

RESOLUTION NO. 79978

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING AN UPDATE TO THE BILL OF RIGHTS TO SUPPORT AND HIGHLIGHT THE IMPORTANCE OF THE CHILDREN AND YOUTH OF THE CITY OF SAN JOSE

WHEREAS, the San José Youth Commission (“Youth Commission”) was formed to foster greater involvement of youth in municipal government, specifically to study any problems, activities, and concerns of youth relating to municipal policies, programs, or projects of the City of San José (“City”); and

WHEREAS, the Youth Commission acts in an advisory capacity to the City Council with the City Council; and

WHEREAS, the Youth Commission recommends that City Council advocate that all children and youth have equal rights to live in a just, moral, and supportive society; all children and youth have the same rights, regardless of their culture, race, gender, or gender identity, sexual orientation, religion, or disability; and that all children and youth have the right to a better world than the one they inherited; and

WHEREAS, from January through March 2021, the Youth Commission gathered input from their respective Council District Youth Advisory Council members and on March 15, 2021, convened a citywide Town Hall to create the final updates to Bill of Rights for the Children and Youth of the City of San José, which align with the 2020-2021 Youth Commission annual workplan; and

WHEREAS, the Youth Commission has recommended that the City Council adopt an updated Bill of Rights for the Children and Youth of the City of San José based on the Bill of Rights document adopted by City Council on May 18, 2010 (Resolution No. 75374); and

WHEREAS, the City Council appreciates the efforts of the Youth Commission to develop additional and more detailed ideas on the concepts articulated in the Bill of Rights, a copy of which may be obtained from the Youth Commission members or from the Director of Parks, Recreation and Neighborhood Services; and

WHEREAS, the Bill of Rights for the Children and Youth of the City of San José is intended to draw the attention of all City and local agencies, parents, guardians, and private enterprises throughout the City and to provide them with guidance in their decision making in order to foster the needs and healthy development of all children, youth, and families in the City; and

WHEREAS, the City Council of the City of San José desires that every child and youth 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; and

WHEREAS, the City Council believes that San José is enriched by the diversity of its children and youth and desires that the children of San José have the opportunities set forth in the Bill of Rights for the Children and Youth of the City of San José;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The Bill of Rights for the Children and Youth of the City of San José, attached hereto as Exhibit "A," is hereby adopted as aspirational guidelines to demonstrate the importance of youth to the City of San José, and to help San José youth receive the resources that they need to succeed; and
2. With the adoption of this Resolution, the City Council supports and encourages all City and local agencies, parents, guardians, and private enterprises to adopt,

publicize, and use a guidance the Bill of Rights for the Children and Youth of the City of San José when considering and developing their programs and activities for the benefit of our youth.

ADOPTED this 27th day of April, 2021, by the following vote:

AYES: ARENAS, CARRASCO, COHEN, DAVIS, ESPARZA,
FOLEY, JONES, JIMENEZ, MAHAN, PERALEZ,
LICCARDO.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



SAM LICCARDO
Mayor

ATTEST:



TONI J. TABER, CMC
City Clerk

San Jose Youth 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, socio-economic status, citizenship, or developmental abilities. San Jose is enriched by the diversity of its children and youth. 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 soul that enables them to maximize their potential.

- A. Provide youth mental, social-emotional and behavioral support as well as physical health education and support at school and community sites and 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 awareness of hotlines and programs for youth in crisis.
- E. Increase accessibility to healthier food options.

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 and promote classes, workshops, community events, 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 easy-access vocational training and life skills development workshops.
- E. Provide and incentivize time management classes and/or programs that promote life skills for youth.
- F. Increase awareness of and participation in youth volunteering and community involvement opportunities.

Article 3: They have access to up-to-date educational resources that promote 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 readily available for schools to have funding to purchase up-to-date technology and high-speed internet.
- G. Provide funding opportunities for schools to have supplemental academic material.
- H. Provide access to research databases and wireless internet in public venues.
- I. Provide peer-to-peer mentorship programs.
- J. Ensure children and youth have access to digital inclusion devices, broadband, and digital literacy.

Article 4: They have employment opportunities with protections from unfair labor practices with guides on how to find jobs that will be beneficial to them.

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

Article 5: They have a voice in their local government to advocate for the issues that matter to 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 vote in community-based groups that focus on solving issues that matter to the youth.
- G. Not infringe upon youth's rights to structure misconduct and participation in government.
- H. Create opportunities for youth input on the commissions that will affect them.

Article 6: They are *safe 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 child abuse, sexual assault, bullying, cyberbullying, harassment, crime, and crisis hotlines.
- C. Provide competent and accessible school-based and community-based counseling and guidance.
- D. Have staff with the capacity to provide resources and intervene when appropriate.
- E. Provide safe spaces such as community centers for all youth to seek shelter and cope with their emotions if they are in a situation where they do not feel safe.
- F. Increase awareness of what mistreatment and abuse look like through city events, campaigns, and presentations.
- G. Provide prevention education, outreach, and support services for child abuse, child sexual abuse, and sexual assault.

Article 7: Their essential needs are met including access to basic amenities—nutritious food, housing, clothing, health care, technology, and transportation accessibility.

- A. Provide access to nutritious food, including those of specific dietary types, water, and drink options in addition to subsidizing such in schools so that schools can offer healthy, affordable lunch menus that youth have an incentive to purchase.
- B. Provide youth access to adequate and sanitary housing, as well as proper medical health care and treatment, including necessary medicines such as insulin.
- C. Create opportunities to increase physical activity and mental wellness through schools' public education, after-school programs, community sports teams or programs, and public spaces.

- D. Offer informative cooking and health courses as school electives or in teen centers to inform youth of the various eating disorders and ways to prevent health issues.
- E. Establish nutritional programs teaching healthy eating habits to children and youth.
- F. Increase the accessibility of kitchen resources, technology such as high-speed internet and devices, clothing, and food in their nearby community center.
- G. Improve public transportation accessibility and safety.
- H. 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 comprehensive after-school programs, diversion programs, and school activities delivered by well-trained professionals that foster youth involvement in their communities as well as bring more awareness to activities and behaviors that indicate youth are at-risk.
- B. Consistently enforce equitable rules that do not target certain demographics so that all students feel safe.
- C. Provide youth-oriented safety programs that hone in on community wellness, as well as fund community and wellness-oriented security.
- D. Provide clean school campuses and community venues.
- E. Establish youth-run recycling programs at schools and community venues.
- F. Provide adequate lighting at night throughout the city.
- G. Promote pedestrian and traffic safety through infrastructure development and education, programs, and initiatives that aim to inform youth of knowledge on the roads and reduce drunk driving.
- H. Ensure families have access to affordable child care and housing as basic needs of children and youth.

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

- A. Offer after-school programs that provide for students from preschool to 12th grade.
- B. Enforce rules that will provide a safe environment/campus and comfortable surroundings for students.
- C. Assist youth who need someone to talk to and help set youth on a path to solving problems.
- D. Create opportunities and incentives for qualified and checked adults to mentor youth such as workplace internship programs and flexible work schedules that allow employees to mentor during school hours.
- E. Provide training for organizations and community groups to meaningfully engage youth in the decision-making process.
- F. Train adult volunteers to foster student-adult relationships.

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. *

- A. Develop festivities and programs to promote cultural, religious, identity, sexuality, and diversity awareness in communities and eliminate stereotypes.

- B. Advocate for, support, and create programs that promote equity and understanding amongst identities.
- C. Encourage participation from communities of the various groups listed above.
- D. Provide translation resources to eliminate language barriers in public places to create a more friendly environment for non-native English speakers.
- E. Ensure that community and educational facilities have materials that reflect and celebrate the diversity of San Jose.

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

Sidebar: San Jose Youth Commission Recommendations

The San Jose Youth Commission is a council-appointed body of 11 youth, 14-20 years old, modeled after the City of San Jose 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 Jose Youth Commission is dedicated to ensuring that the youth voice in San Jose is represented.

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 Jose Youth Commission believes that two integral youth rights were missing from the document: an emphasis on peer-to-peer relations and recognition of San Jose's diversity. The commission wanted to emphasize the importance of celebrating diversity and holding youth accountable for their success. For this reason, the San Jose 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.