

# Foster Youth Bill of Rights

(Revised 06/30/23)

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## Forms

The following forms are referenced in this policy:

- 10-5 The Foster Youth Bill of Rights
- 10-5sp The Foster Youth Bill of Rights - Spanish
- 04-333A Translation/Interpreter Services – Service Authorization Form (SAF)

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## Resources

The following publications are referenced in this policy:

- [FYBOR Coloring Book \(English\)](#)
- [FYBOR Coloring Book \(Spanish\)](#)
- [FYBOR Handbook \(English\)](#)
- [FYBOR Handbook \(Spanish\)](#)
- [FYBOR Poster \(English\)](#)
- [FYBOR Poster \(Spanish\)](#)
- [Know your Sexual and Reproductive Health Care Rights](#)
- Foster Youth Mental Health Bill of Rights

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## Background

Welfare and Institutions Code (WIC) 16001.9 affords the Foster Youth Bill of Rights (FYBOR) or personal rights to all children and non-minor dependents (NMDs) placed in foster care. Children/ NMDs will be informed of their personal rights in an age and developmentally appropriate manner and in their primary language. Facilities licensed to provide care for six or more children in foster care are required to post the FYBOR.

The FYBOR has been amended multiple times to reflect the changes in the laws and has expanded the personal rights of children and NMDs in foster care.

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## Background (cont.)

The amendments to WIC 16001.9 expand the FYBOR, which include the following additional areas:

- placement,
- trauma informed care,
- application of the Indian Child Welfare Act (ICWA),
- provisions to health services,
- providing a copy of the FYBOR, court report, case plan, and transition to independent living plan (TILP) in the child's primary language
- right to a Child and Family Team (CFT) and
- youth's sexual orientation and gender expression and identify (SOGIE).

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## Policy

SWs are required to inform children/NMDs in out-of-home placement, their resource parent, and their child and family time (if applicable) of their personal rights at the time of placement, at every change of placement, at the time of a regularly scheduled contact or at least every six months as part of their case planning duties. The information must be provided in an age-appropriate manner consistent with the child/NMD's developmental level that includes an explanation of their rights. The SW must answer questions and/or address concerns in the child/NMD's primary language.

The SW will document in a contact that child/NMD was informed of their personal rights. The case plan requires that a child/NMD be informed of their personal rights as part of the Case Management Services component of the case plan.

Staff will use the following FYBOR publications to assist in the explanation to children/youth:

- FYBOR Coloring Book (English)
- FYBOR Coloring Book (Spanish)
- FYBOR Handbook (English)
- FYBOR Handbook (Spanish)
- FYBOR Poster (English)
- FYBOR Poster (Spanish)

The Foster Youth Bill of Rights form will be provided to the resource parents by SW or Placement Staff when a child/NMD is placed.

Resource Family Approval staff will inform resource parents/caregivers of the FYBOR and provide a copy of the 10-5 form but will not have direct contact with the child(ren) or NMD. It is the case carrying SW's responsibility to ensure that the child in their caseload is informed of their rights.

**NOTE:** Staff needing translation services will email the completed 04-33A, along with the documents needing translation to CWS Fiscal Unit. Additional information may be found in the Language Appropriate Services policy.

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**Office of the State Foster Care Ombudsperson Office (OFCO)**

In 1998, the Office of the State Foster Care Ombudsperson (OFCO) was created to operate within the California Department of Social Services (CDSS) but as an autonomous entity to provide children in foster care a means to resolve issues related to their care, placement, or services. Subsequently, the Foster Youth Bill of Rights were created and has been updated to correspond with existing laws.

The OFCO is required to develop age and developmentally appropriate materials to provide to county agencies to use when informing children/youth in foster care about their rights. The OFCO provides training and technical assistance to children/ NMDs, CWS agencies, probation, tribes, and other interested parties. In addition, SW staff are required to inform youth in foster care of the role and purpose of the OFCO. The Foster Youth Bill of Rights form includes the OFCO contact information as follows:

Office of the Foster Care Ombudsperson  
1-877-846-1602  
744 P Street, MS 8-13-25  
Sacramento, CA 95814  
Email: [fosteryouthhelp@dss.ca.gov](mailto:fosteryouthhelp@dss.ca.gov)  
Website: [www.fosteryouthhelp.ca.gov](http://www.fosteryouthhelp.ca.gov)

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**Resource Parent Responsibility and FYBOR**

During the RFA approval process and during their RFA renewal, the FYBOR is reviewed with the resource parent and the caregivers are informed that children and NMD in foster care have personal rights under the law. The resource parent signs an acknowledgment of their understanding via the 10-5. SWs may also provide resource parents publications available through the OFCO.

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**Educational, Mental Health and Foster Youth Sexual and Reproductive Rights**

**Educational**

Children in foster care have educational rights as outlined in the California Education Code pertaining to foster children. Information may be found in the Educational Rights for Foster Youth policy.

**Mental Health**

SW will provide the foster youth and NMDs the Foster Youth Mental Health Bill of Rights pamphlet in addition to the FYBOR every six months. Information on mental health for foster children may be found in the Mental Health Treatment and Services.

**Sexual and Reproductive Rights**

Youth 10 years and older and NMDs have the right to receive information and have access to youth reproductive and sexual health rights. The brochure, [Know your Sexual and Reproductive Health Care Rights brochure](#) is available as resources to provide to youth and NMD regarding these rights. For specific information on youth's reproductive and sexual health care rights and SW responsibilities regarding these rights, refer to Health Examinations.

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**Alignment with SET**

This policy aligns with SET [Value 2](#) as it supports consistent communication and information sharing and this policy aligns with SET [Value 3](#) and the guiding principle to have a continual focus on children's well-being while they are in our care.

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