

OUR IDENTITIES | OURSELVES

Know Your Rights Guide for Young People and Families

Young people and families have much to consider when sharing personal information such as their race and ethnicity, sexual orientation, gender identity and expression (SOGIE), national origin, language spoken, disability, faith, and/or tribal affiliation with child welfare agencies. This guide is meant to affirm young people, and families in their intersecting identities and promote self-advocacy when interacting with child welfare agencies. It has been co-created with youth, caregivers, and parents with lived experience in the child welfare system.



1 You have a right to self-identify. Often, young people and families are never asked about how they self-identify. When working with a caseworker, you have a right to disclose your specific background, including race, ethnicity, and other identity markers, if you so choose. Workers and others should not make assumptions about your identities. You have the right to know what information is being submitted to the agency's database and update it as it changes.



2 You do not have to disclose your race or ethnicity. Race and ethnicity can be sensitive subjects, especially if you are unfamiliar with your ancestry. Only share what you feel comfortable sharing, and let the caseworker know if you would like to keep something private. If you are interested in learning more about your ancestry, you can ask your caseworker for help in connecting you with resources to do so.



3 You have a right to change how you identify. Identities can and do change, particularly as you might engage more with different aspects of your identity at different times in your life. How you identify can change, and that change should be reflected in your case, so your team understands who you are. There is no time limit to when and how you can change your identity.



4 You deserve respect. All of your identities should be respected and affirmed by the caseworker and team. Identities can be complex and can change over time. You should not feel limited by your identity, but rather empowered by all parts of who you are.

"It's important...to distinguish [between] what you put down as race and ethnic background, [and what I] identify with, because I'm made up of six different things, but I really only resonate with two of them. But it's not to say I'm closed off to having my child while in care learn about the other cultures."

- Birth Parent

"While I was in the system, I'm White, so it's not something that was ever on my mind. And now that I've come back to the system, but on the other side and I work with other bio parents, those conversations are difficult but important. Culture needs to be carried through... [If] our children are going to stay in out-of-home care for any extended period of time, I want to know that my daughter is remaining connected to her culture."

-Birth parent

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5 **You have a right to culturally responsive services.** When you sit down with a caseworker, you can request services and resources that reflect your background and meet your specific needs. If your needs are not being met, you have a right to advocate to the judge that your case worker is not meeting your needs.



6 **You have the right to an interpreter.** You can request an interpreter to translate any conversations into your primary language. You should have access to programs and services in your language, including the right to speak in your native tongue, even when supervised.



7 **You can talk about anything that matters to you, and have the right to disclose whatever you find most important.** Are there particular foods, music, or television shows that you enjoy? What languages do you speak or want to maintain? Discuss these topics with a caseworker to maintain the elements of your identities that affirm who you are.



8 **You have a right to ask questions.** It is okay to ask the caseworker why they are asking you for certain information, especially if you don't know how to respond or don't feel comfortable answering. It is also okay to ask caseworkers if they can help you overcome barriers you are facing as a young person or family member of someone in the child welfare system.

9 **You have a right to decide who knows what information about you.** When disclosing personal identities to your social worker, you have the right to ask for certain identities to remain confidential and not be shared with others, like other providers, the court, or even your family members.

"The best conversations and questions I had about my cultural identity were with my peers and foster siblings, who were also going through trauma and we only got that validation through each other, but I found it extraordinarily helpful. I don't know if you can really understand somebody until you understand their cultural, ethnic background and you're able to feel safe enough to share the different intersections where you guys have the exact same experience."

- Young person with lived experience in foster care

Young adults and families may have questions or concerns when speaking with child welfare agency staff about how they identify. Below are some Frequently Asked Questions (FAQs) about data collection within the child welfare system that can provide some insight into the process of reporting and using data about identity.



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FREQUENTLY ASKED QUESTIONS

1 *Why is information collected on my race and ethnicity?*

Systems collect data on race and ethnicity in order to make decisions about policies, practices, programs and services. You have the right to ask what the data will be used for and ensure that you are represented accurately. This data is usually de-identified, meaning that, when shared, it is not tied with your name or case details.

2 *What are some ways data can be used?*

Data can be shared internally (i.e., with staff) or externally (i.e., with the public or partners). The information that is collected can also be used to inform practice, training, and program decisions within child welfare jurisdictions. Data can also be used to assess when certain outcomes occur to certain populations within the child welfare system at a higher or lower rate than those outcomes occur to the same population in the general public. This is called “disproportionality.” Data is also used to assess “disparities,” which are when people of certain racial or ethnic backgrounds, or other identities, experience outcomes at inequitable levels from other racial or ethnic backgrounds, at various decision-making points.

3 *How can this be helpful to you?*

Once agencies know who they are serving, they should be able to provide services and programs in a culturally-specific way. Also, if disparities or disproportionalities are identified (for example, a certain population group is experiencing a particular outcome, like placement instability, at a higher rate than their percentage of the foster care population, or their percentage of the population in the state, or at a different rate between racial groups), then child welfare agencies have an obligation to seek the root cause and try to rectify it.