



State of South Carolina Department of Social Services

SC Department of Social Services Policies and Procedures:

Subject:	Foster Home Licensing and Adoption by Current and Former Employees
Authority:	S.C. Code Sections 63-9-10, <i>et. seq.</i> ; 63-7-2310, <i>et. seq.</i> ; 63-9-250, and S.C. Code of Regulations 114-550 Licensure of Family Foster Homes and Approval of Adoptive Homes for Children in Foster Care
Standards:	GPS: Guiding Principles and Standards
Application:	All SCDSS Staff
Purpose:	
The South Carolina Department of Social Services (SCDSS) takes special interest in ethical considerations surrounding foster family home licensure and adoptive home approval when the applicant is a current or former employee. SCDSS employees are prohibited from engaging in activities considered to be a conflict of interest or exhibiting conduct unbecoming of a state employee. Regardless of whether an act is expressly prohibited, an employee has an obligation to avoid any act that is unethical or that creates the appearance of impropriety. This policy supplements the SCDSS Child Welfare Services Policy Manual Chapter 7, Adoptions, and Chapter 8, Foster Family and Licensing Support. The purpose of this policy and procedures is to inform Child Welfare Services Staff, current employees, and former employees of SCDSS policy, and procedures when an applicant for foster home licensure or adoptive home approval is a current or former employee, promoting licensing, approval, relicensing, and case management support in a manner that is consistent with professional ethical standards.	
Policy Statement:	
Employee Applicants may become licensed foster parents, licensed kinship foster parents, and approved adoptive resources. Child Welfare Services Staff shall follow all applicable laws and regulations related to licensing foster family homes and approving adoptive homes. Child Welfare Staff shall also follow the policies and procedures outlined in the SCDSS Child Welfare Services Policy Manual, including, but not limited to, Chapter 7, Adoptions, Chapter 8, Foster Family and Licensing Support, and the policies and procedures outlined in this section.	
Policy Administration:	

The Office of Permanency Management is the owner of this policy. The Director 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:

Certified Investigator: A person who is authorized by SCDSS to prepare assessment home studies (foster home licensing or adoption). (also known as Certified Adoption Investigator)

Child Placing Agency (CPA): An agency operating under a license to place children, youth or young adults in a foster family home for temporary care or in prospective adoptive homes for adoption.

Employee Applicant: means a current or former employee of SCDSS who applies to become a licensed foster parent or an approved adoptive resource. An Employee Applicant is also a current or former employee whom SCDSS has licensed to provide foster care or approved as an adoptive resource.

Family Home Assessment (AKA: Home Study, Adoption Home Study, Foster Home Licensing Home Study, and Assessment Study): A home study conducted for placing a child with a placement resource (foster family, adoptive home, family, or Kinship provider) who is required to be licensed or approved in accordance with federal and state law. The assessment home study is the assessment and evaluation of the prospective family and their home.

Policy:

A. Intake and Application

1. An Employee Applicant who wants to become a licensed foster parent or to be approved to provide adoptive placement must submit a complete and thorough application ([DSS Form 1572: Intake and Application for Services](#)) to the private agency or organization with whom DSS contracts to accept initial applications for foster home licensing and adoptive home approval.
 - a. A Child Placing Agency (CPA) must complete the foster family home licensing process for an employee applicant who seeks licensure as a non-kin Foster Family Home. The contracted agency provides the name of a CPA that serves the county in which the employee applicant resides.
 - b. If the employee applicant is seeking approval to become an adoptive home resource, the private agency or organization with whom DSS contracts to receive initial applications notifies the Regional Adoption Office that serves the county in which the employee applicant resides.
2. An employee applicant who wants to become a licensed kinship foster parent must submit a complete and thorough application

	to the Regional Foster Home Licensing Office that serves the county in which the employee applicant resides.
B. Foster Family Home and Adoptive Home Assessment Studies where SCDSS is the managing entity	1. If the employee applicant is applying for licensure as a kinship foster family home, the Regional Foster Home Licensing Office assigns the home study to a certified investigator who has no pre-existing personal or professional relationship with the employee applicant. 2. If the Employee Applicant is applying to become an adoptive home resource, the Regional Adoption Office assigns the home study to a certified investigator who has no pre-existing personal or professional relationship with the Employee Applicant. 3. The regional offices responsible for assignment of certified investigators as outlined in this section must assign a Certified Investigator who does not serve the county where the Employee Applicant is currently employed. 4. If the Employee Applicant is a former employee, SCDSS encourages the Regional Foster Home Licensing or Regional Adoption Office to assign a certified investigator who does not serve the county where the Employee Applicant was formerly employed; however, if it has been five (5) or more years since the Employee Applicant worked for SCDSS or other extenuating circumstances exist, a certified investigator who serves the county where the Employee Applicant was formerly employed may conduct the home study(provided the assigned investigator has no previous or existing personal or professional relationship with the applicant.) The Regional Foster Home Licensing or Adoption Specialist must document any extenuating circumstances in the Employee Applicant's case file. 5. At the time of receiving an assignment the certified investigator is provided DSS Form 37655: Certified Investigator Assurance. This form is a written assurance that the certified investigator does not have a pre-existing personal or professional relationship with the Employee Applicant before the certified investigator begins the assessment study. 6. The signed form will be linked to the foster home licensing or adoptive home file in CAPSS and placed in the family file. 7. After assignment, a certified investigator who later identifies a relationship with the Employee Applicant that can reasonably be construed to be in violation of these policies and procedures must promptly disclose the information and relationship to Regional Licensing or Adoption Office who assigned the home study. Within five (5) business days of the disclosure, the Regional Licensing or Adoption Office must reassign the home

	study to another Certified Investigator, following the procedures outlined in this section to promote assignment to a Certified Investigator who has no pre-existing personal or professional relationship with the Employee Applicant. The newly appointed Certified Investigator must provide a written assurance that the Certified Investigator does not have a pre-existing personal or professional relationship with the Employee Applicant as set forth in this policy.
C. Access to Records and Information	1. Only employees with a need-to-know, eg. OHAN, Director of Child Welfare Licensing, assigned adoption specialist or foster home licensing case manager, of information concerning an employee applicant's foster home licensure or adoptive home approval application may access records and information related to the application. 2. An employee applicant is prohibited from independently accessing SCDSS paper and electronic records concerning the employee applicant's foster home licensure or adoptive home approval application during the employee applicant's employment. An employee applicant who desires copies of records from the employee applicant's licensing or adoption file must direct the request for records to the assigned licensing or adoption case manager. The licensing or adoption case manager must consult with the Office of General Counsel prior to disseminating records to an employee applicant. 3. An employee applicant is prohibited from independently accessing paper or electronic records of any child placed in the employee applicant's home for foster care or adoptive placement. Any request for information or records should be directed to the child's case manager. 4. The Regional Foster Home Licensing Office, State Office Licensing Office, or Regional Adoption Offices will place an administrative lock on the CAPSS records pertaining to the employee applicant and child placed in their home.
D. Placement Decisions	1. An employee applicant may not provide foster care or adoptive placement for a child for whom the employee applicant has provided direct case management or supervision of direct case management, except when the employee applicant is related by blood, marriage, or adoption to the child who needs placement. 2. An employee applicant may not provide foster care or adoptive placement for a child receiving case management and services in the employee applicant's office, except when the employee applicant is related by blood, marriage, or adoption to the child who needs placement.

	3. An employee applicant who was formerly employed with the Department may not provide foster care or adoptive placement for a child receiving case management and services in the office from which the employee applicant resigned or otherwise ended employment, except when the employee applicant is related by blood, marriage, or adoption to the child 4. Notwithstanding the placement prohibitions stated in this section, upon a showing of good cause and that it is in the child's best interests, the State Director or Director's designee may approve the foster or adoptive placement of a child with an employee applicant. The State Director or Director's designee shall document decisions to approve or disapprove such placements in the case record. Note: To promote maintaining family connections, the department interprets "relationship by adoption" broadly, eg. Sibling, cousin, aunt/uncle, etc. 5. All placements of children are to be made with their best interest, safety, well-being, and permanency in mind. Decisions regarding placement are considered during: • The Child and Family Team Meeting (CFTM) • An Adoptive Selection Committee (if the child has an open adoption service line)
E. Case Management of the employee applicant's home if SCDSS is case managing the home	1. A Regional Licensing or Adoption office outside of the employee applicant's region of assignment shall have case management. 2. The Regional Licensing or Adoption office who transferred the Employee Applicant provides the applicant with the contact information of the Regional Office where their application has been transferred too. 3. The Regional Licensing or Adoption Office who has received the Employee Applicants application will follow all standards for licensing or approval of adoptive home.
Forms:	DSS Form 1572: Intake and Application for Services DSS Form 37655: Certified Investigator Assurance
Resources:	N/A
Related Management Reports:	N/A

Original Effective Date:

Current Effective Date:
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