



State of South Carolina

Department of Social Services

Child Welfare Policies and Procedures: Chapter 5

Subject:	540.1 Foster Care Review Board Meetings – Administrative Case Review
Authority:	Social Security Act Sections 475(5)(B), 475(6), 475A(c)(4); Family First Prevention Services Act (P.L. 115-123); 45 CFR 1356.21(f); S.C. Code Sections 63-11-700 through 790; Foster Care Review Board Regulations 24-1 through 24-37
Standards:	South Carolina Practice Model: Guiding Principles and Standards (GPS)
Application:	All child welfare staff
Purpose:	
To outline policies and procedures for the periodic review of the status of each child in foster care by the local foster care review board	
Policy Statement:	
For any child who has been in foster care for at least four (4) consecutive months, the case manager shall arrange an administrative case review before the local foster care review board (FCRB) to review, in a collaborative manner, the child's case, the family permanency plan, and South Carolina Department of Social Services (DSS) efforts to achieve child safety, stability, permanency, and well-being in a timely manner. The case manager must arrange an administrative case review every six (6) months for as long as the child remains in foster care.	
<i>Note: The term, "child," includes minor children from infancy to age 12, and also includes youth age 13 to 18.</i>	
Policy Administration:	
The Office of Permanency Management is the owner of this policy. The Director of the Office of Permanency Management, or Director's designee, will review this policy within one year of publication in the child welfare manual and will make any necessary amendments to improve its effectiveness.	
Definitions:	
Administrative Case Review: the local foster care review board's periodic review of the case of a child who has been in foster care for a minimum of four (4) months at six (6) month intervals, for as long as the child remains in foster care, and that is open to the participation of the child's parents, the child, and other participants who are significant to the accomplishment of the goals outlined in the family permanency plan	
Age or Developmentally Appropriate Activities: activities that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally appropriate for a child, based on the	

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development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group; and in the case of a specific child, activities or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical, and behavioral capacities of the child

Congregate Care Facility (also known as group home): a residential organization including residential institutions and childcare institutions, licensed by DSS to provide temporary or long-term residential care for children on a year-round basis.

The term also includes emergency shelters. Boarding schools that do not operate year-round nor offer services beyond those associated with school programs are not congregate care facilities. DSS further categorizes congregate care facilities into non-specified congregate care settings and specified congregate care settings

Family Permanency Plan (also known as treatment plan/placement plan/case plan): the sole plan for a family that is developed collaboratively with the child or youth and family team to describe the reasons for agency involvement, the actions, and services required to change behaviors and reduce safety concerns and risks, and promote the safety, permanency, and well-being of the child or youth and family

Foster Care Review Board: the local boards that are responsible for conducting an Administrative Case Review once every six (6) months in the cases of children who have resided in public foster care for more than four (4) consecutive months to determine DSS efforts to acquire a permanent home for the child

Foster Family Home: the home of an individual or family that is licensed by DSS; in which a child in foster care has been placed in the care of an individual who resides with the child and who provides 24-hour substitute care for the child; that DSS deems the individual capable of adhering to the Reasonable and Prudent Parenting; and that provides foster care for no more than 5 children, subject to the following exceptions:

- a. to keep a sibling group together
- b. to keep a child in the child's home community
- c. to return a child to a home in which the child was previously placed
- d. to comply with a court order
- e. if it is in the best interests of the child as determined by the court

Qualified Residential Treatment Program: a congregate care facility that has a trauma-informed treatment model designed to address the needs, including clinical needs as appropriate, of children with serious emotional or behavioral disorders or disturbances and is able to implement the treatment identified for the child/youth in the required 30-day assessment of the appropriateness of the QRTP placement:

- a. to the extent appropriate and in accordance with the child's best interest
- b. facilitates participation of family members in the child's treatment program
- c. facilitates outreach to the family members of the child, including siblings, and documents information for any known biological family and fictive kin of the child

- d. documents how family members are integrated into the treatment process for the child, including post-discharge planning and family-based aftercare support for at least 6 months post-discharge
- e. is licensed by DSS and accredited by an approved independent, non-profit organization
- f. has registered or licensed nursing staff and other licensed clinical staff who provide care within the scope of their practice, are on-site according to the treatment model, and are available 24 hours a day and 7 days a week
- g. is not a detention facility, forestry camp, training school, or any other facility operated primarily for the detention of children who are determined to be delinquent
- h. is not a psychiatric residential treatment facility

Reasonable and Prudent Parent Standard: the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the State to participate in extracurricular, enrichment, cultural, and social activities

Policy:

A. Preparation for Administrative Case Review – Notice to Parties	1. The case manager must provide written notice of the administrative case review using DSS Form 3023 Notice of Meeting of the Foster Care Review Board or DSS Form 3098 Notice of Meeting of the Foster Care Review Board (for adoptive parents) to the following parties at least three (3) weeks before the review: a. child's parents or guardians from whom the child was removed b. kinship caregivers and prospective kinship caregivers c. the child when age and developmentally appropriate d. the child's guardian <i>ad litem</i> e. foster parents include DSS Form 3035 Foster Child Progress Report or adoptive parents include DSS Form 30124 Adoptive Child Progress Report with notice f. a congregate care representative who knows the child and include DSS Form 3035 Foster Child Progress Report with notice) other service providers and individuals pertinent to the family permanency plan g. other parties to the removal action <i>Note: DSS recommends case managers assess children age ten (10) and older to determine if the child is developmentally appropriate to participate in the review</i>
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B. Preparation for Administrative Case Review – Case Manager’s Case Summary	1. The case manager must complete DSS Form 1597 Foster Care Review Board Summary making sure the summary is consistent with the family permanency plan and family court orders. 2. The case manager must include the following documents: a. six (6) copies of DSS Form 1597 Foster Care Review Board Summary for each child; along with the: i. family permanency plan ii. complaint for removal iii. current court orders issues since the child’s most recent administrative case review iv. adoption reports and adoption case consultation reports v. psychological evaluations vi. home studies of kin and fictive kin vii. assessments of non-custodial parents viii. DSS Form 3035 Foster Child Progress Report if the licensed caregiver will not be present at the review ix. State Director’s written approval of QRTP placement, if applicable 3. The case manager shall review DSS Form 1597 Foster Care Review Board Summary and accompanying documentation, making sure the information is complete. The case manager must attach an index listing the names of cases included in the information packet. 4. The case manager must mail the information packet and case name index to the local FCRB office at least two (2) weeks before the scheduled review.
C. Preparation for Administrative Case Review – Preparation of Invited Parties	1. The case manager must prepare parties referenced in subsection (A) of this policy for the administrative case review process as outlined in this section. 2. The case manager meets with the child and in an age and developmentally appropriate manner determines: a. what the child’s views are regarding the permanent plan and the transition plan, if applicable, and the child’s opportunities to engage in age or developmentally appropriate activities; b. the way the child will present the child’s views at the administrative case review; c. if the case manager determines the child’s attendance at the review is not age or developmentally appropriate or, if despite the case manager’s efforts to engage the child,

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	the child does not want to attend the review, the Case manager in consultation with the case manager's supervisor, shall develop alternative means of facilitating communication between the child and the FCRB. Alternative means may include a letter or written statement, or having the child participate in the review via audio or video conference. d. the case manager must make sure foster parents, adoptive parents, and congregate care staff understand the purpose of the review and must encourage foster parents, adoptive parents, and congregate care staff who know the child and the child's needs to attend administrative case reviews. If these caregivers are unable to attend, the Case manager requests the caregivers complete and provide to the case manager DSS Form 3035 Foster Child Progress Report or DSS Form 30124 Adoptive Child Progress Report at least three (3) days before the review.
D. Administrative Case Review Participation	1. The assigned case manager shall attend the scheduled administrative case review and present case information to the foster care review board that is responsive to the purpose of the review, including information that assists the foster care review board to: - determine the safety of the child, the continuing need and appropriateness of the placement; - determine the extent of compliance with the family permanency plan; - determine the extent of progress made toward alleviating or mitigating the causes necessitating placement in foster care - project a likely date by which the child may be returned and safely maintained at home or placed for adoption or legal guardianship; and - for a child for whom another planned permanent living arrangement (APPLA) is the permanency plan, determine the steps DSS is taking to make sure the child's foster family home or congregate care placement is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities

	2. Additionally, for a child placed in a qualified residential treatment program (QRTP), the case manager must present the following information: a. ongoing assessment of the strengths and needs of the child to support the determination that the needs of the child cannot be met through placement in a foster family home, and that the placement in a QRTP provides the most effective and appropriate level of care for the child in the least restrictive environment, and that the placement is consistent with the short- and long-term goals for the child, as specified in the family permanency plan for the child; b. the specific treatment or service needs that the QRTP will provide for the child and the length of time the child is expected to need the treatment or services; c. the efforts DSS made to prepare the child to return home or to be placed with a fit and willing relative, an adoptive parent, a legal guardian, or in a foster family home; and d. in the case of a child who is placed in a QRTP for more than 12 consecutive months or 18 nonconsecutive months; or, for a child who is less than 13 years old, 6 consecutive or nonconsecutive months, documentation of the most recent version of the State Director's written approval of the continued placement in the QRTP. 3. If the assigned case manager cannot attend the review, the case manager's supervisor shall present the child's case information to the foster care review board. The child's review shall not be postponed. 4. If the case manager supervisor is unable to attend the review, the child's review shall not be postponed, and the following actions must occur: a. the case manager's supervisor shall designate a substitute to present the child's case information to the foster care review board b. the case manager must consult with a substitute prior to the administrative case review to prepare the substitute for the review c. the case manager's supervisor shall make sure a substitute is knowledgeable and can meaningfully present the child's case information as set forth in the Policy Statement and as outlined in Subsection (B) to the foster care review board
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E. After the Administrative Case Review	1. The case manager's supervisor must consult with the case manager to review the foster care review board child review report within one week of receiving the written recommendations and areas of concern: a. reviews all recommendations and areas of concern b. identifies action steps to respond to all recommendations and areas of concerns 2. The case manager shall send a copy of the foster care review board child review report to all invited parties. 3. The case manager documents the administrative case review, recommendations, areas of concern, and DSS action steps that respond to recommendations and areas of concerns in the CAPSS dictation. 4. The case manager must file a copy of the packet referenced in Subsection (B), notice to invited parties, dictation referenced in Subsection (E)(3) above, and the foster care review board child review report in the child's case file, as well as in the CAPSS foster care review board and legal screens.
F. Special Considerations: Termination or Transfer	1. The case manager's supervisor, or a designee, shall complete FCRB Form 1B to notify the foster care review board that DSS has terminated foster care services or the child has reached age 18. 2. The case manager's supervisor or a designee shall complete FCRB Form 1B to notify the FCRB that DSS has transferred case management to another county. See policy Section 510.4 for additional guidance.
Forms:	DSS Form 3035: Foster Child Progress Report DSS Form 1597: Foster Care Review Board Case Summary DSS Form 3023: Notice of Meeting of the Foster Care Review Board DSS Form 3098: Notice of Meeting of the Foster Care Review Board (for adoptive parents) DSS Form 30124: Adoptive Child Progress Report