

SOUTH CAROLINA FOSTER PARENT BILL OF RIGHTS

The South Carolina Department of Social Services, in partnership with the Foster Parent Advisory Council, created this Bill of Rights for licensed South Carolina Foster Parents and Licensed Kinship Caregivers.

The needs and requirements of SCDSS foster and kinship families were considered in the creation of this Bill of Rights.

This Bill of Rights shall be given full consideration when SCDSS policies regarding foster care and adoptive placement are developed.

Additional information on the policy and procedures for foster care in South Carolina are found in the SCDSS regulations and the South Carolina state statutes.

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Article 1. Foster Parents have the right to be treated with consideration, dignity, respect, trust and value.

Article II. Foster Parents have the right to use the reasonable and prudent parent standard, characterized by careful and sensible decisions that maintain the health, safety, and best interest of a child while at the same time encouraging the growth and development of the child in determining whether to allow a child living in out-of-home care to participate in age or developmentally appropriate activities.

Article III. Foster Parents have the right for explanation of foster parent role in partnership with children and their families, departments, child placing agencies, and other providers; along with the roles of SCDSS and child placing agencies, and the rights and role of the children placed in foster care and their families.

Article IV. Foster Parents have the right to participate in Shared Parenting between the child's biological family and SCDSS. This includes, but is not limited to:

- 4.01** Communication with the child's birth family, other foster parents of the child, and prospective and finalized adoptive parents of the child with the other party's approval and without the threat of reprisal.
- 4.02** Reasonable opportunities to be consulted with and considered in the scheduling of home visits, therapies, and other meetings related to the child that the foster or resource parents are allowed or required to attend.

Article V. Foster Parents have the right to serve as a respected member of the child and family team, regardless of religion, race, color, creed, gender, gender identity, marital status, national origin, age, physical handicap, or sexual orientation. Foster parents will also honor children placed in their homes by respecting their rights and values.

Article VI. Foster Parents have the right to be informed of and to meaningfully participate in scheduled meetings, appointments, and other case interactions concerning a child in their care, including, but not limited to the following:

- 6.01** Medical appointments,
- 6.02** Child and Family Team Meetings (CFTM),
 - (a) Biological family must agree to foster parent's participation in any case directed CFTM.
 - (b) Foster families have the right to call a Placement CFTM (P-CFTM) during the case progression to meet with DSS and other providers. Reference Article 7.07 for additional information on P-CFTMs.
- 6.03** Foster Care Review Board meetings,
- 6.04** Family court hearings,
- 6.05** Educational meetings.

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Article VII. Foster Parents have the right to be informed:

- 7.01** At the time of placement, of all known behavioral, health, educational, cultural and family background information related to the care of the child.
- 7.02** At the time of placement the number of times a foster child has been moved and the reasons why and the means to contact previous foster parents (when consent of previous foster parent(s) has been given).
- 7.03** At the time of placement, the individual treatment and service plan concerning the child as well as a timely notification of any changes to that plan.
- 7.04** Of any changes to case management and Guardian ad Litem within one business day.
- 7.05** In timely notification from SCDSS of visitation with biological family, siblings, and/ other parties if ordered by the court. This can include coordination of transportation, time, and location of visit.
- 7.06** In timely written notification from SCDSS of any proceeding or meetings that involve Foster Care Review Board (FCRB), Court, or CFTM in which the child's case plan or permanency plan is an issue, to include periodic reviews held by the court or by the Foster Care Review Board. This notification may include, but is not limited to time, date, and location. The notification shall be made upon receipt of this information by the department.
- 7.07** Of changes in the child's case plan or termination of the placement and reasons for such actions, except in the instances of immediate response of child protective service or court order.
- 7.08** Of any regulatory or abuse or neglect complaints against their home which adversely affects their status as foster parents and to receive information on their right to appeal.
- 7.09** Of a corrective action plan or notice of deficiency and an explanation for the plan and/ notice.

Article VIII. Foster Parents have the right to receive meaningful and timely support in the following ways:

- 8.01** Access to training and support to improve skills to meet the needs of the child in foster care.
- 8.02** To request assistance from a staff person representing SCDSS 24 hours a day, seven days a week and information on how to reach the situation appropriate SCDSS on call staff member.
- 8.03** To be informed of programs and financial assistance available to them, e.g. BabyNet, WIC, child care.
- 8.04** To be informed of and receive available and applicable SCDSS financial support, e.g. clothing allowance.
- 8.05** To receive a fair and timely resolution of Out of Home Abuse and Neglect (OHAN) investigations in accordance with state law and SCDSS policy.
- 8.06** To receive respite care based on SCDSS or CPA policy.
- 8.07** To voice questions or concerns directly to the licensing agency/ worker, case manager, supervisor, and program coordinator, county director, and/or the foster parent liaison.

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Article IX. Foster Parents have the right to:

- 9.01** To be free from unlawful discrimination.
- 9.02** Accept or refuse to accept placement of a child in the foster home.
- 9.03** Request the removal of a child from the foster home when the foster parent feels unable to meet the needs of the child and with reasonable notice to the SCDSS (At least 10 days notice unless child is presenting a danger to self or others).
- 9.04** Be considered as a preferential placement option when a former placement(s) re-enter the foster care system; if in child's best interest and a kinship relative is not identified.
- 9.05** Be considered as a potential adoptive resource for a child, if adoption becomes the permanent plan for the child, after six (6) months of consecutive placement in the foster home.
- 9.06** Communicate with therapists, physicians, Guardians ad Litem, teachers, and other professionals who work directly with the child (except where prohibited by privacy laws).
- 9.07** Request a Placement Child and Family Team Meeting (P-CFTM) to discuss challenges, resources, and potential services for a child including, but not limited to:
 - (a) Resource and service requests
 - (b) Mediation with managing county
 - (c) Placement or case concerns
 - (d) Input in identifying types of resources and services that would meet the needs of children placed in their home
- 9.08** Request a change of licensing agency.
- 9.09** Advocate for resources and services to meet the needs of children placed in their home, without threat of reprisal.
- 9.10** Receive notices and right to appeal from SCDSS in applicable situations.

Article X. Foster Parents have the right to be heard when they believe that these rights have been violated. Issues shall be resolved at the County Director level. If issues cannot be resolved at the county level, foster parents shall involve the State Foster Parent Liaison for help with resolution.

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***Rights Disclaimer:** While foster parents play a vital role in the welfare of children, the legal framework governing their relationship with SCDSS does not equate to the conferral of specific legal rights that would permit a formal grievance on perceived violations. Foster parents are encouraged to communicate openly with their caseworkers and seek clarification or resolution through appropriate channels if concerns arise. However, this disclaimer underscores that such concerns do not constitute a legal basis for complaint under the rights framework.

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