

2020 Regular Session

SENATE BILL NO. 224

BY SENATOR BARROW

CHILDREN. Enacts a Foster Youth's Bill of Rights for youth ages fourteen through eighteen in foster care. (gov sig)

1 AN ACT

2 To enact Subpart D-1A of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes

3 of 1950, to be comprised of R.S. 46:286.16, relative to foster care of youth; to create

4 a Foster Youth's Bill of Rights; to provide for rights of youth in foster care; and to

5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Subpart D-1A of Part II of Chapter 3 of Title 46 of the Louisiana Revised

8 Statutes of 1950, comprised of R.S. 46:286.16, is hereby enacted to read as follows:

9 **SUBPART D-1A. FOSTER YOUTH'S BILL OF RIGHTS**

10 **§286.16. Short title; purpose; rights**

11 **A. This Subpart shall be cited as the "Foster Youth's Bill of Rights".**

12 **B. The Department of Children and Family Services shall implement,**

13 **promote, and support the rights contained in this Section through the policies**

14 **and practices of the department as applied to youth age fourteen through**

15 **eighteen who are in foster care in this state.**

16 **C. Youth, aged fourteen through eighteen, in foster care in this state are**

17 **entitled to the following rights granted to them when it is determined by the**

1 department to be in the best interest of the youth, and is available or necessary:

2 (1) The right to privacy concerning the youth's personal and confidential
3 information; and the right to attend all court hearings about the care to be
4 received.

5 (2) The right to be in a stable and supportive setting that is free from
6 neglect and emotional, verbal, physical, and sexual abuse or exploitation, and
7 that is the least restrictive to meet the youth's needs.

8 (3) The right to participate in all case plan meetings; to include
9 supportive adults of the youth's choice to be on the planning team; and to be
10 provided a copy of the youth's case plan every six months or whenever changes
11 are made to the plan.

12 (4) The right to have the youth's medical and mental health needs met
13 on a regular and timely basis; and to be provided adequate trauma-based
14 counseling and therapeutic services throughout the youth's time in foster care.

15 (5) The right to be provided the contact information of the youth's
16 caseworker, attorney, and CASA volunteer, and to attend meetings with them
17 on a regular basis; to have access to a telephone to talk to or visit with approved
18 friends, and relatives, including siblings, at least once a month.

19 (6) The right to access materials necessary for school and to further the
20 youth's education, including access to computer or other electronic devices and
21 to the internet when needed to complete assignments, to receive tutoring
22 services, and to access information regarding college admissions and testing in
23 accommodation for any learning or developmental disability or special health
24 need.

25 (7) The right to be involved in extracurricular activities, including,
26 school clubs, dances, field trips, sports teams, and to be provided with supplies
27 and uniforms required for team participation, and to remain in the youth's
28 school of origin; the right to attend a driver's education class; and to obtain
29 employment and transportation to employment within the vicinity of foster care

1 **placement.**

2 **(8) The right to refuse involvement in religious based activities; and have**
 3 **a right to continue the youth's cultural, religious, and ethnic traditions and**
 4 **belief systems; and to be free from derogatory comments regarding sexual**
 5 **preference, pronouns, gender identity, and to be addressed by the youth's**
 6 **preferred pronoun.**

7 **(9) The right to attend and have transportation to services, events, and**
 8 **activities provided by the Independent Living Skills Program within the youth's**
 9 **region, and to receive timely notification of upcoming youth advocacy and**
 10 **engagement services in the youth's region; and to be provided with the entire**
 11 **amount of the monthly allowance as outlined in department policy.**

12 **(10) The right to express and voice the youth's needs, concerns, and**
 13 **desires about foster care.**

14 Section 2. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

SB 224 Original

2020 Regular Session

Barrow

Proposed law enacts a "Foster Youth's Bill of Rights" to be implemented through the policies and practices of the Department of Children and Family Services for certain youth in foster care in the state.

Proposed law enumerates the following rights for youth in foster care who are age 14 through 18:

- (1) The right to privacy concerning the youth's personal, confidential information; and the right to attend all court hearings about the care to be received.
- (2) The right to be in a stable and supportive setting that is free from neglect and emotional, verbal, physical, and sexual abuse or exploitation, and that is the least restrictive to meet the youth's needs.
- (3) The right to participate in all case plan meetings; to include supportive adults of the

- youth's choice to be on the planning team; and to be provided a copy of the youth's case plan every six months or whenever changes are made to the plan.
- (4) The right to have the youth's medical and mental health needs met on a regular and timely basis; and to be provided adequate trauma-based counseling and therapeutic services throughout the youth's time in foster care.
 - (5) The right to be provided the contact information of the youth's caseworker, attorney and CASA volunteer, and to attend meetings with them on a regular basis; to have access to a telephone to talk to or visit with approved friends, and relatives, including siblings, at least once a month.
 - (6) The right to access materials necessary for school and to further the youth's education, including access to computer or other electronic devices and to the internet when needed to complete assignments, to receive tutoring services, and to access information regarding college admissions and testing in accommodation for any learning or developmental disability or special health need.
 - (7) The right to be involved in extracurricular activities, including, school clubs, dances, field trips, sports teams and to be provided with supplies and uniforms required for team participation; to remain in the youth's school of origin; the right to attend a driver's education class; and to obtain employment and transportation to employment within the vicinity of foster care placement.
 - (8) The right to refuse involvement in religious based activities; and have a right to continue the youth's cultural, religious, and ethnic traditions and belief systems; and to be free from derogatory comments regarding sexual preference, pronouns, gender identity and to be addressed by the youth's preferred pronoun.
 - (9) The right to attend and have transportation to services, events, and activities provided by the Independent Living Skills Program within the youth's region, and to receive timely notification of upcoming youth advocacy and engagement services in the youth's region; and to be provided with the entire amount of the monthly allowance as outlined in policy.
 - (10) The right to express and voice the youth's needs, concerns, and desires about foster care.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 46:286.16)