

2021 Regular Session

SENATE BILL NO. 151

BY SENATORS BARROW, BOUDREAUX, HENSGENS, FRED MILLS, MIZELL AND  
POPE AND REPRESENTATIVES FREEMAN, MARCELLE AND  
MOORE

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

CHILDREN. Enacts the 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 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**

1 department to be in the best interest of the youth:

2 (1) The right to privacy concerning the youth's personal and confidential  
3 information.

4 (2) The right to attend all court hearings about the care to be received.

5 (3) 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 (4) 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 (5) The right to have the youth's medical and mental health needs met  
13 on a regular and timely basis.

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

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

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

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

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

28 (11) The right to be involved in extracurricular activities, including,  
29 school clubs, dances, field trips, sports teams, and to be provided with supplies

1 **and uniforms required for team participation.**

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

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

4 **(14) The right to obtain employment and transportation to employment**  
 5 **within the vicinity of foster care placement.**

6 **(15) The right to refuse involvement in religious-based activities and the**  
 7 **right to continue the youth's cultural, religious, and ethnic traditions and belief**  
 8 **systems.**

9 **(16) The right to be free from discrimination of any kind on the basis of**  
 10 **the child's or his parent's race, color, sex, language, religion, political or other**  
 11 **opinion, national, ethnic, or social origin, property, disability, birth, or other**  
 12 **status.**

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

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

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

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Brandi Cannon.

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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 rights for youth in foster care who are ages 14-18 involving privacy; participation in planning for care including attending court hearings and case plan meetings; a stable and supportive setting free from neglect and abuse or exploitation; having medical and mental health needs met on a regular and timely basis; meeting with the youth's caseworker, attorney, and CASA volunteer; access to materials necessary for school and to further the youth's education; extracurricular activities; the youth's cultural, religious, and ethnic traditions and belief systems; participation in the Independent Living Skills Program within the youth's region; and the expression and voicing of 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)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Prohibits discrimination of any kind on the basis of the child's or his parent's race, color, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth, or other status.