



**Foster Youth Bill of Rights (5101:2-5-35) and Resource Family Bill of Rights Training (5101:2-42-20)**

11/30/2021

**Children Services Training and Development Team**

[Children Services Training & Development](#) | [Office of Families and Children](#) | [Ohio Department of Job and Family Services](#)  
 Training Team webpage link

Questions and Answers Document

Please Contact David Beck at [David.Beck@jfs.ohio.gov](mailto:David.Beck@jfs.ohio.gov) for additional questions. For case specific questions, please contact your Technical Assistance Specialist (TAS) or Licensing Specialist.

**Questions and Answers pertaining to the Foster Youth Bill of Rights**

Question	Answer
1. Will the Foster Youth Bill of Rights be translated in Spanish?	ODJFS will be working on a Spanish version of the Foster Youth Bill of Rights poster, the Foster Youth Rights Handbook and the Resource Families Bill of Rights brochure.
2. Is there a specific amount of time given that the Foster Youth Bill of Rights must be provided to youth? For example, does it need to be provided within 24 hours of entering care, 7 days, etc...?	Please reference PPGD015 ( <a href="https://bit.ly/ppgd015">https://bit.ly/ppgd015</a> ). The updated Foster Youth Bill of Rights rule should be provided to and fully explained to the youth at the next face to face visit with the child. It is also recommended that agencies provide and explain these rights to resource caregivers, so they understand the rights of youth in their care.
3. Many times, the caseworkers do not tell the private agency staff or foster parents the GAL contact information. How will ODJFS ensure this information is provided?	Please contact the PCSA caseworker to obtain the information. If it is not provided, please follow the chain of command, ie. speak to a caseworker, then a supervisor, then a director. If they still will not provide that information, please reach out to your agency licensing specialist for guidance. Per the new rule, they are required to have it readily available for youth.
4. Is the PNA agency required to provide the youth bill of rights and handbook or the PCSA?  a. Who provides the foster youth their rights? The public agency or the private agency?	Per the updated rule 5101:2-5-35, the child’s custodial agency is required to provide the youth with the rights and/or the handbook along with the agency’s complaint process.  Residential facilities are to include the rights in their resident handbook, ensure that all youth have access to this handbook and the Foster Youth Rights Handbook (JFS 01677), and clearly post the Bill of Rights poster and the facilities complaint procedures so they can be easily seen by all children.  Any foster care agency or independent living program is to include the rights in any handbook the agency uses for

	<p>children in the care of the agency; provide and explain the Bill of Rights and the agency's complaint procedure to all youth in an age/developmentally appropriate manner; ensure that all youth have access to this handbook, the complaint procedure and the Foster Youth Rights Handbook (JFS 01677).</p> <p>Private agency staff should also understand and follow what is in the Foster Youth Right's Handbook so that they can ensure that the youth's rights are not being violated.</p>
<p>5. Do we stop using the Foster Youth Handbook until the updated version comes out?</p>	<p>The JFS 01677 "Foster Youth Rights Handbook" is in the process of being updated with the most current rule language, but it will not be completed by the effective date of the rules. As a result, each agency should fully review and provide each youth, as age and developmentally appropriate, a copy of the Foster Youth Bill of Rights rule along with the current version of the handbook as required by rule 5101:2-42-90 until the handbook is updated. ODJFS has created a poster of these rights for agencies to display that is available on Forms Central. It is also recommended that agencies provide and explain these rights to resource caregivers, so they understand the rights of youth in their care.</p> <p>Until the new publications are available, please utilize the new rule (<a href="https://bit.ly/oacfybor">https://bit.ly/oacfybor</a>) as it contains the most current information regarding the rights. You should be printing the rule and providing it to the youth.</p>

**Questions pertaining to the Resource Family Bill of Rights**

Question	Answer
<p>6. Will the Resource Family Bill of Rights be translated in Spanish?</p>	<p>ODJFS will be working on a Spanish version of the Foster Youth Bill of Rights poster, the Foster Youth Rights Handbook and the Resource Families Bill of Rights brochure.</p>
<p>7. What is considered non-confidential information in a home study that resource families are privy to?</p>	<p>According to rule 5101:2-42-20, the resource family has the right to "review the home study information that is not deemed confidential by the recommending agency."</p> <p>Therefore, it would be the decision of the recommending agency to determine what is confidential and what is non-confidential.</p> <p>Please discuss with your individual agencies what material is not deemed confidential and share that information with caregivers. Please ensure that resource families are aware of what information that they are entitled to.</p>

<p>8.Does the nonconfidential information in the home study HAVE to be provided to resource families or only if they request it?</p>	<p>This applies only if they request it, however, you should be open and honest with your families about what information is being utilized for the home study.</p>
<p>9.What should a foster parent do if they are not allowed to speak at court? Who should they follow up with?</p>	<p>The PCSA is welcome to advocate for the resource parent’s right to be heard, however the agency should also reach out to the resource family and provide the <a href="#">Caregiver Notice and Right to Be Heard Toolkit</a> for more information. The toolkit provides applicable state and federal law and sample forms for their reference and was created with support from the Supreme Court of Ohio. Beginning on page 10 there is a sample caregiver information template that resource parents can complete and submit to court and/or the agency before and/or during hearings.</p>
<p>10.Should our Licensing Specialist be notified each time foster parent rights are being violated by the county workers?</p>	<p>If a resource family reports that their rights have been violated, you should follow your agency procedure for forwarding complaints or violations to your licensing specialist.</p>
<p>11.What recourse do resource families have if they have evidence that the PCSA had known information that was withheld from them prior to placement?</p>	<p>Every PCSA is required to have a written policy to handle complaints regarding services to parents, custodians, legal guardians, foster caregivers, kinship caregivers, applicants or providers of approved adult-supervised living arrangements, and children, pursuant to rule 5101:2-33-20:</p> <p>(A) The public children services agency (PCSA) shall develop and implement written policies for receiving, reviewing and resolving both of the following:</p> <p>(1) Complaints concerning the provision of services from parents, custodians, legal guardians, foster caregivers, kinship caretakers, applicants or providers of approved adult-supervised living arrangements, and children.</p> <p>ODJFS will be providing additional training and technical assistance regarding both bills of right and the role of agencies to inform foster youth and resource caregivers of their rights, to ensure that their rights are not being violated, along with what actions to take if a youth or caregiver feels their rights have been violated.</p>
<p>12.As for foster parents, will they receive one copy or each time they receive a placement?</p> <p>a. When are we required to give resource families their bill of rights? Do they get this for every placement?</p> <p>b. For kinship placements, will when they be required to receive their bill of rights as some can be short term?</p>	<p>ODJFS has created a brochure for agencies to provide to families that should be provided and explained to the resource families (<a href="https://bit.ly/RFBORbrochure">https://bit.ly/RFBORbrochure</a>.)</p> <p>The resource family bill of rights brochure should be provided to all resource families (foster and kinship) as soon as you begin working with them. Foster parents should be trained on this prior to becoming certified or shortly thereafter and provided to them. It is not necessary to provide them a copy of the Resource Family Bill of Rights for each placement, however, it is your agency’s responsibility that foster parents</p>

	<p>and kinship families understand their rights. It is also your agency's responsibility to ensure that your families are not violating the Foster Youth Bill of Rights and that resource families understand those rights as well.</p> <p>All resources families should ALWAYS have a copy of the Resource Family Bill of Rights brochure, even if any placements are short-term.</p>
13. Since this rule is already in effect, is there a timeline that this must be completed by for auditing purposes?	The rule went into effect on November 15th, 2021, and the expectation is that implementation of a rule begins as soon as it goes into effect. Please begin implementing this rule with your families.