



What Foster Care and Adoption Agencies Have to Do When Working with Parents with Disabilities

(Plain-language version of "The Legal Obligations of Foster Care and Adoption Agencies When Working with Prospective Parents with Disabilities")

Introduction

Some disabled people want to adopt children. Sometimes people mistreat them just because they have a disability: they say that people with disabilities cannot raise children well, or that they should not adopt or foster a child. There are some people at foster care and adoption agencies who will not help people with disabilities adopt children because they do not think parents with disabilities can be good parents. This is wrong because people with disabilities can be good adoptive or foster parents.

Foster care and adoption agencies may not understand that the law says that they have to help people with disabilities who want to become parents. This guide was written to help disabled future parents work with foster care and adoption agencies to make sure their rights are respected.

We will talk about what adoption and foster care agencies have to do when working with disabled future parents. We will also share more information for you to look at after you are done reading this document.

The ADA and Section 504 of the Rehabilitation Act

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504) are two laws that protect people with disabilities. These laws say that you have the right to get help when adopting or fostering children if you have a disability. This applies to any foster care agency or adoption agency that is run by the government. These laws also apply to agencies that receive money from the government. These laws also say that you cannot be mistreated because you have a disability. The law also says adoption and foster care agencies have to help people with disabilities who want children. The law protects you when you apply. It also protects you when people from the agency visit your house. It also protects you when you are having an interview.

Assessments of Parents and Future Parents with Disabilities

The ADA and Section 504 say that foster care and adoption agencies have to look at what you can do if you have a disability. They are not allowed to make decisions based on what they think about people with disabilities. Everyone's situation is different. A child welfare agency cannot say that a person who uses a wheelchair cannot be a foster parent just because they use a wheelchair. They are also supposed to help you if you have accessibility needs.

Supporting Future Parents with Disabilities

The ADA and Section 504 say that people with disabilities who want to become parents have the right to participate in programs for parents because they have the same rights as parents without disabilities. The laws say that foster care and adoption agencies have to make sure their rules and programs are ready for people with disabilities. For example, an agency should a training for parents in a place that wheelchair users can get into safely and comfortably.

Foster care and adoption agencies must support people with disabilities who want children. There are many different ways that these agencies can support future parents with disabilities. For example, they can bring in people who speak sign language. They can also give documents in Braille or give you paperwork that is easy to read. Foster care and adoption agencies should ask future parents with disabilities what kind of help they need.

Foster care and adoption agencies are not allowed to make people pay to get help.

Useful Resources

The following resources give more information about how adoption and foster care agencies can help disabled people who want to become parents:

- U.S. Department of Health and Human Services and U.S. Department of Justice, [Protecting the Rights of Parents and Prospective Parents with Disabilities: Technical Assistance for State and Local Child Welfare Agencies and Courts under Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act](#)
- AdoptUSKids, [Resources for Parents with Disabilities](#)
- Christopher & Dana Reeve Foundation, [Parenting with a Disability: Knowing Your Rights Toolkit](#)

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