



South Carolina Department of Social Services

Child Welfare Services Manual

500 Introduction to Foster Care

Effective Date: July 21, 2016

The Foster Care Program of the South Carolina Department of Social Services is centered on three primary purposes: child safety, legal permanency, and child wellbeing.

All children have the right to be safe and secure in their daily lives. To this end, the agency is committed to providing thorough investigative services when informed of potential abuse and neglect. When such investigation uncovers risk or safety concerns, the agency shall make reasonable efforts to maintain children in their original homes while providing the appropriate services to ameliorate the risk or safety issues. However, in cases where a child can no longer be safely maintained in his or her home, the agency will coordinate with law enforcement or the courts to place them in foster care. For the duration of the child's stay in foster care and, in some cases, during the child's transition out of foster care, the agency will make every effort to meet the child's needs and keep them safe from harm.

Immediately upon a child's placement in foster care, the agency will begin planning and making efforts to move the child back toward the stability and security of a permanent and loving family. Foster care is intended to be a temporary intervention, and the agency will make reasonable efforts to finalize the child's permanency plan in a timely and appropriate manner. Unless statutory exceptions exist, the initial plan shall always be reunification with the parent(s) or guardian(s). If reunification in a timely manner does not seem possible, the agency shall seek to finalize a permanent family through adoption or court-ordered custody or guardianship. In rare circumstances where the permanency plans described above are inappropriate, the agency shall seek to arrange Another Planned Permanent Living Arrangement (APPLA) with a person who is permanently committed to the child. The agency shall involve and engage the child's biological family and other kin whenever possible to provide a permanent home through one of the legal mechanisms above. If the agency is unable to find and provide a permanent home by the time the child reaches the age of 18, the agency shall offer the child the option of voluntarily remaining in foster care placement until the age of 21.

While the agency works to provide a permanent family for the child, the agency is committed to providing a living situation for the child in which the child can thrive. To accomplish this, the agency will provide the child with case planning and management that is diligent, comprehensive, and trauma-informed. The agency shall accomplish the three purposes set forth above through family-centered, trauma-sensitive, and non-discriminatory practice. At all opportunities, the agency shall collaborate with other stakeholders and agencies that serve a child to assist them in serving that child's best interests. Such stakeholders shall include, but not be limited to, the courts, the child's guardian ad litem, law enforcement, foster placements, mental health providers, child advocacy centers, placement providers, the Department of Juvenile Justice, and other service providers.

Legal Citations:

Multi-Ethnic Placement Act & Inter-ethnic Adoption

- Provisions 42 U.S.C.A. § 671(a)(18): general mandates
- 42 U.S.C.A. § 622(b)(7): diligent recruitment
- 42 U.S.C.A. § 674 &
- 45 C.F.R. § 1355.38: enforcement
- 42 U.S.C.A. § 1996b: Title VI violations
- 42 U.S.C.A. § 2000a et seq.: Title VI of the Civil Rights Act

The Americans with Disabilities Act

- 29 U.S.C.A. § 794: Section 504 of the Rehabilitation Act of 1973
- 29 U.S.C.A. § 705(20)-(21): Section 504 definition of disability
- 42 U.S.C.A. § 12102: ADA definition of disability
- 42 U.S.C.A. § 12103: ADA definition of auxiliary aids and services
- 42 U.S.C.A. §§ 12131-12134: ADA Title II, Public Services
- 42 U.S.C.A. §§ 12181-12189: ADA Title III, Public Accommodations
- 28 C.F.R. § 35.101 et seq.: ADA Title II regulations
- 28 C.F.R. § 36.101 et seq.: ADA Title IV regulations
- 28 C.F.R. § 42.501 et seq.: Section 504 DOJ regulations
- 45 C.F.R. § 84.1 et seq.: Section 504 DHHS regulations
- 42 U.S.C.A. § 675(8): federal child definition

S.C. Code Ann. § 63-7-10: state purposes

S.C. Code Ann. § 63-7-20(3): state child definition

Reasonable Efforts

- 42 U.S.C.A. § 671(a)(15): federal requirements
- S.C. Code Ann. § 63-7-720: to prevent removal
- S.C. Code Ann. § 63-7-1700(H)(9): reunification
- S.C. Code Ann. § 63-7-1700(E) & (H)(10): promote and expedite permanency
- S.C. Code Ann. § 63-7-1640: foregoing reunification, concurrent planning, permanency planning and TPR time frames