

RESOURCE FAMILY APPROVAL

Module 3




FOSTER & KINSHIP CARE EDUCATION PROGRAM College of the Redwoods

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CR COLLEGE OF THE
REDWOODS

North Coast Resource Family Approval Module 3



**NORTH COAST
RESOURCE FAMILY TRAINING
MODULE 3**

**CR COLLEGE OF THE
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Pre-Service Training

The Old Framework: Cultural Competency

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- A framework built on the belief that we as individuals are capable of becoming experts on everything “culture”
- Risks associated with the old framework:
 - Assumptions
 - Judgments
 - Stereotyping
 - Missed Opportunities
 - Altered Relationships



The New Framework: Cultural Humility

- A framework built on the belief that diverse cultural understandings develop from efforts to learn from one another in a mutually respectful manner
- **Advantages associated with new framework:**
 - Diverse Cultural Awareness
 - Personal Growth & Development
 - Stronger Bonds & Relationships



Cultural Humility Definition

Culture serves as a road map for perceiving and interacting with the world

Culture is a set of learned beliefs, traditions, principles & guides for individual & collective behaviors that members of a particular group commonly share with each other.

What is Culture?

Culture affects:

- How you THINK
- What you BELIEVE
- How you EXPRESS YOURSELF

Practicing Cultural Humility

- A**sk questions in a humble, safe manner
- S**eek Self-Awareness
- S**uspend Judgment
- E**xpress Kindness & Compassion
- S**upport a Safe & Welcoming Environment
- S**tart Where the Individual is at

What item below the water was important in your upbringing?



What practice will you share with the youth in your care?

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Caring for Children of Other Cultures

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- When a child is cared for by people of a different culture, be aware of discrimination that might arise
- Show respect for diversity and differences
- You cannot know all of the experiences your child may go through. Have a continuous dialog about this.
- Manage your own feelings: if children sense that parents don't like a particular group, they are likely to feel that it is "bad" to be different
- It is helpful for children to know persons of other cultures & to have positive role models of persons who are of diverse background

Humboldt County

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- Humboldt County is comprised of approximately 7% Native American people
- Approximately 39% of the youth that Humboldt County Child Welfare serves are Native American
- What concerns might arise from this disproportionate representation?
- What are considerations in the care of Native American youth?
- 8 federally recognized tribes in Humboldt County

Del Norte County

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- Del Norte County is comprised of approximately 8% Native American people
- Approximately 36% of the youth that Del Norte County Child Welfare serves are Native American
- What concerns might arise from this disproportionate representation?
- What are considerations in the care of Native American youth

Indian Child Welfare Act (ICWA)

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- The Indian Child Welfare Act (ICWA) was enacted in 1978 in response to a crisis affecting American Indian and Alaska Native children, families, and tribes.
- “protect the best interests of Indian children and to promote the stability and security of Indian tribes and families”

ICWA
Indian Child Welfare Act



“Ms. Obie, Yurok Tribal Social Worker

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- Native American children are at 35% higher rate for removal
- 85% Native American children placed outside of their family and culture.
- Native American families are four times more likely to have their children removed



Concurrent Planning, Permanency & ICWA Placement Preferences

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- ICWA says place with
 - Extended family;
 - Foster home licensed or approved by tribe;
 - Other members of tribe;
 - Other Indian families

For More info go to:
<http://www.courts.ca.gov/v/5807.htm>



Tribal Placement

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ICWA Additional Training

- Tribes can determine if any additional training is necessary for the Resource Family applicants to meet the needs of the Indian Child.
- FKCE now offers a class on “Indian Child Welfare Act (ICWA)” quarterly.
- Counties may determine this to be mandatory for all applicants in the future.

California Tribal Coalition

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2023 | LEADERSHIP AWARDS

 The James Irvine Foundation

<https://www.youtube.com/watch?v=XRO8CDwRMbE>

Personal Rights of Children and Youth

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- Recognizes that the rights of foster children and youth are critical to ensuring their overall well-being
- Encourages various departments, agencies & associations to develop practices to help foster youth understand their rights and resources available to them
- Requires that Resource Families orient children and youth to their personal rights in an age appropriate manner
- JV 290 – Caregiver Information Form (8 copies)
- Reference handout for details of Foster Children/Youth Rights – updated 2020 new version

Personal Rights of Children and Youth

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- ❑ To live in a safe, healthy, and comfortable home where they are treated with respect.
- ❑ To receive adequate and healthy food, adequate clothing, grooming and hygiene products, and an age-appropriate allowance.
- ❑ To have storage space for private use.
- ❑ To be free from unreasonable searches of personal belongings.
- ❑ To attend religious services, activities, and ceremonies of the child's choice.

Personal Rights of Children and Youth

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- ❑ To participate in extracurricular, cultural, racial, ethnic, personal enrichment, and social activities.
 - ❑ To be placed in out-of-home care according to their gender identity, regardless of the gender or sex listed in their court, child welfare, medical, or vital records.
 - ❑ To not be locked in any portion of their foster care placement, unless placed in a community treatment facility.
 - ❑ To have a placement that utilizes trauma-informed and evidence-based de-escalation and intervention techniques
- * NOTE – the full list is in the class packet.



Contact the Office of the Foster Care Ombudsman if you have concerns about a foster youth and their care, placement, services, and rights.

Call Our Toll-free Hotline

1-877-846-1602

Email Us

fosteryouthhelp@dss.ca.gov

Write to Us

Office of the Foster Care Ombudsman
744 P Street, MS 8-13-25 Sacramento, CA 95814

Visit Our Website

www.fosteryouthhelp.ca.gov

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Sexual and Reproductive Health Care Rights

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Foster Youth have the Right to access age-appropriate, medically accurate information about reproductive and sexual health care, the prevention of unplanned pregnancy including abstinence and contraception, abortion care, pregnancy services, and the prevention, diagnosis and treatment of sexually transmitted infections (ACL 16-82)



Which Means Foster Youth Can:

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- Consent to medical care related to the prevention or treatment of pregnancy at any age without need of consent from a caregiver, social worker or anyone else.
- Consent to an abortion at any age without need of consent of a caregiver, social worker, or anyone else.
- Consent to medical care related to the diagnosis and treatment of rape and sexual assault and the collection of medical evidence without need of consent of a caregiver, social worker, or anyone else.
- At age 12, to consent to medical care for the prevention, diagnosis or treatment of sexually transmitted infections without need of consent of a caregiver, social worker, or anyone else.

Sexual and Reproductive Health Care Rights (con't)

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It is expected that Resource Parents talk to Foster Children/Youth about healthy sexual development and reproductive and sexual health in a manner that is medically accurate, age or developmentally appropriate, trauma-informed, and strengths-based.



A few things to consider when communicating about difficult topics:

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- Always build relationship; help them understand they can talk to you about anything
- Be aware of need for privacy and confidentiality when discussing sensitive matters
- Be non-judgmental and supportive – your embarrassment or avoidance of a topic will instill that in others
- Answer questions honestly and according to Foster Care regulations
- Work to eliminate inappropriate shame



A few things to consider when communicating about difficult topics: (con't)

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- Learn the signs of relationship abuse and trafficking
- Elicit the support of others including the social worker and on-line resources such as:
 - ▣ www.plannedparenthood.org/parents/talking-to-kids-about-sex-and-sexuality
 - ▣ www.talkwithyourkids.org
 - ▣ www.cdc.gov/lgbthealth/youth-resources.htm



Blue

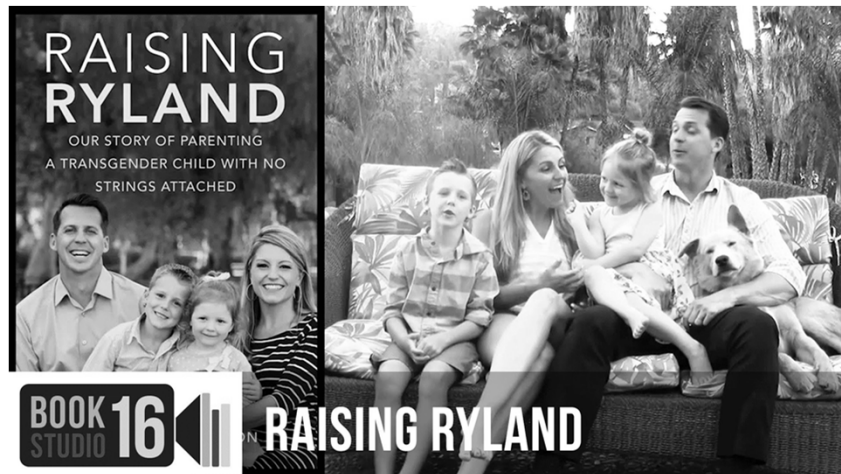
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Listening to Myself

<https://www.youtube.com/watch?v=hPNzdBFhNL4&list=UULFmYZNFJSlvj2nhPkWBPgDvA&index=4>

The Ryland Story

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Transgender Youth

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Protective Factors: A study on youth showed that having their names and pronouns respected and affirmed at home, school, and work.

- ✓ 71% of fewer symptoms of severe depression
- ✓ 34% drop in reported suicidal thoughts
- ✓ 65% decrease in suicide attempts



Cite: Russell, ST, 2018. Journal of Adolescent Health

Trans-Affirming



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- Believing that a person's gender identity is valid and true.
- Providing emotional support or encouragement.
- The collective actions and process of ensuring that someone's gender is respected and honored.

***Important: You don't need to understand completely to affirm**

LGBTQ+ Youth in Foster Care

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- According the National Center for Lesbian Rights:
 - ▣ 260,000 LGBTQ+ Youth in Foster Care Nationwide
 - ▣ 40,000 LGBTQ+ Youth in Foster Care in California
 - ▣ 5-10% of the total population of Youth in Foster Care
 - ▣ LGBTQ+ Youth are disproportionately targeted for harassment and discrimination in the Foster Care System
 - By Youth Peers
 - By Facility Staff &/or Care Providers
 - By Service Providers



SOGIE: Human Development Continuum

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- SOGIE is an acronym:
 - **Sexual Orientation, Gender Identity, Expression**
- Represents a shift in paradigm for understanding & supporting the sexual orientation & gender identity needs of **ALL** youth:
 - **Gender Conforming & Gender Variant**
 - **Heterosexual & Non-Heterosexual**
- Replaces traditional binary discussions with an all inclusive continuum approach to human development



What Does Structure Look Like?

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- ❑ Establish Daily Routines & Expectations
- ❑ Establish Household Rules
- ❑ Follow Through on Appropriate & Reasonable Consequences
- ❑ Model Desirable Behavior
- ❑ Maintain Consistency



Benefits of Daily Structure

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Structure is key to promoting a child's emotional and physical safety & well-being:

- Provides the security of knowing what to expect
- Fosters cooperation & reduction in power struggles
- Promotes mastery & independent functioning
- Offers containment & balance for daily transition periods (meal time; school readiness; homework; bed time)



What Does Boundary Setting Look Like?

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Establish expectations around:

- Physical touch
- Privacy
- Respect for each other's personal possessions
- Family & social engagement



Benefits of Boundary Setting

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Boundaries are also key to promoting a child's emotional & physical safety & well-being:

- Emphasis on internal and external boundaries
- Establishes what is appropriate versus inappropriate
- Offers corrective emotional & physical experiences
- Reduces shaming &/or violation of personal space



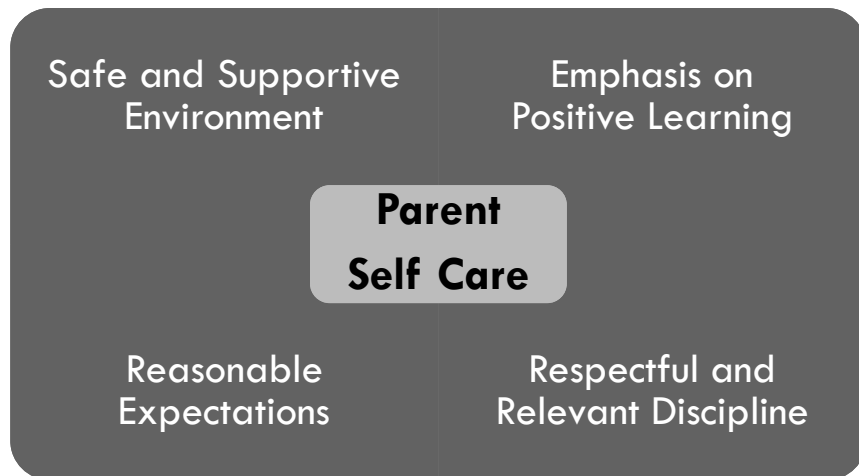
Punishment vs. Discipline

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	<u>Punishment</u>	<u>Discipline</u>
Definition:	Technique of discipline– focused on retribution, retaliation or deterrence	Process of shaping and molding a child's attitudes & behaviors
Purpose:	Instill Fear to Prevent Behavior in the Future	Corrective Learning Experience
Attitude of Parent:	Anger & Frustration	Love & Concern
Emotional Outcome on Child:	Fear, Guilt, Shame	Security & Responsibility

Principles of Positive Parenting

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Positive Parenting = Patience

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- ❑ Limit Testing
- ❑ Power Struggles
- ❑ Crisis before Recovery
- ❑ Long Term Outcomes



Power of Positive Parenting:
Catch Kids Doing Good!

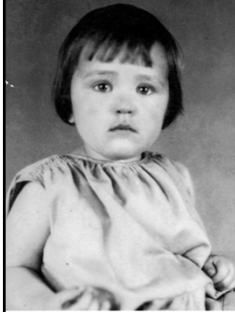
Communicating with Teens

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https://www.youtube.com/watch?v=m_HfbiM5jjE&list=RDLVm_HfbiM5jjE&index=2

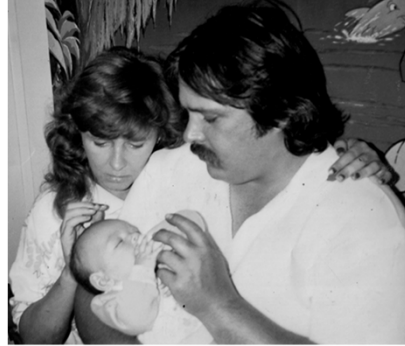
LAURA'S STORY



Grandmother



Betsy Ann



Visitation with Birth Parents

Pre-Service Training

Working With Bio Families

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- The best possible outcome for a child is to return to their family of origin with the supports in place to keep them safe and allow them to thrive
- Mark's Story



Foster and Kinship Care Education Program

**WE JUST WANT TO SAY...
THANK YOU!**

Website: www.redwoods.edu/foster

Facebook: Foster/Kinship Care Education Program-
College of the Redwoods

Phone: (707) 476-4455

Email: foster-kinship@redwoods.edu

Practicing Cultural Humility

Culture serves as a road map for perceiving and interacting with the world

- One definition:

Culture is a set of learned beliefs, traditions, principles & guides for individual & collective behaviors that members of a particular group commonly share with each other.

What is Culture?

- Culture affects:
 - How you THINK
 - What you BELIEVE
 - How you EXPRESS YOURSELF

Culture has to do with what & how people learn from one another, including:

- Beliefs
- Practices
- Behaviors
- View of Self
- Expectations of Others
- How People Live their Lives

Cultural Settings

- Our Homes
- Among Our Families
- In Our Neighborhoods
- Our Places of Recreation
- Our Places of Worship
- Our Places of Work

Culture has a significant influence upon:

- Your Thinking
- Your Health
- Your Healing Practices
- Your Values
- Who You TRUST
- How You COPE

“Culture & linguistic competence is a set of congruent behaviors, attitudes & policies that come together in a system, agency or among professionals that **enables effective work in cross-cultural situations...**” *U.S. Dept. of Health and Human Services Office of Minority Health (Cross, et al, 1989)*

- Focus of Cultural Competency was to attain a mastery in others’ cultures
- 2 Reasons why this doesn’t really work:
 - 1) It is impossible to master every other culture
 - 2) This can also lead to stereotypes

3 Dimensions of Cultural Humility:

- 1) Lifelong Learning & Critical Self-Reflection
- 2) Recognize & Challenge Power Imbalances
- 3) Institutional Accountability

Cultural Humility Values

- Openness
- Appreciation
- Acceptance
- Flexibility

Knowledge of Cultural Influences

- Sense of Self & Space
- Communication & Language
- Dress & Appearance
- Food & Eating Habits
- Time & Time Consciousness
- Relationships
- Values & Norms
- Beliefs & Attitudes
- Mental Processes & Learning
- Work Habits & Practices

Practicing Cultural Humility

Ask questions in a humble, safe manner

Seek Self-Awareness

Suspend Judgment

Express Kindness & Compassion

Support a Safe & Welcoming Environment

Start Where the Individual is at

Food
Music Language
Visual Arts Festivals
Performing Arts Literature
Holiday Customs Flags Games Dress

Nature of Friendship Values
Notions of Beauty Religious Beliefs Body Language
Norms Etiquette Rules Gender Roles
Learning Styles Expectations Leadership Styles
Attitudes towards Social Status Notions of 'Self'
Perceptions Attitudes towards Age
Notions of Modesty Thought Processes
Views on Raising Children
Importance of Space Concept of Fairness
Approaches to Problem Solving
Notions of Cleanliness
Importance of Time
Assumptions

AB 458 FACT SHEET

THE CALIFORNIA FOSTER CARE NON-DISCRIMINATION ACT



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NATIONAL CENTER FOR LESBIAN RIGHTS

AB 458 FACT SHEET

THE CALIFORNIA FOSTER CARE NON-DISCRIMINATION ACT

AB 458, the Foster Care Non-Discrimination Act, was signed into law on September 6, 2003 and went into effect on January 1, 2004. AB 458 prohibits discrimination in the California foster care system on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status. Because training is crucial to enable service providers to fulfill their responsibilities to provide safe and nondiscriminatory care, placement, and services to foster children, AB 458 also mandates initial and ongoing training for all group home administrators, foster parents, and department licensing personnel.

This law is the first of its kind in the United States to explicitly include protections for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth and adults involved with the foster care system.

SPECIFICALLY, THE LAW PROVIDES:

- All foster children¹ and all adults engaged in the provision of care and services to foster children² have a right to fair and equal access to all available services, placement, care, treatment and benefits.
- All foster children³ and all adults engaged in the provision of care and services to foster children⁴ have a right not to be subjected to discrimination or harassment on the basis of actual or perceived sexual orientation or gender identity.
- Adds these rights and protections to the California Foster Child List of Rights.
- All group home administrators,⁵ foster parents,⁶ and department licensing personnel⁷ must receive initial and ongoing training on the right of a foster child to have fair and equal access to all available services and to not be subjected to harassment or discrimination based on their actual or perceived sexual orientation or gender identity.
- All community college districts that provide orientation and training to relative caregivers must make available to relative and extended family caregivers orientation and training courses that cover the right of a foster child to have fair and equal access to all available services, placement, care, treatment, and benefits and the right of foster youth not to be subjected to discrimination or harassment on the basis of actual or perceived sexual orientation or gender identity.⁸

AB 458 FACT SHEET

FOSTER CARE NON-DISCRIMINATION ACT

ENDNOTES

¹ Cal. Welfare & Inst. Code § 16001.9(a)(22).

² Cal. Welfare & Inst. Code § 16013(a).

³ Cal. Welfare & Inst. Code § 16001.9(a)(22).

⁴ Cal. Welfare & Inst. Code § 16013(a).

⁵ Cal. Health & Safety Code § 1522.41(c)(1)(H). Failure to comply with this section shall constitute cause for revocation of the license of the facility. Cal. Health & Safety Code § 1522.41(b)(3)

⁶ Cal. Health & Safety Code § 1529.2(b)(3)(F); § 1529.2(b)(4)(F).

⁷ Cal. Health & Safety Code § 1563(c)(5).

⁸ Cal. Welfare & Inst. Code § 16003(a)(1).

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This fact sheet is intended to provide general information regarding legal rights. Because laws and legal procedures are subject to frequent change and differing interpretations, the National Center for Lesbian Rights cannot ensure the information in this fact sheet is current, nor can NCLR be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency.



NCLRIGHTS.ORG

THE NATIONAL CENTER FOR LESBIAN RIGHTS—

YOUTH PROJECT has been advocating for LGBTQ youth in schools, foster care, juvenile justice settings, and the mental health system since 1993. The Project provides direct, free legal information to youth, legal advocates, and activists through a toll-free line; advocates for policies that protect and support LGBTQ youth in these different arenas; and litigates cases that are creating new legal protections for youth in schools, foster care, juvenile justice, and other settings.

FOR MORE INFORMATION, CONTACT:

Jody Marksamer, Staff Attorney

415.392.6257 x308

jmarksamer@nclrights.org

Toll-free Legal Helpline: 1.800.528.6257

National Center for Lesbian Rights

870 Market Street, Suite 370

San Francisco, CA 94102

info@nclrights.org



The Foster Youth Bill of Rights

WIC 16001.9. (a) All children placed in foster care, either voluntarily or after being adjudged a ward or dependent of the juvenile court pursuant to Section 300, 601, or 602, shall have the rights specified in this section. These rights also apply to nonminor dependents in foster care, except when they conflict with nonminor dependents' retention of all their legal decisionmaking authority as an adult. The rights are as follows:

- (1) To live in a safe, healthy, and comfortable home where they are treated with respect. If the child is an Indian child, to live in a home that upholds the prevailing social and cultural standards of the child's Indian community, including, but not limited to, family, social, and political ties.
- (2) To be free from physical, sexual, emotional, or other abuse, corporal punishment, and exploitation.
- (3) To receive adequate and healthy food, adequate clothing, grooming and hygiene products, and an age-appropriate allowance. Clothing and grooming and hygiene products shall respect the child's culture, ethnicity, and gender identity and expression.
- (4) To be placed in the least restrictive setting possible, regardless of age, physical health, mental health, sexual orientation, and gender identity and expression, juvenile court record, or status as a pregnant or parenting youth, unless a court orders otherwise.
- (5) To be placed with a relative or nonrelative extended family member if an appropriate and willing individual is available.
- (6) To not be locked in any portion of their foster care placement, unless placed in a community treatment facility.
- (7) To have a placement that utilizes trauma-informed and evidence-based deescalation and intervention techniques, to have law enforcement intervention requested only when there is an imminent threat to the life or safety of a child or another person or as a last resort after other diversion and deescalation techniques have been utilized, and to not have law enforcement intervention used as a threat or in retaliation against the child.



- (8) To not be detained in a juvenile detention facility based on their status as a dependent of the juvenile court or the child welfare services department's inability to provide a foster care placement. If they are detained, to have all the rights afforded under the United States Constitution, the California Constitution, and all applicable state and federal laws.
- (9) To have storage space for private use.
- (10) To be free from unreasonable searches of personal belongings.
- (11) To be provided the names and contact information for social workers, probation officers, attorneys, service providers, foster youth advocates and supporters, Court Appointed Special Advocates (CASAs), and education rights holder if other than the parent or parents, and when applicable, representatives designated by the child's Indian tribe to participate in the juvenile court proceeding, and to communicate with these individuals privately.
- (12) To visit and contact siblings, family members, and relatives privately, unless prohibited by court order, and to ask the court for visitation with the child's siblings.
- (13) To make, send, and receive confidential telephone calls and other electronic communications, and to send and receive unopened mail, unless prohibited by court order.
- (14) To have social contacts with people outside of the foster care system, including, but not limited to, teachers, coaches, religious or spiritual community members, mentors, and friends. If the child is an Indian child, to have the right to have contact with tribal members and members of their Indian community consistent with the prevailing social and cultural conditions and way of life of the Indian child's tribe.
- (15) To attend religious services, activities, and ceremonies of the child's choice, including, but not limited to, engaging in traditional Native American religious practices.
- (16) To participate in extracurricular, cultural, racial, ethnic, personal enrichment, and social activities, including, but not limited to, access to computer technology and the internet, consistent with the child's age, maturity, developmental level, sexual orientation, and gender identity and expression.



(17) To have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity and expression, mental or physical disability, or HIV status.

(18) To have caregivers, child welfare and probation personnel, and legal counsel who have received instruction on cultural competency and sensitivity relating to sexual orientation, gender identity and expression, and best practices for providing adequate care to lesbian, gay, bisexual, and transgender children in out-of-home care.

(19) To be placed in out-of-home care according to their gender identity, regardless of the gender or sex listed in their court, child welfare, medical, or vital records, to be referred to by the child's preferred name and gender pronoun, and to maintain privacy regarding sexual orientation and gender identity and expression, unless the child permits the information to be disclosed, or disclosure is required to protect their health and safety, or disclosure is compelled by law or a court order.

(20) To have child welfare and probation personnel and legal counsel who have received instruction on the federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.) and on cultural competency and sensitivity relating to, and best practices for, providing adequate care to Indian children in out-of-home care.

(21) To have recognition of the child's political affiliation with an Indian tribe or Alaskan village, including a determination of the child's membership or citizenship in an Indian tribe or Alaskan village; to receive assistance in becoming a member of an Indian tribe or Alaskan village in which the child is eligible for membership or citizenship; to receive all benefits and privileges that flow from membership or citizenship in an Indian tribe or Alaskan village; and to be free from discrimination based on the child's political affiliation with an Indian tribe or Alaskan village.

(22) (A) To access and receive medical, dental, vision, mental health, and substance use disorder services, and reproductive and sexual health care, with reasonable promptness that meets the needs of the child, to have diagnoses and services explained in an understandable manner, and to participate in decisions regarding health care treatment and services. This right includes covered gender affirming health care and gender affirming mental health care, and is subject to existing laws governing consent to health care for minors and nonminors and does not limit, add, or otherwise affect applicable laws governing consent to health care.



(B) To view and receive a copy of their medical records to the extent they have the right to consent to the treatment provided in the medical record and at no cost to the child until they are 26 years of age.

(23) Except in an emergency, to be free of the administration of medication or chemical substances, and to be free of all psychotropic medications unless prescribed by a physician, and in the case of children, authorized by a judge, without consequences or retaliation. The child has the right to consult with and be represented by counsel in opposing a request for the administration of psychotropic medication and to provide input to the court about the request to authorize medication. The child also has the right to report to the court the positive and adverse effects of the medication and to request that the court reconsider, revoke, or modify the authorization at any time.

(24) (A) To have access to age-appropriate, medically accurate information about reproductive health care, the prevention of unplanned pregnancy, and the prevention and treatment of sexually transmitted infections.

(B) At any age, to consent to or decline services regarding contraception, pregnancy care, and perinatal care, including, but not limited to, abortion services and health care services for sexual assault without the knowledge or consent of any adult.

(C) At 12 years of age or older, to consent to or decline health care services to prevent, test for, or treat sexually transmitted diseases, including HIV, and mental health services, without the consent or knowledge of any adult.

(25) At 12 years of age or older, to choose, whenever feasible and in accordance with applicable law, their own health care provider for medical, dental, vision, mental health, substance use disorder services, and sexual and reproductive health care, if payment for the service is authorized under applicable federal Medicaid law or other approved insurance, and to communicate with that health care provider regarding any treatment concerns or needs and to request a second opinion before being required to undergo invasive medical, dental, or psychiatric treatment.

(26) To confidentiality of medical and mental health records, including, but not limited to, HIV status, substance use disorder history and treatment, and sexual and reproductive health care, consistent with existing law.



(27) To attend school, to remain in the child's school of origin, to immediate enrollment upon a change of school, to partial credits for any coursework completed, and to priority enrollment in preschool, afterschool programs, a California State University, and each community college district, and to receive all other necessary educational supports and benefits, as described in the Education Code.

(28) To have access to existing information regarding the educational options available, including, but not limited to, the coursework necessary for career, technical, and postsecondary educational programs, and information regarding financial aid for postsecondary education, and specialized programs for current and former foster children available at the University of California, the California State University, and the California Community Colleges.

(29) To attend Independent Living Program classes and activities, if the child meets the age requirements, and to not be prevented by caregivers from attending as a consequence or punishment.

(30) To maintain a bank account and manage personal income, consistent with the child's age and developmental level, unless prohibited by the case plan.

(31) To work and develop job skills at an age-appropriate level, consistent with state law.

(32) For children 14 to 17 years of age, inclusive, to receive a consumer credit report provided to the child by the social worker or probation officer on an annual basis from each of the three major credit reporting agencies, and to receive assistance with interpreting and resolving any inaccuracies.

(33) To be represented by an attorney in juvenile court; to have an attorney appointed to advise the court of the child's wishes, to advocate for the child's protection, safety, and well-being, and to investigate and report to the court on legal interests beyond the scope of the juvenile proceeding; to speak to the attorney confidentially; and to request a hearing if the child feels their appointed counsel is not acting in their best interest or adequately representing their legal interests.



(34) To receive a notice of court hearings, to attend court hearings, to speak to the judge, to view and receive a copy of the court file, subject to existing federal and state confidentiality laws, and to object to or request the presence of interested persons during court hearings. If the child is an Indian child, to have a representative designated by the child's Indian tribe be in attendance during hearings.

(35) To the confidentiality of all juvenile court records consistent with existing law.

(36) To view and receive a copy of their child welfare records, juvenile court records, and educational records at no cost to the child until the child is 26 years of age, subject to existing federal and state confidentiality laws.

(37) To be involved in the development of their own case plan, including placement decisions, and plan for permanency. This involvement includes, but is not limited to, the development of case plan elements related to placement and gender affirming health care, with consideration of the child's gender identity. If the child is an Indian child, the case plan shall include protecting the essential tribal relations and best interests of the Indian child by assisting the child in establishing, developing, and maintaining political, cultural, and social relationships with the child's Indian tribe and Indian community.

(38) To review the child's own case plan and plan for permanent placement if the child is 10 years of age or older, and to receive information about their out-of-home placement and case plan, including being told of changes to the plan.

(39) To request and participate in a child and family team meeting, as follows:

(A) Within 60 days of entering foster care, and every 6 months thereafter.

(B) If placed in a short-term residential therapeutic program, or receiving intensive home-based services or intensive case coordination, or receiving therapeutic foster care services, to have a child and family team meeting at least every 90 days.

(C) To request additional child and family team meetings to address concerns, including, but not limited to, placement disruption, change in service needs, addressing barriers to sibling or family visits, and addressing difficulties in coordinating services.

(D) To have both informal and formal support people participate, consistent with state law.



(40) To be informed of these rights in an age and developmentally appropriate manner by the social worker or probation officer and to be provided a copy of the rights in this section at the time of placement, any placement change, and at least once every six months or at the time of a regularly scheduled contact with the social worker or probation officer.

(41) To be provided with contact information for the Community Care Licensing Division of the State Department of Social Services, the tribal authority approving a tribally approved home, and the State Foster Care Ombudsman, at the time of each placement, and to contact any or all of these offices immediately upon request regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints.

(b) The rights described in this section are broad expressions of the rights of children in foster care and are not exhaustive of all rights set forth in the United States Constitution and the California Constitution, federal and California statutes, and case law.

(c) This section does not require, and shall not be interpreted to require, a foster care provider to take any action that would impair the health and safety of children in out-of-home placement.

(d) The State Department of Social Services and each county welfare department are encouraged to work with the Student Aid Commission, the University of California, the California State University, and the California Community Colleges to receive information pursuant to paragraph (28) of subdivision (a).

(Repealed and added by Stats. 2019, Ch. 416, Sec. 3. (AB 175) Effective January 1, 2020.)



CALIFORNIA
FOSTER CARE
OMBUDSPERSON
YOU HAVE RIGHTS!

Contact the Office of the Foster Care Ombudsman if you have concerns about a foster youth and their care, placement, services, and rights.

Call Our Toll-free Hotline
1-877-846-1602

Email Us
fosteryouthhelp@dss.ca.gov

Write to Us
Office of the Foster Care Ombudsman
744 P Street, MS 8-13-25
Sacramento, CA 95814

Visit Our Website
www.fosteryouthhelp.ca.gov



BE PREPARED FOR QUESTIONS AND PUT-DOWNS ON GENDER

Practicing answering questions related to gender or interrupting hurtful teasing based on gender will help you respond more easily when the situation arises. As educators, take the time to practice simple phrases. As teachers, work with your students so that they also have simple responses to gender exclusion or put-downs.

“Why does Martin like pink?”

- There doesn't have to be boy colors or girl colors. Colors are colors. All people like different colors.
- Do you think it's wrong for boys to wear pink? Why's that?
- Why do you like blue, or green, (or whatever color that child likes)? Why don't you like pink?
- Did you know that pink used to be considered a boys color and blue was the girl's color?

“Why is her hair so short? She looks like a boy.”

- Girls and women can have hair in many different styles and so can boys or men.
- Hair is hair. That is how she likes it.
- Why does it matter if a girl's hair is short or a boy's hair is long?

“Juan plays with dolls. That's weird.”

- It's true that some boys don't like to play with dolls but some boys do! Just like some of you like to draw and some of you don't. Some of you like to play kickball and others don't. No one should have to pick and choose what they do just because they are a boy or a girl.
- The dolls are for all children in this classroom.
- Sometimes this is confusing. We get messages about some things being for boys and some things being for girls. They are just for kids!

You overhear a student say to another student who identifies as a girl, “You look like a boy.”

- Why do you say that?
- There is no one way for girls or boys to act or look.
- Girls and women can have short hair. That's just how she likes it.
- Those are the kinds of clothes that she likes to wear. Why do you like to wear what you're wearing?

“But he's a boy, why does he dress like a girl?”

- There are lots of different ways that boys can dress and lots of different ways that girls can dress.
- Some boys like to wear pink or to have long hair. All of these things are OK in our school.
- There are many ways of being a boy (girl), and all are okay ways of being a boy (girl).
- Those are the kinds of clothes that he likes to wear? Why do you like to wear what you're wearing?

“Dominic is always hanging out with girls. Why?”

- I encourage all children to play together.
- Dominic hangs out with friends who he likes to spend time with, just like you do with your friends.
- Some boys like the activities that more of the girls are doing and therefore like to play with girls.

You overhear a student call another student who identifies as a boy, a “girl” in an insulting way.

- That’s not OK at our school to call someone a “girl” to insult them or make them feel bad.
- Student: “But he is always playing with the girls and with girl toys!”
 - At this school all children can play and do things together. He’s a boy who likes to play with girls and that’s OK. All kinds of toys and games are for all children.

“Why does she always play with the boys?”

- Those are the activities that she likes to do just as there are different activities that you like to do.
- There are many different ways of being a girl (boy), and that’s great!

You overhear a student say, “Boys are better at math than girls.”

- Some boys are good at math and some are not, and some girls are good at math and some are not. All kids have different things that they are good at.

Sample language when a biological boy socially transitions to a girl.

- Although Angela was called a boy when she was born, she has always felt like a girl inside. She wants everyone to call her Angela now and she wants to be able to wear the types of clothes that she likes the most and do the activities that she enjoys.
- Sandy has always felt like a girl deep down inside. That is the way Sandy likes to dress now.

Simple phrases students could say to each other.

- “There’s no such thing as boys’(girls’) clothes (haircuts, toys, colors.)”
- “You can’t say, ‘Girls (boys) can’t play.’”
- If someone says, “Boys are better at sports.”
A student could say, “No group is best. Some are good. Some are not.”
- If someone says, “Girls are better at art.”
A student could say, “No group is best. Some are good. Some are not.”

Ideas for talking with a student’s parents or guardians.

- Educator: There was an incident at school today in which your child called a boy, a “girl” to intentionally hurt him. At our school we are working on not using gender in a negative way to limit our students. It is important to us that all of our students are physically and emotionally safe to learn here everyday.
- Parent/Guardian: “But my son told me that Bobby wears girls’ clothing, paints his nails, and mostly plays with the girls.”
- Educator: Some boys prefer typical boy activities, some do not. We affirm all of the interests of our students and work hard to not limit children based upon gender. It’s important for children to learn not to tease someone in a hurtful way because of how they dress or who they play with.

When you overhear a colleague make a gender stereotypical remark about a student

- Remark: “Andre’s parents should really try to get him to do some more sports with boys like baseball.”

Sample responses:

- Why do you say that? And then engage in conversation.
- Andre’s parents are trying to do what is best for him. He has always loved gymnastics.

Ideas based on: The Gender Inclusive School by Gender Spectrum, Graciela Sleseransky-Poe, “Not True! Gender Doesn’t Limit You” by Lindsay Lamb, et al. Teaching Tolerance, and Johanna Eager



WHAT DOES GAY MEAN?

There is not one right answer.

Many adults have grown up without hearing the words “gay” or “lesbian.” Therefore, you may not be sure how to respond when a student asks you what they mean. It is better to try to answer than to respond with silence or evade the question.

Practice different responses with colleagues, just as you practice other things that you want to learn. Figure out what you feel comfortable saying.

Responses will vary by age and developmental stage of the student. Your comfort in answering these questions will set a welcoming tone in your classroom and school community.

Keep it simple.

An answer can be as simple as: “‘Gay’ means when a man loves a man or a woman loves a woman.” Try to answer the question honestly without overloading a student with information. Throughout elementary school a student’s ability to understand what “gay” means and what your explanation means may increase with development.

Focus on love and relationships.

A discussion with elementary-age students about the meanings of “gay” or “lesbian” is a discussion about love and relationships. You can just clarify that people love each other in different ways. Some women love and want to be partners with a man and some women love and want to be partners with a woman. It can be helpful to give concrete examples, such as “Tanya and Angela love each other, and they want to be family to each other.”



Understand what the student is asking.

If a second-grader says to you, “Alexia said that Ricardo is gay. What does ‘gay’ mean?” You could begin with, “Do you know why Alexia said that?” Or a student could say, “I heard that Omar’s dad is gay. What does that mean?” Listening first gives you a good idea of what your student wants to know and needs to know. Will your answer be about name-calling, defining what it means to be gay, different kinds of families or some combination of answers?

Think about what messages you want to share.

- All people deserve respect.
- Making fun of people by calling them “gay” (or “sissy,” “queer,” etc.) is hurtful. It can hurt both the student who is targeted and anyone who hears it who may have a gay relative or friend.
- Using the name of any group of people as an insult is not OK, because it is most often based on negative stereotypes.
- People can fall in love and want to be in a relationship with people of the same gender or with people of a different gender.

Sample responses to “What does gay mean?”

- The word gay describes a man and a man or a woman and a woman, who love each other.
- It describes a boy who wants to have a boyfriend or a girl who wants to have a girlfriend.
- “Gay” can refer to either men or women but it is sometimes used just to refer to gay men. Women who are gay can also be called “lesbians.”

Quick Guide To LGBTQQIAAP2S

Terminology & Definitions

Ally:

A member of the majority or dominant group who works to end oppression by supporting or advocating for the oppressed population

Androgynous:

Possessing characteristics of both male and female; not necessarily masculine or feminine

Coming Out:

A figure of speech for lesbian, gay, bisexual and transgender (LGBT) people's disclosure of their sexual orientation and/or gender identity. Commonly known as coming out of the closet.

Drag:

Associating a stereotypical view of males wearing feminine clothing or likewise a female wearing male clothing

Dyke:

Derogatory reference to a lesbian often used to label masculine appearing women

Fag/Faggot:

Derogatory way of referring to gay persons, usually in reference to gay males

Gay:

Men who are sexually oriented toward men

Gender Expression:

An individual's physical characteristics, behaviors and presentation that are linked to masculinity or femininity that include appearance, dress, mannerisms, speech patterns and social interactions

Gender Identity:

How an individual identifies in terms of gender regardless of the biological identification of sex assigned at birth

Gender Non-Conforming or Gender Variant:

A term used to reference individuals who do not follow the norms and stereotypes about how they should look or act based on the female or male sex they were assigned at birth

Genderqueer:

Individuals who are both transgender and queer and view gender identity and sexual orientation as interconnected and overlapping

Heterosexism:

A system of attitudes, biases and/or discriminatory beliefs that favor opposite sex sexuality and relationships

Intersexual

A general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not seem to fit the typical definitions of female or male.

Lesbian:

Woman who are sexually oriented to women

Pansexual

The sexual, romantic or emotional attraction towards people regardless of their sex or gender identity.

Queer:

A term used to describe sexual orientation, gender identity or gender expression that does not conform to dominant societal norms; an umbrella term for sexual and gender minorities that are not heterosexual, heteronormative or gender binary

Questioning:

An individual who is not able to define or is actively exploring their sexual orientation and/or gender identity

SOGIE

Sexual Orientation, Gender Identity and Expression (**SOGIE**). SEXUAL ORIENTATION. Describes to whom a person is sexually attracted.

Transgender:

An individual's gender identity that is not aligned with their gender assigned at time of birth

Two-Spirit

Two-Spirit is a , pan-Indian, umbrella term used by some indigenous North Americans to describe certain people in their communities who fulfill a traditional third-gender (or other gender-variant) ceremonial role in their cultures.