OLR Bill Analysis
sHB 6403 (as amended by House “A”)*

AN ACT CONCERNING A CHILDREN IN CARE BILL OF RIGHTS AND EXPECTATIONS AND THE SIBLING BILL OF RIGHTS.

SUMMARY

This bill establishes a bill of rights and expectations for children placed by the Department of Children and Families (DCF) in out-of-home care pursuant to a temporary custody or commitment order. It ensures certain rights for such children, absent extraordinary circumstances related to the child’s health or safety or unless otherwise indicated in his or her case plan. It requires each such child’s caseworker, if the child is of an appropriate age, to meet with the child in private and provide and explain these rights annually and at any time the child is placed in a new out-of-home placement. (The bill does not specify what constitutes “appropriate age” for these purposes.)

The bill also requires the caseworker, when applicable and appropriate, to provide and explain the Sibling Bill of Rights annually and at any time the child is placed in a new out-of-home placement, beginning January 1, 2020. Caseworkers must certify their compliance with the bill’s requirements.

The DCF Sibling Bill of Rights was developed by DCF’s Youth Advisory Board and lists ways to protect the relationships of siblings separated as a result of DCF intervention. This bill of rights, which is incorporated in DCF policy, gives siblings certain rights, absent extraordinary circumstances or certain exclusions in law. It includes the right to (1) placement with siblings, (2) consistent and regular contact with siblings, and (3) notification of a sibling’s change of placement.

*House Amendment “A” specifies the contents of the required
caseworker certification form and extends the certification requirement to the Sibling Bill of Rights. It also specifies that the caseworker must provide the child with the Sibling Bill of Rights only if applicable and appropriate.

EFFECTIVE DATE: July 1, 2019

CHILDREN IN CARE BILL OF RIGHTS AND EXPECTATIONS

The Children in Care Bill of Rights and Expectations that the bill establishes gives children placed by DCF in out-of-home care certain rights and assigns certain responsibilities to their guardians. These provisions apply unless (1) there are extraordinary circumstances related to the child’s health or safety or (2) the child’s care plan indicates otherwise.

Children’s Rights

The bill of rights gives these children the right to:

1. develop and maintain their own values, hopes, goals, religion, spirituality, and identity, including racial, sexual, and gender identity, in a safe and caring environment;

2. visitation or ongoing contact with their parents, siblings, extended family and friends, and assistance in connecting or reconnecting with their birth family, if desired;

3. placement in a safe environment in their home community, and preplacement visits to such placement when possible;

4. meaningful participation in the development of their case and permanency plans, including the ability to select individuals to participate in meetings about those plans;

5. meaningful and regular in-person contact with their caseworker, who must respond to their phone calls and correspondence in a timely manner; and

6. stability and support in all aspects of their education.
Guardian Responsibilities

The bill of rights requires guardians of these children to:

1. emphasize trust, understanding, empathy, and communication to maintain a healthy relationship with the child;

2. set appropriate boundaries with respect to curfews, homework, and household responsibilities to provide a stable living environment;

3. assist the child in building life skills, including grocery shopping, cooking meals, personal financial management, and washing laundry;

4. assist the child in obtaining legal documents and licenses, including a birth certificate, Social Security card, state identification card, and driver’s license;

5. assist the child in participating in extracurricular and enrichment activities and obtaining networking and employment skills;

6. apply the same age-appropriate household rules and provide the same opportunities to all children residing in the home, including participation in family activities and vacations;

7. participate in therapy sessions with the child upon request or when appropriate;

8. participate in additional foster parent training programs when possible; and

9. allow the child to have age-appropriate personal privacy and privacy with respect to personal items and communications, including journals, letters, emails, phone calls, and text messages.

CASEWORKER RESPONSIBILITIES

During the meetings between a child and his or her caseworker required under the bill, the caseworker must:
1. provide the child with a copy of the Children in Care Bill of Rights and Expectations and, starting January 1, 2020, the Sibling Bill of Rights, if applicable and appropriate (current law requires DCF to share the Sibling Bill of Rights with such children);

2. review the rights with the child;

3. (a) explain to the child that he or she may contact the caseworker, his or her attorney, the DCF regional or ombudsman’s office, or the Office of the Child Advocate if the child feels that his or her rights have not been met or have been violated and (b) provide the necessary contact information; and

4. explain to the child that he or she may dial or send a text message to 9-1-1 if he or she is in physical danger or experiences a medical emergency.

The caseworker must certify to the commissioner on a form she prescribes that he or she complied with the bill’s requirements. The form must include (1) an acknowledgement for the child to sign, if appropriate, that the caseworker provided him or her with copies of the rights and reviewed the rights with them and (2) notice that if the child refuses to sign the acknowledgement, the caseworker must indicate that on the form.

**COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute  
Yea 14  Nay 0  (03/07/2019)