

# HOUSE BILL NO. 2000

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JONES (50).

5312H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to the foster children's bill of rights.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be known as section 210.567, to read as follows:

**210.567. 1. This section shall be known and may be cited as the “Foster Children’s Bill of Rights”.**

**2. The children’s division shall provide every school-aged foster child and his or her foster parent an age-appropriate orientation and explanation of the foster child’s rights under this section.**

**3. Any home or facility licensed to care for six or more foster children shall post the bill of rights established under this section in the home or facility. The children’s division shall develop and distribute posters of the foster children’s bill of rights.**

**4. All children in foster care have the inherent right:**

**(1) To be cherished, loved and cared for by a family of their own; either by their biological family, helped by readily available services and supports to reassume care, an adoptive family, or other sources of permanent connections;**

**(2) To be free from physical, sexual, emotional, or other abuse, or corporal punishment;**

**(3) To be nurtured by foster care providers who have been selected to meet their individual needs and who are aware of and understand the child's history and risk factors;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **(4) To visit with their siblings on a regular basis and to otherwise maintain contact**  
18 **with their siblings if separated upon placement outside the birth home, including the**  
19 **provision or arrangement of transportation as necessary, and even when siblings have been**  
20 **adopted into other families, unless such contact presents a danger to either child;**

21           **(5) To have fair and equal access to all available services: placement, care,**  
22 **treatment, and benefits; and to not be subjected to discrimination or harassment on the**  
23 **basis of actual or perceived race, ethnic group identification, ancestry, national origin,**  
24 **color, religion, gender, sexual orientation, gender identity, mental or physical disability,**  
25 **or HIV status;**

26           **(6) To receive sensitive, continuing help in understanding and accepting the reasons**  
27 **for their family's inability to take care of them, and in developing confidence in their own**  
28 **self-worth;**

29           **(7) To have their privacy protected and to have their personal belongings secured**  
30 **and transported with them;**

31           **(8) To normalizing childhood experiences, including participation in**  
32 **extracurricular, cultural, and personal enrichment activities consistent with their age and**  
33 **developmental level;**

34           **(9) To contact with parental and extended family members, including kin and**  
35 **previous foster parents, unless prohibited by a court order;**

36           **(10) To attend religious services and activities of their choice;**

37           **(11) To have social contacts with people outside of the foster care system, such as**  
38 **teachers, church members, mentors, and friends;**

39           **(12) To organize as a group for purposes of ensuring that they receive the services**  
40 **and living conditions to which they are entitled and to provide support for one another**  
41 **while in the custody of the state;**

42           **(13) To receive a free and appropriate education; minimal disruption to their**  
43 **education and retention in their home school, if appropriate; all special educational**  
44 **services; the sharing of all necessary information between the school board and the**  
45 **children's division, including information on attendance and educational progress;**

46           **(14) To receive training and career guidance to prepare for a useful and satisfying**  
47 **life, including independent living program classes and activities if they meet age**  
48 **requirements;**

49           **(15) To have access to existing information regarding the educational options**  
50 **available, including, but not limited to, the coursework necessary for vocational and**  
51 **postsecondary educational programs and information regarding financial aid for**  
52 **postsecondary education;**

- 53           **(16) To work and develop job skills at an age-appropriate level that is consistent**  
54 **with state law;**
- 55           **(17) To maintain an independent bank account and manage personal income,**  
56 **consistent with their age and developmental level;**
- 57           **(18) To a permanency plan developed within twelve months of coming into state**  
58 **custody and to take part in developing this plan;**
- 59           **(19) To be free from repeated changes in placement before permanency is found**  
60 **or reunification is achieved;**
- 61           **(20) To be involved and incorporated, where appropriate, in the development of**  
62 **the case plan, to have a case plan which will address their specific needs, and to object to**  
63 **any of the provisions of the case plan;**
- 64           **(21) To review their own case plans if twelve years of age or older and to receive**  
65 **information about their out-of-home placement and case plan, including being told of**  
66 **changes to the plan;**
- 67           **(22) To be represented by an attorney who, at minimum, abides by the standards**  
68 **of practice for guardians ad litem as defined by the Missouri supreme court so that their**  
69 **best interests are safe-guarded and to request and be appointed another attorney if such**  
70 **standards are not followed;**
- 71           **(23) To attend court hearings and speak to the judge when appropriate;**
- 72           **(24) To receive meaningful case management and planning that will quickly return**  
73 **them to their families or move them on to other forms of permanency;**
- 74           **(25) To receive communication with a caseworker at least once per month, which**  
75 **shall include meeting with the child alone and conferring with the foster care provider;**
- 76           **(26) To receive visitors while in a secure facility, including their foster parent,**  
77 **guardian ad litem, special advocate, child advocate, physician, mental health professional,**  
78 **and members of the clergy;**
- 79           **(27) To be provided with complete information and direct answers to their**  
80 **questions about choices, services and decisions;**
- 81           **(28) To contact the necessary offices regarding violations of rights, to speak to**  
82 **representatives of these offices confidentially, and to be free from threats or punishment**  
83 **for making complaints;**
- 84           **(29) To have all of their records available for review at the time they reach eighteen**  
85 **years of age.**

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