

# Idaho Youth in Care Bill of Rights

*The Idaho youth in care bill of rights was created to inform youth, resource parents, child welfare agency, and providers about the rights foster youth have while they are in foster care. While not all the rights are legally protected by law, they are important goals intended to guide the agency's commitment to permanency, safety, and well-being of foster youth.*

All children and youth in foster care have the right to:

1. Have lifelong family connections, including siblings, grandparents and extended family
  - Youth have a right to visitation, ongoing contact with and/or knowledge about their parents, siblings, extended family, friends, and pets.
  - Youth have a right to have a Life Book that is started when they enter care.
  - A pregnant or parenting youth has a right to raise and make decisions for their children, as any other citizen does.
  
2. Live with, be loved by and cared for by those they consider family
  - Youth have the right to permanency.
  - Youth have the right to be placed in their home communities, live in a safe environment and be free from exploitation.
  - Youth have the right to live with their siblings when it is safe and a placement is available
  - Youth have a right to regular face to face contact with their siblings if placement together is not feasible.
  - Youth have the right to keep their personal belongings with them and to expect age appropriate privacy.
  - Youth have the right to be disciplined in a manner that is intended to teach appropriate behavior through the use of positive reinforcement, time-out, redirection, ignoring, natural consequences, etc. Methods of behavior management and discipline for children will be based on each child's needs, stage of development, and behavior. Discipline will promote self-control, self-esteem, and independence.
  
3. Be who they are
  - Youth have the right to their own identity, values, freedom to express their emotions, hopes, plans and goals, religion/spirituality.
  - Youth have the right to learn about their sexuality in a safe and supportive environment.

- Youth have the right to privacy in relation to their personal journal/diary, letters, emails, telephone calls and other personal belongings, except in cases where there is just cause in supervising the youth to prevent self-harm or harm to other individuals.
  - Youth have the most basic right to receive care and services that are free of discrimination based on race, color, national origin, ancestry, gender, gender identity and gender expression, religion, sexual orientation, physical and mental disability, and the fact that they are in foster care.
4. Be included in their case planning with a team of people that advocates with them and for them
- Youth have a right to have meaningful participation in their Family Group Decision Making Meetings, treatment team meetings, court, and school meetings as age or developmentally appropriate.
  - Youth have a right to have family members or other supportive people of their choice present at their team meetings.
  - Youth have a right to have meaningful face to face monthly contact with their DHW caseworker and have their phone calls, text messages, or emails returned within 2 business days.
  - Youth should have access to resources and be able to seek information about resources.
  - Youth have a right to access their case records and expect accuracy in what is recorded in their case record.
5. Have an informed choice in the types of physical, dental and mental health care they receive
- Youth have the right to have a choice and options when a treatment provider is being assigned to them based on availability of providers.
  - Youth have a right to see and understand their treatment plans, be informed about and have a say in treatment decisions being made.
  - Youth have a right to have a medical examination within 30 days on entering foster care. Thereafter youth should receive additional medical examinations or treatment according to a schedule prescribed by their physician or other health care professional.
  - Youth should receive a dental examination as soon as possible no later than ninety (90) days after placement, and thereafter according to a schedule prescribed by the dentist.
  - Youth have a right to be informed about medications, medication options, and have a voice in decisions about prescription medication as age or developmentally appropriate.
  - Youth have a right to not be overmedicated, to not be punished for refusal to take medications unless needed for life threatening issues, and to be made aware of the possible risks that come from refusing to take medication.
  - Youth should be able to have visitation with people that are important to them while receiving treatment.
  - Youth should be able to receive care and services that are fair, respectful, safe, confidential and free from discrimination.
  - Youth have a right to have assistance in accessing their medical records.

6. Have a qualified advocate representing them and helping the youth advocate for themselves
  - Youth have a right to know their rights.
  - Youth have the right to honest and accurate information about case status and permanency progress.
  - Youth over the age of 8 have a right to attend court and speak with the judge overseeing their case.
  - Youth have the right to have a guardian ad litem and/or attorney appointed.
  
7. Participate in and receive a high quality education, including ability to participate in extracurricular activities
  - Youth have a right to an education, equal to what any other student deserves.
  - Youth have the right to have meetings with involved parties to advocate for their wants/needs/activities as age or developmentally appropriate.
  - Youth have a right to receive consent for participation in school activities when the youth has demonstrated they are responsible enough to participate in activities.
  - Youth have a right to participate in age and developmentally appropriate activities, and not be restricted from these activities simply because of their status in foster care or their particular type of placement.
  
8. Receive the skills, knowledge and resources needed to be a successful adult after they transition from foster care
  - Youth in care have the right to a transition plan and process when they leave DHW care.
  - Youth aging out of foster care at 18 years of age have a right to obtain his or her birth certificate, social security card, driver's license or identification card, health insurance information, and medical records.
  - Youth have a right to have support to continue relationships when they exit care with individuals who have helped them while in care.
  - Youth have a right to expect and receive help in reconnecting with their birth family.

***This document was established for foster youth by the Idaho Foster Youth Advisory Board with the intent of empowering youth.***

I acknowledge that I was given a copy of the Idaho Youth in Care Bill of Rights and an explanation of the rights of foster youth in Idaho.

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Signature of Youth (Age 8 and Older)

Date

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Signature of IDHW Social Worker

Date

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Signature of Foster Parent

Date

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Signature of Agency Provider and/or Contract Social Worker

Date