, section 260C.203, subdivision 3, is amended
 22.17 to read:

22.18 Subd. 3. **Scope of reviews.** As appropriate to the stage of the proceedings and relevant
 22.19 court orders, the responsible social services agency or the court shall review:

22.20 (1) the safety, permanency needs, and well-being of the child;

22.21 (2) the continuing necessity for and appropriateness of the placement, including whether
 22.22 the placement is consistent with the child's best interests and other placement considerations,
 22.23 including relative and sibling placement considerations under section 260C.212, subdivision
 22.24 2;

22.25 (3) the extent of compliance with the out-of-home placement plan required under section
 22.26 260C.212, subdivisions 1 and 1a, including services and resources that the agency has
 22.27 provided to the child and child's parents, services and resources that other agencies and
 22.28 individuals have provided to the child and child's parents, and whether the out-of-home
 22.29 placement plan is individualized to the needs of the child and child's parents;

22.30 (4) the extent of progress that has been made toward alleviating or mitigating the causes
 22.31 necessitating placement in foster care;

23.1 (5) the projected date by which the child may be returned to and safely maintained in
23.2 the home or placed permanently away from the care of the parent or parents or guardian;
23.3 ~~and~~

23.4 (6) the appropriateness of the services provided to the child; and

23.5 (7) any alleged violations of section 260C.009.

23.6 **EFFECTIVE DATE.** This section is effective November 1, 2026.

23.7 Sec. 4. **REPEALER.**

23.8 Minnesota Statutes 2024, section 260C.008, is repealed.

23.9 **EFFECTIVE DATE.** This section is effective November 1, 2026."

23.10 Amend the title accordingly.