

YOUTH PERSPECTIVE

Making History in Louisiana: The State's First Foster Youth's Bill of Rights

by Aliyah Zeien

The Louisiana Foster Youth's Bill of Rights¹ (Bill of Rights) is a unique and trailblazing document and legislation because it was made for youth, by youth, and placed foster care alumni's voices in the forefront when developing legislation.

The conversation that led to the development of the historical bill of rights occurred in a Department of Children and Family Services (DCFS) conference room in state office one sunny day in July 2019 during a Louisiana Elite Advocacy Force (LEAF) retreat convening.² The Bill of Rights was one of the first major tasks that the LEAF policy committee took on after its development in 2019. These topics of conversation led to the development of the original draft version that was a whopping 16 pages. The length of the original draft was fueled by detailed youth voice that had been obtained from current foster youth's experiences while in the system. The bill was developed with the voices, experiences, and the desired rights of youth in foster care in mind.

Each of the authors of this bill were former foster youth who were now working as direct service professionals providing assistance and peer support to youth in foster care. While building relationships with the youth they served through the state's independent living (IL) programs, the authors obtained detailed accounts from youth of trials they had faced and an overwhelming number of personal testimonies regarding what they felt needed to be improved in the system. Therefore, the legislation was not just fueled by what these passionate advocates knew should be in a Bill of Rights for youth, but it was directly inspired by the voices and pleas of foster youth still in DCFS custody. These youth wanted to be heard, feel they had a voice, and have non-negotiable rights stating how they should be treated while in the child welfare system. These rights were not heavy asks; they were truly things that should be provided to all children and teens no matter what.

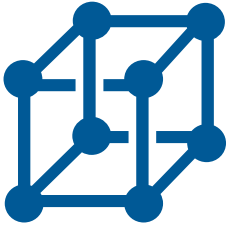
¹ Louisiana Senate Bill 151, available at: <https://legiscan.com/LA/text/SB151/2021>.

² LEAF currently serves as the official Louisiana State Advisory Council which is solely comprised of former foster youth who spent time in the Louisiana child welfare system.

ABOUT THE AUTHOR:



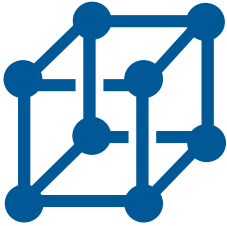
Aliyah Zeien is originally from New Orleans, LA and an alumni of the Louisiana foster care system. She prides herself in being a registered child welfare social worker, legal policy advocate, speaker, and MSW LSU grad student. Aliyah has assisted in passing monumental legislation in Louisiana to extend foster care and implement their first Foster Youth Bill of Rights. She is the current Vice President for the Louisiana State Youth Advisory Board and is a member of NACC's National Advisory Council on Children's Legal Representation.



The passionate and brave advocates that took on the calling to develop this bill are Htet Htet Rodgers, Antonica Frazier, and I. Throughout the process we received unwavering help from our fellow LEAF board members, President/Peer Jarvis Spearman, and the DCFS Independent Living and Transitioning Youth program managers. Due to the tireless efforts of the authors, LEAF board members, community partners, IL providers, and DCFS executive team staff, the bill was refined into a shorter version that consisted of eighteen main rights:

1. **The right to privacy concerning the youth's personal and confidential information.**
2. **The right to attend all court hearings regarding the care to be received.**
3. **The right to be in a stable and supportive setting that is free from neglect and emotional, verbal, physical, and sexual abuse or exploitation, and that is the least restrictive to meet the youth's needs.**
4. **The right to participate in all case plan meetings, to include supportive adults of the youth's choice to be on the planning team, and to be provided a copy of the youth's case plan every six months or whenever changes are made to the plan.**
5. **The right to have the youth's medical and mental health needs met on a regular and timely basis.**
6. **The right to be provided adequate trauma-based counseling and therapeutic services throughout the youth's time in foster care.**
7. **The right to be provided the contact information of the youth's caseworker, attorney, and CASA volunteer, and to attend meetings with them on a regular basis.**
8. **The right to have access to a telephone to talk to or visit with approved friends and relatives, including siblings, at least once a month.**
9. **The right to access materials necessary for school and to further the youth's education, including access to a computer or other electronic devices and to the internet when needed to complete assignments, the right to receive tutoring services, and the right to access information regarding college admissions.**
10. **The right to access information regarding testing accommodations for any learning or developmental disability or special health need.**
11. **The right to be involved in extracurricular activities, including school clubs, dances, field trips, and sports teams, and to be provided with supplies and uniforms required for team participation.**
12. **The right to remain in the youth's school of origin.**
13. **The right to attend a driver's education class.**
14. **The right to obtain employment and transportation to employment within the vicinity of foster care placement.**
15. **The right to refuse involvement in religious-based activities and the right to continue the youth's cultural, religious, and ethnic traditions and belief systems.**
16. **The right to be free from discrimination of any kind on the basis of the youth's race, color, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth, or other status.**
17. **The right to attend and have transportation to services, events, and activities provided by the Independent Living Skills Program within the youth's region, the right to receive timely notification of upcoming youth advocacy and engagement services in the youth's region, and the right to be provided with the entire amount of the monthly allowance as outlined in department policy.**
18. **The right to express and voice the youth's needs, concerns, and desires about foster care.³**

³ Louisiana Senate Bill 151, available at: <https://legiscan.com/LA/text/SB151/2021>.



In December 2019, DCFS Secretary Marketa Walters met with Senator Regina Barrow and asked that she be the one to carry the bill in the upcoming legislative session, as she had been a significant trailblazer in ensuring children's rights in the child welfare system and a fiery advocate for foster youth. After Senator Barrow agreed to adopt the bill, it was assigned a number — Senate Bill 151.

However, due to the intensive impact of the COVID-19 pandemic in 2020, the policy committee and DCFS team agreed to postpone the bill to the legislative session of 2021. The postponement was a disappointment for the LEAF members who worked so diligently on the development; however, they pushed forward and used those upcoming months to plan accordingly for the 2021 legislative session.

In the summer of 2021, the Bill of Rights was finally added to the agenda for the Senate Committee, and it passed with all green cards. Finally, on June 16, 2021, the dedicated work of the LEAF board and all DCFS members involved paid off when the first official Louisiana Foster Youth's Bill of Rights was signed into law by Governor John Bel Edwards in the Governor's Mansion.

Reflecting on the passage of the Bill of Rights, LEAF co-author Antonica Frazier, stated that her journey in foster care fueled the passion and desire for creating SB 151 and advocating for the rights of youth in care. She further stated: "It is important for youths in the foster care system to have rights and their voices to be heard. I'm very thankful to everyone who has played an active role in editing, creating, finalizing, and ensuring the passing of the Bill of Rights. The process was increasingly stressful because of the pandemic. It's made things rather difficult when it came to testifying and finalizing the bill of rights but worth it because history has been made."

On the day it was passed, I felt an overwhelming sense of gratefulness that youth in foster care could see that we are advocating on their behalf and that they should always be afforded rights while in the foster care system that any other child would have. The long road that was traveled to pass Senate Bill 151 is proof that all good changes are worthwhile. Sitting on the couch in the Governor's Mansion, my eyes welled up with tears, as I would now be able to let youth know that sharing their stories had not been in vain. That their testimonies are the very backbone of such an important moment in history for all of them. After all, this moment is not for us, but for the thousands of youths who may feel unheard, unseen, and unworthy. This is for you. ■



Visit NACC's Title IV- ϵ Funding for Legal Representation Resource Hub