

ALLIANCE for CHILDREN'S RIGHTS

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Transition Age Youth Resource: **Understanding the Foster Youth Bill of Rights**

Foster Youth Bill of Rights

The Foster Youth Bill of Rights includes over 40 rights that were created to protect all children and youth in California's foster care system by ensuring you are safe and treated with dignity, fairness, and respect. The Foster Youth Bill of Rights applies to you if you are in foster care, if you are on probation and in out-of-home care, and/or if you live in any licensed or certified children's facility or home in California.

This resource includes some of the rights most relevant to transition age youth (TAY). Knowing your rights can help you understand when you are not being treated fairly. Understanding your rights can help you speak up if you think your rights are being violated. Visit Foster Youth Rights Handbook for the complete list of your rights.

This resource also includes information about what to do if your rights are not being respected, how to self-advocate and ask for help, including how to contact the Office of the Foster Care Ombudsperson for help.

Your Personal Rights

You have the right to:

- Live in a safe, healthy, and comfortable home where you are treated with respect
- Have enough healthy food and appropriate clothing
- Have clothing and personal items that respect your culture, religion, and gender identity
- Be free from physical, sexual, emotional, or verbal abuse
- Be free from unreasonable searches of your personal belongings
- Keep your belongings and live in a place with privacy

- Make and receive private phone calls and mail, unless a judge says otherwise
- Not be locked in any room, building, or placed in juvenile hall just because there's no other placement
- Have reasonable access to and use of your belongings, clothing, and personal items
- Have your belongings moved in a way that protects your property and dignity when you change placements or make other moves, using suitcases, duffel bags, backpacks, or moving boxes instead of trash bags or other inappropriate containers

Your Health and Mental Health Rights

You have the right to:

- Get medical, dental, vision, and mental health care
- Keep your medical records private
- Choose your own doctor
- See a doctor, dentist, eye doctor, or talk to a counselor when you need to
- See a doctor who is gender-affirming
- Refuse to take any medicines, vitamins, or supplements without punishment
- Receive reproductive and sexual health care, including birth control and STI testing, without needing permission from an adult
- Use or refuse services for birth control, condoms, other types of protection, and pregnancy care, including abortion, without telling an adult
- Be informed of your treatment options and participate in decisions about your care
- Refuse psychotropic medication unless approved by a court

Your Education Rights

You have the right to:

- Go to school every day and stay in your school of origin if it's in your best interest
- Enroll in a new school without delays
- Receive help with school and tutoring services
- Get partial credit when you change schools
- Participate in after-school activities
- Get priority enrollment in public colleges and access to financial aid information

Your Right to Be Heard

You have the right to:

- Take part in your own Child and Family Team (CFT) meetings and Transitional Independent Living Plan (TILP)

- Have a say in your case plan, placement, and services
- Attend court hearings and speak to the judge

Your Family and Community Connections
You have the right to:
- Visit and contact your parents, siblings, and relatives (unless restricted by the court)
- Keep relationships with people who are important to you, including friends, mentors, and teachers

Your Financial and Work Rights
You have the right to:
- Receive an allowance
- Have your own bank account if you are 16 or older
- Learn job skills for your age
- Work, and manage your money with support, unless your case plan says you cannot
- Participate in the Independent Living Program (ILP) to prepare for adulthood
- Get a credit report every year from three major reporting agencies and have help fixing any issues

Your Accessing Records Rights
You have the right to see and get a free copy of the following records until you are 26:
- Medical records
- Child welfare records
- Juvenile court records
- Educational records

Your Indian Child Welfare Act (ICWA) Rights
If you are Native American or have Native American ancestry, you have the right to:
- Be placed in a home that reflects your culture and tribal connections
- Stay connected with your tribe and tribal community
- Have your ICWA rights recognized in your case plan

Your LGBTQ+ and SOGIE Rights
You have the right to:
- Be addressed by your chosen name and pronouns
- Dress and groom yourself in a way that matches your gender identity
- Be placed in a home or facility that supports your gender identity
- Access gender-affirming health care and mental health services
- Keep your sexual orientation or gender identity private if you choose not to share it

When Should You Be Told About These Rights?

You have the right to be informed of your rights in a way you understand:

- At least once every six months
- At every placement change
- In your primary language and preferred method of communication

You should be given a copy of your rights, and your social worker or probation officer must talk with you about your rights every six months and at every placement change. If you are age 12 or older, you must also sign a form showing you received and understood the information. The people where you live must answer any questions you have about your rights. If you live in an STRTP, shelter, or home with six or more youth in foster care, a poster of your rights must be visible

Your Right to Make a Complaint

If someone is violating your rights or treating you unfairly, you can contact the Office of the Foster Care Ombudsperson at 1-877-846-1602 or file a complaint online at www.fosteryouthhelp.ca.gov.

How to Ask for Help in Identifying if Your Rights Have Been Violated and Resolving Issues

If you think one (or more) of your rights under the Foster Youth Bill of Rights has been violated, and, if you feel safe, ask your attorney, mentors, CASA, teachers, coaches, school counselors, etc.), social worker or probation officer for their assistance:

- Try to remember the event. Writing it down can help.
  - What happened?
  - Where did it happen?
  - When did it happen?
  - Who was involved?
  - What rights were violated?
- If you feel safe, try to resolve it with the people who were involved.
- Contact your attorney.
- Contact your county's Ombudsperson.
- Contact the Office of the Foster Care Ombudsperson at 1-877-846-1602 or file a complaint online at www.fosteryouthhelp.ca.gov.