



State of South Carolina

Department of Social Services

Policies and Procedures: Child Welfare Manual

Subject:	741. Foster Family Initial Licensing Agreement
Chapter:	Foster Family Licensing & Support
Effective Date:	07/21/2016
Standards:	Guiding Principles and Standards (GPS) Practice Model
Application:	Child Welfare Services Staff

PURPOSE STATEMENT:

The agency is committed to providing a thorough but efficient licensing process that promotes both the wellbeing of foster children and the retention of prospective families. This section sets forth the policies and procedures governing the contacts and assessments by which Regional Initial Licensing Coordinators evaluate prospective families.

POLICY:

No individual shall be denied the opportunity to become a foster or adoptive parent on the basis of race, color, national origin, religion, state of residence, age, disability, political belief, sex, or sexual orientation. Neither of these opportunities shall be delayed on the above bases. All recruitment materials must inform potential foster or adoptive applicants that DSS is prohibited from delaying or denying such opportunities on the above bases. Further, applicants will not be required or requested to complete family assessments related to or based on the race, color, or national origin of the foster parent applicant or any potential foster children.

1. All prospective foster parents with disabilities shall be given full and equal opportunities to become foster parents and shall be entitled to individualized treatment. If necessary to facilitate a full and equal opportunity, foster parents with disabilities shall be entitled to auxiliary aids and services.
2. A decision regarding each application for a license will be made within 120 days of the date an application is signed by the applicant family. If SCDSS or the child placing agency has requested information that has not been received within 120 days, then the decision is delayed pending receipt of all information.
3. Applicants may choose to be licensed for regular foster care, therapeutic foster care, or to be approved as an adoptive resource. Regular foster home initial licensing assessments are completed by SCDSS Regional Initial Licensing Coordinators. If the prospective family is interested in being approved to adopt or to foster and adopt, a SCDSS Regional Adoptions Specialist will conduct the process. Refer to [Chapter 7: Adoption](#). Third- party providers contracted by SCDSS shall recruit, assess, train, and manage licensed homes to provide therapeutic foster care.
4. Requests accepted from non-DSS agencies should be limited to other agencies that do not have their own licensing staff. Requests from other state agencies with licensing capabilities and from licensed child placing agencies should not be accepted.

5. Each foster parent applicant and household member age 18 or older require a search of the SC Central Registry of Child Abuse and Neglect and the equivalent registry system in each state of residence for the 5 years preceding application for licensure. Persons found listed on such a registry are not eligible for licensure or to share a residence with a foster child. Inquiries by other states regarding SC Central Registry checks should be referred to the SCDSS State Office for fulfillment.
6. SC Central Registry checks are required for non-licensed childcare providers and babysitters who provide regular and/or full time care for foster children. Persons found listed on the Central Registry may not provide care for a foster child.
7. Each foster parent applicant and household member age 18 and older require a search of the National Sex Offender Registry. Inclusion on the registry of anyone in the home prohibits licensure.
8. Individuals who provide informal routine care or unlicensed child care must be screened against the National Sex Offender Registry. Care for foster children cannot be provided by an individual listed on the registry.
9. Fire and Safety, as well as Health and Sanitation, Inspections by appropriate state agencies are required to confirm that a home environment is suitable and safe for the placement of children. When applicable, a lead risk assessment will be conducted in homes determined to be at risk by health authority standards. Additionally, if a private well supplies water to the home, the water will be tested for purity/safety.
10. Each foster parent applicant is required to participate in a pre-service training approved by the Department.
11. Foster families shall have a disaster preparedness plan in place as a prerequisite to initial licensure and for all renewals thereafter. Such a plan shall include the following topics:
 - flexible and appropriate responses to various scenarios and locations in which to seek emergency shelter;
 - additional considerations for medically fragile children;
 - plans for compliance with mandatory evacuation orders; and
 - identification of an approved local shelter or, if plan is to evacuate to a residence, steps for ensuring child safety and continued communication with DSS.
12. All foster family applicants shall be required to demonstrate values and standards conducive to the well-being and development of a child. These standards shall include the use of the reasonable and prudent parent standard. Refer to [760.3 Reasonable and Prudent Parenting](#).
13. For the Standards of Care expected of foster families, refer to [720 Standards of Care](#).

PROCEDURES:

1. After all background checks on applicants and household members have been received and show no history that would prevent licensing, the State Office Initial Licensing Supervisor (ILS) assigns the case to an Initial Licensing Coordinator (ILC) for processing.
2. The ILC will conduct a minimum of two in-home visits to adequately assess and interview the family. The ILC should expect to conduct additional visits and numerous phone calls with the family in order to collect the information necessary to

determine the suitability and quality of the home prior to recommendation of licensure. Each contact with the family is an opportunity to observe behaviors, situations, and environments that will lend to the decision to license.

3. All contacts with the applicant family and other persons relative to the application should be documented in the CAPSS License screen using dictation action codes appropriate for the contact.

A. The Initial Phone Call/ Contact

2. The ILC shall contact the family upon assignment to schedule the first home visit, which shall occur within 10 days of the receipt of the intake form by the State Office Initial Licensing Unit.
3. The preferred method of contact is a telephone call. If there is no answer, a message should be left on the applicant's voice mail and an email and/or text message should be sent.
4. If there is no response within 2 business days, the ILC should follow the same protocol in trying to reach the applicant.
5. The ILC will staff with his or her supervisor if there is no response to any of the above contact attempts or if some or all of the means of reaching the applicant are not available.
6. If, after 10 days, there has been no response, the ILC will mail a letter to the applicant stating there has been no contact and that the intake is being suspended.
7. Efforts to reach an applicant should be documented in the CAPSS.
8. During the initial phone call with the applicant, the ILC shall confirm that the family received information and forms from SCFPA/Heartfelt Calling including:
 - [DSS 1539: Babysitter Form](#),
 - [DSS 1573: Financial Information](#),
 - [DSS 1574: Medical Report for Prospective Foster/Adoptive Parent](#),
 - [DSS 30102: Medical Report for Adult Household Members](#),
 - [DSS 30202: Medical Report for Child](#),
 - Fire Marshal Regulations, and
 - DHEC Inspection information
9. Details of the information packet should be iterated and clarified.
10. If no packet was received, the ILC shall email a packet prior to the Initial Home Visit (IHV) if there will be sufficient time for the family to review the documents. If the IHV will take place the same day of the telephone contact, the ILC will hand deliver and review the documents during the visit.
11. The IHV appointment to include all household members shall be set to occur within 10 days of the receipt of the application at State Office.
12. The applicant shall be made aware that a minimum of one family interview and one interview per household member age 6 and older is required during the licensing process.
13. The visit must be scheduled to meet the needs and availability of the family.

14. If the visit cannot be accomplished within the 10-day time frame, the ILC should consult with his or her supervisor and document the reasons in CAPSS.
15. The initial phone call serves as a preliminary assessment of the motivation and interest of the prospective foster family. It is appropriate to remind the applicant of the licensing process and what can be expected post-placement of a foster child.
16. The name and mailing addresses of three references for the family shall be obtained during the initial phone call. References should be familiar with the family's suitability for fostering but should not be a family member of the applicants.
17. The phone call shall be documented in the CAPSS.
18. Requests for letters of reference shall be mailed to the individuals whose names and addresses were given by the applicant. The mailing should be documented in the CAPSS.

B. The Initial Home Visit

1. The ILC shall perform the initial home visit, which shall include at least the following actions:
 - a. explaining to the family the licensing process (including 14- hour pre-service training requirement), expectations of providing foster care, and the Standards of Care found in the S.C. Code of Regulations;
 - b. assessing the family's suitability for fostering through observing (or reviewing evidence of) and making note of these positive parenting characteristics:
 - i. ability to care about others and be responsible for them;
 - ii. ability to appropriately express affection;
 - iii. enjoyment in the parental role;
 - iv. ability to care for a child, including use of appropriate discipline, and meet that child's needs without expecting immediate appreciation and response from the child;
 - v. a satisfactory and stable marriage or committed relationship (for applicant couples);
 - vi. maintenance of appropriate relationships with other family members and with the community;
 - vii. stability, maturity, and functioning;
 - viii. ability to be flexible in expectations and attitudes in helping meet a child's needs and in addressing a child's problems;
 - ix. ability to request and use assistance when needed to deal with problems in the family;
 - x. ability to accept and support the child's relationship and reunification with biological family;
 - xi. ability to cooperate and appropriately work with the department and staff on behalf of the child and the child's best interest and willingness to accommodate the monthly contacts or interviews from department staff as required by statute;
 - xii. ability to accept the concepts of family preservation and reunification as the goals of most foster care placements;
 - xiii. demonstration of values and standards including reasonable and prudent parenting as defined in [760.3 Reasonable & Prudent Parenting](#),

- conducive to the well- being and development of a child;
 - xiv. knowledge of the needs of children;
 - xv. capability to meet the needs of foster children and provide adequate foster care services;
 - xvi. capability to handle an emergency situation;
 - xvii. ability to provide all relevant and factual information to the agency in a timely manner;
 - xviii. willingness to learn more about caring for foster children through participation in training;
 - xix. ability to accept moving a child into an adoptive home if appropriate; and
 - xx. ability to work with other professionals working with the child and the child's parents/family;
2. Assessing the family's suitability for fostering by observing (or reviewing evidence of) and making note of these questionable or problematic traits:
- a. instability with personal relationships (may be demonstrated through multiple marriages/divorces or multiple short-term partners);
 - b. background on applicant's family of origin includes report of child or adult abuse/neglect, parental substance abuse, etc.;
 - c. lack of involvement with the local community;
 - d. evidence of possible substance abuse, including alcohol or drugs and/or history of treatment for an addictive disease;
 - I. If this is indicated, applicants may be licensed only after consultation with the appropriate therapist or physician to obtain a history of rehabilitation and to assess potential effects on the ability to care for children.
 - II. Applicants shall be required to execute the necessary releases.
 - e. lack of support by any family member for the placement of a foster child;
 - f. statements or other indications that the applicant is primarily seeking to meet his/her own needs rather than the foster child's (e.g., "I've always wanted a girl", "My child needs a playmate", or "Our children are grown and we're lonely");
 - g. reluctance to share pertinent information;
 - h. biological children from a former marriage live with ex-spouse and non-custodial parent has limited/no contact with them or provides no support for them or there is visitation between the non-custodial parent and his/her children which may present a problem concerning sleeping arrangements when the biological children visit overnight or for an extended period;
 - i. income is not sufficient enough to confirm that a board payment would not be the primary source of income or is needed for meeting routine household expenses
 - j. previous or current placement of biological child(ren) in substitute care, with relative, or for adoption;
 - k. residence is in a subsidized housing project which may be jeopardized by an increase in household members;
 - l. family demonstrates ongoing lack of understanding about the purpose of the foster care program, developmental skills and needs of children, dynamics of child abuse and neglect, etc. (e.g., continues to express a desire to "save" the children from their parents, does not express a desire to adopt but wants to keep children only on a long-term or permanent basis);

- m. applicant or household member has a history of mental illness or other health concerns that may have an adverse impact on their ability to provide care for children;
 - n. applicant or household member has been pardoned for a crime listed in S.C. Code Ann. § 63-7-2350;
 - o. applicant or household member has convictions other than those listed in S.C. Code Ann. § 63-7-2350;
 - p. references are all from out-of-state sources (even though the applicant has lived in South Carolina three years or more) or the references have a limited view of the applicant and family;
 - q. evidence of estranged relationships with adult children or other family members;
 - r. applicant uses corporal punishment to correct his or her own children and is unwilling to consider alternative forms of discipline for foster children;
3. Securing applicant signatures on the following forms (assisting/ clarifying as needed to complete):
- a. Intake and Application for Services;
 - b. Consent to Release Information;
 - c. Babysitter Information;
 - d. Family Disaster Preparedness Plan; and
 - e. Family History;
4. Obtaining copies of the following documents:
- a. Certified Birth Certificates of all household members (original must have been issued by the state/territory/country of birth);
 - b. Social Security cards of household members;
 - c. Marriage license of applicants (if applicable);
 - d. Divorce Decree and Complaint for Divorce (as applicable) (if no decree or complaint is available from the state/ territory/ country issuing the divorce, a statement on letterhead from the issuing authority must be submitted with the reason for the lack of record);
 - e. Military Discharge (if applicable);
 - f. Driver's Licenses of all drivers in the household; and
 - g. Pet vaccination records (only required for dogs, cats, and ferrets);
5. Reviewing the medical forms and recording dates and with whom the assessments are scheduled; tuberculosis testing is required for all adults in the household);
- a. All applicants must have recent (conducted within the prior 12 months) physical exams from a licensed health care professional that indicate that the applicants are capable of caring for an additional child or children;
 - b. All household members must disclose current mental health and/or substance abuse issues.
 - c. All household members must provide information on their physical and mental health history, including any history of drug or alcohol abuse or treatment.
 - d. The Department may require further documentation and/or evaluation to

- determine the suitability of the home.
- e. All children who are household members must be up to date on immunizations consistent with the recommendations of the American Academy of Pediatrics (AAP), the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention (ACIP), and the American Academy of Family Physicians (AAFP), unless the immunization is contrary to the child's health as documented by a licensed health care professional.
 - f. All household members who will be caregivers of infants must have an up-to-date pertussis (whooping cough) vaccine consistent with the recommendations of the ACIP, unless the immunization is contrary to the individual's health as documented by a licensed health care professional.
 - g. All household members who will be caregivers of infants and children with special medical needs must have an up-to-date annual influenza vaccine consistent with the recommendations of the ACIP, unless the immunization is contrary to the individual's health as documented by a licensed health care professional.
6. Reviewing the financial form, resolving any "blank" spaces or discrepancies, and calculating the totals by using the income verification documents provided by the family (if providing bank deposit statements as verification, the statement must clearly show the source/origin of deposits to be counted as income);
 7. Noting the date of pre-service training for which the applicants are enrolled;
 8. Beginning the interview process with household members and children to gauge commitment and understanding of fostering;
 9. Taking pictures of the home (inside and out) and family;
 10. Walking through the home to assess space available for family and foster children;
 11. Inspecting firearm and ammunition storage
 12. Observing potential barriers to successful fire/safety or health/sanitation inspections and making recommendations to amend prior to the inspection;
 13. Verifying when the home was built and the source of water for the home;
 14. Creating with or providing instructions to the family on drawing a home floor plan; and
 15. Setting a date for the second home visit and possible dates for fire/safety health/sanitation inspections (second home visit will be within 45 days of the first).
 16. The ILC shall document the visit details (including but not limited to who was present/interviewed, date/time of visit, as well as particular questions or concerns from the family) in the CAPSS.

C. Requests for Inspections

- a. Within 3 business days of the IHV, the ILC will request inspections.
- b. Fire and safety inspections are requested via the State Fire Marshal website, <http://scfiremarshal.llronline.com/>. To request an inspection, the ILC shall:
 - I. under the heading "Programs," choose Code Enforcement or Inspection

Services;

- II. from the list "Documents/Online Submissions," choose Inspection Requests;
 - III. in the login box provided, type America;
 - IV. complete the form and submit (and note the entry is requested for initial license inspection);
 - V. print copy of referral for records;
 - VI. confirm contact by a deputy marshal at a later date to schedule a date for the inspection;
 - VII. document the request date in the CAPSS.
- c. Health and sanitation inspections are requested via email to fosterhomes@dhec.sc.gov.
 - d. The Health Inspection report will include reference to the lead substance level in homes built prior to 1978 unless the applicant has specified that a child under the age of 6 will not be accepted for placement in the home.
 - e. The ILC shall document the request date in the CAPSS using the dictation codes Health Inspection and Correspondence.

D. Intermediate Documentation & Review

2. The ILC shall begin writing the Foster Family Assessment Summary and Outline (home study) as soon as possible and should not wait on all documents, references, and/or interviews to be finalized. The home study can be amended or updated as new information is learned and prior to submission to supervisor. The ILC shall document the work done in writing the home study in the CAPSS.
3. Using the Licensing Requirement Checklist, the ILC shall review and note the receipt of collateral information, reports, or forms. The ILC shall document the date of receipt/review in the CAPSS.
4. The ILC shall discuss the family and information gathered about the potential license as needed or requested with supervisor. The ILC shall document formal and informal conversations with supervisor in CAPSS.
5. The ILC shall receive and review the notes from the pre-service training facilitator. The ILC shall document the date of receipt/review in CAPSS.

E. The Second Visit & Subsequent Follow-up Visits

- a. Within 45 days of the initial home visit, the ILC will conduct a second visit with the family to accomplish the following:
 - i. determining the status of the fire/safety/health/sanitation inspections, if deficiencies were found, the resolution to any deficiencies, and the dates, if any, of re-inspection;
 - ii. verifying attendance at past or upcoming pre-service training and evaluating applicants' knowledge gained from training;
 - iii. reminding about the licensing process and remaining steps toward completion;
 - iv. gathering information/documentation that has not already been submitted;
 - v. completing the Foster Parent Autobiography for each applicant and obtaining signatures;
 - vi. asking follow-up questions to fully complete the Assessment (Home) Study Outline;

- vii. discussing the importance of appropriate discipline for children who've been abused or neglected and have applicant's sign Discipline Agreement;
- viii. reviewing the Child Factors Checklist with applicants and providing information as needed prior to obtaining their input and signatures;
- ix. verifying any plans for child care and noting the caregiver, explaining to the applicants that an unlicensed provider must be interviewed and have background checks completed;
- x. giving information about ABC vouchers and providing information about the process to have them issued;
- xi. explaining foster care board payments and reporting to SNAP/TANF (which may affect any current benefits received by family);
- xii. obtaining signatures on the request for Foster Home Licensing;
- xiii. advising the applicants that follow-up information may be requested from family or collateral contacts before license is denied or approved;
- b. The visit details (including but not limited to who was present/interviewed, date/time of visit, as well as particular questions or concerns from family) shall be documented in the CAPSS.

F. Final Draft & Submission of Home Study

- a. Within 5 days of the final home visit, the complete and thorough home study (using the Assessment Study Outline) should be written, checked for accuracy, and prepared for submission. The ILC shall document the efforts to complete the home study in CAPSS.
 - b. The ILC shall review the packet for content and completeness using the Licensing Requirement Checklist and shall submit the packet to the ILC's supervisor for final review for licensure or denial. The ILC shall document the submission of the packet in CAPSS.
 - c. Once the licensing packet has been submitted, the supervisor shall review it for accuracy, coherence, consistency and suitability for licensing. Refer to [742 Application Determination](#) for application determination policy and procedures.
- G. Throughout the licensing process, the Initial Licensing Supervisor should be consulted as necessary to clarify procedures and information received.

Special Considerations:

1. For the purposes of licensing interviews and assessment, an individual who spends significant amounts of time (as defined by SCDSS or the child placing agency) in an applicant's household can be considered a household member.
2. TB tests can be contra-indicated for individuals who have had the condition in the past. In these situations, a chest x-ray may be recommended by the applicant's physician.
3. When an applicant appears in CAPSS but not as a Central Registry entry, the case must not be considered if seven or more years have elapsed between the closure of the case and the application for foster home licensing.

DOCUMENTATION:

- Contacts and attempted contacts with prospective foster family
- Detailed summaries of each visit
- Copies of requests for inspections

- Copy of completed home study
- Copies of all supporting documentation
- Work completed in writing home study
- Date of submission of home study

COLLABORATION:

- Initial Licensing Coordinator
- Initial Licensing Supervisor
- Office of General Counsel
- Office of Investigations
- FBI/SLED
- DHEC
- SCDSS Division of Human Services, Central Registry of Abuse and Neglect

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

South Carolina Code

- 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. § 63-11-70: background checks; pardons
- S.C. Code Reg. § 114-550: licensing regulations

Forms:

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