

## Agreement Between Foster Parents and Placement Agency

In Minnesota, the local county/tribal social service agency is responsible for providing child welfare services. In many cases, the court system has oversight responsibility for foster care placement and permanency outcomes. When children are placed in foster care, their parent(s), the responsible agency (county or tribal agency that has responsibility for placement), the licensing agency and foster parents, all must work together to ensure a foster child's well-being, safety and plan for permanency. This means all standards and policies set forth by law, and by the commissioner of the Minnesota Department of Human Services, are understood and met. In some cases, the responsible agency and the licensing agency will be different. **A summary of the responsible agency requirements is explained in [DHS-0139A](#).**

This agreement between foster parents and the licensing agency outlines their respective responsibilities.

### Foster care licensing agency agrees to:

1. Assist prospective foster parents with the licensing process to:
  - Provide information about family foster care standards and licensing requirements
  - Consider and process variance requests
  - Help foster parents complete the background study process
  - Make home visits to complete the home study assessment.
2. Provide orientation and ongoing opportunities for training for foster parents that prepares them to meet the needs of foster children.
3. Provide Minnesota's Reasonable and Prudent Parent Standard Guidance and training for foster parents to gain skills and knowledge in applying the reasonable and prudent parent standard when considering a foster child's participation in age- or developmentally appropriate activities.
4. Describe the state's liability insurance coverage provided for all licensed foster parents caring for children.
5. Help foster parents make informed decisions as to the suitability of their home to care for a specific child before placement.
6. Help foster parents understand that a decision not to take placement of a specific child will not jeopardize their license, or consideration of their home for other children.
7. Investigate alleged licensing violation reports to determine if requirements are being met.
8. Provide foster parents with written and verbal opportunities to evaluate licensing agency practices.
9. Include foster families in annual evaluations regarding their roles and responsibilities, and their need for support, during and after children's placements.

### Foster parents agree to:

1. Allow representatives of the responsible social services agency, licensing agency and/or commissioner of the Minnesota Department of Human Services, access to their home and property for the purpose of licensing, placement and supervision.
2. Consider foster care a temporary living situation for a child and recognize that the county or tribal agency is responsible for making and carrying out the service and concurrent permanency plan for a child. This includes supporting reunification with the child's parents or transition to a relative or non-relative foster home.
3. Accept children for foster care placement as described in the statement of intended use.
4. Actively cooperate and participate with the responsible agency case manager and other appropriate professionals to develop and implement a child's out-of-home placement plan (OHPP). Preserve family relationships, including visitation as directed by the case manager or OHPP.

5. Provide for the needs of child, including food, clothing, shelter, daily supervision, school supplies, personal needs and, consistent with the OHPP, provide timely access to medical and dental care, including prescription medications and mental health services by qualified professionals.
6. Develop a plan for a smoke-free home environment for foster children.
7. Provide supervision in accordance with a child's age and needs, as assessed in the Minnesota Assessment of Parenting for Children and Youth (MAPCY).
8. Immediately report a missing foster child to the responsible county or tribal agency and law enforcement.
9. Report to the responsible agency plans to take a child out of the state, when a child will be away from the foster home for longer than three nights, any changes in household members or plans to move, any serious family illness, and any serious illness or accident involving a foster child.
10. Make every effort to increase understanding of, and respect for, the religious, racial and cultural heritage, and sexual orientation and gender identity of a child and their family.
11. Acknowledge the effect of trauma and the difficulties a foster child may experience adjusting to a new environment. Make every effort to understand and be patient in addressing challenging behaviors of a child that result from the impact of trauma, separation and the grieving process. This may include participation in therapy and other services, as directed by the OHPP or arranged by the responsible county or tribal social service agency.
12. Apply the prudent parent standard and support a foster child's participation in extracurricular, social and cultural activities typical for the child's age, or are developmentally appropriate.
13. Ensure a child's personal property and funds in the foster home are available for their use, unless restricted in child's OHPP. If a child is removed from the home, their property and funds, including any that were accumulated during placement, are returned within three days of removal.
14. Support placement stability for a foster child by asking for consultation and direction from the responsible agency if issues arise that cannot be resolved between foster parents and foster child. Prior to requesting removal of a child, foster parents must work with the responsible agency to determine if additional strategies or support services may resolve issues leading to the request for removal. When all resources are exhausted, provide the responsible agency with sufficient time (45 days, if possible) to plan for discharge.
15. Allow the responsible agency caseworker and child opportunities to meet alone.
16. Comply with requirements of the Family Foster Care Confidentiality Agreement, Attachment A, which is incorporated into this agreement.

**By signing below, I, as the applicant or licensed foster parent, acknowledge that I have read this document and understand my responsibility to maintain confidentiality of the information provided to me regarding the foster child(ren) in my care. I also acknowledge that I have been provided a copy of this document.**

**We understand the policies and practices and our respective roles. We agree to carry out our responsibilities and comply with requirements in Minnesota Statutes and Rules at all times while providing foster care to children.**

\_\_\_\_\_  
FOSTER PARENT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
FOSTER PARENT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHILD FOSTER CARE SOCIAL WORKER

\_\_\_\_\_  
DATE

# Attachment A: Child Foster Care Confidentiality Agreement

- A. The foster parent, having access to not public information\* about a foster child and their family agrees not to discuss or otherwise disclose that information to any other person prior to child's placement in foster care, while they are in the foster home, or after they leave the foster home, except to the following:
1. **The licensing agency.**
  2. **The responsible social services agency.**
  3. **Those involved in child's treatment plan.**  
Foster parents must identify and share information, if appropriate, with persons who are directly involved in child's treatment plan. A treatment plan is a written plan for intervention, treatment, and services for a child in a foster setting.
  4. **Child's respite care and substitute care providers, and short-term babysitters.** Foster parents must give these providers information needed to care for a child, including their emotional, behavioral, medical and physical health conditions; medications child takes; and the names and telephone numbers of individuals to contact in case of an emergency, including how to obtain medical care.
  5. **Child's medical and dental care providers.** When foster parents obtain either routine medical and dental care for a child, or emergency care, they may share or obtain necessary information.
  6. **Foster child's child care providers.** When foster parents enroll a child in a child care program, they may communicate to the provider necessary information to care for a child, including information required in an application to the child care program.
  7. **Child's education professionals.** When foster parents enroll a child in school according to their OHPP, foster parents may communicate to school staff necessary information to educate the child, including information required for enrollment in school.
  8. **Child's extracurricular, social, or cultural activity programs.** When foster parents sign up a child for extracurricular, social, or cultural activities under the reasonable and prudent parenting standard, they may communicate to organization staff necessary information for a child to be signed up for, and participate in an activity.
- B. Foster parents agree not to share any nonpublic information about a foster child and their family with neighbors, family members of foster parents who have not been approved by the responsible agency to receive information, or others who do not provide services or care to a foster child. Foster parents agree not to share nonpublic information about a foster child and their family on social media, unless otherwise approved by the responsible agency.
- C. Foster parents agree that if they are unsure about any restriction of information, how to maintain written records related to a foster child and record retention, they will discuss these questions with the county or tribal agency that has responsibility for placement.

\* As defined by Minnesota Statutes, Chapter 13.

## Civil Rights Notice

**Discrimination is against the law.** The Minnesota Department of Human Services (DHS) does not discriminate on the basis of any of the following:

- race
- color
- national origin
- creed
- religion
- sexual orientation
- public assistance status
- marital status
- age
- disability
- sex
- political beliefs

## Civil Rights Complaints

You have the right to file a discrimination complaint if you believe you were treated in a discriminatory way by a social services agency.

Contact **DHS** directly only if you have a discrimination complaint:

Civil Rights Coordinator  
Minnesota Department of Human Services  
Equal Opportunity and Access Division  
P.O. Box 64997  
St. Paul, MN 55164-0997  
651-431-3040 (voice) or use your preferred relay service

### Minnesota Department of Human Rights (MDHR)

In Minnesota, you have the right to file a complaint with the MDHR if you believe you have been discriminated against because of any of the following:

- race
- color
- national origin
- religion
- creed
- sex
- sexual orientation
- marital status
- public assistance status
- disability

Contact the **MDHR** directly to file a complaint:

Minnesota Department of Human Rights  
Freeman Building, 625 North Robert Street  
St. Paul, MN 55155  
651-539-1100 (voice)  
800-657-3704 (toll free)  
711 or 800-627-3529 (MN Relay)  
651-296-9042 (fax)  
Info.MDHR@state.mn.us (email)

### U.S. Department of Health and Human Services' Office for Civil Rights (OCR)

You have the right to file a complaint with the OCR, a federal agency, if you believe you have been discriminated against because of any of the following:

- race
- color
- national origin
- age
- disability
- sex
- religion

Contact the **OCR** directly to file a complaint:

Director  
U.S. Department of Health and Human Services'  
Office for Civil Rights  
200 Independence Avenue SW, Room 509F  
HHH Building  
Washington, DC 20201  
800-368-1019 (voice)  
800-537-7697 (TDD)  
Complaint Portal: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>

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## Summary of Child Foster Care Responsible Agency Requirements

A county or tribal agency must have placement responsibility for a child's foster care placement. This may be a court order or a voluntary placement agreement. The responsible agency's role and responsibility is determined in law and tribal code, and is reviewed in court. The following applies to most placements:

1. Consider foster care a temporary living situation for a child. The responsible agency's staff concurrently plan for a child to be safely reunited with their parent(s) and at the same time seek other families, first considering relatives and kin, to permanently care for a child if they cannot return home because of safety concerns.
2. Diligently search and notify a child's maternal and paternal relatives and kin of their need for foster parents. The agency will search for and notify relatives until the court is satisfied with agency efforts.
3. Place a child with their siblings. If siblings cannot be placed together safely, the agency must ensure that they have regular visitation and contact.
4. Provide foster parents with information about a child before placement as part of the out-of-home placement plan (OHPP), or as information becomes available, including:
  - The reason(s) foster care is needed.
  - The permanency plan for a child
  - A child's medical history, immunization record, or any other medical or dental needs
  - A child's educational needs and school enrollment.
5. Include foster parents in development and implementation of the OHPP, assessing and including services needed in the foster home to ensure a child's well-being, and supporting placement stability. Foster parents must be provided with a copy of the OHPP.
6. Send foster parents written notice of all administrative review and/or court hearings, and ensure that they are aware of their right to attend court hearings and their right to be heard.
7. Visit a child monthly, with a majority of those visits to take place in the family foster home. These visits support placement stability and help a child and their foster parents address any problems they may be having. These visits should:
  - Assess a child's daily needs and foster parent concerns about a child's behavior and development to ensure their needs are safely being met in the home, as well as the need for additional services.
  - Ensure a child's health needs are met.
  - Ensure that child is attending school.
8. Review the case plan, including a child's participation in age-appropriate social, extracurricular and cultural enrichment activities.
  - Engage foster family in an ongoing discussion and evaluation about their roles and responsibilities, and their need for support during a child's placement.
  - Report any concerns about a child's care to child protection and the licensing agency.
9. Explain the importance of family visitation to develop or preserve a child's bond with their parents and siblings, and establish a visitation plan that schedules visits so child's parent(s), foster parents and child can plan accordingly. Help foster parents understand that visitation may affect a child's behavior, and assist them to develop strategies that will support a child to maintain relationships with their parent(s) and siblings.
10. Inform foster parents about Northstar Care for Children. The agency assesses every child entering foster care for a basic and supplemental payment using the Minnesota Assessment of Parenting for Children and Youth (MAPCY). Provide a copy of "What is the MAPCY assessment?" (DHS 7060A).
11. Ensure that a child's educational and health care needs are assessed and issues identified are appropriately addressed, including physical, mental, chemical, developmental, dental and visual health needs, as follows:
  - Provide clear instructions to foster parents in the OHPP about their role and responsibility in meeting a child's health care needs while in their care.
  - Involve a child's parent(s) in planning for their education and health care. The parents make educational and treatment decisions unless parental rights have been terminated, or the court has restricted parents' involvement in planning and providing for their child's well-being.
  - Provide foster parents with information necessary to enroll child in school, as well as in the free and reduced lunch program, and similar programs.
12. If a foster parent asks the responsible agency to remove a child from their home, prior to removal they and agency staff will work together to determine if additional supports or services can safely maintain a child in the home. A foster child experiences an unplanned move only when an agency is concerned about their health or safety, or when all resources to support placement stability have been exhausted. Unless agency staff determines that there is an issue that affects a child's health or safety, it will remove a child from the foster home within 45 days of a request.

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