



Mississippi Foster Parents' Bill of Rights and Responsibilities



Lynn Fitch
ATTORNEY GENERAL

www.mdcps.ms.gov

www.AttorneyGeneralLynnFitch.com

At any given time, there are thousands of children in foster care in Mississippi. Each of them has a name, a face, a smile, and a story. These children share a need for a caring and committed family that can help them achieve their best future, even while their past may involve pain, difficulty, and instability.

Foster parents are heroes willing to stand in the gap until the youth court decides on a permanency plan. Whether the child is reunited with their biological family, a plan is made for them to be adopted, or another permanency plan is established for them, the best interests of the child are paramount through the process. As a foster parent, you play a vital role in providing this child love, support, and stability. There are many parties who will help you through this important and difficult journey. It is important that you know what your rights and responsibilities are. This pamphlet spells them out for you and shares additional resources you may find helpful.



As a foster parent, you have certain rights.

- A clear understanding of your role while providing care and the roles of the birth parent(s) and the placement agency with respect to the child in your care.
- The opportunity to develop confidence in making day-to-day decisions in regard to the child.
- The opportunity to learn and grow in your vocation through planned education in caring for the child.
- Respect, consideration, trust, and value as a family who is making an important contribution to CPS' objectives.

Dealing with others who work with the child.

- The opportunity to communicate with professionals who work directly with the child, including therapists, physicians, and teachers.
- The opportunity to communicate and collaborate, without the threat of reprisal, with a CPS representative when further educational services are needed to ensure the child's educational needs are met, including services such as an Individualized Educational Plan (IEP), tutoring, occupational therapy, speech therapy, and after-school programs.
- The opportunity to attend all IEP meetings, along with the CPS worker, at the child's school as long as the child is in custody and receiving special educational services.
- The opportunity to communicate with the child's guardian ad litem. You may communicate with the child's guardian ad litem in writing at any time.



Dealing with the courts.

- The opportunity to attend all youth court hearings involving a child occurring while that child is placed in your care without being a party to the youth court action, unless the youth court determines that any foster parent should not be present. You may attend all youth court hearings and have legal counsel attend and observe with you if the child's permanency plan is adoption by you, unless the youth court determines that any foster parent should not be present. You may also ask to be

heard concerning the best interest of the child at any disposition or permanency hearing.

- When the dates of the permanency hearing and permanency review hearing have been set by the youth court, and if necessary to fulfill the notice requirements, the judge or the judge's designee shall order the clerk of the youth court to issue a summons to you to appear personally at the hearings as provided by Section 43-21-501, Miss. Code Ann.



- The opportunity to request from the youth court permission to communicate with the child's birth family, previous foster parents of the child, and prospective and finalized adoptive parents of the child, without the threat of reprisal. However, this right creates no obligation of the birth family, previous foster parents, or prospective and finalized adoptive parents to communicate in return.



Mississippi Department of Child Protection Services

Working with Mississippi Department of Child Protection Services.

- The opportunity to be heard regarding agency practices that you may question.
- Notification of benchmarks that will be required of you as a foster parent, such as appointments, home visits with CPS personnel, visitations of the child at school, and meetings between CPS personnel and the child's family.
- Advance notice of information regarding scheduled meetings other than meetings where CPS personnel or social workers are going to your home for site visits, appointments, and court hearings concerning the child.
- Involvement in all of CPS' crucial decisions regarding the child as team members who have pertinent information based on your day-to-day knowledge of the child in your care and involvement in planning, including, but not limited to, individual service planning meetings, foster care review, individual educational planning meetings, and medical appointments.
- The opportunity to participate in the planning of visitations between the child and the child's siblings, parents or former guardians or other biological family members which have been previously authorized by the youth court. Visitations shall be scheduled at a time and place meeting the needs of the child, the biological family, and you. Recognizing that visitation with family members is an important right of children in foster



care, you must be flexible and cooperative with regard to family visits but you shall also retain the right to reasonable advance notice of all scheduled visitations.

- The ability to communicate with CPS personnel or representatives twenty-four (24) hours a day, seven (7) days a week, for the purpose of aiding you.

Getting information.

- A comprehensive list of all resources available to you and the child, including dental providers, medical providers, respite workers in the area, day cares, and methods for submitting reimbursements.
- Support from the family protection worker or the family protection specialist in efforts to do a better day-to-day job in caring for the child and in working to achieve CPS' objectives for the child and the birth family through provision of:
 - ♦ A copy of the "Foster Child Information Form" and all other pertinent information about the child and the birth family including medical, dental, behavioral health history, psychological information, educational status, cultural and family background, and other issues relevant to the child which are known to CPS at the time the child is placed in foster care prior to the child's placement with you. CPS shall make reasonable efforts to gather and provide all additional current medical, dental, behavioral, educational, and psychological information reasonably available from the child's service providers within fifteen (15) days of placement. When the CPS learns of such information after fifteen (15) days of placement, the department shall communicate such information to you as soon as practicable.
 - ♦ An explanation of the plan for placement of the child in your home and the ongoing and timely communication of any necessary information which is relevant to the care of the child, including any changes in the case plan.
 - ♦ Help in using appropriate resources to meet the child's needs, including counseling or other services for victims of commercial sexual exploitation or human trafficking.
 - ♦ Direct interviews between the family protection worker or specialist and the child, previously discussed and understood by you.
 - ♦ Information regarding whether the child experienced commercial sexual exploitation or human trafficking.
 - ♦ Information related to the Healthy, Hunger-Free Kids Act of 2010. You must protect the confidentiality of the child by working directly with a designated school official to complete the application for free lunches.



UP-TO-DATE RESOURCES CAN BE FOUND HERE:



- Information related to all costs eligible for reimbursement, including:
 - ♦ Reimbursement for costs of the child's care in the form of a board payment based on the age of the child as prescribed in Section 43-15-17, Miss. Code Ann. unless the relative is exempt from foster care training and chooses to exercise the exemption; and
 - ♦ Reimbursement for property damages caused by children in the custody of CPS in an amount not to exceed Five Hundred Dollars (\$500.00), as evidenced by written documentation. CPS shall not incur liability for any damages as a result of providing this reimbursement.



You also have important responsibilities as a foster parent.

- Understanding CPS' function in regard to the foster care and relative care program and related social service programs.
- Sharing with CPS any information which may contribute to the care of children.
- Functioning within the established goals and objectives to improve the general welfare of the child.
- Recognizing the problems in home placement that will require professional advice and assistance and that such help should be utilized to its full potential.
- Recognizing that you will be one of the primary resources for preparing the child for any future plans that are made, including return to birth parent(s), termination of parental rights, or reinstitutionalization.
- Expressing your views about CPS practices which relate to the child with the appropriate staff member.
- Understanding that all information shared with you about the child and his/her birth parent(s) must be held in the strictest of confidence.
- Cooperating with any plan to reunite the child with his/her birth family and work with the birth family to achieve this goal.
- Attending dispositional review hearings and termination of parental rights hearings conducted by a court of competent jurisdiction, or providing your recommendations to the guardian ad litem in writing.



As a foster parent, you are providing this child with the care and attention they are entitled to while in a transitional phase of guardianship. Both Child Protection Services and the Attorney General’s Office are here to support you and provide you with access to resources to make you most successful in that time. Please continue to reference www.mdcpms.gov for the most up-to-date list of resources to best support you and your family during your time of fostering a child.



These rights and responsibilities can be found in Section 43-15-13 of the Mississippi Code Annotated. Child Protection Services has developed a grievance procedure for foster parents to raise any complaints or concerns with regard to this Foster Parents’ Bill of Rights and Responsibilities. A grievance may be filed by completing Section I of the MDCPS Foster Parent Grievance Form and submitting it to FPGrievance@mdcps.ms.gov. This form can be found on the MDCPS website. Please note that this law is not meant to create a private right of action or claim on the part of any individual, the department or any child-placing agency.

For more information, please contact Child Protection Services at **1-800-821-9157** or via email at FPSupport@mdcps.ms.gov.

Notes

RESOURCES FOR FOSTER PARENTS ARE AVAILABLE HERE:





For more information, please contact
Child Protection Services at: **1-800-821-9157**
or via email at **FPsupport@mdcps.ms.gov**.
Resources for foster parents are available here:



Lynn Fitch
ATTORNEY GENERAL

www.mdcps.ms.gov

www.AttorneyGeneralLynnFitch.com