

Youth in Foster Care

Rights, Laws, and Requirements



If you are in foster care, you have rights.

2026

Youth in Foster Care

Rights, Laws, and Requirements

You matter.
If you are in foster care, you have rights.

“ Every young person in foster care deserves to be heard, respected, and empowered to know their rights—because knowing their rights is the first step to protecting them. ”

This packet outlines those rights and the laws that protect youth under the U.S. Constitution, the Florida Constitution, and state law—depending on your age. These rights apply to all children and youth placed in out-of-home care, including with caregivers or in group homes.

When should you receive this packet?

During your first week in foster care, your case manager will go over your rights with you and give you a copy of this *Youth in Foster Care Rights and Expectations* packet. You can ask questions at any time to help you understand what is going on.

Your rights will be explained again after any placement change or at least every six months, whichever happens first. You will also get another copy of this packet and have a chance to talk about any concerns or questions you may have.

You will be given an opportunity to participate in developing your case plan. If you ever lose this packet, you may request a new one from your caseworker, call **850-717-4199 (Option 4)**, visit the [Behavioral Health Ombudsman](#) | [Florida DCF](#) to get a copy, or **scan the QR code**.



More About the Ombudsman

The Ombudsman is a Florida Department of Children and Families (DCF) employee who investigates and tries to resolve complaints.

You have the right to contact your case manager or the Ombudsman regarding violations of rights.

The Ombudsman will protect the confidentiality of your identity to the extent allowable under the law. Additionally, the Ombudsman will let you know that your identity may be revealed, if deemed necessary to make sure you are safe and resolve your concerns.

More About the Ombudsman Continued



What Can the Ombudsman Do?

- ▶ Listen and be a voice for youth and young adults.
- ▶ Take complaints about placement, care, or services from youth without youth fearing retribution for the complaints.
- ▶ Serve as a resource to identify and explain relevant policies or procedures.
- ▶ Work to solve problems and address your concerns.



What Can the Ombudsman Not Do?

- ▶ Respond to emergencies or investigate allegations of abuse or neglect.
- ▶ Investigate, challenge, or overturn court-ordered decisions or provide legal advice.



You will receive a response in 1 to 2 business days after receipt of concern.

Your Rights

The following are the rights of all children in foster care, designed to ensure your safety, well-being, and dignity while you are in care including the right to be protected, nurtured, and supported in your health, development, and dignity.

RIGHTS



Safety | You Have the Right:



- ▶ To participate in writing your safety plan, if age-appropriate, be explained the plan and what's in place to help keep you and others safe.
- ▶ To be in a placement that meets your needs, where you are not abused, neglected, or treated poorly by anyone in the home. If you are experiencing concerns for your safety, you can call the **Florida Abuse Hotline (1-800-962-2873)**.



Nurturing Care | You Have the Right:

- ▶ To not be discriminated against.
- ▶ To receive care and protection from physical and mental abuse, neglect, and abandonment.
- ▶ To live in an environment that supports your development.
- ▶ To be treated with respect.
- ▶ To practice your own religion.
- ▶ To receive healthy and nutritious food that respects your religious/cultural/dietary needs.
- ▶ To have your own belongings and a safe place to keep them.
- ▶ To participate in activities as appropriate just like everyone else.



Your Rights Continued

Health | You Have the Right:



- ▶ To receive healthcare regularly and receive age or ability appropriate explanations regarding their care.
- ▶ To be able to choose your doctors and see a doctor that accommodates your needs.
- ▶ To receive Medicaid (up to age 26).
- ▶ To be a part of your health planning and be able to express concerns or ask any questions.
- ▶ To attend therapy to understand your thoughts and feelings, request a therapist who meets your needs, and discuss mental health options with your case manager if beneficial to you.
- ▶ To have the doctor explain the medication you are being prescribed, side effects, risks and benefits of any medication.
- ▶ To be appointed an attorney if you are prescribed psychotropic medication and do not want to take it.



Participation | You Have the Right:



- ▶ To receive information about court dates and be encouraged to attend all hearings.
- ▶ To ask that court be scheduled during a time that you can attend so that it does not overlap with your school schedule or provided information to attend online as necessary.
- ▶ To be provided transportation to and from court and then back to school, if during school hours.
- ▶ To go to court and talk to the judge about decisions being made about your case. You may be asked by the judge to leave for certain parts of the hearing if it is not in your best interest to remain. If you are not present at a hearing, the judge will determine if it is important for you to be there, and, if so, you will be given the opportunity to be at the hearing.
- ▶ To be assigned a Guardian ad Litem and have the ability to contact them as needed.
- ▶ To be appointed an attorney ad litem if there are certain special circumstances in your case, or if a judge decides you need one.

Planning | You Have the Right:



Case Manager and Trained Staff

- ▶ To have regular contact with your case manager by phone and in person.
- ▶ To meet with your case manager every month.
- ▶ To receive your case manager's phone number and be able to ask for that information if you lose it.



Case Manager and Trained Staff Continued

- ▶ To call your case manager with any questions and get answers within a reasonable amount of time.
- ▶ To be told if you get a new case manager and provided their phone number and email address within a reasonable amount of time.
- ▶ To be provided support and services by trained staff.
- ▶ If reunified, to remain in contact with your case manager and Guardian ad Litem for six months past your reunification date.
- ▶ To receive continued guidance and support through programs such as the Office of Continuing Care (OCC), Extended Foster Care (EFC), Postsecondary Education Services and Support (PESS), and Aftercare, which help you successfully transition into adulthood and access the resources, services, and assistance you need.

Government Benefits

- ▶ To get help from your case manager with applying for all state and federal benefit programs that you are eligible for and need (including Medicaid, Supplemental Security Income, disability benefits, medical, and other programs). You may have a child benefit coordinator who is different from your case manager who applies on your behalf.
- ▶ To talk with your case manager about other benefits you could receive based on your parents' status.



Case Planning

- ▶ To inform and participate in creating and updating your case plan.
- ▶ To have a plan that supports your needs, interests, goals and have the plan and its services explained to you in an age and ability appropriate way.
- ▶ To have a plan that respects your race, and culture, and religion.
- ▶ To give your opinion about anything in the plan you do not like.
- ▶ To have a case plan with a description of your parents' visitation rights and obligations and a plan for sibling visitation if you are separated.
- ▶ If you age out of care at 18, to receive a copy of your birth certificate, Social Security card, health insurance information, medical and educational records, a driver's license or other state-issued identification card, and confirmation of available supports and programs such as tuition waivers, EFC, OCC, PESS, and Aftercare.
- ▶ To have a case file that is complete, accurate, and kept up to date.
- ▶ To have a case plan that documents your health, education, and visitation arrangements.

Your Rights Continued

Planning Continued | You Have the Right:



Case Planning Continued

- ▶ To have your photograph and fingerprints taken when you come into foster care and kept in your file and an explanation of why and how they will be used.
- ▶ To have your birth certificate and health insurance information kept in your file and provided to you when you need it.
- ▶ To ask for your records and have that information be kept secure through the age of 30.
- ▶ To review and receive a copy of your records for free (this also applies to your caregiver, and your attorney, if assigned one).
- ▶ At age 16, to complete the *My Pathway to Success Plan*, a written transition plan created with your team to prepare for adulthood and reviewed regularly with your case manager or independent living specialist.
- ▶ At age 17½, to request and receive case file documents.

Living Situation | You Have the Right:



Siblings

- ▶ To live in the same home with your brothers and sisters, or if it is not possible, to be able to visit with your siblings, unless the judge says you cannot, and, if so, to be told why this is not possible.
- ▶ To be able to tell your judge if visitation and contact is not happening.
- ▶ To not have sibling visits used as a reward for good behavior or withheld as a form of punishment.



Placements

- ▶ To have a home in which the caregiver knows and understands your personal history and needs.
- ▶ To receive every effort to place you with a relative or non-relative, when possible, before placing you in a foster or group home.
- ▶ If you move placements, to be notified 14 days before the scheduled move unless there is an emergency.
- ▶ To be placed away from other children who may threaten or harm you mentally or physically.

Moving

- ▶ To be able to receive information about your next placement.
- ▶ To have the services and things you need to be comfortable during the move and in your new placement.
- ▶ To receive information on why you may be moving and to speak with individuals in your current placement.
- ▶ To be able to get your belongings when you move placements within a reasonable amount of time.

Living Situation Continued | You Have the Right:



Basic Needs

- ▶ To receive personal hygiene items, school supplies, clothing, sports and extracurricular gear, and other necessities from your caregiver and not be expected to use your own money on these necessities.
- ▶ To receive age-appropriate items based on your preference/choice.
- ▶ To receive hygiene and care products that fit your specific needs.
- ▶ To receive healthy and nutritious food that respects your religious/cultural/dietary needs.
- ▶ To have your items protected and not stolen.
- ▶ To have supplies and needed items to practice your religion and culture.
- ▶ To have reasonable accommodations made for any disability you may have, ensuring access to services, supports, and daily necessities.

Permanency | You Have the Right:



Visitation

- ▶ To be able to visit your parents and siblings regularly if you have been separated from them, unless the court decided that you cannot visit with them.
- ▶ To have the court's decision about visitation explained to you.
- ▶ To not have visits used as a reward for good behavior or withheld as a form of punishment.
- ▶ To communicate with your judge if visitation and contact is not happening.
- ▶ To be able to keep talking to important individuals in your life.



Reunification Case Plan

- ▶ To have your case plan help you to be reunified (returned) to your parents, family, or caregivers as soon as it is safe to do so and as soon as the judge allows you to, if possible.
- ▶ To receive age-appropriate information about what is happening with your case plan and why it is safe or not to return home.
- ▶ To be able to express your wants if you would like to be reunified or not.

Permanent Home/Family

- ▶ To be provided every effort to find a permanent home and family if reunification is not possible.

Your Rights Continued

Education | You Have the Right:



- ▶ To receive a free K-12 education in the best available educational setting that would meet your needs, including access to special education services.
- ▶ To have access to age appropriate extracurricular, enrichment, and social activities.
- ▶ To ensure you have educational stability, including minimal school changes and a mandatory individualized educational transition plan each time you experience a school change.
- ▶ To be able to stay at your original school even during placement changes, if possible. If that can't happen, you will be provided immediate enrollment in a new school and have an educational transition plan that discusses how moving schools will impact your education, extracurricular activities, transportation, and decision making.
- ▶ To participate in a meeting when educational decisions are being made, and it is decided where you will attend school and be explained what options you have and what was considered in that decision.



Normalcy | You Have the Right:



- ▶ Normalcy focuses on supporting opportunities for social development, recreation, extracurricular, academic growth, and positive life experiences based on a child's desires and developmental, emotional, physical, and other needs. Caregivers are empowered to make decisions using a reasonable and prudent parent standard.
- ▶ Be able to participate in activities such as school field trips, attend a sleepover, sports and other age appropriate extracurricular activities just like others.
- ▶ Children shall be encouraged to participate in normal school, community, or social activities and outings. Examples include, camping trips, employment, dating and activities with friends, school, and church groups as age-appropriate for the child based upon a reasonable and prudent parent standard.

Activities

- ▶ To have the opportunity to participate in activities you want to do, such as extracurricular, enrichment, and social activities.
- ▶ To participate in activities that build life skills and prepare you to live independently as an adult.
- ▶ To be provided transportation by caregivers to these activities, if possible.



Your Rights Continued

Normalcy Continued | You Have the Right:



Money

- ▶ To have access to an allowance, when applicable, and be provided knowledge to learn the value and use of money through opportunities for spending and saving.
- ▶ To have regular conversations about your allowance that will be discussed with your caregiver and case manager to ensure you can manage your allowance and support you in doing so.
- ▶ To know if you have a master trust including what it is, how much is in it, what it is spent on, and what the process is for you to make a request to use the money on various activities, items, and other purposes.



? Who can you call about your rights?

If you are a youth or young adult in Florida's child welfare system, we want to make sure that you are in a place – physically, emotionally, and spiritually – where you can recover, grow, and feel the love that you deserve. If for any reason you are not in that place, please contact your case manager or the Ombudsman. You can also speak to your attorney or Guardian Ad Litem if you have one. You are encouraged to speak up, ask questions, and report issues if you feel your rights are not being respected.

Call **850-717-4199 (Option 4)**, visit the [Behavioral Health Ombudsman | Florida DCF](#), or **scan the QR code** for more information.



Transitional Services for Youth 13 and Older



- ▶ To have information provided and explained by your case manager about Extended Foster Care, Postsecondary Education, Services and Support and Aftercare.
- ▶ **Beginning at age 13**, to start receiving additional support and coordination to help you develop skills to help you after you turn 18.
- ▶ **Beginning at age 14**, to have your credit history evaluated and checked for accuracy annually.
- ▶ To receive support from your case manager on how to reach your educational, career, and independence goals.
- ▶ To receive information that you may qualify for a tuition exemption and that the tuition exemption is free tuition to colleges, universities, and vocational programs through age 28.
- ▶ **Beginning at age 14**, to work, if desired, if your job does not interfere with your schoolwork.



At Age 15 (if eligible)

- ▶ To participate in the *Keys to Independence Program*, which includes receiving assistance to obtain your driver's permit, license, participate in driver's education, and get car insurance.
- ▶ To get a state-issued identification card.
- ▶ Will receive and be explained information on how to enroll in other vocational programs, if desired.

At Age 16

- ▶ You can participate in making your *My Pathways to Success Plan*, a transition plan you create to help prepare you for adulthood.
- ▶ Can start formally planning your transition to adulthood and be formally assessed on the life skills you have developed.
- ▶ You can participate in financial literacy classes.
- ▶ You can open your own bank account.



At Age 17

- ▶ You will receive information on the Post-Secondary Education Services and Support, Extended Foster Care, and Aftercare programs, access to banking and budgeting skills, how to apply for public assistance (if needed), a clear understanding of where you will be living when you turn 18, a process for accessing your case file, and letter for the dates in which you were in care.
- ▶ If you age out of care at 18, to receive a copy of your birth certificate, social security card, health insurance information, copy of medical and education records, and a driver's license or other state-issued identification card.
- ▶ Information on how to apply and receive Medicaid will be provided and explained.
- ▶ Participate in *Regis Little Act Staffing* to discuss whether you need decision-making assistance after you turn 18.
- ▶ To have the process started to appoint a guardian or guardian advocate, if needed, prior to turning 18.



Additional Resources



Remember: You have the right to contact your case manager or the Ombudsman regarding violations of rights.

Florida Abuse Hotline 📞 1-800-962-2873

The Florida Abuse Hotline accepts reports 24 hours a day, seven days a week regarding known or suspected child abuse, neglect, or abandonment and reports of known or suspected abuse, neglect, or exploitation of a vulnerable adult.

If you suspect or know of a child or adult that is in immediate danger, call 911.



Office of Continuing Care

The Office of Continuing Care, part of **Hope Florida**, offers free one-on-one help for young adults who are about to or have recently transitioned out of foster care, aiming to make the leap into adulthood a positive experience.

The Office of Continuing Care can connect youth to local resources, guide young adults and former foster youth to services like **My Youth Portal**, and provide a support system to help youth transition into adulthood.

HOPEFLORIDA

Call 833.GET.HOPE
Monday - Friday
8 a.m. - 5 p.m.

For more information,
scan the QR code.



my youth portal

Independent Living

For more information,
scan the QR code.



The Florida Department of Children and Families is committed to the well-being of children and resiliency of their families. Our responsibilities encompass a wide range of services, including assistance to families working to stay safely together or be reunited, providing foster care services, and supports to youth and young adults transitioning from foster care to independence, and permanency.

The Department would like to thank Florida Youth Leadership Academy, Youth Committee, Florida Youth SHINE, Selfless Love Foundation, Guardian ad Litem Champions, and One Voice IMPACT for all their hard work to create this packet.

Glossary and Terms

Abuse is an action or failure to act that results in any physical, mental, or sexual abuse, injury or harm. A full definition is in s. 39.01(2), Florida Statutes (Fla. Stat.).

Abuse hotline is the place to contact if you or someone you know is being abused or neglected. If the call is “screened in” the information is shared with a Child Protective Investigator who will investigate the situation. The number is 800-962-2873, and the website is reportabuse.myflfamilies.com.

Aftercare is a temporary program that provides services and support, including financial support to eligible young adults ages 18-23. Fla. Stat. §409.1451(3).

Attorney or Attorney ad Litem means an attorney who represents the child with an attorney-client relationship.

Best interest is what judges use to decide which option to select when there is a disagreement about what should happen.

Exploitation is the use of a child for economic or criminal purposes. Labor exploitation - happens when a child must work long hours or in unsafe conditions and are not paid. Sexual exploitation includes being forced to participate in sexual activities. Fla. Stat. 39.01(34)(c).

Extended foster care (EFC) allows youth who are in licensed care at age 18 to remain in care until age 21 (22 with a disability). Fla. Stat. §39.6251. Extended foster care provides continued case management services, court oversight, room and board, and other services needed to ensure success as an independent adult.

Foster care means any time a child is removed from their parent/legal guardian and placed by the court to live somewhere else. That can be with a relative, family friend, foster parent, or in a group home. But note, some laws treat children who are placed with a foster parent differently than those placed with relative or friend. In those cases, the law makes a distinction between children placed into the custody of the caregiver and those placed in the custody of DCF. When that happens, the term foster means just those placed in the legal custody of DCF.

Government assistance includes:

- Agency for Persons with Disabilities (APD) Waiver services provides support services to people with developmental disabilities.
- Housing.
- Medicaid: health insurance.
- Supplemental Nutrition Assistance Program (SNAP) - previously known as food stamps.
- Social Security Death, Retirement and Disability insurance benefits are paid to children of people who worked and paid into the Social Security System.
- Supplemental Security Income (SSI) provides income to people with disabilities with low incomes.
- Temporary Assistance for Needy Families/Temporary Cash Assistance (TANF/TCA) is financial assistance for parents caring for children.
- Tuition waiver.
- Women, Infants & Children (WIC) provides food support for pregnant women and young children.

Glossary and Terms Continued

Guardian Ad Litem: A trained volunteer who speaks up for a child in court to help the judge understand what's best for the child.

Guardianship and Guardian Advocacy are legal determinations that an adult does not have the capacity to make decisions about some or all aspects of their life. The Guardian or Guardian Advocate is a person appointed to make decisions for an adult. See the Permanent Guardian term to learn how it applies to children.

Keys to Independence is a program that provides youth with assistance in getting their learner's permit, driver's license and car insurance. You can find information about Keys to Independence at keystoindependencefl.com.

Master trust is an account that holds money paid to the state on your behalf. For example, if you get a social security benefit due to your disability, the money is placed in the account. You can ask DCF to make some of the money available for you to use when there are things that you want and need.

My Pathway to Success Plan is a form that is used by a youth or young adult to detail the goals, choices, and decisions for obtaining or maintaining the services necessary to successfully transition to adulthood. Once completed, the document becomes that youth's individual transition plan.

Neglect happens when a child isn't provided with the necessary food, clothing, shelter or medical care or lives in an environment that impairs or endangers their health. A full definition is in Fla. Stat. §39.01(50).

Normalcy is the ability to participate in activities the same as your peers who are not in foster care.

Office of Continuing Care (OCC) offers free, one-on-one help for young people between the ages of 18 and 26 who are about to or have recently transitioned out of foster care, aiming to make the leap into adulthood a positive experience.

Ombudsman is a government employee who investigates and tries to resolve complaints from youth. You should call the ombudsman if you have questions about this glossary or document.

Permanent guardian is an adult chosen by the court to take care of a child long-term when the child cannot go home.

Postsecondary Education Services and Support (PESS) is a monthly stipend available to eligible young adults enrolled full time in college or a postsecondary vocational program. Fla. Stat. §409.1451(2).

Psychotropic medication means a medicine that is meant to affect your mood, mental status, or behavior, or is a medicine meant for another purpose but has the effect of altering your brain chemistry. Fla. Stat. 39.407 and Fla. Admin Code 65C-35.001 are the law and the rule that discuss providing these medications to children in foster care.



Glossary and Terms Continued

Regis Little Act Staffing is a required meeting held to discuss whether youth with disabilities might need help with decision-making as adults. It is part of a process to make sure that any legal process, like guardianship, can be started before the youth turns 18. Fla. Stat. 39.701(3)(c).

Transition Plan - There are two kinds of transition plans:

- **Placement or Education Transition Plan** happens when you change placement or school. This should be made before you are moved from one placement or school to another. That plan will talk about when you move, what will happen with your things, how the move will impact your school and other activities and how you will get to stay in touch with people after you leave. Fla. Stat. §39.4023.
- **Transition to Adulthood Plan** is part of your case plan. It is supposed to be developed by the youth or young adult. It contains the goals, choices, and decisions for obtaining or maintaining the services necessary to successfully transition to adulthood. The plan provides details on the transition services outlined in the case plan and identifies and explains roles of the supportive adult or designated staff assisting in services. This plan sets out what services you need to get the skills you need to become an adult. It will talk about what will happen after you turn 18 – where will you live, what will you do, and how will you pay your bills. You may hear this referred to as my pathways to success plan. Fla. Stat. §39.6035.



Tuition and fee exemption (also called tuition waiver) is available for eligible students, if the cost of tuition and fees at public state colleges and universities participating in the Bright Futures program or local school district career and workforce programs, up until the age 28.

“When you understand the rules, you can help shape the future. Knowing your rights isn’t just about memorizing laws—it’s about recognizing your power to speak up, ask questions, and make informed choices about your life. The more you learn, the more equipped you are to advocate for yourself and others. You are not just part of the system; you are part of the future leaders who will make it better.”

Notes

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page, typical of notebook or legal stationery. There are no margins, text, or other markings on the page.

Important Contacts

-



Youth in Foster Care: Rights, Laws, and Requirements Acknowledgement of Review

I acknowledge that I have received the Youth in Foster Care: Rights, Laws, and Requirements packet and that my case manager has reviewed this information with me.

I understand that this packet explains my rights and the laws that protect me under the United States Constitution, the Florida Constitution, and Florida state law, based on my age. I understand that these rights apply to all children and youth placed in out-of-home care, including placements with caregivers or in group homes.

I understand that during my first week in foster care, my case manager reviewed my rights with me and provided me with a copy of this packet. I understand that I may ask questions at any time if I do not understand something or need more information.

I understand that my rights will be explained again after any placement change or at least every six months, whichever happens first, and that I will receive another copy of this packet at that time. I understand that I will have an opportunity to discuss any concerns or questions I may have.

I understand that I will be given an opportunity to participate in developing my case plan.

I understand that if I ever lose this packet, I may request a new copy from my caseworker, call 850-717-4199 (Option 4), or visit the Behavioral Health Ombudsman website.

By signing below, I acknowledge that I have read and reviewed this packet with my case manager and understand my rights and responsibilities.

Youth Name (Printed): _____

Youth Signature: _____

Date: _____

Case Manager Name (Printed): _____

Case Manager Signature: _____

Date: _____