



State of South Carolina

Department of Social Services

Work Aid 520.1: Permanency Planning

Supplemental to DSS Policy 520: Chapter 5 – Foster Care

A. Child and Family Teaming	1. The case manager and team leader shall support the CFTM facilitator in organizing and holding the 25-Day CFTM, within 25 calendar days of the child's foster care entry, to develop the Family Permanency Plan (FPP) with the Child and Family Team (CFT). <i>Note: Please refer to Policy 1647: Family Permanency Plan for detailed policy guidance on planning, initiating, developing, and monitoring the plan.</i> 2. The case manager and team leader shall hold a 90-Day Status CFTM within 90 days of the service line opening to ensure the plan remains viable and meets the needs of the child or youth and family. 3. Within six months of the service line opening, the case manager and team leader shall hold a 6-Month Permanency CFTM to: a. Review and discuss the child or youth's recommended permanency plan; b. Assess the progress made toward achieving the goals identified on the FPP; and c. Prepare for the upcoming Permanency Planning Hearing. 4. For Subsidized Legal Guardianship to be considered, a Special Call CFTM must be held in accordance with Policy 930: Subsidized Legal Guardianship Assistance Program and Work Aid 930.1: Subsidized Legal Guardianship Assistance Program. 5. Before transitions (e.g., planning for transition-age youth, Termination of Parental Rights (TPR), placement disruption, Reunification, etc.), a Transitional CFTM shall be conducted by the case manager and team leader to effectively plan for the transition following all related policies and procedures. 6. Please refer to the CFTM Timeline and Work Aid 16.5: Child and Family Team Meetings for additional procedures to which to adhere when conducting the 25-Day, 90-Day Status, 6-Month Permanency, Special Call, Transition, and Closure CFTMs.
B. Amending a Permanency Plan	1. If, within six months of a child entering care, it is determined Reunification is unlikely to be accomplished within 12 months of the child entering foster care, the case manager shall consider permanency plan options other than Reunification and shall: a. Consult with the case manager's team leader regarding the likelihood and timeliness of Reunification, the appropriateness of an alternate plan (e.g.,

	Adoption, Legal Guardianship, or Legal Custody), and the need to select or revise a concurrent plan; i. In considering the appropriateness of an alternate plan, the case manager and team leader must first explore alternatives that will allow the child to preserve family and community connections, for example Adoption by kin or fictive kin or Legal Guardianship or Legal Custody with kin or fictive kin. b. Consult with Regional Adoptions staff regarding the appropriateness of Adoption as a permanency plan if a plan of Adoption is considered; c. Conduct a Permanency Child and Family Team Meeting (CFTM) to discuss permanency options (refer to Policy 1651: Concurrent Planning for additional practice guidance); and d. Consult with the DSS Attorney about possible permanency plan options after the CFTM has been held, and before court. 2. When considering amending the permanency plan, the case manager shall convene a Child and Family Team Meeting (CFTM), and: a. Consult the child regarding any proposed change in the permanency plan in an age and developmentally appropriate manner if the child is age 14 or older; b. Update the child's permanency plan to reflect a proposed change in the plan; c. Notify the parents of any proposed change to the permanency plan if Termination of Parental Rights (TPR) has not been finalized; d. Notify the placement provider of any proposed change in the permanency plan; and e. Request a Permanency Planning or Review Hearing to obtain judicial approval of any proposed change in the permanency plan.
C. Formulating a Permanency Plan	1. The foster care case manager shall: a. Collaborate with the following individuals in developing the FPP and convene a CFTM, if necessary: i. The parent(s) or guardian(s); ii. The child, if developmentally appropriate, but in all cases if the child is 14 or older; iii. The child's support person(s) if the child is 14 or older; iv. Any individuals or agencies that will be required to provide services under the plan (i.e., Guardian ad Litem (GAL), foster parents, Child Placing Agency (CPA), etc.); and v. Any support persons identified by the parent(s) or guardian(s). b. Complete the Family Permanency Plan (FPP) prior to the merit hearing or within 30 days of the child entering foster care, whichever is sooner. 2. If the parent(s) or guardian(s) do not participate in the formulation of the FPP, the case manager shall: a. Collaborate with the remaining parties b. Make reasonable efforts to secure the parents' participation; and c. Report these efforts at the hearing at which the plan is approved.

	3. In collaborating with the family about the provisions of the FPP, the case manager shall specify the behavior changes that must occur before the child can be returned home. 4. The parent(s) or guardian(s) shall be informed of: a. The results of the FAST/CANS assessment of recommended services needed to mitigate conditions that led to agency involvement or removal of child(ren); and b. Failure to show behavioral changes, eliminate safety concerns, decrease unreasonable risks of harm, and lack of engagement with court ordered services may lead to the forgoing of Reunification efforts. 5. After consulting with the family and other participants, the case manager shall complete the Child and Adolescent Needs and Strengths (CANS) assessment. 6. The goals formulated shall be informed by the input of participants and must be limited to addressing and remedying the circumstances necessitating the child's placement: a. All goals are related to the issues necessitating the child's entry into foster care; and b. All goals require measurable behavioral changes necessary to keep the child safe and reduce unreasonable risks of harm. 7. The case manager shall review the CANS assessment and other any professional assessment(s) concerning the family in determining the appropriate services under the FPP. Note: <i>For team leader review and presentation to the court, please reference the FPP Policy.</i>
D. Implementing a Plan of Reunification	1. The case manager shall conduct a CFTM at least every six months to review the concerted effort(s) made to engage the family and/or family engagement activities. Note: <i>A CFTM may be held earlier if the circumstances of the case warrant one.</i> 2. Reunification is an appropriate plan when the parent is receptive to the agency's efforts and is making behavioral changes that will eliminate safety concerns and decrease unreasonable risks of harm. When appropriate, the agency shall adopt a plan of Adoption, Legal Guardianship, or Legal Custody with kin or fictive kin as a concurrent plan with Reunification. a. In considering the appropriateness of an alternate plan, the case manager and team leader must first explore alternatives that will allow the child to preserve family and community connections, for example Adoption by kin or fictive kin or Legal Guardianship or Legal Custody with kin or fictive kin. b. Please refer to Policy 1651: Concurrent Planning for additional guidance. 3. The case manager shall: a. Consult with their team leader to determine whether the FPP needs to be amended and whether court approval of a new or amended plan is necessary.

	b. Amend the FPP at any time if all parties agree to the revisions; and c. Consult with the DSS Attorney to submit the plan to the court with a written explanation for the proposed change. Note: <i>If all parties do not agree with the proposed change(s), the court, upon motion of any party, may amend the plan after a hearing based on evidence demonstrating the need for the amendment.</i>
E. Reunification – Preparing to Return a Child Home	1. The foster care case manager shall conduct a Closure CFTM with the following parties to determine the necessary steps in the preparation process: a. The child’s parent(s); b. The child’s foster placement; c. The child’s therapist, d. Guardian ad Litem; and e. Other involved parties. 2. The foster care case manager provides advance notice to the child’s placement of the pending date to return home. At minimum, the provider must be given ten days’ notice of the child’s removal from the foster home unless the court orders a different time frame. 3. The foster care case manager shall: a. Have ongoing discussions with the child regarding the child’s feelings about returning home if age and developmentally appropriate; and b. Arrange for parent-child visitation to be increased in both frequency and duration, when possible, prior to the child’s permanent return home, in accordance with the following: i. A trial home visit may not exceed six months in duration unless a court orders a longer trial home visit; ii. If a trial home visit extends beyond six months and has not been authorized by the court, or exceeds the time the court has deemed appropriate, and the child is subsequently returned to foster care, that placement must then be considered a new placement and Title IV-E Eligibility must be newly established; and iii. The judicial determinations requiring contrary to the welfare and reasonable efforts to prevent removal are required in the initial court order.
F. Reunification – Returning a Child Home	1. When assessing whether a child can safely return home, case managers must have assessed that safety threats have been eliminated to the extent that child may safely return home, by identifying that the family has demonstrated the behaviors that led to the child being unsafe have been eliminated, behaviors that place the child at risk of harm have been mitigated, and the agency has articulated the reasons that support the belief that the child is in a safe home. The foster care case manager shall: a. Complete an updated CANS assessment; b. Complete a CFTM to review the CANS assessment and FPP with the family and support system; and c. Develop a proposed in-home plan to support Reunification with the parents’ input. The CANS assessment, FPP, and ongoing engagement with

	the family should indicate the parents have successfully demonstrated the necessary protective capacities and have adequately resolved all safety concerns. 2. The foster care case manager shall review the court order(s), safety assessment, and FPP with the following individuals for input in the decision to return the child home: a. Team Leader; b. DSS Attorney; c. Guardian ad Litem; and d. Service providers. 3. The foster care case manager shall facilitate a CFTM to consider the proposed plan of returning the child home. The participants shall discuss: a. Whether the behaviors and/or conditions which necessitated the removal have changed or reduced to the extent the child can be maintained safely in the home; b. Whether to recommend returning the child to the home and returning custody to the parents; c. Whether the in-home plan to support Reunification addresses how the parents will maintain the child safely after the child is returned home; d. Whether the in-home plan shall be revised, if necessary, based on the information shared during the family meeting; e. Whether post-placement services will be offered to the family when the child is returned home and any concerns identified in the court-ordered plan that must be addressed successfully for the case to be closed, but not prior to Reunification; f. The time frame for providing post-placement services; and g. The plan to prepare the child, family, and foster care provider for Reunification and termination of the foster placement. 4. The agency staff shall recommend return of custody to the parent(s) if the child is being reunified with their parents. The court, however, may approve the child returning home with continued DSS Legal Custody for some period of time. 5. The case manager shall document the outcome of the meeting in CAPSS dictation and shall confirm that participants sign the Notice and Signature sheet in the FAST.
G. Reunification – Placement in the Home	Refer to Policy 510.3: Family Visitation , Work Aid 510.3: Visitation , and the Quality Visitation Guide for current practice guidance.
H. Adoption as a Permanency Goal	1. When the recommended plan is Adoption, the case manager shall coordinate a CFTM with the child (if age 14 or older and developmentally appropriate), family, Regional Adoption Office, and other involved parties. Note: Please refer to Policy 1642: Child and Family Team Meetings for additional practice guidance. 2. TPR and Adoption may be an appropriate permanency plan if statutory grounds for termination of parental rights exists per S.C. Code 63-7-2570 and

	termination is in the child's best interest. If DSS recommends a plan of TPR/Adoption instead of Reunification, the following must be discussed: - The meaning of Adoption; - The desires and wishes of the child if age and developmentally appropriate (at this time, the child may be excused from the meeting); and - What TPR entails. - When the permanency goal of TPR/Adoption is recommended or changed: - The case manager shall consult with the case manager's team leader to request a joint case consultation with the Regional Adoption office within two business days of the CFTM; - The team leader schedules a joint case consultation with the Regional Adoption office within five business days of the request; - The case consultation must occur within ten business days of the request; and - The case consultation must be documented on DSS Form 3062A. - The case manager updates the FPP to reflect the current permanency plan for the child.
I. Referral for Adoption services	- If, at any point in the case, the case planning team determines that reasonable efforts to reunify the child with their birth parent(s) have been exhausted, the case manager shall make a referral for Adoption services. - After the joint case consultation has been conducted and Adoption services are opened, the case manager shall schedule a case consultation between the case manager, team leader, Adoptions case manager, Adoptions team leader, and the DSS County Attorney. This consultation must include a discussion of the following factors, followed by documentation of the consultation: - Whether the agency has made reasonable efforts to reunify the child to the birth parent(s); - Whether the condition(s) necessitating removal can be remedied and the child returned to the parent(s) within a specified period of time not to exceed 18 months after the child was placed in foster care; - Possible grounds for TPR as stated in S.C. Code 63-7-2570; - Whether the agency has made diligent efforts to secure placement for the child through Adoption with kin or fictive kin; - Whether the agency has made diligent efforts to secure placement for the child through Adoption by a foster parent or other unrelated caregiver; and - Reasonable efforts to secure an adoptive resource if an adoptive resource has not been identified. - If the case management and legal teams conclude it is in the best interest of a child who does not have an identified adoptive resource to proceed with Adoption, executive management approval is required, and the following shall occur: - Case managers must obtain the written approval of the Deputy State Director of Child Welfare Services, or designee, before recommending a permanency plan of TPR and Adoption be established by a Family Court Order when the child does not have an identified adoptive resource.

	b. The Foster Care case manager must complete Section I of DSS Form 3026: Adoptive Resource Certification, and complete the following: i. If an Adoption referral has been made previously, the foster care case manager must send the form to the assigned Adoption case manager to complete, and complete the following: • If the child does not have an identified adoptive resource, upon completion of Section II indicating the same, the Adoption Administrator must forward the form via permanencydocs@dss.sc.gov to the Deputy State Director of Child Welfare Services, or designee, for review. • Once the Deputy State Director of Child Welfare Services has made a determination, the form will be submitted to the applicable managing County Attorney. • If there is an identified adoptive resource, DSS Form 3026 must be sent to the Regional Adoption Administrator who will then send the form to the applicable managing County Attorney. ii. If no Adoption referral has been made, the County Director must submit the form via permanencydocs@dss.sc.gov to the Deputy State Director of Child Welfare Services, or designee, for approval. At the same time, the foster care team leader shall make a referral to the Regional Adoption Office for an adoption assessment to be conducted. 4. DSS Form 3026 must be linked to the case file in CAPSS within two business days of receiving. 5. If it is determined TPR and Adoption is not in the child's best interest, a new permanency plan must be determined. 6. If grounds for TPR exist and TPR is in a child's best interest, the case manager shall notify the following parties that TPR and Adoption is being recommended: a. The parent(s)/guardian(s); b. The child, if over the age of 14 and age and developmentally appropriate; c. The child's support person(s) if the child is over 14 years old; d. The child's Guardian ad Litem; e. Appropriate service providers; and f. The child's foster care placement. 7. If Adoption is not deemed appropriate, the case manager and Regional Adoptions staff shall reassess the child for Adoption, at least annually.
J. Coordination with Regional Adoptions Staff	1. For all legally free for Adoption cases referred to Regional Adoptions, the Adoptions case manager shall: a. Retain primary case management; and b. Continue making at least monthly contacts with the child and placement and service providers to coordinate service needs and concerted efforts toward permanency.

	2. The county case manager shall schedule, at least quarterly, case consultations, whether in person or by phone, between county staff and Regional Adoptions staff to assess the status of the case. 3. The Adoptions case manager shall send a written notification to the staff within ten (10) days of the identification of an adoptive resource. 4. If an adoptive resource is not located within 12 months of a referral for Adoption services, the case manager shall assess the case with the Regional Adoptions staff and the DSS Attorney to determine whether further services or an alternative permanency plan are necessary. 5. If the child's circumstances change such that Adoption is no longer an appropriate plan, the case manager shall notify Regional Adoptions at the earliest opportunity. 6. Regional Adoptions staff shall be responsible for documenting all efforts to finalize the child's plan of Adoption in CAPSS dictation.
K. Legal Guardianship	1. The case manager shall explain the implications of Unsubsidized and Subsidized Legal Guardianship to include: a. The process for becoming a licensed kinship foster home (including expedited home studies for kinship placements); b. The process for becoming a legal guardian; c. The assumption of all legal and financial obligations related to the child; d. The authority of the guardian to make important decisions for the child, including parental contact, the legal requirements for a parent to regain custody and/or guardianship of the child later (the parent must show a substantial change in circumstances that took place after the award of guardianship to the guardian and the transfer of custody must be in the child's best interest); and e. The availability of financial and other assistance such as kinship foster care board payments, guardianship assistance payments, food stamps, Supplemental Security Income (SSI) (if applicable), etc. 2. If the prospective guardian agrees to pursue subsidized Legal Guardianship and is not already licensed or approved to provide kinship foster care, the case manager shall refer the family to DSS licensing staff or an appropriate provider for completion of a home study. a. If ordered by the court to complete an expedited home study, the case manager shall confirm compliance with the court-ordered timeframe. 3. If SLG is being pursued, please refer to Policy 930: Subsidized Legal Guardianship Assistance Program for further guidance. 4. If the prospective guardian wishes to pursue unsubsidized Legal Guardianship, the case manager must: a. Complete DSS Form 3029: Unsubsidized Legal Guardianship or Legal Custody Certification; b. Read DSS Form 3030: Prospective Legal Guardian or Legal Custodian to the prospective caregiver; c. Obtain their signatures and initials on DSS Form 3030; and

	d. Submit DSS Form 3029 and signed DSS Form 3030 to the County Director or Regional Adoption Administrator who will then submit it to the Deputy State Director of Child Welfare Services or designee via permanencydocs@dss.sc.gov. 5. The Deputy State Director of Child Welfare Services or designee shall forward the signed DSS Form 3029 to the County Director or Adoption Administrator to disseminate to the case manager. 6. The case manager shall link the completed DSS Form 3029 and DSS Form 3030 into the CAPSS case file and provide a copy to the County Attorney. 7. The case manager shall participate in a case consultation with their team leader and the DSS County Attorney to determine if: a. A motion for a review hearing should be filed; and b. Post-placement supervision of the guardian and child is needed and for how long. 8. The case manager shall participate in any review hearing or permanency planning hearing and shall consult with the DSS Attorney to confirm that any court order awarding guardianship to the individual reflects the specific conditions necessary for the parents to regain full custody.
L. Selecting a Plan of Legal Custody	1. The case manager must document, in detail, how Reunification, Adoption, and Legal Guardianship are not viable permanency options for the child. 2. The case manager must provide the prospective custodian with DSS Form 37141 and review all permanency options. 3. If the prospective guardian wishes to pursue Legal Custody, the case manager must: a. Complete DSS Form 3029; b. Read DSS Form 3030 to the prospective caregiver; c. Obtain their signatures and initials on DSS Form 3030; and d. Submit DSS Form 3029 and signed DSS Form 3030 to the County Director or Adoption Administrator who will then submit it to the Deputy State Director of Child Welfare Services or designee via permanencydocs@dss.sc.gov. 4. The Deputy State Director of Child Welfare Services or designee shall forward the signed DSS Form 3029 to the County Director or Adoption Administrator to disseminate to the case manager. 5. The case manager shall link the completed DSS Form 3029 and DSS Form 3030 into the CAPSS case file and provide a copy to the County Attorney. 6. The case manager shall participate in a case consultation with their team leader and the DSS County Attorney to determine if: a. A motion for a review hearing should be filed; and b. Post-placement supervision of the guardian and child is needed and for how long. 7. The case manager shall participate in any review hearing or permanency planning hearing and shall consult with the DSS Attorney to confirm that any court order awarding custody to the individual reflects the specific conditions necessary for the parents to regain full custody.

M. Selecting a Plan of Another Planned Permanent Living Arrangement	1. The case manager shall convene an inclusive, multi-disciplinary, permanency meeting to discuss the child's permanency options if, when reviewing the case of a child who is 16 or older through the permanency planning procedures described in Policy 520, the case manager and team leader (or the Family Court) determine the following: a. Reunification cannot be accomplished with the parents; b. Adoption is not in the best interests of the child; and c. Legal Custody and/or guardianship is not in the best interests of the child. 2. The case manager shall consult with the child to determine who should be invited to the permanency meeting, including, at a minimum, the following: a. All members of the child's case planning team (including the child and individuals selected by the child); b. All known members of the child's biological family, including parents; c. Fictive kin or important individuals known to the child; d. Individuals involved in providing services for the child, including the Department of Mental Health or a Department of Disabilities and Special Needs (DDSN) case manager if one is assigned to the child; e. The child's Guardian ad Litem; f. The child's foster family or foster care provider; g. The individual responsible for ensuring the Reasonable and Prudent Parenting Standard is followed if a child is placed in a congregate care setting; and h. Any other individuals with knowledge of the child's case or who have a vested interest in the child's future. 3. The discussion at the permanency planning meeting shall include, but not be limited to: a. The child's current situation and the stability of the child's current living arrangement; b. The child's current and long-term needs; c. The child's perspective on important individuals in their life, including those not known to DSS and those who may be inappropriate for placement; d. All efforts made to identify, locate, and engage relatives and fictive kin; e. Any strategies for engaging possible placements or support persons that can be tried or retried; f. The willingness and ability of the meeting participants to support the child, provide placement for the child, and/or assist in engaging others; and g. The child's willingness to achieve legal permanency, any needs that may need to be addressed to be successful in a permanent placement, and if applicable, the source of the child's unwillingness to achieve legal permanency. 4. The case manager and team leader shall reassess the child's permanency goal after the meeting. If, after considering the information discussed in the meeting, the case manager and team leader agree it is not in the child's best interests to be reunified, adopted, or placed through Legal Guardianship (un-subsidized or subsidized), or Legal Custody, the case manager shall select a permanency plan of APPLA.
--	--

	5. The case manager shall complete DSS Form 3027: Another Planned Permanent Living Arrangement Certification and submit it to the respective County Director or Adoption Administrator. 6. The County Director or Adoption Administrator shall submit the form to the Deputy State Director of Child Welfare Services, or designee, via permanencydocs@dss.sc.gov for review and decision. 7. Once the Deputy State Director of Child Welfare Services, or designee, has made a determination, the form must be submitted to the County Director or Adoption Administrator for dissemination to the case manager. 8. The case manager shall submit the signed form to the Managing County Attorney. 9. If a plan of APPLA is approved, the case manager will establish concrete goals to facilitate the maximum amount of stability and support for the child. The case manager shall consider the following criteria when forming a plan of APPLA: a. The long-term supports in place for the child (including mental health and housing resources); b. Whether the child will continue to have an individual who is committed having ongoing contact and who will support the child's wellbeing after the child reaches the age of majority (and what the case manager can do to foster this relationship while the child remains in foster care); c. The long-term involvement of the child's biological family and/or fictive kin; and d. The child's need for services and resources related to a successful transition to adulthood. Please reference Chapter 6, Chafee Foster Care Program for Successful Transition to Adulthood (CFCIP) for more information. 10. Once a plan of APPLA has been approved, the case manager shall: a. Notify the child, the case management team, all known family members, the child's placement, and any other participants in the child's permanency meeting of the proposed plan; b. Consult with the DSS Attorney to request a Permanency Planning Hearing for court approval of the plan; and c. Accompany the child to attend the court hearing. 11. The case manager shall complete CAPSS dictation to include information obtained from M(9)(10). 12. DSS Form 3027 must be linked to CAPSS within two business days of receipt.
N. Documenting and Establishing a Permanency Plan within the Case Record	1. When the child first enters care, the case manager changes the recommended plan of "not yet established" to Reunification in Section I of the Family Permanency Plan (FPP) and in the legal tab. 2. If, at any point, the recommended plan changes, the case manager must update Section I of the FPP with the recommended permanency goal for the child and in the legal tab. 3. The family shall be provided a copy of the FPP in accordance with Policy 1647: Family Permanency Plan.