

Subject Foster youth bill of rights

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Overview

This bill establishes a bill of rights in chapter 260C for children and youth in foster care and extended foster care. It defines terms and lists rights related to:

- physical and emotional safety
- basic needs and normalcy
- privacy
- health and wellness
- family and relative connections
- religious and spiritual practices
- sexual orientation and gender identity
- disability and accommodation
- education
- activities
- case management and planning
- transition resources and support
- pregnant and parenting youth
- feedback, complaints, and grievances

Summary

Section	Description
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1	Foster youth bill of rights. Proposes coding for §260C.009.
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Subd. 1. Legislative intent. Describes the intent of the legislature and purpose of the section. Specifies that the section establishes rights for the benefit of children and youth in foster care and extended foster care, and that the rights under this section do not impact existing rights for children and youth in foster care or extended foster care.

Subd. 2. Definitions. Defines the following terms: abuse, age appropriate, appropriate, belongings, chemical restraint, clean, consent, culturally appropriate, developmentally appropriate, disability, discipline, discrimination, excessive medication, foster youth, group punishment, harassment, health care

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or health care services, medically prescribed diet, neglect, physical discipline, physical restraint, privacy, safety, seclusion, sexualization, sibling, and trafficking.

Subd. 3. Physical and emotional safety. Establishes 13 rights related to discipline, abuse, trafficking, seclusion, physical and chemical restraint, threats, supervision, discrimination, bodily autonomy, curfew and house rules, and alternative pathways in juvenile delinquency proceedings.

Subd. 4. Basic needs and normalcy. Establishes 19 rights related to withholding of needs as discipline, sufficient food and beverages, diet, clothing, choice of clothing, access to a bedroom, access to a clean home and safe cleaning products, access to menstrual products, sleeping space, personal belongings, appropriate travel bags, communication access, the foster youth's own money, bank accounts, credit, and chores.

Subd. 5. Privacy. Establishes six rights related to privacy, including communications privacy, physical privacy, data privacy, and searches.

Subd. 6. Health and wellness. Establishes 14 rights related to access and transportation to health care services, explanation of health care services, medication, use of drugs and alcohol, decision-making and provider choice, privacy of health records, contraceptives and abortion services, secondhand smoke exposure, drug testing, counseling and mental health treatment, and other education and services.

Subd. 7. Family and relative connections. Establishes 14 rights related to the right to be connected to family; relatives and kin, including rights to visits and contact; relative notification; notification of relative deaths or serious health issues; updated relative searches; support for sibling relationships and involvement; sibling contact information and placement information; inclusion in sibling permanency planning; adult sibling notification; and planning for maintaining sibling relationships after exiting foster care.

Subd. 8. Community and cultural connections. Establishes seven rights related to a foster youth's connection to their community and culture, including support in finding and maintaining contact with the foster youth's communities, foster provider training, ethnically and culturally appropriate personal products and hygiene, support in making and cultivating friendships, use of the youth's own language, and support in accessing peer support groups.

Subd. 9. Religious and spiritual practice. Establishes three rights related to participation in cultural, religious, and spiritual events and practices, and respect for and information about those practices.

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Subd. 10. Sexual orientation and gender identity. Establishes four rights related to affirming and supporting a foster youth's sexual orientation, gender identity, and gender expression; obtaining gender-affirming care; ensuring privacy; and not being subject to conversion or reparative therapies.

Subd. 11. Disability and accommodation. Establishes four rights related to receiving proper accommodations in placement and school, education of a youth's placement regarding the youth's disability and accommodations, access to age and developmentally appropriate activities, and exclusion or denial of benefits or services.

Subd. 12. Education. Establishes 13 rights related to education, focusing on supports, consistency, choices, minimizing loss of credits and disruption of schooling and activities, disclosure of foster care status or personal information, enrollment in accelerated or college-level courses, having necessary supplies, and obtaining extra help.

Subd. 13. Activities. Establishes four rights related to inclusion in activities, participation in age and developmentally appropriate activities, continuation of activities, and transportation for activities.

Subd. 14. Case management and planning. Establishes 19 rights related to case management and planning, including a right to a caseworker and guardian ad litem, involvement in case planning, contact information and private visits with caseworkers and guardians ad litem, legal representation, information provided to the foster youth, translation support, participation in hearings and proceedings, input into placement decisions, placement near siblings, notice of new placements, and supportive services.

Subd. 15. Transition resources and support. Establishes 17 rights related to foster youth transitioning to adulthood, independent living, and enrollment in extended foster care until 21 years of age.

Subd. 16. Pregnant and parenting. Establishes 14 rights specific to foster youth who are pregnant or parenting, including custody rights, information on parental rights and other legal processes, support in maintaining parental rights and accessing supportive services, placement with the foster youth's children, freedom from drug testing, and requiring paternity testing only when authorized by law.

Subd. 17. Feedback, complaints, and grievances. Establishes rights for foster youth to receive information, give feedback on their rights, and file a complaint

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or grievance with the placement, the relevant agency, the Office of the Foster Youth Ombudsperson, or another complaint body.

Provides an immediate effective date.



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