

Rights of Children and Youth in Foster Care

As a child or youth in foster care

1. I have the right to appropriate care and treatment in the least restrictive setting available that can meet my needs. This includes the right to live in a safe, healthy and comfortable placement where I receive reasonable protection from harm, appropriate privacy for personal needs, and am treated with respect.
2. I have the right to know
 - o Why I am in foster care
 - o What will be happening to me
 - o What is happening to my family, including siblings, and case plans.
3. I have the right to speak and be spoken to in my own language whenever possible. If I am placed with foster parents who cannot communicate with me, there will be a written plan to meet my communication needs.
4. I have the right to be free from unfair treatment because of my gender, gender identity, race, ethnicity, religion, national origin, disability, medical status, or sexual orientation.
5. I have the right to be free from any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment.
6. I have the right to be disciplined in a manner that is appropriate to my level of maturity, developmental level, and medical status, and I must receive an explanation of why I was disciplined. Discipline does not include the use of restraint, seclusion or corporal punishment.
7. I have the right to attend community, school, and religious services and activities of my choice to the extent that it is appropriate for me, as planned and discussed with my placement and caseworker, and based on caregiver ability.
8. I have the right to go to school and receive an education that fits my age and individual needs. I have the right to training in personal care, hygiene, and grooming.
9. I have the right to clothing that fits comfortably and is similar to clothing worn by other children in my community.
10. I have the right to clothing that is adequate to protect me against natural elements such as rain, snow, wind, cold, sun, and insects.
11. I have the right to have personal possessions at my home and to acquire additional possessions within reasonable limits, as planned and discussed with my placement and caseworker, and based on caregiver ability.
12. I have the right to personal space in my bedroom for storing my clothing and belongings.
13. I have the right to healthy foods in healthy portions appropriate for my age and activity level.
14. I have the right to appropriate, quality medical, dental, and vision care, developmental and mental health services.
15. I have the right to visit and have regular contact with my family, including my brothers and sisters (unless prohibited by court order or case plan) and to have any restrictions explained to me and documented in my record.
16. I have the right to contact my caseworker, attorneys, ad litem, probation officer, CASA, and Advocacy, Inc. at any time. I can communicate with my caseworker, CASA, Advocacy, Inc. or my attorney ad litem without restriction.
17. I have the right to see my caseworker at least monthly and in private if necessary.
18. I have the right to actively participate in my service planning, permanency planning and medical review meetings, as appropriate, and to be given a copy and/or summary of each service plan and service plan review. I have the right to request someone to participate on my behalf or to support me in my participation.
19. I have the right to attend my court hearing and speak to the judge.
20. I have the right to speak privately to the judge at a court hearing that affects my placement including status hearing, permanency hearing, or placement review hearing.
21. I have the right to expect that my records and personal information will be kept private and will be discussed only when it is about my care.
22. I have the right to have visitors, to send and receive unopened mail, and to make and receive private phone calls unless appropriate professionals or a court determines that restrictions are necessary for my best interests.
23. I have the right to receive payment for any work done, except for routine indoor/outdoor chores or work assigned as fair and/or reasonable discipline.

24. I have the right to consent in writing before participating in any publicity or fund raising activity for my placement or the agency, including the use of my photograph.
25. I have the right not to be forced to make public statements acknowledging my gratitude to the foster home or agency.
26. I have the right to be free of unnecessary or excessive medication.
27. I have the right to receive, to refuse, or to request clarification for emotional, mental health, or chemical dependency treatment separately from adults (other than young adults) who are receiving services, as planned and discussed with my placement and caseworker.
28. I have the right to report abuse, neglect, exploitation, or violation of personal rights without fear of punishment, interference, coercion, or retaliation.
29. I have the right to make a complaint to the DFPS Consumer Affairs Office at 1-800-270-7777 and/or Advocacy, Inc. at 1-800-252-9108 if I feel any of my rights have been violated or ignored, and to be free from threats of punishment for making complaints. I have the right to make a complaint anonymously if I choose.
30. I have the right to be informed in writing of the name, address, phone number and purpose of the Texas Protection and Advocacy System for disability assistance.
31. I have the right to be informed in writing of the name, address, phone number and purpose of the Texas Protection and Advocacy System for disability assistance.
32. I have the right to understand and have a copy of the rights of children and youth in foster care.

(Youth 16 and older)

When I am age 16 and older in foster care, I also have the right

1. To attend Preparation for Adult Living (PAL) classes and activities as appropriate to my case plan.
2. To a transition plan that includes career planning and assistance with enrolling in an educational or vocational job training program.
3. To be informed of educational opportunities when I leave care.
4. To assistance in obtaining an independent residency when aging out.
5. To one or more Circle of Support Conference or Transition Planning Meeting.
6. To participate in youth leadership development opportunities.
7. To consent to all or some of my medical care as authorized by the court and based on my maturity level
8. To be free from pressure to get an abortion, relinquish my child for adoption, or to parent my child, if applicable.
9. To be free of unnecessary or excessive medication.
10. To request a court hearing for a court to determine if I have the capacity to consent to medical care (Sec 266.010).
11. To help with obtaining my driver's license, social security number, birth certificate, and state ID card
12. To seek appropriate employment, keep my own money and have a bank account in my own name, depending on my case plan and age or level of maturity.
13. To receive necessary personal information within 30 days of leaving care, including my birth certificate, immunization records, and information contained in my education portfolio and health passport.