

**Q: Is someone going to talk to my child?**

**A:** Yes. During the course of the assessment, DSS workers will talk to your child. A parent's permission is not necessary for DSS workers to talk to any child in the household. Law enforcement officers may talk with your child, if needed. Your child also may be seen by a doctor or other professional.

**Q: What is the process of resolving complaints about a case?**

**A:** First, talk to your caseworker, then the supervisor, and finally, if questions or problems are not resolved, speak with the county director.

## Children in Foster Care

If your child has been abused or neglected and is not considered to be safe at home, law enforcement officers or the family court can remove the child from the home. DSS will place the child in foster care. Foster care is a temporary service for you and your child.

In most cases, arrangements will be made for you to visit your child. Your caseworker can discuss with you plans for your child and services for you and your child. The family court may order you to do certain things.

After a child has been in foster care for a year or less, the court will hold a "permanency planning" hearing. This hearing will review the progress toward the child's return home or any other "permanent plan" approved at an earlier hearing. If the judge decides it is safe for the child to return home, the judge might require that the family be supervised by DSS and receive services.

If your child is removed, you will be given more detailed information on the foster care system's procedures.

*In accordance with Title IV, Section 601, of the Civil Rights Act of 1964 and Title V, Section 504, of the Rehabilitation Act of 1973, the South Carolina Department of Social Services will administer its programs in such a manner that no person shall solely by reason of race, color, national origin or qualified handicap, be excluded from participation in, be denied the benefit of or be subjected to discrimination under any program or activity administered by DSS.*

## If You are Reported for Child Abuse or Neglect

If you are reported for child abuse or neglect, you have the following rights:

- To be represented in family court by a lawyer. If you cannot pay for one, a lawyer will be appointed by the family court.
- To be notified that you are the subject of a report and that your name has been recorded by DSS as a "suspected perpetrator" of child abuse or neglect.
- To be notified if your name is entered into the Central Registry of Child Abuse or Neglect.
- To examine the report and evidence used to decide an indicated case, except for the identity of the reporter.
- To a timely handling of your case.
- To visit any children removed from your home, if appropriate.
- To help plan and take part in your family treatment.
- To be notified of, and take part in family court hearings that involve your case.
- To ask for a review of your case by the county Child Protective and Preventive Services supervisor and/or county director.
- To challenge a finding against you through a DSS hearing if the case is not brought before family court.

Your caseworker is \_\_\_\_\_.

The supervisor is \_\_\_\_\_.

They can be reached at \_\_\_\_\_.

County DSS. Their phone number is \_\_\_\_\_.

*The allegation(s) being investigated is (are):*

- |   |  |
|---|--|
| <input type="checkbox"/> Sexual Abuse     | <input type="checkbox"/> Educational Neglect       |
| <input type="checkbox"/> Physical Abuse   | <input type="checkbox"/> Contributing to the       |
| <input type="checkbox"/> Mental Injury    | Delinquency of a Minor                             |
| <input type="checkbox"/> Abandonment      | <input type="checkbox"/> Threat of Harm: (specify) |
| <input type="checkbox"/> Physical Neglect | _____  |
| <input type="checkbox"/> Medical Neglect  |  |

# South Carolina Department of Social Services

## Child Protective Services: A Guide for Parents

South Carolina's law seeks to protect children and keep them safe. The Department of Social Services (DSS) must follow certain steps when it receives a report of child abuse or neglect. This brochure provides specific information about that process.

## Investigating Reported Abuse or Neglect

If a report is made that a child has been harmed, DSS must begin to investigate, or assess, the situation within 24 hours. The person assigned to look into the report is called a caseworker. His/her name and phone number is on the back of this brochure. The caseworker will talk to parents and the child to find out what happened. It is likely that the caseworker will need to talk to other people who may know about the parent(s) and the family. The assessment may include an examination of the child by a doctor, and the taking of photographs.

DSS has 45 days to complete this assessment process. If there is specific information that can't be gathered in that time, 15 extra days may be approved.

As soon as possible after the assessment begins, DSS will give this brochure to the parents or guardian, or any other person named as harming the child.

Sometimes when a child is harmed, the child is placed in foster care, or with a relative. At other times, DSS will require the family to correct its problems, and the child will remain at home. If DSS and the parent(s) cannot agree on a treatment plan, DSS can ask the family court for a hearing.

When a case does not go to family court, the person named as harming the child may appeal the decision.

DSS encourages you to seek and accept services to help your family.

## Some Important Questions

**Q: What are the possible outcomes of the assessment?**

**A:** The case may be "indicated" or "unfounded."

- ◆ "Indicated" means that it is more likely than not that the child was abused or neglected.
- ◆ "Unfounded" means the report is untrue or not supported by the information gathered.



Unfounded cases fall into four categories:

- *Category I:* Abuse or neglect was ruled out following assessment.
- *Category II:* There is not enough evidence to decide if the child was abused or neglected.
- *Category III:* The assessment could not be completed because DSS could not locate the child or family or for some other reason.
- *Category IV:* Information received about harm to a child did not result in an investigation.

**Q: If my family is involved in a report of abuse or neglect, how will the records be kept?**

**A:** Information about an investigation or a case is kept in a paper file and on the agency database. Paper records will be filed in the county DSS office except when foster parents, employees or volunteers of an institution, group home or child care facility are involved. When foster parents or employees or volunteers are involved in a report, the records will be kept at the state DSS office. For both paper files and database records, information on indicated reports is kept for seven years from the date the case is closed. If no abuse or neglect is found, the records will be kept for at least five years from the date of the decision to unfound. Information contained in agency records, whether on paper or in the electronic database, is kept confidential.

**Q: Will my name be recorded in DSS records as a suspected perpetrator?**

**A:** Yes. Your name will be recorded in DSS records as a suspected perpetrator until a case decision is made following the assessment.

**Q: Is my name going to be entered in a central registry of child abuse or neglect?**

**A:** A court order is required to enter your name on this Registry unless you are a foster parent or an employee or volunteer of a group home, institution or child care facility. The order may come from family court or criminal court. The Central Registry is not the same thing as the DSS case record. The Central Registry is a perpetrator registry separate from the DSS agency data system.

**Q: What happens to records in an unfounded case?**

**A:** If the case is unfounded, the records will be kept in confidence, but will be used to assess other reports or for certain purposes allowed by state law.

**Q: Do I have the right to inspect DSS records about my child's case?**

**A:** Yes. You do have a right to inspect these records if the case is indicated. You also have the right to a copy of the report but not to the name of the person making the report. If the report is unfounded and you think the report is made by someone who was only trying to hurt you, ask your caseworker what you can do about it.

**Q: What if I don't cooperate with the caseworker?**

**A:** DSS still must complete the assessment. DSS will use the family court or law enforcement to help it do that job. You have the right to consult with a lawyer at any time you wish. However, the right to a court-appointed lawyer, if you cannot pay for one, does not exist unless your case is going to court.

**Q: If I give DSS information, how will that information be used?**

**A:** It may be used to determine if a child was abused or neglected. It may be used to determine who abused or neglected the child. In an indicated case, DSS may share the information you provide with people who need it in order to serve you or your family. Your caseworker will tell you who gets any information you provide.

**Q: Can the worker give the information to law enforcement?**

**A:** Yes. Under state statute, DSS records are available to law enforcement officials investigating certain crimes.