

SENATE BILL NO. 151

BY SENATORS BARROW, ALLAIN, BERNARD, BOUDREAUX, BOUIE, CATHEY, CLOUD, CONNICK, CORTEZ, FIELDS, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, JOHNS, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, TARVER, WARD, WHITE AND WOMACK AND REPRESENTATIVES ADAMS, BEAULLIEU, BOURRIAQUE, BRASS, BRYANT, GARY CARTER, ROBBY CARTER, WILFORD CARTER, CORMIER, COUSSAN, COX, DUPLESSIS, FREEMAN, GLOVER, HARRIS, HUGHES, IVEY, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, TRAVIS JOHNSON, JONES, LANDRY, LARVADAIN, MARCELLE, MARINO, MOORE, NEWELL, SELDERS, STAGNI, THOMPSON, TURNER, WHITE, WILLARD AND WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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 youth in foster care; to create  
4 the Foster Youth's Bill of Rights; to provide for rights of youth in foster care; to  
5 provide for an effective date; and to 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 ages fourteen through**  
15 **eighteen who are in foster care in this state.**

16 **C. Youth ages 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**  
18 **department to be in the best interest of the youth:**

19 **(1) The right to privacy concerning the youth's personal and confidential**  
20 **information.**

1           (2) The right to attend all court hearings regarding the care to be  
2           received.

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

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

10          (5) The right to have the youth's medical and mental health needs met  
11          on a regular and timely basis.

12          (6) The right to be provided adequate trauma-based counseling and  
13          therapeutic services throughout the youth's time in foster care.

14          (7) The right to be provided the contact information of the youth's  
15          caseworker, attorney, and CASA volunteer, and to attend meetings with them  
16          on a regular basis.

17          (8) The right to have access to a telephone to talk to or visit with  
18          approved friends and relatives, including siblings, at least once a month.

19          (9) The right to access materials necessary for school and to further the  
20          youth's education, including access to a computer or other electronic devices  
21          and to the internet when needed to complete assignments, the right to receive  
22          tutoring services, and the right to a access information regarding college  
23          admissions.

24          (10) The right to access information regarding testing accommodations  
25          for any learning or developmental disability or special health need.

26          (11) The right to be involved in extracurricular activities, including  
27          school clubs, dances, field trips, and sports teams, and to be provided with  
28          supplies and uniforms required for team participation.

29          (12) The right to remain in the youth's school of origin.

30          (13) The right to attend a driver's education class.

1                   (14) The right to obtain employment and transportation to employment  
2                   within the vicinity of foster care placement.

3                   (15) The right to refuse involvement in religious-based activities and the  
4                   right to continue the youth's cultural, religious, and ethnic traditions and belief  
5                   systems.

6                   (16) The right to be free from discrimination of any kind on the basis of  
7                   the youth's race, color, sex, language, religion, political or other opinion,  
8                   national, ethnic, or social origin, property, disability, birth, or other status.

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

14                  (18) The right to express and voice the youth's needs, concerns, and  
15                  desires about foster care.

16                  Section 2. This Act shall be known and may be cited as "The Louisiana Elite  
17                  Advocacy Force Act" or "The LEAF Act".

18                  Section 3. This Act shall become effective upon signature by the governor or, if not  
19                  signed by the governor, upon expiration of the time for bills to become law without signature  
20                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
21                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
22                  effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_