



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jill Bourne

**SUBJECT: REVISED BILL OF RIGHTS FOR
THE CHILDREN AND YOUTH OF
THE CITY OF SAN JOSE UPDATE**

DATE: June 13, 2023

Approved

Date

6/15/23

RECOMMENDATION

As recommended by the Neighborhood Services and Education Committee on June 8, 2023:

- (a) Accept the report on the revised Bill of Rights for the Children and Youth of the City of San José.
- (b) Adopt a resolution revising the Bill of Rights for Children and Young Adults, superseding Resolution No. 79978.

SUMMARY AND OUTCOME

Adopt the revised Bill of Rights for Children and Young Adults for Santa Clara County as recommended by the San José Youth Commission (Youth Commission). With the adoption of the revised Bill of Rights, it will replace, and sunset, the current Bill of Rights for Children and Youth of the City of San José. The revised Bill of Rights for Children and Young Adults will inform and shape the Youth Commission work plan and the City of San José Children and Youth Services (Master Plan).

BACKGROUND

On May 18, 2010, the City Council adopted Resolution 75374, the original Bill of Rights for Children and Youth (Bill of Rights).¹ This original version of the City's Bill of Rights was authored based upon an older version of the Santa Clara County Bill of Rights which was created without the participation and voice of children and young adults.

On April 27, 2021, the City Council adopted updates to the Bill of Rights for Children and Youth for the City of San José as recommended by the San José Youth Commission, Resolution No. 79978.² In the 2021 revision, the Youth Commission, presented updates to the Bill of Rights to be more relevant to the current needs and dreams of children and youth.³ Included in that action,

¹ <https://records.sanjoseca.gov/Resolutions/RES75374.PDF>

² <https://sanjose.legistar.com/View.ashx?M=F&ID=9312318&GUID=2F3DB531-0B48-41E9-84B1-6669DCA4805C>

the City Council directed the City Auditor's Office to conduct an audit across City departments to determine adherence and implementation of the Bill of Rights.

In August 2022, the City Auditor's Office presented its finding and recommendations in the "Bill of Rights for Children and Youth: Incorporating the Bill of Rights into Planning Can Enhance Service" Audit Report.⁴

Concurrent to the City's efforts to strengthen and implement the 2021 City Bill of Rights, in 2022 there was a regional effort by multiple agencies to update the original County Bill of Rights, through an inclusive and youth-focused engagement effort.

ANALYSIS

Each version of the Bill of Rights has served as an aspirational guideline to further the interest and ensure the provision of essential services and supports for San José children and youth. City Council encouraged staff and local agencies to use the "Bill of Rights as a guide "when considering and developing programs and activities for the benefit of youth." The Audit Report of the Bill of Rights for Children and Youth, Finding 2 stated: "the Bill of Rights should be used to inform the Children and Youth Services Master Plan."

The 2022 revisioning process for the Bill of Rights was led and spearheaded by youth and young adults, and adult allies, such as Kids in Common, Youth Liberation Movement, and other supporting partners throughout the county. The San José Youth Commission reviewed a draft of the 2022 Bill of Rights for Santa Clara County at their meeting in January 2023 and provided input and feedback. The revised Bill of Rights for Children and Young Adults for Santa Clara County is abridged below. The full Bill of Rights document is included as Attachment A. A letter from the San José Youth Commission is included as Attachment B.

All children and young adults have the right to:

- Healthcare
- Mental health
- Love and emotional connections
- Support and Guidance
- Life Skills
- Education
- Job Opportunities
- Personal Development
- External support for family
- Modern needs
- Basic needs
- Housing
- Green spaces
- Safety
- Voice
- Choice

City staff are currently developing the Master Plan in partnership with community-stakeholders, families, and youth, and will be writing the content of the document over the summer months. Thus, with the adoption of the revised Bill of Rights, City staff can ensure the Master Plan document references the most current Bill of Rights, so that it is in alignment with other key partners and

⁴ <https://www.sanjoseca.gov/home/showpublisheddocument/88407>

community-stakeholders. Other major entities have already adopted the revised Bill of Rights; Santa Clara County Board of Supervisors, Santa Clara County Office of Education, community-based organizations, and school districts.

The Neighborhood Services and Education Committee received the report on the revised Bill of Rights at the June 8, 2023 Committee meeting. The Committee voted unanimously to forward recommendation to adopt the revised Bill of Rights to the City Council for approval.

EVALUATION AND FOLLOW-UP

This report was presented to the Neighborhood Services and Education Committee on June 8, 2023, and cross-referenced for adoption to City Council on June 20, 2023. The revised Bill of Rights will be incorporated in the Youth Commission work plan and Master Plan. In addition, the City Auditor's Office will continue to monitor and report on the Administration's progress in adhering and implementing the Bill of Rights citywide and across departments.

COORDINATION

This memorandum has been coordinated with the Library Department, Parks Recreation, and Neighborhood Services, City Auditor's Office, City Attorney's Office, and Office of the City Manager.

PUBLIC OUTREACH

This item was heard at the June 8, 2023 Neighborhood Services and Education meeting. This memorandum will be posted on the City's Council Agenda website for the June 20, 2023 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

The memorandum has been developed and recommended in coordination with the Youth Commission.

CEQA

Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Library)

[Neighborhood Services and Education Committee referral 6/8/2023 – Item (d) 5]

HONORABLE MAYOR AND COUNCIL

June 13, 2023

Subject: Bill of Rights for the Children and Youth of the City of San José Update

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PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

JILL BOURNE

City Librarian

For questions, please contact Laura Buzo, Assistant to the City Manager, at Laura.Buzo@sanjoseca.gov.

ATTACHMENT

- A. Revised Bill of Rights for Children and Young Adults for Santa Clara County
- B. Letter from the San José Youth Commission

BILL OF RIGHTS

for Children & Young Adults for Santa Clara County



Every young person must get what they need when they need it, no matter their actual or perceived race, ethnicity, gender identity, sexual orientation, religion, mental or physical ability, nationality, immigration status, criminal history, first language, skin color, education status, or wealth. We value the diversity of our children and young adults in Santa Clara County and believe we must treat each of them with respect and dignity.

All children and young adults have the right to:

- ✓ **Healthcare:** Affordable, timely, and quality mental and physical healthcare that they can access at any time.
- ✓ **Mental health:** Mental and emotional health and well-being and support systems in and outside of the home that promotes emotional and social safety.
- ✓ **Love and emotional connections:** Meaningful connections with consistent, caring adults and peers who love and appreciate the young person for who they are and want to see them grow.
- ✓ **Support and Guidance:** Receive support and guidance from role models who are dedicated to helping them achieve their dreams and goals.
- ✓ **Life Skills:** Training to develop life skills and knowledge as well as opportunities to apply them for their growth.
- ✓ **Education:** A relevant and engaging education that exposes them to other cultures and promotes lifelong learning.
- ✓ **Job Opportunities:** Job opportunities that provide safe and reasonable working conditions, and a living wage, and allow them to grow their careers.
- ✓ **Personal Development:** Time, space, and resources to pursue any interest or opt for rest.
- ✓ **External support for family:** Support that will allow their families to be taken care of so they can pursue their dreams.
- ✓ **Modern needs:** Reliable transportation and wifi, computers that meet their needs, and phones when applicable.
- ✓ **Basic needs:** Enough quality food and water, showers, clean clothes, and hygiene products to keep their bodies healthy.
- ✓ **Housing:** Affordable, stable, safe, and comfortable housing that meets their needs as individuals.
- ✓ **Green spaces:** Easily accessible and clean green spaces that will be preserved for future generations.
- ✓ **Safety:** Feel and be safe in all environments they are in, such as their schools, homes, neighborhoods, and online.
- ✓ **Voice:** Be treated as equal partners in identifying problems, developing solutions, and making the decisions that they are impacted by.
- ✓ **Choice:** Make important decisions for their lives and set boundaries that are respected.

The rights above have not been fulfilled for all youth. Many are limited by the inflexible and overly restrained structure of the environments designed for them. Change to these environments will not happen without mass commitment and action. By combining our personal power and expertise through continuous collaboration, we have the ability to create lasting change for Santa Clara County youth.



San José Public Library

Dear Honorable Mayor and City Council,

On behalf of the San José Youth Commission, we recommend that the San José City Council adopt the Bill of Rights for Children and Young Adults for Santa Clara County.

We support the Bill of Rights opening, stating, "All children and youth have a right to be safe, healthy, successful in learning, and successful in life ... we must ensure all children and youth realize the same rights."

The revised version of the Bill of Rights has been carefully crafted through youth participation to reflect the voices and experiences of children and youth in Santa Clara County. It includes critical provisions such as the right to access quality education, healthcare, and affordable housing. It also emphasizes the need for support and resources for children and youth who have experienced trauma, including access to mental health services and counseling.

As the San José Youth Commission, we support the provision that all youth in San José should have their voices heard and "be treated as equal partners in identifying problems, developing solutions, and making the decisions they are impacted by." The Youth Commission, along with district-specific youth advisory councils, is one manner in which the city youth can engage in their local government, creating a structured opportunity for youth to participate further in civic engagement.

Adopting the Bill of Rights for Children and Young Adults for Santa Clara County would send a powerful message to San José's young people that their rights are valued and protected. It would also demonstrate our community's commitment to creating a future where all children and youth have equal opportunities to succeed and thrive.

We appreciate your consideration,

Gordon Chen, Chair
San Jose Youth Commission

This letter was coordinated with the 2022-2023 San José Youth Commissioners. For questions, please contact Lizzie Nolan at Elizabeth.Nolan@sjlibrary.org.