



MODEL FOSTER YOUTH BILL OF RIGHTS FOR TEXAS

Every child in the Texas foster care system shall have the right:

- To live in a safe, healthy, and comfortable home where he or she is treated with respect.
- To be placed away from other children known to pose a threat of harm to them, either because of their own risk factors or those of the other child.
- To individual dignity, liberty, and pursuit of happiness.
- To be free from physical, sexual, emotional and all other abuse.
- To be free from corporal punishment.
- To receive adequate and healthy food.
- To receive an age-appropriate allowance if ten years old or older.
- To adequate clothing of good quality and fit which is appropriate for his or her activities.
- To receive adequate medical, dental, vision, and mental health care.
- To have a full risk, health, educational, and psychological screening as soon as possible after being taken into state custody.
- To be referred to and receive services including further medical, emotional, psychological, psychiatric, and educational evaluations and treatment if needed, as soon as practicable after identification of the need for such services by the initial screening.
- To regular and confidential counseling, at least once a week, if he or she wants to speak with a counselor.
- To be free of the administration of medication or chemical substances, unless authorized by a physician for the purpose of treating his or her individual medical needs.
- To attend religious services and activities of his or her choice.
- To have storage space for private use.
- To be free from unreasonable searches of personal belongings.
- To make and receive confidential and uncensored telephone calls and to send and receive confidential, unopened, and uncensored mail, unless prohibited by court order.
- To contact family members and people outside the foster care system such as teachers, church members, mentors, and friends, unless prohibited by court order.
- To be placed in the least restrictive setting that will meet his or her needs.
- Not to be locked in any room, building, or facility premises, unless placed in a residential treatment center.

- To be placed in kinship care with family members or other adults with whom he or she has a strong pre-existing personal relationship, if possible.
- To be placed with his or her siblings if more than one child from the same family is taken into foster care, unless the case worker believes it would be harm one or more of the siblings to be placed together.
- To enjoy regular visitation with his or her siblings at least once a week if not placed in the same home with his or her siblings, unless a court orders otherwise.
- To enjoy regular visitation with his or her parents at least once a month, unless a court orders otherwise.
- To enjoy regular visitation with other family members and other important people in his or her life, unless a court orders otherwise.
- To reject visits with his or her birth family, if he or she so chooses.
- To attend school and to participate in extracurricular, cultural, and personal enrichment activities consistent with the child's age and developmental level.
- To minimal disruption in his or her education, including to continue attending his or her current school if possible, unless a court orders otherwise.
- To have access to existing information regarding the educational opportunities available, including, but not limited to, the coursework necessary for vocational and postsecondary education programs, and information regarding financial aid for postsecondary programs.
- To work and develop job skills at an age-appropriate level, consistent with other state law.
- To attend Independent Living Program classes if eligible.
- To attend all hearings in his or her case unless prohibited by the judge.
- To speak to the judge about what he or she wants to happen with his or her case.
- To be involved in the development of his or her own case plan and plan for permanent placement, including being told of changes to the plan.
- To review his or her own case plan and plan for permanent placement if he or she is 10 years of age or older.
- To access his or her own case record if he or she is 10 years old or older.
- To receive meaningful case management and planning that will quickly return him or her to his or her family or move him or her on to other forms of permanency.
- To have personnel providing services who are sufficiently qualified and experienced to assess the risk children face prior to removal from their homes and to meet the needs of the children once they are in state custody.
- To receive regular communication with his or her caseworker at least once a month, which shall include personally meeting with the child in private and conferring with the shelter or foster caregiver.
- To be told why he or she came in to foster care and why he or she is still in foster care.
- To have a permanent plan for placement within six months of coming into state custody.
- To receive a free certified copy of his or her birth certificate upon request.

- To be told about his or her rights in person by his or her foster worker at least once every six months in language that is clear and easy to understand.
- To receive a copy of this bill of rights and have it fully explained to him or her when he or she is first placed in foster care.
- To have an easily readable poster of this bill of rights placed in plain sight in his or her foster home, if old enough to read.
- To have his or her own lawyer, appointed by the state if necessary, for the entire .
- To contact his or her lawyer, CASA, guardian ad litem, social worker, or other service provider confidentially.
- To complete information and direct answers to questions about choices, services, and decisions from foster parents, social workers, attorneys, CASAs, and other service providers.
- To have all information and court records in his or her case be kept confidential consistent with existing law.
- To have the entire record relating to his or her time in foster care sealed upon request.
- To contact representatives of the state foster care system if he or she believes his or her rights are not being met, and to be free from threats or punishment for making complaints.
- To organize with other youth in foster care for the purposes of ensuring that they receive the services and living conditions to which they are entitled and to provide support for one another.
- To have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.