

NEW YORK STATE  
OFFICE OF CHILDREN AND FAMILY SERVICES  
**BILL OF RIGHTS FOR CHILDREN AND YOUTH IN FOSTER CARE**

**As a child or youth in foster care in the State of New York, I have the right:**

1. To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services.
2. To be treated fairly and with respect and to receive care and services that are free of discrimination based on race, creed, color, national origin, age, religion, sex, gender identity or gender expression, sexual orientation, marital status, physical or mental disability, or the fact that I am in foster care.
3. To visit with my birth or adoptive parents, unless the court or agency has determined that it is not in my best interest or my parents' rights have been ended or given up. If I have had children of my own while in care, I have the right to live with my child(ren) and to make decisions for my child(ren), unless the court determines that I cannot.
4. To live with my brothers and sisters unless the court or my agency has determined it is not in my best interests or those of my brothers or sisters, and to visit with my brothers and sisters regularly if we do not live together, unless the court or a case worker has determined it is not in my best interests or those of one of my brothers or sisters, or their distance from me prevents visitation.
5. To know the name and the contact information for my caseworker, my caseworker's supervisor, and my lawyer (Attorney for the Child). I have the right to have at least a monthly visit with my caseworker, and to contact my caseworker or my lawyer (Attorney for the Child) as I need to in private if I request it and to have my caseworker and/or my lawyer (Attorney for the Child) respond to my attempts to contact them. I have the right to have my records and personal information kept private and only given to people or agencies who have a legal right to see them.
6. To be free from cruel, harsh or unnecessary punishment, including but not limited to, being hit, bullied, locked in a room or separated from others as a means of discipline, being made to do work unfairly or being denied water, food, sleep or contact with my family as a means of discipline. I have the right to be disciplined in a manner that is appropriate to the reason why I am being disciplined, how mature I am, my developmental level, and my medical condition. I must be told why I was disciplined. I may not be restrained for punishment or for the convenience of staff.
7. To have a voice in determining my permanency goal, including, depending on my age or ability, to participate in Service Plan Review meetings and court Permanency Hearings, to give input into the development and review of my service plan. When I am 14 years of age or older, I have the right to choose two members of my case planning team, who are not my foster parent, case manager, case planner or caseworker. When I am 14 years or older, I also have the right to receive services that will help me to become a healthy and successful adult and the right to receive, without cost, a copy of my consumer credit reports each year until I am discharged from care. I also have the right to receive assistance in interpreting and resolving any inaccuracies in such reports. In some cases after leaving foster care, I have a right to continued contact from a caseworker and possibly to return to foster care.
8. To receive dental, medical, vision, mental and behavioral health services regularly, and more often as needed. I have the right to receive guidance on family planning and to consent to reproductive health care services regardless of my age, if my doctor or other medical professional determines that I am able to make these decisions.

After I am 18 years of age, and have been in foster care for at least six months, and discharged to my own care, I have a right to my United States birth certificate, social security card, health insurance information, medical records and a driver's license or state issued identification, if eligible.

9. To receive a free and appropriate education until I receive a high school diploma or IEP diploma. I have the right to request assistance in applying to colleges and vocational programs that are in or out of state.
10. To participate in activities that are appropriate for my age and development, such as after-school activities, summer activities, work experience, to attend or not to attend religious services in my faith, and to practice my religion, if I have one. When I am at least 16 years old, I have the right to apply for my driver's license. I have the right to ask for and to receive guidance in getting a job.

**Who should I talk to if I feel that my rights are not being respected?**

You have the right to report anyone who does not respect your rights, and you do not need to fear being punished for reporting them.

You can:

- Explain what is happening with your caseworker, parent or guardian and possibly the judge at your court case. You can ask to talk with your caseworker in private.
- Contact your caseworker's supervisor and explain the situation. You can ask to talk with your caseworker's supervisor in private.
- Contact your lawyer (Attorney for the Child). Your conversations with your lawyer (Attorney for the Child) are completely private. Your lawyer (Attorney for the Child) cannot tell anyone else what you talk about with him or her, except if he or she has your permission, or if your safety is at risk (talk to your lawyer about this).

I, \_\_\_\_\_, have received a copy of the New York State Bill of Rights for Children and Youth in Foster Care and I have discussed it with my caseworker, my parent(s) (birth or adoptive) or guardian(s), and my foster parent(s), if applicable.

Child/Youth Name (print)	Child/Youth Signature	/ / Date
Caseworker Name (print)	Caseworker Signature	/ / Date
Supervisor Name (print)	Supervisor Signature	/ / Date
Parent/Guardian Name (print)	Parent/Guardian Signature	/ / Date
Foster Parent Name (print)	Foster Parent Signature	/ / Date