



COUNCIL AGENDA: 04/27/2021
FILE: 21-910
ITEM: 2.8

Memorandum

TO: CITY COUNCIL

FROM: Councilmember Sylvia Arenas
District 8

SUBJECT: SEE BELOW

DATE: April 27, 2021

Approved

Date

Sylvia Arenas

4/27/2021

SUBJECT: BILL OF RIGHT'S FOR CHILDREN AND YOUTH

RECOMMENDATION

- 1) Accept and adopt the Youth Commission's updates to the San José Bill of Rights for Children and Youth with the following revisions:
 - a. Article 1: They have a healthy mind, body, and soul that enables them to maximize their potential.
 - A. Provide youth mental[, **social-emotional and behavioral support as well as** physical health education at school and community sites and provide adequate access to community resources.
 - b. Article 10: They have knowledge of, are educated about, and actively include people of diverse cultural, racial, ethnic, socio-economic, and religious backgrounds as well as all genders/gender identities, sexual orientations, citizenship, and [**physical/social-emotional**] developmental abilities, and are aware of the importance of inclusivity and identity.
 - C. Encourage participation from communities of [**the**] various groups [**listed above**].
- 2) Expand the following Articles to the San José Bill of Rights for Children and Youth that can be found under the Resolution to include:
 - a. Article 3: They have access to a 21st century education that promotes success in life, in future careers and a love for life-long learning.
 - J. [**Ensure children and youth have access to digital inclusion devices, broadband, and digital literacy.**]
 - b. Article 6: They have freedom from mistreatment, abuse, and neglect.
 - G. [**Provide prevention education, outreach, and support services for child abuse, child sexual abuse, and sexual assault.**]
 - c. Article 8: They have a healthy environment, including homes, schools, neighborhoods, and communities.
 - H. [**Ensure families have access to affordable child care and housing as basic needs of children and youth.**]
- 3) Direct the City Manager to explore, within the Office of Communications, creating dedicated messaging channels for children and youth.

BACKGROUND

In 2010, the City of San José adopted the San José Bill of Rights for Children and Youth (Bill of Rights), brought forth by the San Jose Youth Commission. The Youth Commission developed the Bill of Rights to ensure that the voices of the youth were included in the decision-making process. For frame of reference, the previous version of the Bill of Rights that was adopted in 2010 is under Attachment A. On March 25, 2021, the San José Youth Commission submitted an updated version of the Bill of Rights, which was referred to the City Council by the Rules and Open Government Committee for discussion and action. The updated Bill of Rights holds true to the original and includes additional crucial language to reflect the diversity and inclusion of all San José children and youth—including individuals of diverse socio-economic and citizenship backgrounds. In addition, ensuring that residents have access to language accessibility and translation resources to ensure all residents, regardless of English language proficiency, are able to participate in public places.

After countless hours of work and hosting a Bill of Rights for Children and Youth Town Hall where youth from throughout San José were invited to participate in updating the Bill of Rights, the Youth Commissioners brought forth the updated version to support and empower the youth in our community. If adopted, the Bill of Rights will help guide the City Council to create policy that ensures our children and youth are not overlooked and that their needs are provided for equitably.

As we begin to transition into COVID-19 recovery, we will be faced with addressing the issues that the pandemic has brought to the forefront. We know that our children and youth suffered learning loss, lack equitable access to the internet, and many struggled with their social-emotional and mental wellness. Notably, in the latest 2021 Data Book from Kids in Common, which serves as a report card on the well-being of our children in Santa Clara County, reported that 49% of youth reported at least one referral as an alleged victim of child abuse and/or neglect—of which, 43% of girls reported abuse compared to 21% of boys.¹

The updated Bill of Rights proves as a tool that we can use to address the impacts the pandemic has on our children and youth. As we continue to navigate the pandemic and pivot, it is essential that this Bill of Rights be a real and living document.

By accepting the Bill of Rights and holding ourselves accountable, we connect our work to support children with our work of empowering our youth who are telling us clearly what their self-declared fundamental rights are. Thank you to all of the Youth Commissioners, their respective Youth Advisory Councils, and the youth in our community for coming together and submitting the updated San José Bill of Rights for Children and Youth.

¹ <https://testkidsincommon.files.wordpress.com/2021/03/childrens-data-book-2021.pdf>

ATTACHMENT A

2010 Adopted Bill of Rights

San José Bill of Rights for Children and Youth

All children and youth have a right to be safe, healthy, successful in learning and successful in life regardless of their language, culture, race, gender/gender identity, sexual orientation, religion or developmental abilities. San José is enriched by the diversity of its children and youth. In order to benefit from this diversity, we must ensure all children and youth realize the same rights.

Article 1: They have a healthy mind, body and spirit that enables them to maximize their potential.

- A. Provide youth mental health education and intervention at school and community sites or provide adequate access to community resources.
- B. Direct resources to increase extracurricular outlets in schools and the community.
- C. Provide comprehensive and easily accessible sex education and substance abuse services and resources.
- D. Increase accessibility to hotlines and programs for youth in crisis.

Article 2: They have training in life skills that will prepare them to live independently, be self-sufficient and contribute to their community.

- A. Offer classes, workshops, and/or programs that will prepare youth to be self-sufficient.
- B. Make literacy a community priority by providing classes or programs to increase youth's level of literacy.
- C. Provide resources on financial management.
- D. Provide time management classes and/or programs that promote life skills for youth.
- E. Increase awareness of and participation in youth volunteerism.

Article 3: They have access to a 21st-century education that promotes success in life, in future careers and a love of life-long learning.


- A. Create, maintain, and improve libraries in every district.
- B. Create and expand a teen area within each library and community center.
- C. Establish free peer and adult tutoring programs and homework help in public venues.
- D. Provide easy-access vocational training and life skills development workshops.
- E. Create and promote after-school programs that expose youth to hands-on learning.
- F. Make scholarships and funding opportunities available for schools to have funding to purchase up-to-date technology and supplemental academic material.
- G. Provide access to research database and wireless Internet in public venues.

Article 4: They have employment opportunities with protections from unfair labor practices.

- A. Provide a consistent standard for youth treatment in the workforce that all companies employing youth must adopt.
- B. Retain a county employee to conduct random inspections to ensure that companies are enforcing child labor laws.
- C. Ensure jobs frequently held by youth pay a living wage, not just minimum wage.
- D. Develop and disseminate a best-practice vocational training model to support youth in their efforts to secure employment.
- E. Increase youth employment opportunities.

Article 5: They have a voice in matters that affect them.

- A. Inform youth about laws that impact them.
- B. Support youth in their efforts to express their views on community issues.
- C. Encourage districts to maintain a student board member with an actual vote.
- D. Have a youth member on boards, commissions, organizations, and/or committees.
- E. Develop a structured method for youth to offer input on decision making.
- F. Create opportunities for youth to genuinely participate in community-based groups that focus on generating solutions to community issues.



San José Youth Commission Recommendations

The San José Youth Commission is a council appointed body of 11 youth, 14-20 years old, modeled after the City of San José City Council. The commissioners are recognized as the official youth advisory group to the City Council and the Department of Parks, Recreation, and Neighborhood Services. The role of the Youth Commission is to make policy recommendations pertaining to the City's youth.

Commissioners support the development of youth who desire to serve their community through active, civic participation and constructive decision making by maintaining a Youth Advisory Council in their district. The San José Youth Commission is dedicated to ensuring that the youth voice in San José is represented.



San José Youth Commission Recommendations

The San Mateo Youth Commission and Peninsula Partnership Leadership Council developed the first version of the Children and Youth Bill of Rights in 2008. In 2009, this document was adopted at the California State level.

The San José Youth Commission believes that two integral youth rights were missing from the document: an emphasis on peer-to-peer relations and recognition of San José's diversity. The commission wanted to emphasize the importance of celebrating diversity and holding youth accountable for their success. For this reason, the San José Youth Commission added the additional articles 10 and 11 to the California Children and Youth Bill of Rights to create a unique document that meets the needs of our city.



Article 6: They have freedom from mistreatment, abuse, and neglect.

- A. Provide parents/guardians/caregivers with educational and financial support so they can provide the best possible care for children and youth.
- B. Increase awareness of and create new child abuse, sexual assault and crisis hotlines.
- C. Provide competent and accessible school-based and community-based counseling and guidance.
- D. Have staff with the capacity to act as resources and assist in providing appropriate interventions.

Article 7: Their essential needs are met—nutritious food, shelter, clothing, health care, and accessible transportation.

- A. Subsidize nutritious food and drink options so that schools can offer healthy, affordable lunch menus that youth have an incentive to purchase.
- B. Create opportunities to increase physical activity through schools' physical education and after-school and community sports teams or programs.
- C. Offer informative health courses as school electives or in teen centers to inform youth of the various eating disorders and ways to prevent health issues.
- D. Establish nutritional programs teaching healthy eating habits to children and youth.
- E. Allow them to utilize the kitchen resources of their nearby community center.
- F. Provide funding to community organizations and programs to help families meet basic needs.

Article 8: They have a safe and healthy environment, including homes, schools, neighborhoods and communities.

- A. Offer after-school programs and school activities that are engaging and welcoming.
- B. Consistently enforce school rules so that all students feel safe.
- C. Keep or add adult volunteers to improve student-adult relationships.
- D. Provide clean school campuses and community venues.
- E. Establish youth-run recycling programs at schools and community venues.

Article 9: They develop ongoing relationships with caring, trusting, and supportive adults.

- A. Offer after-school programs that provide for students from kindergarten and 12th grade.
- B. Enforce rules that will provide a safe campus and comfortable environment for students.
- C. Create opportunities for youth input on the commissions that will affect them.
- D. Assist youth who need someone to talk to and help set youth on a path to solving problems.
- E. Create opportunities and incentives for adults to mentor youth such as workplace internship programs and flexible work schedules that allow employees to mentor during school hours.
- F. Provide trainings for organizations and community groups to meaningfully engage youth in the decision making process.

Article 10: They foster positive peer influence by modeling responsible behavior for their peers. *

- A. Provide peer-to-peer mentorship programs.
- B. Recognize positive youth achievements and share inspiring stories.
- C. Provide opportunities for youth-led programs, projects, and events.
- D. Develop youth as leaders by providing leadership opportunities.

Article 11: They have knowledge of and comfort with people of diverse cultural, racial, ethnic, and religious backgrounds as well as all genders/gender identities, sexual orientations, and developmental abilities. *

- A. Develop cultural festivities and programs to promote cultural awareness in communities.
- B. Advocate for, support, and create workshops that eliminate stereotypes.
- C. Encourage participation in community ethnic groups.
- D. Ensure that community and educational facilities have materials that reflect the diversity of San José.

* Denotes articles added by the San José Youth Commission that are not adopted at the California State level