



South Carolina Department of Social Services

Child Welfare Services Manual

750.2 License Renewals

Effective Date: 07-21-2016

Purpose:

In order to monitor whether foster families are continuing to implement Standards of Care and whether such families have received adequate training, the agency shall require renewal procedures for all licensed homes on a biannual basis. This section sets forth the procedures for assessing a foster family home for renewal of their license.

Policy:

1. Race, color, national origin, religion, state of residence, age, disability, political belief, sex, or sexual orientation shall not be considered in making a determination regarding the management of a foster family license. Further, culture may not be used as a proxy for these factors in making such a decision.
2. All activities associated with child specific recruitment, licensing, and placement for foster care must be in the best interest of the child. Routine consideration of race, color, or national origin can never be considered to be in the child's best interests.
3. All licenses issued to foster families shall be reassessed for renewal at least every two years.
4. The agency shall complete re-licensing studies of each foster home on a timely basis to assure that a foster child is not residing in an unlicensed placement and that foster care board payments are not jeopardized.
5. The re-licensing study shall not include impermissible references to race, color, national origin, religion, state of residence, age, disability, political belief, sex, or sexual orientation regarding children and/or foster parents.
6. The agency shall obtain updated background checks through fingerprinting in the following circumstances:
 - a. a household member turns 18;
 - b. a person 18 or older joins the household;
 - c. current fingerprinting records on file are older than 10 years;
 - d. agency staff deem such procedures to be necessary.
7. Communications from or about foster families will be answered within 24 hours (or within the next business day) of receipt.
8. For policies and procedures related to monitoring of homes through regular visits and contacts, see [Section 760.1: Home Visits & Foster Family Contacts](#).

Procedures:

1. Over the course of the two years of licensure, the FSC shall accrue and document information related to training, household changes, moves, annual fire inspections, residents of the home, relationships with foster care workers, etc. which will be used at the review for renewal of the license.
2. Fire inspections are to be conducted annually and the dates tracked in CAPSS. At least 90 days prior to the annual inspection, a referral must be made as follows:
 - a. The FSC shall request the fire and safety inspection via the State Fire Marshal website (<http://scfiremarshal.llronline.com/>).
 - b. Under the heading "Programs," the FSC shall choose Code Enforcement or Inspection Services.
 - c. From the list "Documents/Online Submissions," the FSC shall choose Inspection Requests.
 - a. In the login box provided, the FSC shall type America.
 - b. The FSC shall complete the form and submit (note the entry requested for license renewal) it online.
 - c. The FSC shall print a copy of the referral and place it in the licensing file.
3. A deputy marshal shall contact the FSC to schedule a date for the inspection.
4. At least ninety days prior to a license expiration, the FSC will inform the foster family of the impending date. If the family voluntarily chooses to have the license expire, the FSC will determine the reason for the decision, the FSC and FSC team leader will consult to complete the following actions, when applicable:
 - a. Families who express frustration or discontent with the Agency or who cannot cite a specific reason for their decision should be referred to the Director of Regional Foster Family and Licensing Support for an exit interview;
 - b. Parents who have not acquired sufficient training hours should be assisted in locating, registering, attending, and/or completing the required courses;
 - c. If a family has grown due to the adoption or birth of a child, they should be advised of possible waivers that may be available. If the home lacks sufficient space to accommodate foster children, the FSC shall inquire about the need for assistance to purchase furniture that would increase the availability of space, such as bunk beds;
 - d. Families who have not had any foster children in the home because of preference for pre-adoptive placements should be referred to the appropriate Regional Adoptions office; and
 - e. In all instances of a license expiration with children placed in the home, the FSC shall notify the Foster Care worker so that arrangements for placement can be made in advance of the expiration.
5. When the family and DSS are both in agreement that the license should be renewed, the FSC shall:
 - a. Review quarterly visit notes and CAPSS to determine the number of training hours each parent has toward the relicensing requirement. Parents who have not acquired sufficient training hours should be assisted in locating, registering, attending, and/or completing the required courses;
 - b. Review quarterly visit notes and previous relicensing information to determine if collateral contacts with physicians, references, foster care workers, etc. Should be made; review CAPSS and the family's file to gather documentation from foster care workers, placement workers, transporters, and other DSS staff who have had contact with the family and evaluate the encounters and cooperation of foster family;

- c. Determine that the annual fire inspection has been completed or is scheduled;
 - d. Schedule a home visit to take place with both foster parents at least 60 days prior to the license expiration date. During the home visit, the FSC shall discuss issues included in the Foster Family Relicensing Assessment Summary and shall take appropriate notes;
 - e. Request Central Registry, SLED, and Sex Offender Registry checks within 90 days of license expiration for all household members 18 and older, as well as Sex Offender Registry checks for household members 12 and older (all checks include any foster children in the home). Household members who have turned 18 must also be scheduled for fingerprinting;
 - f. Request updated medical reports for any household member who has been hospitalized during the previous licensing period or if the FSC has documented reasons for requesting a medical form, including biological children who turned 18 and require an adult medical form (adopted children may use medical reports obtained during the adoption proceedings);
 - g. Have the foster parents sign a new Disaster Preparedness Plan (in accordance with [Section 760.7: Disaster Preparedness Plans](#)) and a new Discipline Agreement; and
 - h. Collect necessary documentation and notes and write a complete and thorough Foster Family Relicensing Assessment Summary.
17. The FSC shall staff the renewal packet with his or her supervisor at least 45 days before the license expiration date and obtain or amend documentation according to the resulting recommendations.
18. A license renewal must not be recommended in any of the following circumstances:
- a. A foster parent has a substantiated case of child abuse or neglect;
 - b. A foster home has a household member with a substantiated history of child abuse or neglect;
 - c. A foster parent has been convicted, pled guilty, or pled nolo contendere to an offense identified in s.c. code ann. § 60-7-2350;
 - d. A foster home has a household member who has been convicted, pled guilty, or pled nolo contendere to an offense identified in s.c. code ann. § 60-7- 2350;
 - e. A foster parent has been pardoned for a crime listed in s.c. code ann. § 60-7- 2350 and a review of the applicant's pardoned convictions, pleas, and the circumstances surrounding them determine the candidate is unfit;
 - f. A foster home has a household member pardoned for a crime listed in s.c. code ann. § 60-7-2350 and a review of the applicant's pardoned convictions, pleas, and the circumstances surrounding them determine the candidate is unfit;
 - g. A foster parent or household member has been convicted in the previous five years by a court of competent jurisdiction of a felony involving physical assault, battery, or a drug-related offense;
 - h. A foster parent is listed on the national sex offender public website;
 - i. A foster home has a household member (including minors) who is listed on the national sex offender public website;
 - j. When the fire inspection report contains deficiencies that have not been or cannot be corrected;
 - k. When the completed assessment indicates the applicant lacks or fails to demonstrate one or more parenting characteristics;
 - l. When a medical report for a foster parent or other household member does not recommend approval of the person to provide care for foster children. If the agency disagrees with a recommendation, then the agency may request a second opinion. Dss,

- as the licensing agency, has the authority to review recommendations and may disagree with conclusions regarding an ability to serve as a caretaker;
- m. When foster parent or household member has a criminal history that has been reviewed and the application subsequently denied by the regional director;
 - n. When a completed assessment indicates the foster parent lacks or fails to maintain the standards of care;
 - o. When the foster parent has been notified and assisted to resolve identified problems but fails to take action or meet licensing requirements.
19. If the FSC cannot recommend the foster home license for renewal, the file and CAPSS record shall contain documentation that the FSC discussed potential barriers with the family and discussion with the family resulted in a written confirmation of withdrawal or if resolution was not possible and the family did not choose to voluntarily withdraw.
20. The FSC shall explain the agency's decision to the applicant. If the renewal is denied, the FSC shall prepare a letter denying the application that explains the right to appeal. Before sending the letter to the family, the FSC shall forward the letter to the Office of General Counsel for review prior to the State Director signing the letter. If the applicant is interested in appealing the decision, the procedures listed in [Section 780: Appeal of an Adverse Agency Decision](#) are to be followed.
21. The FSC shall complete [DSS Form 1513: Original Licensing/Relicensing/Changes For Foster Home Licensing](#) and confirm that all documents required by the Licensing Requirement Checklist are contained in the packet prior to sending it to State Office Licensing staff.
22. All communications with or about families, including face-to-face encounters, correspondence via mail, e-mail, telephone, or text shall be documented in the CAPSS License screen using the dictation code appropriate for the activity.

Special Considerations:

When a licensed foster family moves, the FSC assigned to the family shall update the assessment study or, if the move is to another county, arrange for transfer of licensing responsibility in a timely manner. The issued license is not transferable from either the address or foster family on the license. New homes must be compliant with licensing requirements.

Documentation:

- Contacts with foster family and child
- Supporting information regarding license determinations

Legal Citations:

Multi-Ethnic Placement Act & Interethnic 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 violation
- 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. § 671(a)(10): licensing standards, RPP requirements
- 42 U.S.C.A. § 671(a)(20): background check requirements, databases, and registries
- 45 C.F.R. § 1356.30: background check requirements
- S.C. Code Ann. § 63-7-2310: FP contact, other adult notification & contact, FP cooperation
- S.C. Code Ann. § 63-7-2340: fingerprinting
- S.C. Code Ann. § 63-7-2345: payment of FBI fingerprinting
- S.C. Code Ann. § 63-7-2350: restrictions (child abuse, certain crimes)
- S.C. Code Ann. § 63-7-2360: minor sex offenders in the home
- S.C. Code Ann. § 63-7-2380: foster parent training
- S.C. Code Ann. § 63-11-70: background checks; pardons
- S.C. Code Reg. § 114-550: licensing regulations

Forms:

[DSS Form 1513: Original Licensing/Relicensing/Changes for Foster Home Licensing](#)

[DSS Form 30246: Foster/Adoptive Family Disaster Plan](#)

[DSS Form 30243: Re-Licensing Assessment Guide](#)