

Amend CSSB 69 (Senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 263, Family Code, is amended by adding Section 263.007 to read as follows:

Sec. 263.007. FOSTER CHILDREN'S BILL OF RIGHTS. (a) In this section:

(1) "Agency foster group home," "agency foster home," "facility," "foster group home," and "foster home" have the meanings assigned by Section 42.002, Human Resources Code.

(2) "Foster care" means the placement of a child who is in the conservatorship of the department or an authorized agency and in care outside the child's home in an agency foster group home, agency foster home, foster group home, foster home, or another facility licensed or certified under Chapter 42, Human Resources Code, in which care is provided for 24 hours a day.

(3) "Foster children's bill of rights" means a list of rights described by Subsection (b).

(b) It is the policy of this state that each child in foster care be informed of the child's rights under state or federal law or policy that relate to:

(1) abuse, neglect, exploitation, discrimination, and harassment;

(2) food, clothing, shelter, and education;

(3) medical, dental, vision, and mental health services, including when the child may have the right to consent to treatment;

(4) emergency behavior intervention, including what methods are permitted and not permitted, when emergency behavior intervention may be used, precautions that caregivers must take before, during, and after implementing emergency behavior intervention;

(5) placement with siblings and contacts with members of the child's family;

(6) privacy, including storage space, searches, mail, and telephone conversations;

(7) participation in school-related extracurricular

or community activities;

(8) interactions with persons outside of the foster care system, including teachers, church members, mentors, and friends;

(9) contact and communication with a caseworker, attorney ad litem, guardian ad litem, and court-appointed special advocate;

(10) religious services and activities;

(11) confidentiality of the child's records;

(12) job skills, personal finances, and preparation for adulthood;

(13) participation in court hearings that involve the child;

(14) participation in the development of service and treatment plans;

(15) the advocacy and protection of rights of a child with a disability; and

(16) any other subject affecting the child's ability to receive care and treatment in the least restrictive environment that is most like a family setting, consistent with the best interests and needs of the child.

(c) The department shall provide a written copy of the foster children's bill of rights to each child placed in foster care in the child's primary language, if possible, and shall inform the child of the rights provided by the foster children's bill of rights:

(1) orally in the child's primary language, if possible, and in simple, nontechnical terms; or

(2) for a child who has a disability, including an impairment of vision or hearing, through any means that can reasonably be expected to result in successful communication with the child.

(d) A child placed in foster care may, at the child's option, sign a document acknowledging the child's understanding of the foster children's bill of rights after the department provides a written copy of the foster children's bill of rights to the child

and informs the child of the rights provided by that bill of rights in accordance with Subsection (c). If a child signs a document acknowledging the child's understanding of the foster children's bill of rights, the document must be placed in the child's case file.

(e) An agency foster group home, agency foster home, foster group home, foster home, or other facility in which a child is placed in foster care shall provide a copy of the foster children's bill of rights to a child on the child's request. The foster children's bill of rights must be printed in English and in a second language.

(f) The department shall promote the participation of foster children and former foster children in educating other foster children about the foster children's bill of rights.

(g) Except as provided by this subsection, the executive commissioner of the Health and Human Services Commission and the department, as appropriate, shall ensure that the rules and policies governing foster care are consistent with the state policy outlined by Subsection (b). The executive commissioner or the department, as appropriate, may adopt rules or policies that provide greater protections for the rights of children in foster care.

(h) The department shall develop and implement a policy for receiving and handling reports that a foster child's rights are not being met. The department shall inform a child and, as appropriate, the child's managing conservator or guardian of the method for reporting to the department that the child's rights are not being met.

(i) This section does not create a cause of action.