

Foster Parent Rights and Responsibilities

Foster parents play a vital role in the state's effort to care for children in the care and custody of the Department of Children, Youth, and Families (DCYF). DCYF staff serve foster parents with respect, concern, courtesy, and responsiveness, recognizing that service to the public is the primary mission of state government.

General

Foster parents have the right to be free from coercion, discrimination, and reprisal in serving foster children. **RCW 74.13.332**

Foster parents have the right to voice grievances about treatment furnished or not furnished to the foster child. **RCW 74.13.332**

Foster parents have the right to have their personal information kept confidential, to the extent allowed by law. **RCW 42.56** and **CR 26-37**

Foster parents have the right to decline to admit or keep a child in their homes. **WAC 110-148-1395**

Foster parents must comply with the Department's minimum licensing requirements, including background check requirements. **RCW 74.15; RCW 43.43; WAC 110-148; and WAC 110-04**

Foster parents must protect, care, supervise, and nurture children placed with them. **RCW 74.13.330**

Foster parents must comply with all safety plans concerning the child. **RCW 74.13.710**





Notification, Information Sharing, and Inclusion in the Child's Case Plan

Before placement of a child in a foster home, foster parents have a right to be informed of any known health conditions that pose a serious threat to the child, and any known behavioral history that presents a serious risk of harm to the child or others.

RCW 74.13.285

Within timeframes established by law and policy, foster parents have the right to receive information about the child and the child's family to enable the foster parent to meet the child's needs.

RCW 74.13.280

For children placed at least 90 consecutive days, foster parents have the right to a passport that contains all the information the Department has about the child's mental, physical, health, and educational status. **RCW 74.13.285**

The Department must consult with a dependent child's foster parents regarding the child's case plan.

RCW 74.13.280

If appropriate and desired, foster parents have the right to help develop a child's service plan and assist in family visitation. **RCW 74.13.330**. Per Department policy, this includes:

- An invitation to participate in upcoming shared planning meetings at least five calendar days before the meeting (except in emergent situations). **RCW 74.13.330**; *Guide to Shared Planning Meetings*: www.dshs.wa.gov/sites/default/files/SESA/publications/documents/22-1688.pdf
- The right to be consulted about the visit plan and review changes in the visit plan. **Policy 4254**
- The right to inquire about the status of kin searches and request kin contact information (provided with the consent of relative) to maintain the child's familial relationships.

Foster parents have the right to be included in the permanency consideration for a child in their care. In an effort to prevent placement disruption and additional trauma to the child, the Department will weigh length of stay in the home, existing relationships, and attachment to the current provider when forming the child's permanency plan and recommendation to the court. **RCW 13.34.065** and **RCW 13.34.130**

Foster parents must comply with the child's case plan and all court orders related to child care and supervision, including court orders on parent-child contacts and sibling contacts. **RCW 13.34.065(5)(e)** and **RCW 13.34.130(9)**

Foster parents have the right to attend and be heard (through the caregiver's report to the court) at all court hearings. The Department must notify foster parents of all hearings at the same time that it is required to notify the parties to the case (foster parents are not parties in dependency or termination cases). **RCW 13.34.096(1)**

- Timeframes are dictated by statutes and court rules and vary by jurisdiction and hearing type.
- For annual permanency and review hearings, the Department must provide notice upon placement or as soon as possible thereafter.
- The Department may notify foster parents in writing, over the phone, or in person.

The Department will provide foster parents with a copy of the "caregiver's report to the court" to complete and submit to the guardian ad litem or caseworker before each court hearing.

RCW 13.34.096(2)

Notification, Information Sharing, and Inclusion in the Child's Case Plan, Continued

If a child has been placed in a foster home for at least 90 days, foster parents have the right to be notified at least five days before the Department moves the child from their home. For exceptions to this requirement, see **RCW 74.13.300**.

Foster parents have the right to information about whether the child is sexually reactive, has exhibited high-risk behaviors, is physically assaultive or physically aggressive, and whether the child:

- Received a medical diagnosis of fetal alcohol syndrome or fetal alcohol effect;
- Has been diagnosed as having a mental health disorder;
- Has witnessed a death or substantial physical violence in the past or recent past; or
- Was a victim of sexual or severe physical abuse in the recent past. **RCW 74.13.280**

Foster parents must agree in writing to keep the information that they receive confidential, and they must affirm that they will not share the information they receive about the child. **RCW 74.13.280** and **RCW 74.13.285**



Licensing Infractions and Child Protective Services (CPS) Investigations

CPS Investigations:

- The subject of a CPS investigation has the right to be notified of any allegations of child abuse or neglect at the Department's initial contact with them unless doing so would compromise the investigation or child safety. **RCW 26.44.100(2)**
- The Department must keep the identity of the person making the complaint confidential. **RCW 26.44.100(2)**
- The subject of a CPS investigation has the right to receive written notice of the finding. **RCW 26.44.100 (3) and (4)**
- Subjects of founded findings of child abuse or neglect who submit timely requests for review have a right to administrative review of the findings, including the right to an administrative hearing. **RCW 26.44.100** and **RCW 26.44.125**

Licensing complaints, per Department **Policy 5150**, that do not result in a modification, denial, or revocation of the license:

- The licensee will be notified of any allegations of licensing violations at the earliest possible time that will not jeopardize the integrity of the investigation.
- The licensee will be notified in writing whether the investigation results in a valid or non-valid finding.
- If the licensee is in disagreement with the finding, they may provide a written statement to be included in the licensing file.

Support and Complaint Resolution

A foster parent who believes the Department retaliated or discriminated against them has the right to submit a complaint to the Office of Family and Children Ombuds (OFCO). **RCW 74.13.333**



Foster parents who have complaints regarding a Department policy or procedure, how the Department has applied policy or procedure, or how it has performed under its performance-based contracts, have the right to resolve their complaints through an informal, non-adversarial complaint resolution process. They also have the right to be informed on how to use this process.

RCW 74.13.045

Foster parents have the right to training to assist them in caring for emotionally, mentally, or physically handicapped children. **RCW 74.13.310**

Under the foster parent critical support and retention program, foster parents who care for sexually reactive children, physically assaultive children, or children with other high-risk behaviors have the right to:

- 24/7 access to the Department to address specific concerns related to the child;
- Assessment of risk and development of a safety and supervision plan;
- Home-based, evidence-based training; and
- Referral to relevant community services and training. **RCW 74.13.660**

Complaint Resolution Resources for Foster Parents

DCYF Employee Directory
<https://fortress.wa.gov/dshs/ca/employeedirectory>

Foster Parent Liaisons and Resource Peer Mentors
www.dcyf.wa.gov/services/foster-parenting/recruitment-partners

Constituent Relations
1-800-723-4831
ConstRelations@dcyf.wa.gov

Foster Parent Regional Representatives (1624):
www.dcyf.wa.gov/sites/default/files/pdf/1624Reps.pdf

Office of the Family and Children's Ombuds (OFCO):
1-800-571-7321
www.ofco.wa.gov/contact

Foster Parent Association of Washington State (FPAWS)
www.fpaws.org

Afterhours Caregiver Support Line
1-800-301-1868

This is a general guideline and should not be considered an exhaustive list.

Nothing in this document changes any existing protection or requirement under the law. By use of the term "right," the Department does not mean to create any entitlement not already expressly granted by law. By using the word "child" or "children" the Department refers to children and youth placed with a foster parent pursuant to the Department's placement and care authority.