

HOUSE BILL No. 2194

By Committee on Child Welfare and Foster Care

1-26

1 AN ACT concerning children and minors; relating to the revised Kansas
2 code for care of children; enacting the Representative Gail Finney
3 memorial foster care bill of rights; establishing certain rights for
4 children in need of care and foster parents.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) This section shall be known and may be cited as the
8 Representative Gail Finney memorial foster care bill of rights.

9 (b) Consistent with the policy of the state expressed in K.S.A. 38-
10 2201 et seq., and amendments thereto, in order to ensure proper care and
11 protection of a child in need of care in the child welfare system, unless
12 otherwise ordered by the court, such child shall have the right to:

13 (1) Live in a safe, comfortable placement, in accordance with K.S.A.
14 38-2255, and amendments thereto:

15 (A) Where such child lives in the least restrictive environment;

16 (B) where such child shall be treated with respect, have a place to
17 store belongings and receive healthy food, adequate clothing and
18 appropriate personal hygiene products;

19 (C) with siblings when possible; and

20 (D) upon proper investigation and consideration in accordance with
21 K.S.A. 38-2242, and amendments thereto, with a relative, kinship care
22 placement or someone from such child's community with similar religious
23 beliefs or ethnic heritage;

24 (2) have visits with family;

25 (3) have as few placements as possible;

26 (4) have and maintain belongings by:

27 (A) Making a list of belongings to have when placed out of home;

28 (B) providing such list of belongings to such child's case manager;

29 (C) bringing such belongings when placed out of home; and

30 (D) if going on a visit or to a new placement, having belongings
31 packed and transportable for the visit or move;

32 (5) have access to all appropriate school supplies, services, tutoring,
33 extra-curricular, cultural and personal enrichment activities;

34 (6) attend school daily in accordance with K.S.A. 38-2218, and
35 amendments thereto;

36 (7) receive a high school diploma if such child has earned the

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Prepared by: The Office of Revisor of Statutes

1 team caring for a child in the custody of the secretary;
2 (2) not be discriminated ~~against on the basis of religion, race, color,~~
3 ~~creed, gender, marital status, national origin, age or physical handicap~~ in
4 accordance with K.S.A. 44-1001, et seq., and amendments thereto, and
5 federal law;

the Kansas act against discrimination,

6 (3) continue with such foster parents' own family values and beliefs
7 with consideration given to the special needs of children who have
8 experienced trauma and separation from their biological families, if the
9 values and beliefs of the child and the biological family are respected and
10 not infringed upon;

11 (4) make decisions concerning the child consistent with the policies,
12 procedures and other directions of the Kansas department for children and
13 families and within the limits of state and federal law;

14 (5) receive standardized preservice training by the Kansas department
15 for children and families or the department's designee and at appropriate
16 intervals to meet mutually assessed needs of the child and such foster
17 parents;

18 (6) receive timely financial reimbursement and be notified of any
19 costs or expenses for which such foster parents may be eligible for
20 reimbursement in accordance with K.S.A. 38-2216, and amendments
21 thereto;

22 (7) receive information regarding services and contact the Kansas
23 department for children and families or the department's designee during
24 regular business hours and, in the event of an emergency, by telephone
25 after business hours;

26 (8) receive any information on issues concerning the child and known
27 to the Kansas department for children and families or the department's
28 designee that is relevant to the care of the child or that may jeopardize the
29 health and safety of the foster family or the child or alter the manner in
30 which care and services should be administered prior to the placement of
31 such child;

32 (9) discuss known information regarding the child prior to placement
33 and be provided additional information from the Kansas department for
34 children and families as such information becomes available under state
35 and federal law;

36 (10) refuse placement of a child in such foster parents' home or
37 request the removal of a child from such foster parents' home after
38 providing reasonable notice;

39 (11) receive any available information through the Kansas department
40 for children and families regarding the number of times a child has been
41 placed and the reasons for such placements, and receive the names and
42 phone numbers of any previous placements if such placements have
43 authorized such a release by law;