



State of South Carolina

Department of Social Services

Child Welfare Policies and Procedures: Chapter 5

Subject:	510.5 Placement with Kinship Caregivers
Authority:	S.C. Code Ann. Sections 63-7-640; 63-7-650; 63-7-680; 63-7-690; 63-7-730; 63-7-735; 63-7-765; 63-7-1630; 63-7-1700; 63-7-2320; and 63-7-2330. Fostering Connections to Success and Increasing Adoptions Act Public Law 110-351.
Standards:	South Carolina Practice Model: Guiding Principles and Standards (GPS)
Application:	All child welfare staff
Purpose:	The procedures in this policy guide child welfare services staff on the engagement and assessment of kinship caregivers initially and ongoing throughout service delivery. When a child or youth cannot safely remain in the home of a parent or guardian, research indicates children or youth in kinship care have better outcomes than those placed in foster care placements unknown to them or congregate care. Placement with a kinship caregiver minimizes the impact of trauma the child or youth experiences when removed from the parent or guardian; maintains important connections to family, extended family, school, and community; increases the likelihood that a sibling group will be placed together; enhances placement stability and expedites permanency.
Policy Statement:	When a child or youth cannot safely remain in the home of a parent or guardian, the case manager must make concerted efforts to place the child or youth with a kinship caregiver. The South Carolina Department of Social Services (SCDSS) believes in licensing kinship caregivers when a child or youth cannot safely remain in the home of a parent or guardian; however, when it is in a child or youth's best interests and the parent or guardian agrees, a kinship caregiver may temporarily assume physical custody of the child or youth instead of becoming a licensed kinship caregiver. Additionally, the family court may order a kinship caregiver to assume legal custody when it best serves the needs of the child or youth and family. When placing a child or youth with a kinship caregiver, the case manager must assess the kinship caregiver's need for services and supports and address identified needs. The case manager has a continuing obligation to make concerted efforts to place a child or youth with a kinship caregiver as long as the needs of the child or youth call for placement outside the home of the child or youth's parent or guardian.
Definitions:	Child and Family Team Meeting (CFTM): a family-centered, culturally-responsive, goal-oriented and problem solving process that brings together the child and family team to make decisions about safety, permanency, and well-being of their child(ren) in the development of an individualized family permanency plan

Original Effective Date: October 16, 2020

Current Effective Date: October 22, 2021

Concerted Efforts: comprehensive activities to gather contact information for known and unknown parents, maternal and paternal relatives, fictive kin, and any other significant adult connections who may provide support to both the child and family

Emergency Protective Custody (EPC): a legal action in which SCDSS has the right to the physical custody of the child or youth for a temporary period of time to protect the child or youth from imminent danger

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

Kinship Care: a temporary or permanent living arrangement in which a relative or other adult who is known to the child, youth, or the child's family (fictive kin) has assumed the fulltime care of a child or youth whose parents are unable to do so

Kinship Caregiver: a licensed or unlicensed caretaker, protector, and nurturer of a child, youth, or young adult who is temporarily unable to live with their parent. Includes an adult who is related to a child or youth by blood, marriage, or adoption, as well as an adult who is not related by blood, marriage, or adoption, but who has a relationship with the child, youth, or young adult, or their family (fictive kin)

Note: For Indian Child Welfare Act (ICWA) purposes, kinship caregiver is alternatively defined as family members who are related to the child by blood, marriage, or adoption only. Refer to the [Indian Child Welfare Act \(ICWA\) policy](#) for guidance.

ICWA Kinship Caregiver: defined by the law or custom of the Indian child or youth's tribe or, in the absence of such law or custom, shall be a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent

Kinship Foster Care: placement with a relative who is related to a child by blood, marriage, or adoption or another adult who is not related by blood, marriage, or adoption, but who has a relationship with the child or youth or the child or youth's family and who has met the requirements for licensure as a foster parent (fictive kin)

Legal Custody: the right to the physical custody, care, and control of a child, the right to determine where the child shall live, the right and duty to provide protection, food, clothing, shelter, ordinary medical care, education, supervision, and discipline for a child and in an emergency, to authorize surgery or other extraordinary care. Unless otherwise provided by court order, the parent or guardian retains the right to make decisions of substantial legal significance affecting the child, including consent to marriage, enlistment in the armed forces, and major nonemergency medical and

Original Effective Date: October 16, 2020

Current Effective Date: October 22, 2021

surgical treatment, the obligation to provide financial support or other funds for the care of the child, and other residual rights or obligations as may be provided by order of the court

Physical Custody: the lawful, actual possession and control of a child, but does not include legal custody unless stated in a court order. Refer to [SC Code Ann. Section 63-7-20 \(19\)](#)

Procedures:

A. Placement Outside the Home of a Parent or Guardian: General	1. If at any time during the delivery of services (investigation, family preservation, foster care, or adoptions) SCDSS determines a child or youth cannot safely remain in the home of a parent or guardian, the case manager must make concerted efforts to place the child or youth with a kinship caregiver. 2. Once the case manager identifies a fit and willing kinship caregiver, the case manager must follow the procedures outlined in this section to place the child or youth with the kinship caregiver as soon as it is possible to do so. 3. The case manager must obtain supervisory approval before placing a child with someone other than a kinship caregiver. Refer to Placement of Foster Children in Kinship/Non-Kinship Foster Homes Policy. 4. Whenever it is possible, the case manager should convene a child and family team meeting (CFTM), including, but not limited to, the child's parents, family, family friends, other supportive adults, and the child or youth (if age and developmentally appropriate) to identify a kinship caregiver. 5. After a child or youth has been taken into Emergency Protective Custody, the case manager must convene a CFTM within 24 hours to determine whether the child or youth can safely return home or whether the child or youth should be placed with a kinship caregiver. Refer to Child and Family Team Meeting (CFTM) Policy and CFTM Work Aid . 6. Before placing a child or youth with a kinship caregiver, the case manager must disclose all information known to SCDSS that is necessary to provide adequate care and supervision and to protect the health and safety of the child or youth. This includes, but is not limited to medical and mental health conditions and history of the child or youth, the nature of the abuse or neglect, behavioral strengths and challenges, and educational needs. If the case manager does not have this
---	--

Original Effective Date: October 16, 2020

Current Effective Date: October 22, 2021

	information at the time of placement, the case manager must research the information and provide the information on the next working day. The case manager has a continuing obligation to supplement this information as additional information becomes available.
B. Placement Outside the Home: Kinship Foster Care	1. Before placing a child or youth with a kinship caregiver, the case manager must explain to the kinship caregiver the procedures for licensure as a foster parent, the benefits of licensure as a foster parent, including the eligibility for foster care board payments, case management, and other supportive services. This explanation includes informing the kinship caregiver of the risk that these benefits are not available to unlicensed kinship caregivers. Refer to DSS Form 1002 Acknowledgement of Licensing of Kinship Foster Parents which is used to document this discussion. 2. When the child or youth is placed with a kinship caregiver and is not in the legal custody of SCDSS (investigation and family preservation), and a kinship caregiver wants to become licensed to provide kinship foster care, the case manager must refer the kinship caregiver to the regional kinship care coordinator within one business day of receiving this request. Refer to the Foster Care Licensing Policy for guidance. Within five business days of the referral to the regional kinship care coordinator, the case manager must consult with their county legal department to determine the procedures necessary to remove the child or youth from the child or youth's parents and for SCDSS to assume legal custody of the child or youth. 3. When the child or youth is placed with a kinship caregiver and is in the legal custody of SCDSS (foster care), the case manager will complete the DSS Form 37508 Foster Care Placement Notification Form and email it to placementchanges@dss.sc.gov by the close of the next business day of the placement occurring. The case manager will submit a referral for licensing to the regional foster family licensing and support unit. Note: See Kinship Care Protocol for Licensing Kin

C. Placement Outside of the Home: Other Placement Options	Note: Follow the procedure of Section B (1) If the kinship caregiver wants to become licensed to provide kinship foster care, follow the procedure in Section B (2) and (3) of this policy. 1. SCDSS strongly believes in licensing kinship caregivers to provide foster care for children or youth who cannot safely remain in the home of a parent or guardian. When an identified kinship caregiver does not want to become licensed to provide foster care, the case manager, in consultation with the child and family team, must determine whether the child or youth's needs can be met if the kinship caregiver assumes physical custody or legal custody of the child or youth. 2. The child and family team must assess the kinship caregiver to determine the kinship caregiver's ability to provide safety, stability, the needs of the child or youth (until the child or youth can return to the parent or guardian), address any need for services, and the financial support while the child or youth resides with the kinship caregiver. 3. In a Family Preservation case, if the needs of the family suggest SCDSS will provide services to reunify the child or youth with the child or youth's parent or guardian for more than three months and a kinship caregiver will provide care during this time, the case manager must also consult with the county legal department for a decision regarding the filing of a removal action in family court. 4. When a kinship caregiver has physical custody or legal custody of a child or youth, in addition to the information referenced in Section A (6) of this policy, the case manager must inform the kinship caregiver of resources that may be available to support the placement, including child-only TANF payments, court-ordered child support, and ABC vouchers. Refer to DSS Booklet 30268 What to Expect from SCDSS A Guide for Kinship Caregivers for additional resources.
--	--

D. Permanency Planning for Children Placed with Kinship Caregivers	1. Children or youth who are placed with kinship caregivers deserve safety, permanency, well-being, and stability. 2. When the child or youth can be safely maintained in the home, the child or youth must be reunified with the child or youth's parent or guardian. In most cases, the child or youth should be reunified with the child or youth's parent or guardian within 12 months or less. 3. When there are compelling reasons, the period of time to reunify the child or youth with the parent or guardian may be extended for six additional months. 4. When the child or youth's home cannot be made safe within a reasonable amount of time, SCDSS may petition the family court to terminate parental rights, so that the child or youth can be adopted by the kinship caregiver. 5. If after assessing the viability of adoption by a kinship caregiver, SCDSS determines termination of parental rights is not in the child or youth's best interests, the family court may order the kinship caregiver to assume legal custody or legal guardianship of the child or youth. 6. At case closure, the case manager must include that the legal rights, duties, and responsibilities of any identified adult caregiver to the child or youth are addressed in the family permanency plan. These responsibilities include, but are not limited to, food, clothing, shelter, education, and medical care. If a kinship caregiver is adopting the child or youth or will assume legal custody or legal guardianship, the case manager must address the financial support of the child or youth through adoption subsidy or court-ordered child support.
Forms:	DSS Form 1002: Acknowledgement of Licensing of Kinship Foster Parents DSS Booklet 30268: What to Expect from SCDSS A Guide for Kinship Caregivers DSS Form 37508: Foster Care Placement Notification Form
Resources:	Child Welfare Services Policy Manual Chapter 5 Foster Care Child Welfare Services Policy Manual Chapter 4 Family Preservation Child Welfare Services Policy Manual Chapter 3 Investigation

Original Effective Date: October 16, 2020
Current Effective Date: October 22, 2021

	Child Welfare Services Policy Manual Chapter 5, Section 510.2, Placement of Foster Children in Kinship/Non-Kinship Foster Homes Services to Non-Citizen Minors Policy Services to Non-Citizen Minors Work Aid 16.3 Child Welfare Services Policy Manual Chapter 16, Section 1600, Recognizing and Serving Child Trafficking Victims Child Welfare Services Work Aid 16.1 Identifying and Serving Child Trafficking Victims Kinship Care Protocol of Licensing Kin
Related Management Reports:	CAPSS Report PUR 100

Original Effective Date: October 16, 2020
Current Effective Date: October 22, 2021