

Human Services Policy and Procedure Manual 9. Foster Care Licensing

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900 Introduction

According to the Child Welfare League of America, family foster care "should be a planned, goal-directed service in which the temporary protection and nurturing of children takes place in the homes of agency-approved foster families. Foster family care is an essential child welfare service for children and their parents who must live apart from each other for a temporary period of time because of physical abuse, sexual abuse, neglect, or special circumstances necessitating out-of-home care. The Department of Social Services is the principal agency in South Carolina that has responsibility for establishing, developing, maintaining, and monitoring a resource family program in accordance with federal and state mandates.

In accordance with Federal and State laws and South Carolina Department of Social Services policy, this agency and contracted providers for foster care and adoption services are prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs or disability. If services cannot be provided, or will be discontinued by the agency, the individual will be provided notice and will be entitled to an explanation.

The establishment and development of foster families (adoptive, relative or non-relative) incorporates multiple functions. In order to assure the availability of foster homes sufficient in number and diversity, ongoing recruitment efforts are needed. Creative, non-biased recruitment strategies are needed to attract and retain qualified foster and adoptive family applicants. SCDSS must afford every individual and family the opportunity to become a foster or adoptive parent without regard to race, color or national origin (RCNO) of children or prospective families.

Following recruitment, each potential foster family must be evaluated and trained. Tasks specific to assessment of the home and family members include orientation to the foster home and adoption programs, home visits, interviews with all members of the applicant's household and initiation of the licensing process. The purpose of the initial licensure or approval process is to determine if the applicant, household members, and the physical structure of their home meet the minimum standards of care. The licensure process is guided by Federal and State laws and agency licensing regulations. When the preliminary assessment indicates the applicant should qualify for licensure, the developmental focus expands to include the applicant's/applicant couple's development of basic knowledge and skills to provide foster care to a child or children. The development of basic knowledge and skills is accomplished

through their participation in the pre-licensure training. A written assessment is prepared to summarize all significant reports and findings in areas addressed in the licensing regulations and is related to the suitability of the applicant, other household members, and their home. Also, included in the assessment is a recommendation whether or not the applicant should be licensed for foster and/or adoptive care.

All persons performing licensing duties on behalf of SCDSS in county offices, adoption regions, or contracted providers are required to provide services to all potential applicants without regard to race, color, national origin of a child or prospective caregiver. Licensing staff located in county offices serve as the primary entity through which foster families are recruited, receive initial training to assist in the development of skills and knowledge about foster parenting and adoption, and are initially licensed or approved. Depending on the applicant's expressed interests, assessments and training may be completed by other area offices or by contracted providers. Recruitment plans for individual offices are developed based on county offices' self-assessments. Counties will document recruitment activities and track contacts with prospective foster families. A primary objective is to develop community and neighborhood foster families who can offer foster care placement to children within the same community or neighborhood. Trainers schedule training sessions, plan curriculum, and assist with the initial assessment process as necessary. Recruitment, training, and licensure of foster families solely interested in foster parenting is the responsibility of county offices. Staff in Adoption offices work with families who wish to pursue both adoption and foster parenting. Staff in Specialized Foster Home Services will work with families interested in providing a therapeutic level of care.

Additionally, county licensing or Specialized Foster Care Services staff has the vital responsibility of monitoring the functioning of the foster homes in order to assure that the foster family and home provide a safe placement resource, free of abuse and neglect. To this end, the worker is obligated to document any safety issues or hazards identified and assist the foster parent, when possible, in the resolution of the issue/hazard. If the issue/hazard involves suspected child abuse or neglect, the worker is required to make a CPS report through current agency protocol. The worker is also responsible for following through on assessing poor parenting practices that may require agency action to revoke a license. The worker's tasks in the maintenance function may include conducting training sessions, arranging for other experts to provide training at the community level, and informing foster parents of other training opportunities which are available. All prospective caregivers must be afforded the same training opportunities. Training must not be targeted on the basis of race, color or national origin of a child or prospective caregiver. Cultural diversity training (Parenting with Cultural Competence) must be offered to all prospective caregivers. The monitoring function also incorporates a review in accordance with licensing standards and state law to assure the foster family continues to

meet minimum licensing requirements. A written study, including a recommendation for re-licensure, is prepared based on this review.

A final area of responsibility for all staff involved in licensing of foster homes is that of team member. All staff involved with recruitment, training, licensing, and foster family monitoring/support, along with child protective services workers, adoption and foster care workers, and MTS workers are members of child welfare services team. All staff providing child welfare services are working toward the same goals, protection of children and permanency for each child. In particular, when a child is in the foster home, the licensing worker and foster care, adoption, and/or MTS worker for the child should share relevant information with each other about the child and the foster home, as well as any concerns about the placement. If the foster home is also a licensed day care provider, information should be shared with day care regulatory staff.

Referenced Documents

Revision Comments

Language added to emphasize that services must be provided without regard to the race, color or national origin (RCNO) of prospective caregivers or the children involved.

901 Policies

Agency policies directly related to foster home licensing and adoption are as follows:

1. SCDSS child welfare staff, foster home licensing workers, and contracted providers and their employees are prohibited from discriminating on the basis of race, color, national origin (RCNO), sex, age, religion, political beliefs, or disability. If service cannot be provided, or will be discontinued by SCDSS, the individual is entitled to explanation and notice.
2. Agency staff must assure that each applicant and household member is in compliance with current state law governing individuals who are eligible for participation in the foster home or adoption programs. Cross reference Appendix A, Regulations 114-550, "Licensure for Foster Care", finalized 3-28-2003.
3. Agency staff providing child welfare services are working toward goals of protection and permanency of children. SCDSS child welfare staff will not engage in activities that delay or deny the placement of a child for adoption or foster care on the basis of RCNO of the adoptive or foster caregiver, or the child involved. Likewise, SCDSS child welfare staff is prohibited from delaying and denying foster and adoptive placements on the basis of race, color, or national origin. SCDSS will not deny any individual the opportunity to become a foster or adoptive parent based on RCNO of the child or prospective foster or adoptive parent.
4. To assure safety of children, staff must determine the composition of the household. Every household member must be part of the assessment process. A complete assessment must include but is not limited to, how household members relate to one another and to the foster child. It also includes whether a member of the household is a paramour of the foster parent.
5. Recruitment initiatives must be developed based on the counties' self-assessments and the needs of the counties and geared toward placing children in family homes within their communities and neighborhoods whenever possible. SCDSS regulations support diligent recruitment of potential foster and adoptive caregivers that reflect the ethnic and racial diversity of children in South Carolina for whom foster and adoptive homes are needed. The use of diligent recruitment requirements in no way implies that RCNO can be utilized to deny or delay licensing or placement events.

6. The role of staff involved in foster family licensing or re-licensing includes functioning as a part of the child welfare services team and sharing with other child welfare staff members information obtained while performing designated tasks associated with initial screening and orientation, initial assessment and re-licensure, pre-licensure and ongoing training, monitoring, and support. (Note: licensing workers should not solicit, record or use information on potential caregiver preferences regarding RCNO).

7. Staff performing foster family licensing and re-licensing services are mandated reporters of suspected child abuse and neglect.

8. Action must be taken by foster family licensing staff on all licensing and re-licensing applications. Approval or denial of a potential foster caregiver application must not be made on the basis of the RCNO of the children in care or the RCNO of the applicant.

9. County staff must complete re-licensing studies of each foster home on a timely basis to assure that a foster child is not residing in an unlicensed facility and that foster care board payments are not jeopardized. SCDSS licensing workers, prior to re-licensure, will ensure that studies do not include impermissible RCNO references regarding children and/or caregivers.

10. When a licensed foster family moves, foster home licensing staff must update the licensing study or, if the move is to another county, arrange for transfer of licensing responsibility on a timely basis. The issued license is not transferable from either the address or foster family on the license.

11. Discrimination will not be tolerated, whether directed toward adults who wish to serve as foster caregivers, toward children who need safe and appropriate homes, or toward communities where a specific RCNO is dominant.

12. All activities associated with child specific recruitment, licensing, and placement for foster care must be in "the best interest of the child." Routine consideration of RCNO cannot ever be considered to be in the child's best interests.

Referenced Documents

Revision Comments

Section 901, 1.,3.,5.,6.,8.,9.,11.,12. revised or added to comply with MEPA.

910 Foster Family Recruitment

This section outlines procedures to be followed to recruit and develop new foster family and adoptive homes. Referrals received through the internet and the Care-4-Us line (1-888-227-3487) will be forwarded to appropriate adoption or county offices. County, MTS and adoption offices should jointly develop a recruitment plan annually to reduce the number of placement moves of foster children, preserve family relationships and connections, increase the number of siblings placed together and move children from group care into foster homes. The responsibility for coordinating recruitment primarily lies with staff within county offices. In addition to recruitment, designated staff may have responsibilities for training and licensure.

As provided in SCDSS' MEPA Corrective Action Plan, all recruitment material must inform potential foster or adoptive applicants that SCDSS and any entity that receives funds from the Federal Government are prohibited from denying to any person the opportunity to become an adoptive or a foster parent, on the basis of the race, color, or national origin (RCNO) of the applicant or of the child involved. Delay or denial of the placement of a child for foster care or adoption, on the basis of the race, color, or national origin of the foster care or adoptive parent or the child involved is strictly prohibited.

Designated Staff

1. In coordination with county staff, adoption staff, and Managed Treatment Services staff, assesses agency needs, including placement trends in counties (e.g. age range, gender, special needs children, and the communities from which most removals are occurring).
 - a. Utilize available reports from CAPSS as a resource for needs assessment.
 - b. Assess available resources in the county for recruitment, including the use of agency staff and volunteers from the community.
 - c. Establish recruitment priorities.
 - d. Does not engage in any activity that attempts to discourage adoptive parents or prospective foster care givers from parenting a child of a particular RCNO.
2. Identifies community resources and strategies for recruitment, publicity, and implementation.

- a. Contacts resources for support and participation, including local print and broadcast media, current foster families, volunteers, the local foster parents association, churches, community groups, and community leaders such as teachers, ministers, and physicians.
 - b. Determines with each community resource the way(s) in which they can contribute to the recruitment efforts.
 - c. Responds to community requests for involvement in recruitment activities.
3. Initiates recruitment strategies on a planned, ongoing basis, including (as appropriate) articles and notices in area newspaper and other appropriate print resources (e.g., industrial publications, church publications and bulletins; booths at local fairs, community festivals; posters in local public buildings, community and civic centers; brochures at target locations, such as churches, community centers, other appropriate outlets; public speaking before church and civic groups; utilization of the broadcast media including appearances on local television and radio talk shows, development and distribution of public service announcements; co-sponsorship with current foster parents of recruitment parties. Specifically:
- a. Plans and attends recruitment activities,
 - b. Attends foster parent meetings,
 - c. Provides informational meetings regarding foster families.
 - d. Makes available information and resources about fostering or adopting a child without regard to RCNO to prospective adoptive parents or prospective foster care givers.
4. Seeks assistance from other counties, Adoptions, MTS, or State Office in assessing needs or planning/designing recruitment activities.
5. Assists with the assessment process as necessary.

Referenced Documents

Revision Comments

Section 910, introductory paragraph, 1.d., 3.d. revised to provide MEPA compliant language.

911.01 Evaluation of the Foster Family Applicant/Family Assessment

The section outlines procedures for evaluating the applicant, other family members and the home as part of the foster home licensing study. Approval or denial of a potential foster or adoptive caregiver application must not be made on the basis of the race, color, or national origin (RCNO) of the applicants or of the children in care or needing placement. Culture must not be utilized as a proxy for race, color or national origin when evaluating applicants.

If a foster family is interested in being approved as a foster and adoptive family, adoptions will conduct the study process. Applicants who wish to be licensed ONLY as foster parents will be processed by foster home licensing staff. Specialized Foster Home Services staff will conduct assessments and additional training for those foster families who want to provide therapeutic care. *Note: 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. Refer to Section 930 for other procedures to consider for adoptive parents.*

Licensing/Adoption Worker

1. Schedules a minimum of two home visits as part of the assessment. A minimum of one family interview and one interview per individual must be conducted.
 - a. Utilizes the home visit to interview other family members to assess their commitment to being part of a foster family; the adequacy of physical facilities of the home in complying with the current licensing standards for foster family homes; and the community environment and resources.
 - b. Interviews **all** household members (applicant, spouse, children over the age 6, any relatives or boarders living in the home) during home and office visits in order to assess their willingness and appropriateness to accept a foster child. Adult children of the applicant family can also be contacted.
 - c. Ensures that RCNO of the applicants and/or the children they are willing to foster is not considered in the assessment process. As part of the home study process, SCDSS may not require or request the foster parent applicant to complete family assessments related to or based on

the RCNO of the foster parent applicant or the child.

- c. Discusses any questions/concerns with supervisor.
 - d. Determines if the location of the home will be accessible to community services and activities which are in accordance with the needs of a foster child.
2. Requests Criminal History Record check by SLED, Central Registry check, and fingerprint review by the Federal Bureau of Investigation on all household members age eighteen (18) years and older.
 3. Conducts a Sex Offenders Registry check on all members of the household 12 years of age and older. This does not require permission from the applicant.
 4. Requests fire inspection from the State Fire Marshal's Office at the conclusion of the training. If no acknowledgment of request is received within ten (10) working days, makes a second request.
 - a. At time of inspection, if deficiencies are cited, the State Fire Marshall must conduct a follow-up inspection to verify that deficiencies have been corrected.
 5. Requests health inspection from the Department of Health and Environmental Control **at the conclusion of the training**.
 - a. If no response is received within 30 days, makes a second request.
 - b. The Health Inspection report should include reference to the lead substance level in the home **unless** the applicant has specified that a child under six (6) years of age will never be accepted in the home for placement. The age of a house alone does not exempt it from an inspection (as a common source of lead is found in mini blinds).
 - c. Ensure that all deficiencies are corrected and all recommendations are addressed in the record (in dictation and/or DHEC form should clearly document when the corrections were made.) Some deficiencies cited may require follow-up by DHEC (e.g. water supply) while others (e.g. rabies vaccination) can be verified by the worker.
**NOTE: Review Section 915.*
 6. Obtains a list of all firearms in the home whether or not they are owned/licensed to the applicant and ensures they are kept in a locked storage container.
**NOTE: Exceptions noted in SC Code Section 114- 550 (H-18).*
 7. Obtains a minimum of three written references from persons who have known the foster family applicants for at least three years prior to the application and, unless specifically requested, not related to the applicant (DSS Form 1571).

- a. If a reference is initially obtained verbally (rather than written), the reference source **must** submit to the Licensing or Adoption worker a written statement confirming their recommendation.
- b. Does not promise that references will be confidential since the applicant may see their licensing file.
- c. Explores further with the reference any problem identified/noted by the reference, (e.g. receipt of a bad reference report).
- d. If deemed necessary, obtains additional references.

8. Requests completion of medical forms (DSS Form 1574 for adults, DSS Form 30102 for household members, and DSS Form 30202 for children) on family members **only** when the initial assessment indicates the family appears appropriate for licensing. All applicants and household members must submit a medical report completed by a duly licensed physician or nurse practitioner verifying that such individuals are in reasonably good health, including an evaluation as to communicable or contagious diseases.

**NOTE: After receiving a medical report, if there is a question or concern, the agency may ask for additional information.*

9. Conducts additional interviews with applicants, the actual number dependent on the individual situation and supporting information.

10. Obtains a copy of the drivers' license from all licensed drivers for identity verification.

11. Reviews the training notes/ impressions of the foster family applicants. These notes are to be used as another resource to help evaluate the prospective family's suitability to serve as a caretaker.

12. Assesses the applicants' capacity to reasonably serve as foster family including evidence of:

- a. Ability to care about others and be responsible for them,
- b. Ability to appropriately express affection,
- c. Enjoyment in the parental role,
- d. 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,
- e. A satisfactory and stable marriage (for applicant couples),

f. Maintenance of appropriate relationships with other family members and with the community,

g. Stability, maturity, and functioning,

h. Ability to be flexible in expectations and attitudes in helping meet a child's needs and in addressing a child's problems,

i. Ability to request and use assistance when needed to deal with problems in the family,

j. Ability to accept and support the child's relationship and reunification with biological family,

k. 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,

l. Ability to accept the concepts of family preservation and reunification as the goals of most foster care placements,

m. Demonstration of values and standards conducive to the well-being and development of a child,

n. Knowledge of the needs of children,

o. Capability to meet the needs of foster children and provide adequate foster care services,

p. Capability to handle an emergency situation,

q. Ability to provide all relevant and factual information to the agency in a timely manner,

r. A willingness to learn more about caring for foster children through participation in training,

s. Ability to accept moving a child into an adoptive home if appropriate,

t. Ability to work with other professionals working with the child and the child's parents/family.

13. Engages in a more intensive interview process, including increasing the number of contacts, consulting with appropriate mental health authorities, counselors or physician (as indicated) and obtaining relevant documentation when indicated. Indicators of a need for further information include:

- a. Marital instability including multiple marriages and divorces, recent separation from spouse, or recent marriage, and requests copies of previous divorce complaint and final orders from any divorce.
- 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. 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. Applicants will 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", "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 ensure that a board payment would not be the primary source of income or is needed for meeting routine household expenses (the agency may require verification of income and a listing of expenditures).
- 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 and 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 family 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. The agency has the authority to request a psychological report on an applicant or household member pursuant to receiving information during the assessment study process that would indicate a need for professional consultation.

n. Applicant or family member has been pardoned for a crime listed in SC Code Section 20-7-1642. The agency may consider all information available, including the person's pleas and circumstances surrounding them, to determine whether the applicant is unfit or otherwise unsuited to provide foster care services. (Reference SC Code of Laws, Section 20-7-2265, Section 20-7-1642)

o. Applicant or family members has convictions including, but not limited to, driving under the influence and writing fraudulent checks or crimes other than those listed in SC Code Section 20-7-1642.

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. The applicant shall provide information that enables licensing staff to interview adult children of the applicant.

r. Applicant uses corporal punishment to correct their own children and is unwilling to consider alternative forms of discipline for foster children.

**NOTE: Foster parent applicants must agree to sign the Discipline Agreement form (DSS Form 30219) which prohibits the use of corporal punishment on foster children.*

14. Discusses with adult family members and child(ren) (as age appropriate), the age range of children that the family would be willing to accept, including a discussion of the impact of these choices on the dynamics of the family structure.

15. Converses with adult family members about inappropriate behaviors that some foster children may exhibit and discusses behaviors that they are willing to work with (e.g. sexually acting out behaviors, running away, enuresis, etc.).

Clearly documents this on the CAPSS License screens, in dictation, and in the assessment study.

*NOTE: Use Child Factors Checklist, DSS Form 3008 to identify child behaviors applicants are able to work with.

16. Informs any applicant who is a TANF and/or Food Stamp recipient that foster care board payments should be reported to their eligibility worker(s) and could affect their eligibility for TANF/Food Stamps.

17. Individuals who are to provide child care on behalf of employed foster parents must be interviewed by SCDSS or child placing agency staff prior to the issuance of a Standard license to a foster home. Completes Central Registry checks on any non-licensed **adult** child care providers/babysitters who provide regular or full time care.

**NOTE: If foster parents are employed outside the home a written total plan of care, including plans for any necessary emergency care for the child, shall be submitted by the foster family.*

18. Reserves the right to request and consider additional information if needed.

19. A decision regarding each application for a license shall be made within 120 days subsequent to the date the standard application is completed by the applicant(s) and is received by SCDSS or the child placing agency. If SCDSS or the child placing agency has requested information that has not been received within 120 days, then the decision is stayed pending receipt of all information.

Licensing/Adoption Worker and Licensing/Adoption Supervisor

20. Discuss and review assessment study and recommendation concerning licensure.

Licensing/Adoption Worker

21. Recommends licensing of foster parent applicants who:

- a. Meet licensing requirements and standards of care,
- b. Can undertake and effectively perform the responsibilities of foster parenting, and
- c. Can work responsibly with the agency on behalf of the child.

22. Does **not** recommend licensing if the following apply:

- a. When the Central Registry check shows a substantiated history of child abuse or neglect by the applicant or a household member; or
- b. When the Criminal Record check or fingerprinting review shows that

an applicant or household member has been convicted of or pled guilty or nolo contendere to an offense identified in SC Code Section 20-7-1642 (in S.C., other state or under federal law).

c. Until approval is given by the County Director when Criminal Record check or fingerprinting review shows any other criminal convictions of state laws other than those identified in SC Code Section 20-7-1642. The reasons for the approval should be documented in writing and attached to the print out identifying the record.

d. Does not recommend licensure if an applicant or other household member's name appears on the SC Sex Offender Registry.

e. When fire inspection report contains deficiencies that have not been or cannot be corrected.

f. When the medical report for an applicant or other household members does not recommend approval of the person to provide care for foster children. If the agency disagrees with a recommendation, then the agency may request a second opinion.

**NOTE: DSS as the licensing agency has the authority to review recommendations and may disagree with conclusions regarding an ability to serve as a caretaker.*

g. When an applicant or household member has been pardoned for a crime as listed in Section 20-7-1642 and upon review of all the information available including the person's pardoned convictions or pleas and the circumstances surrounding them, determines the applicant to be unfit. Submits the recommendation with a written justification to the attention of Title IV-E eligibility unit at the State Office.

h. When a completed assessment indicates the applicant(s) lacks or fails to demonstrate one or more parenting characteristics as listed in Section 911.01 (#12).

23. Explains the agency's recommendations to the applicant. If an application is denied, follows the procedures as listed in Section 924.01

24. Documents all activities on the "License" screens in CAPSS database as outlined in the User Guide.

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

PHONE NUMBERS: HOME _____ WORK _____,
CELL _____, _____ E-MAIL

III. CONTACTS DURING ASSESSMENT

Date of Contact	Type (TC/HV)	With Whom

IV. MOTIVATION TO FOSTER AND/OR ADOPT

V. FAMILY HISTORY

A. Mother

B. Father

VI. CHILDREN/PARENTING EXPERIENCES

VII. MARITAL HISTORY/RELATIONSHIP

VIII. FAMILY RELATIONSHIPS / FUNCTIONING / COPING ABILITY

IX. WORK AND EDUCATIONAL HISTORY

A. Mother

B. Father

X. MEDICAL/MENTAL HEALTH HISTORY

XI. FINANCIAL

XII. RELIGIOUS AFFILIATION

XII. DISCIPLINE

XIV. CHILD CARE ARRANGEMENTS (Include plans for emergency care)

XV. HOME AND COMMUNITY

XVI. OTHER HOUSEHOLD MEMBERS

XVII. TRAINING

XVIII. REFERENCES

XIX. LAW ENFORCEMENT (SLED) CHECKS/ FINGERPRINTING/ CENTRAL
REGISTRY OF CHILD ABUSE AND NEGLECT CHECK/ SEX OFFENDER
REGISTRY CHECK

XX. WORKING WITH THE CHILD/AGENCY/BIOLOGICAL FAMILY

XXI. FAMILY PREFERENCE IN CHILD (WILL ACCEPT/WON'T ACCEPT)

XXII. RECOMMENDATION

XXIII. SIGNATURES

Worker Supervisor

Certificate # _____ Certificate # _____ or NA

Date: _____ Date: _____

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

FOSTER/ADOPTIVE FAMILY ASSESSMENT SUMMARY/PRE-PLACEMENT INVESTIGATION GUIDE

NOTE: SCDSS shall not consider the race, color or national origin (RCNO) of the child or prospective foster or adoptive family in making placement decisions, unless there is an individualized assessment with a specific finding that it is in the particular child's best interests to be with a family of a certain RCNO. Culture shall not be used as a proxy for RCNO. Families willing to foster and/or adopt children of a different RCNO shall not be subjected to differential treatment, including extra scrutiny.

I. Family Composition For purposes of licensing, interviewing and assessing, an individual who spends significant amounts of time in an applicant's household can be considered a household member. Include non-custodial children who visit and anyone who routinely spends evenings or weekends.

II. Address

Residential Address: Physical location of the home.

Mailing Address: (self explanatory)

Directions: (self explanatory)

Phone Numbers: (self explanatory)

III. Contacts During Assessment Minimum of 2 home visits (minimum of 1 family interview and 1 interview per individual). Document interviews with adult household members and children over age 6. May also interview adult children of applicant.

IV. Motivation to Foster and/or Adopt

- A. Why has the family chosen to extend family through fostering and/or adopting?
- B. How long has the family been thinking about their decision?
- C. What made them decide to apply now?
- D. What does the family believe they have to offer a child? Do they want to "save" the child? Do they expect the child to be appreciative of their efforts? Do their own child need a playmate? Are they lonely or want someone to take care of them?
- E. What does the family believe will be the hardest and easiest thing which they will have to deal with as a foster and/or adoptive parent?
- F. What changes does the family believe they will be making in their family, household and schedule to accommodate a child?
- G. If there is a fertility problem, what are the family's feelings and resolution of the issues?
- H. Are both parents equally motivated to foster and/or adopt?
- I. Describe the extended family support, especially for single parents.
- J. If single parent, who will be the other sex role model?

V. Family History: Answer separately for both mother and father (if applicable)

- A. When and where born?
- B. Describe their family composition. Birth order.
- C. Describe the relationship applicant's parents had with each other, with applicant, with other children in the home when growing up.
- D. If applicant's parents are still living, describe their current relationship with the applicant and with other siblings.
- E. Describe the current relationship between the applicant, siblings and other relatives.
- F. How many years were applicant's parents married? Had either of them had a previous marriage? Number?
- G. What responsibilities and chores did applicant have around the house as a child? Did he/she ever work part time? If yes, what was it?
- H. How were problems solved between parents and as a family?
- I. What happened when applicant's parents disagreed?
- J. How were applicants disciplined by their parents? How does applicant feel about this type of discipline?
- K. Education/work history of applicant's parents.
- L. Health history of applicant's parents and siblings. Indicate causes of death, if applicable.
- M. Did applicant's parents and siblings have any substance abuse/mental health issues?
- N. Was applicant or siblings the victim of any child abuse/neglect?

VI. Children/Parenting Experiences

- A. How many children were born to each applicant? Provide names and birth dates. Any health problems or special needs?
- B. What is the current situation, accomplishments of adult children?
- C. What is current relationship with adult children? Are they supportive of the parent's decision to foster/adopt children? Any evidence of estranged relationships?
- D. How many children has the applicant adopted or fostered in the past? Do these children currently live with them? How did they incorporate each child into the home? Which types of children were most easily incorporated? Which were the most challenging?
- E. How did children change their marriage?
- F. Does the applicant have other experiences with children that relate to parenting?
- G. Were any biological children ever in foster care, adopted, or lived with relatives? If yes, describe circumstances in detail.
- H. If they have a child who is not an adult not living with them, where is he/she living? Describe the reasons he/she is living elsewhere (if not an adult). Do the applicant financially support the child? Does he/she visit? How often? In the

applicant's home? Do the applicants visit the child? How often?

I. For **each of the children** currently in the home:

1. What are some of their accomplishments?
2. What grade do they attend? Overall, how are they doing in school?
3. What age did applicant find the most satisfying? The most difficult?
4. How does applicant describe each child's personality?
5. What special interests and/or talent does each child have?
6. Describe each child's behavior. Are there concerns about child's behavior?
7. What does each parent enjoy most about each child? Least?
8. What are the applicant's expectations of each child?
9. What is the applicant's involvement with each child's educational and recreational activities? Do the parents (one or both) attend school conferences, ball games, etc.?
10. What is the child's attitude about another child coming into the home to live?

J. How do the children relate to parents and interact with one another in their home? Does one dominate? Is there sibling rivalry? How do they argue? How are disputes settled?

K. Does the family have any plans for increasing the size of their family through birth or adoption through another source including a private adoption agency? Are they licensed through a private agency?

VII. Marital History/Relationship

A. How would applicants describe their marital relationship? Any separations/trial separations? Any marital counseling? Any history of domestic violence?

B. How many years have they been married? (Obtain copy of marriage license.)

C. When and how did they meet? Length of courtship?

D. Has either been married before? If so, when and for what reasons did the marriage end? (Obtain copies of divorce petitions and divorce decrees.) How is this marriage different from previous ones?

E. If applicant is a single parent, has he/she previously experienced or is he/she currently involved in a long-term relationship with a "significant other"? If yes, describe the nature of the relationship and, if ended, the reasons for its end. What role would the "significant other" play in the home? (Determine if the "significant other" should be considered a household member.)

VIII. Family Relationships/Functioning/Coping Ability

A. How are decisions made within the family?

B. What is important to the parents as individuals and a couple?

C. How do they resolve disagreements or problems in the home? What happens when they disagree?

D. How are household responsibilities/duties assigned and/or divided?

E. How do they deal with stress?

F. What losses have parents experienced in their lifetime (e.g. loss due to the death of a parent, sibling, spouse, child, or other relative or due to divorce of parents or spouse)?

G. Where does the family usually go on vacation? Do vacation plans include children? Will foster/adoptive children be included in these plans?

H. Does the family have pets? If yes, what kind? Is the pet important to the whole family or to a particular member? What arrangements can be made if the pet presents a problem for the foster or adoptive child? Is pet routinely seen by a veterinarian? (Review DHEC inspection regarding rabies vaccinations.)

I. What hobbies/activities does each family member enjoy doing? What kinds of hobbies/activities are they involved in at this time? To what social groups do family members belong? What activities do they enjoy as a family? How often do these groups meet or activities occur?

J. What does each family member identify as his/her:

1. Strengths
2. Limitations
3. Successes
4. Failures

IX. Work and Educational History (to be provided for each applicant)

A. Are applicants currently employed outside the home? If yes, what is the current occupation? How long have they had the job? Does their employment ever take them out of town and/or require overnight trips? If so, how often? What are their working hours?

B. What other occupation and/or employment have they had? Reasons for leaving each previous employment. Has applicant ever been fired? If so, why?

C. What do they like most and least about working outside the home, or inside the home, if applicable?

D. Have either ever served in the military? If yes, when? Were they honorably discharged? Date of discharge? (Obtain copy of discharge papers.)

E. What educational experiences have they had --educational level obtained, GED, attended technical school or college, or other employment training? If college graduate, what was their major? Include names of schools and colleges and courses of study. Any future educational plans?

X. Medical/Mental Health History (to be provided by/on each applicant and household member)

A. Has applicant or household member ever had any serious illness?

B. Has applicant or another household member ever been hospitalized? If yes, when, for what?

C. Has applicant or another member of the household ever been treated for any emotional, mental health or addiction problems? If yes, by whom? When? Where? For what problems? Is applicant or other household member currently

receiving treatment for the problem? Is medication prescribed? Review criminal records checks for any DUI offenses as a possible indicator of substance abuse. Worker will instruct applicant to complete the necessary authorization forms from their various medical/mental health providers to authorize those providers to disclose the protected health information to DSS in order to evaluate the applicant's fitness and suitability.

D. Information received from therapist or physician regarding the applicant's ability to become a resource parent or regarding the impact of any other household member's presence in the home.

E. Give dates and results of medicals on all household members. (Medical reports on file in case record.)

XI. Financial

A. What is the family's monthly gross income? What is the "take-home" pay? (verification required) Financial forms will need to be completed.

B. Is family receiving TANF or Food Stamps?

C. What are the monthly expenses?

D. Do they pay child support for any children not living with them? How much? Is it current? If not, how much arrearage?

E. Who is responsible for budgeting and managing the family's money?

F. Does the family have savings and other assets?

G. Can the family provide for the child without being dependent on board payments or subsidies? What financial assistance do they expect to receive for a child?

H. Has any family member ever been convicted of writing bad checks? Has any property ever been repossessed? Ever filed for bankruptcy?

I. Will family's medical insurance cover an adopted child? What are the family's plans to include the child in their will? Who will care for child in case of parent's death? Has this been discussed with this individual? What was their reaction?

Include information obtained after contacting this person.

XII. Religious Affiliation

A. What role does religion play in the family's life?

B. Does the family attend church? What is the religious denomination? Does the entire family attend?

C. In what church related activities do they participate? How often?

D. If a child is placed with the family and either child or birth parent requests that the child attend a different religious denomination, how would the family handle it?

E. If an older child preferred not to attend church, how would the family handle it?

XIII. Discipline

- A. What forms of discipline do they use? If corporal punishment is used, are they willing to terminate the use of corporal punishment, and knowledgeable of and receptive to the use of other methods of discipline?
- B. Do applicants fully understand the agency's policy prohibiting the use of corporal punishment?
- C. Do parents agree on how to discipline? If no, how are these issues settled?
- D. Do the parents exhibit the ability to understand/recognize disruptive behaviors placed children may display and appropriately respond to that behavior? (How would you handle ---?)
- E. Do discipline practices reflect realistic expectations, flexibility, and tolerance?
- F. How would applicants discipline a foster or an adopted child?

XIV. Child Care Arrangements: include informal or unlicensed persons if they are providing care on a routine basis (Central Registry and Sexual Offender checks required).

- A. Child care provider used: type, name, address, and telephone number.
- B. Frequency/reason used.
- C. Results of interviews with any and all child care providers and full time babysitters. Results of Central Registry and Sexual Offender checks on any non-licensed providers.
- D. Babysitters (non-routine) used: name, address, in babysitter's home or applicant's home, frequency, reason.

XV. Home and Community

- A. Physical description of the house, yard, neighborhood and surrounding area. Describe the number of rooms in the house.
- B. Does the family own or rent their home?
- C. How long have they lived at their current address? How many times has the family moved? Reasons for the moves.
- D. Is home a subsidized housing unit? If so, will an increase in family size create a problem?
- E. Is residence in a high crime area? (Verified by law enforcement.)
- F. Describe the sleeping arrangements and storage space for the children. Describe the sleeping arrangements for the other household members. Would small children be within calling distance of the parents? Are sleeping arrangement consistent with standards of care?
- G. Is there a swimming pool? Is it secured? What is the plan for supervision?
- H. Are firearms locked in a storage container? If applicant has firearms and ammunition, where are they stored and secured?
- I. What schools would a child attend?
- J. What recreational facilities are in or near the neighborhood?
- K. Accessibility of other community resources, e.g. medical, special school placements.

- L. How would the children be transported to and from school and other activities/appointments? Is transportation consistent with public safety laws, e.g. car seats?
- M. Would the family be able to transport the child to the school he/she attended before removal?
- N. Give dates and results of both DHEC inspection (including lead inspection) and fire inspection. Document correction of any cited deficiencies or recommendations.

XVI. Other Household Members

- A. Other than applicant, and applicant's children, is there anyone else living in the household or who stays overnight in the home on a repeated basis? If yes, provide name, age, and occupation. Is any member of the household a paramour of the adoptive parent?
- B. How long have they lived in applicant's house? Is this a temporary or permanent arrangement? If temporary, how long will they be in the household?
- C. What were the circumstances leading to their residing with the family?
- D. Describe how they participate with applicant's family. Do they contribute to the household income?
- E. What household responsibilities does he/she assume in the home? Amount of time spent in the home.
- F. What has been the individual's involvement with children?
- G. What does the individual think about the applicant's fostering and/or adopting?
- H. What changes does the individual anticipate that the addition of another child will make in the family?
- I. Will the individual be involved in child care? How?
- J. Education/Work history
- K. Medical history, current medical status.
- L. Any previous mental health or addiction history?
- M. Results of background checks (SLED, SO, CR. Fingerprinting).

XVII. Training (information should be obtained from the trainers)

- A. Have applicants received the required number of training hours? Did the Applicant(s) participate in group or individual training?
- B. How did the applicant(s) participate in training?
- C. Did they demonstrate a basic understanding of the foster care and adoption programs and its goals?
- D. Did applicants exhibit in training the ability to be self analytical and make changes in their behavior and lifestyle to meet the needs of the child?
- E. Was training received by any other parent figure (e.g. grandmother) who will be parenting the foster child?

XVIII. References (three non-relatives who have known applicants for last 3 years)

What were references opinions of the applicant's ability to foster and/or adopt children? Are they aware of any personal problems the family may be experiencing?

XIX. Law Enforcement (SLED) Check/ Fingerprinting/Central Registry of Child Abuse and Neglect Check/Sex Offender Registry Check (on all household members age 18 and older)

- A. What were the dates/results of each inquiry for each required household member?
- B. If a report reflected convictions that do not automatically bar placement under 20-7-1642, describe and give details regarding the charges, outcomes, treatments lifestyle changes, etc. along with the resulting recommendation administrative authority regarding licensure/approval.
- C. Adoptive home denials need to be discussed with the Office of General Counsel. Foster home denials need to be discussed with the County Attorney.

XX. Working With the Child/Agency/Biological Family

- A. What problems do they think they will have in keeping information about a child confidential? (Must inform applicant of agency's policy regarding confidentiality and indicate in assessment that this was done.)
- B. Do they think they will have any difficulty not pressing the child for information about his/her past?
- C. How do they think they will react to information voluntarily provided to them by the child about his/her past life, e.g. if the information is bizarre, graphic, violent, sexually explicit? (Must inform applicant of the need to share such information with child's worker and indicate in assessment that this was done.)
- D. How do they think they will be able to handle:
 - 1. Contact between the child and the agency's worker, including required visits in the home, and unannounced visits (if appropriate)?
 - 2. Contact between the child and any other professional who may be working with a child, including the GAL?
 - 3. Sharing the child with his/her biological siblings and other family members (when appropriate)?
- E. How do they feel about:
 - 1. Meeting with the biological parents to obtain/share information regarding the child (if appropriate)?
 - 2. Jointly attending medical appointments, educational conferences, etc. with the biological parents (if appropriate)?
 - 3. Actively participating (if appropriate) in meetings/staffings that include agency staff, biological parents, community members, and other support

systems for the purpose of providing input regarding the needs of the child/family?

4. Attending or at a minimum providing a written report for Foster Care Review Board?

F. Does the applicant understand that a child has two sets of parents? Can they objectively discuss this with a foster or adopted child?

G. How does the family feel about the temporary nature of foster care and "letting a child go"?

H. How does the family view their role as "non-blood" parents? Does the family understand the nature and purpose of adoption and/or foster care?

I. Do parents understand that being a foster parent does not guarantee the adoption of a child?

J. What is their attitude toward biological parents who have voluntarily placed or released their children or who have had their children removed from their care?

K. How will medical emergencies be handled? Does the applicant understand the responsibility to inform the agency immediately of medical problems, injuries, crisis incidents?

L. Do they understand that the authority to make decisions concerning major surgery and other high risk procedures remains with the biological parents unless parental rights have been terminated or a court has given that authority to DSS? If DSS has that authority, then DSS must consent.

XXI. Family Preference in Child (include information from Child Factor Checklist)

A. Is family applying for a specific child and do not want to be considered for other children?

B. For how many children would the family like to be licensed/approved?

C. What age range are they interested in? Do they understand how the age of a child placed may affect the family dynamics, e.g. oldest biological child no longer the oldest, or the youngest no longer the baby, and losing that role in the family?

D. What are the handicaps, behavior, maltreatment background, family background, medical problems, emotional problems which a family can or cannot accept? (Use Child Factor Checklist)

E. What is the family's understanding and acceptance of openness between birth parents/siblings and children? Describe the type of openness which the family could accept.

F. What is the family's understanding of children's normal behavior? What about implications of parenting children with certain problems?

G. If parents initially expressed an interest in younger children but now want older children, explain.

H. How much notice will the family require prior to placement?

I. What is the applicant's understanding and acceptance of legal risk?

J. Would the family agree to be licensed as foster parents for a specific child whose permanent plan is TPR/Adoption?

K. Willingness to maintain contact between the adopted child and his biological

family and/or siblings.

L. Understanding of the adoptive child's need to know about their past and potential for searching out birth parents in the future.

XXII. Recommendation

A. Address family's overall motivation and understanding of the purpose of foster care and/or adoptions and their ability to provide quality foster care or adoptive services. Discuss family's willingness to share information. Identify the family's strengths and weaknesses. Assess the family's understanding of developmental needs and skills of children and an understanding of the dynamics of child abuse and neglect. (If family is being assessed/licensed for a specific child, analyze if this family has sufficient resources, preparation, and overall capacity to protect, nurture, and provide for the child on a daily basis, short or long term.) Describe the type of agency support that may be needed.

B. Recommend approval or denial. If making an approval, make recommendation of the type child(ren) for whom this family could provide care, and behaviors that can and cannot be accepted, number of children, sex, and age range. If they want a special needs child, what makes family suitable? (Homes should not routinely be licensed for "birth-18" but for the specific age child as determined by the assessment process. If making a denial, explain reasons and how this was discussed with family and the family's reaction.

XXIV. Signatures (self explanatory)

Referenced Documents

DSS Form 1574

DSS Form 3008

DSS Form 30102

DSS Form 30202

DSS Form 30219

Human Services 915

Human Services 924.01

SC Code of Laws Section 20-7-1642

Revision Comments

Paragraph 1. Revised to provide that RCNO may not be used to approve or deny adoption applications, and to prohibit culture being used as a proxy for RCNO.

Section III. of the family assessment outline deleted so that physical descriptions of adoptive parents are not recorded.

Section XXII, H. deleted so that applicants are not asked about their ability to handle a transracial placement. This section is now XXI.

Foster/Adoptive Family Assessment Study/Pre-Placement Investigation Outline, NOTE added to stress that RCNO shall not be used in making placement decisions or in

assessing potential adoptive families.

Foster/Adoptive Family Assessment Study/Pre-Placement Investigation Guide, NOTE added to stress that RCNO shall not be used in making placement decisions or in assessing potential adoptive families.

911 Initial Contacts and General Orientation

This section outlines procedures for initial contacts and general orientation for potential foster family applicants. Requirements compliance for actual evaluation and licensing are detailed in Section 911.01 through 918. The South Carolina Department of Social Services adheres to federal laws, including MEPA and the Civil Rights Act of 1964 which prohibit policies, procedures or actions that serve to deny any person the opportunity to become a foster caregiver or an adoptive parent on the basis of race, color or national origin of that person, or of the child involved; or which delay or deny any placement of a child in foster care or for adoption on the basis of the race, color or national origin of the foster caregiver(s), of the adoptive parent(s) or of the child involved.

Licensing/Adoption Worker

1. Completes a Foster/Adopt Intake Form (DSS Form 30103) if the family confirms an interest in serving children and mails the following information/forms to the prospective family: Foster /Adoptive Parent Application Form (DSS Form 1572), Checklist for Foster/Adopt Parents (DSS Form 30201), requests for criminal history record check by South Carolina Law Enforcement Division, Central Registry check.

**NOTE: If a referral is received from the CARE 4-US line (888-227- 3487) then proceed to #2. Utilize -Search function in CAPSS to determine if individual or family is already on file.*

2. Schedules an appointment for the prospective family for either a home visit or a group orientation session within two weeks of the initial inquiry.

**Note: A preliminary site visit of the applicant's home is recommended prior to engaging the applicant in the extended licensing assessment. The purpose of the home visit is to verify adequate space and sleeping arrangements, review overall safety in the environment, document household composition and begin orientation for, and assessment of, the family.*

3. If conducting a home visit, initiates assessment of the individual or family at the first scheduled appointment.

a. Makes a preliminary assessment of the family's/individual's motivations for becoming a foster family and the feasibility of their participation. Determines that the applicant is at least 21 years of age.

b. Provides the family/individual with a copy of licensing regulations, and other applicable materials.

c. Obtains applicant's signatures consenting to SLED and Central Registry/CPS checks (if forms have not been returned to office).

d. Invites the foster family applicants to the next scheduled training sessions.

Note: If conducting a group orientation session instead of a home visit, proceed with steps 3 b-d.

4. While conducting the training, explains to the foster family applicants (through individual interviews or group session) the purpose of the licensing study process, including such topics as:

a. Protection of foster children from harmful experiences and to provide the child with the most appropriate placement; and

b. Conducting a licensing study and to obtain reliable information to evaluate the applicant's ability to meet licensing standards. Advising a family that they cannot be licensed by more than one agency, or by more than one division in an agency. Provides the foster family applicant(s) with an initial orientation to the foster home program (and adoptions, if applicable);

c. Purpose of foster care;

d. Board payment rates and purpose (food, shelter, clothing, school expenses, minor medical expenses, incidentals, and other expenses);

e. Reimbursable expenditures;

f. Transportation to comply with state public safety laws;

g. Medical care including Medicaid and non-emergency medical care;

h. The reasons for and process through which children are placed in foster care;

i. Common problems experienced by children in foster care;

j. Involvement of biological parents, including the need for regular contact/visitation between the child and parent(s), siblings, and significant relatives;

k. The role of the foster family and of the biological parents;

l. The role of the agency, including the foster care worker, the licensing worker; including the requirements that foster parents must make themselves reasonably available on an ongoing basis and the right of the agency to make unannounced visits and to talk with the child as needed;

m. Explains to the foster family applicant that no children referred by another agency or another county DSS office should be accepted for placement without permission of the licensing county **prior to the actual placement**;

n. Process through which a child becomes free for adoption and how a foster family can obtain information on becoming an approved adoptive home;

o. Requirements and limitations on overnight visitation with a non-relative, including the expectation that the foster parent can make daily decisions regarding a foster child's participation in routine activities (e.g., an overnight or weekend scout camping trip, an overnight or weekend stay with a friend, etc.) if the foster parent knows how to contact the child, **and** the Family Court's order places no restrictions on such activities. There are restrictions on longer periods of visitation or travel that involves leaving the state or country (**NOTE: Refer to Chapter 8 for more than several days*). There are restrictions on leaving foster children with a non-licensed source which would be considered as respite or placement with a non-licensed provider and cannot be approved by the foster parent.

p. The responsibility of the foster parent to notify the agency ASAP when a critical incident occurs (e.g. criminal activity by a foster child, death, school suspensions, attempted suicide, runaway);

q. The responsibility of the foster parent to report all injuries to a foster child within 24 hours;

r. The responsibility of the foster parent to assure the foster child has access to education with DSS choosing the school and understanding that DSS will not pay for private school.

s. Religious education shall be in accordance with the expressed wishes of the natural parent;

t. The use of corporal punishment is prohibited for foster children and all discipline must be reasonable in manner, moderate in degree and responsibly related to the child's understanding and need;

u. Firearms and any ammunition must be kept in a locked storage container;

- v. Common problems experienced by foster parents;
 - w. The purpose and dynamics of pre-placement planning;
 - x. Working with the foster child, including loss and grief issues, discipline and preparation for eventually leaving the foster home;
 - y. No unrelated lodger or boarder shall be allowed in the home without agency concurrence;
 - z. If applicant or household member has sought treatment for issues related to drug or alcohol abuse, or if there is any history of mental illness, such information must be disclosed and the appropriate documents must be obtained to access such information;
 - aa. Community resources;
 - bb. The Foster Parent Association;
 - cc. The provision of liability insurance for foster parents through DSS;
 - dd. The potential provision for an accelerated board rate for a child with special needs;
 - ee. The provision of a Education and Health Passport and/or background information for each foster child and their responsibility for updating agency staff of a child's ongoing needs and progress;
5. Give the following materials to foster parent applicants near the conclusion of the training:
- a. Requests for finger printing check of all individuals 18 years and older in the household (conducted by the Federal Bureau of Investigation).
 - b. Release of information forms.
 - c. Foster/Adoptive Parent Autobiography (DSS Form 1511).
Note: Applicants must be informed where to return their completed information.
6. May wait to schedule further appointments with the prospective family until receipt of the following:
- a. Foster/Adoptive Parent Application (DSS Form 1572);
 - b. Results from criminal background checks;

- c. Results from fingerprinting forms.
7. Schedules and Conducts home visits to begin home-study process.
**Note: There should be at least 2 interviews with the applicant in their home. Also refer to Section 911.01.*
- a. Contacts the family immediately, in writing, if results of background checks precludes licensure.
 - b. Reviews the completed Foster/Adoptive Autobiography (DSS form 1511) and Foster Parent Application (DSS Form 1572) prior to next interview or meeting.
**NOTE: If applicant has difficulty filling out the forms, please assist as necessary.*
 - c. Schedules an additional home visit to clarify ambiguous or missing information on the Foster/Adoptive Autobiography (DSS form 1511). Also uses Foster Adoptive Family Assessment Summary/Pre-Placement Investigation Guide to serve as a guide for follow-up questions or issues (e.g. corporal punishment, "red flag" issues, etc.).
8. Advises applicant of the need to immediately notify the county DSS responsible for licensing or re-licensing the home of any major changes in the health of anyone living in the home and to provide prior notification of any other significant changes in the home or family including, but not limited to: significant changes in family income, plans to open a home based business (including day care), any structural changes, plans for changes of residence, a change in marital status, and the addition of any resident in the home.
9. Discusses with applicant the maximum number of children, including the foster, biological and relative children, for which the home could provide care and the need to not exceed its licensed capacity. A foster home shall not provide full time care for more than 5 children, including the foster parent's own children and/or children of other household members and no more than 2 infants (under age1) are allowed in the same foster home without prior approval.
**Note: A waiver may be granted in the event a sibling group needs placement and said placement would result in a home having more than 5 children.*
10. Reviews Sections 911.01 and 911.02 on evaluating and licensing a family.

Referenced Documents

DSS Form 1511
DSS Form 1572
DSS Form 30103

DSS Form 30201

Revision Comments

Section 911, introductory paragraph, language added for MEPA compliancy.

912.01 Sex Offender Registry Check

This section outlines procedures to check the Sex Offender Registry as required for foster home licensing.

Agency Requirement

All individuals over age 12 in the house must be screened against the South Carolina Sex Offender Registry. A foster home license is not issued if a registered sex offender resides in the home. Reference Sections 911.01 and 918 for additional information regarding the application study and Section 920 regarding the renewal of a license.

Individuals who provide informal routine care or unlicensed child care must be screened against the South Carolina Sex Offender Registry. Child care can not be provided by an individual listed on the registry. (Reference Section 911.01 in Items 17 and the Outline XIV.)

Licensing Worker

1. Completes the Sex Offender registry through website <http://www.sled.sc.gov> Click on SC Sex Offenders for all individuals in the household age 12 and older.
2. Uses the following steps at the website to complete a thorough search to meet licensure requirements:
 - 1) Click on Sex Offender Registry on the left of the home page
 - 2) Click on Search by Name
 - 3) Enter the last name of the individual in the text box
 - 4) Click to submit
 - 5) Tab to where the name appears or would appear on the list
 - 6) Print that page only.
3. If no record is found, writes “no record found 'Person's Name' ”; signs and dates the print out and files a copy of the results in the case record.
4. If an individual is listed on the Sex Offender Registry, highlights the name; contacts the supervisor, county attorney or County Director for consultation and/or additional information regarding the finding **before making a licensing decision.**

Refer to Section 920 regarding revocations of licensing renewals; to Section 924.01 regarding denial of an application or Section 924.02 for denial of a renewal.

5. If the Sex Offender Registry Check results in adverse action, informs the foster parent of their right to appeal through the Office of Administrative Hearings. (See Section 924.03).

6. Documents results on License Screen of the CAPSS system and in the licensing application or renewal study.

Referenced Documents

Human Services 920

Human Services 920.01

Human Services 920.02

Human Services 924.03

Revision Comments

This is new section that includes information previously in Section 912 and contains revisions for clarity.

912 Central Registry and Child Abuse / Neglect Checks

This section outlines procedures used to complete in state and out of state Central Registry Checks.

Primary Legal Basis

SC Code of Regulations 114-550: requires the Central Registry Check and denial if individual's name is on the Central Registry.

PL 109-248 Adam Walsh Protection Act: requires out of state Central Registry check for each state in which the applicant has lived in the previous 5 years.

Additional Information:

If a county or regional office receives a request from another state regarding central registry checks, the other state should be referred to the Division of Human Services State Central Registry of Abuse and Neglect at telephone number 803-898-7318 or referred to the DSS web page for additional information.

The SCDSS Central Registry checks should also be requested for non-licensed child care providers/babysitters who provide regular and/or full time care for foster children. (Reference Section 911.01 in Item 17 and documentation in the Foster-Adoptive Family Assessment Outline Item XIV.)

Licensing Worker

1. Obtains written permission from the individual being checked by having him/her sign and date DSS Form 3072, Consent to Release Information Registry.

Designated staff (to complete Central Registry Checks)

2. Completes Central Registry Check through the CAPPs system as follows:

- 1) Search by Person Tab
- 2) Locate Name in Person Search window
- 3) Highlight Name
- 4) Press Detail Tab, window will open
- 5) Press intake, and then press Case
- 6) Case window will open with "no record found"
- 7) Or Position windows in order to see the name
- 8) Press "print/Screen" on the computer keyboard
- 9) Click on "desktop icon"

- 10) Open Microsoft Office Word
- 11) Right click mouse and press paste
- 12) Print Document

3. Provides documentation of results of the check to be filed in the licensing record indicating whether or not the individual's name is on the central registry.

If no record is found, write "No Record Found Person's Name"; sign and date.

If a record is found, sign and date the printed document.

Note: A person's name is on the Central Registry by virtue of either an OHAN determination or court order from a General Sessions proceedings.

Licensing Worker

4. Requests a check of any child abuse and neglect registry in each state the applicant's and any other household member 18 and over living in the home have resided during the preceding five (5) years of the date of application.

a. To determine if a state charges a fee, use of a state specific form to request or consent to release information, or requires any other state specific procedures, checks the website for the other state's public child welfare agency.

b. If payment of a fee is required to obtain the results of an out of state check, arranges for the fee to be paid following county/regional internal procedures.

5. If an individual is listed on the Central Registry maintained by SCDSS or any other state, contacts the supervisor, county attorney or County Director for consultation and/or additional information regarding the denial before making a licensing decision. Refer to Section 924.01 regarding denial of an application.

Note: If the other state does not maintain a Central Registry, documents that a check was made for that state and the state does not maintain a central registry. (Only a few states do not maintain a central registry. The state's web page should be checked for up to date information as requirements in the other states are subject to change.)

Note: If a CPS report in South Carolina is indicated for a foster parent, state law requires the individual's name to be put on the central registry.

6. If the check indicates a record of abuse and neglect not on the Central Registry, contacts the supervisor, county attorney or County Director for consultation and/or additional information regarding the denial of an application before making a licensing decision. Refer to Section 924.01 regarding denial of an application. This information must be considered in determining whether or not to license the home. Refer also to Section 911.01 Evaluation of the Foster

Family Applicant/Family Assessment.

7. If the Central Registry checks results in adverse action, informs the foster parent of their right to appeal through the Office of Administrative Hearings. (Reference Section 924.03)

8. Documents results on License Screen of the CAPSS system and in the licensing application or renewal study. If there is a record of abuse and neglect not on the Central Registry, the application study must clearly document the basis for licensing or not licensing the home.

Referenced Documents

DSS Form 3072

Human Services 924.03

SC Code of Regulations 114-550

PL 109-248

SC Statute 63-7-1210

Section 911.01

Section 924.01

Revision Comments

This section was revised to separate Sex Offender checks, Criminal Records History (finger prints) and SLED checks into separate section; items were renumbered as appropriate.

Introduction: Revised to include primary legal references.

Item 2: Added instructions for obtaining and documenting agency central registry check

Item 4: Added procedures for out of state request

Item 3: Added how to record results of check and basis for a name on the Registry.

Item 6: revised to clarify Central Registry checks and record of abuse and neglect

Item 8: Added clarification to document basis for licensure decision if there is a record of child abuse and neglect and individual is not listed on the central registry.

913 Criminal History Records: Fingerprinting and SLED

This section outlines the procedure used to obtain Criminal History Records including fingerprint and SLED records.

Primary Legal Basis

SC Code: 63-7-2340 Criminal Records Checks

SC Code: 63-7-2350 Crimes for which license is not issued

SC Code of Regulations: 114-550

A. Fingerprinting

The following steps must be used to obtain a fingerprinting review for any foster/adoptive home applicant and household members/foster children eighteen (18) years and older.

Licensing Worker

1. Advises the applicant that fingerprinting reviews are required:
 - a. For all current household members age 18 or older, including foster children who reside in the home.
 - b. When a household member turns 18.
 - c. When any persons who join the household are 18 years of age or older.
 - d. When a previous fingerprint report is over 10 years old.
 - e. At any point when the agency deems it necessary.
2. Provides the applicant with instructions for obtaining digital fingerprinting, including the following website address: <http://www.ibtfingerprint.com>
3. Schedules an on-site appointment for digital fingerprinting if a group of 25 or more applicants can participate.

Note: Digital fingerprints are sent directly from the digital print site to SLED/FBI for processing.

4. Arranges for rolled fingerprints to be completed for any adult who may be medically unable to have digital fingerprinting done, such as a bedridden household member.

5. If fingerprint cards have been used, as in # 4 above, the licensing worker submits the completed fingerprint cards to the Office of Investigation.

Office Of Investigation-Investigation Support Management

6. Receives digital fingerprinting results from South Carolina Law Enforcement Division (SLED).

7. Forwards digital fingerprint results to the appropriate county or regional office.

8. If fingerprint cards are used, receives and sends the fingerprint cards to the South Carolina Law Enforcement Division (SLED). SLED forwards the fingerprint cards to the Federal Bureau of Investigation (FBI).

9. Returns fingerprint card results directly to the county/regional office that initially made the request.

a. If the fingerprints are not readable, they will be returned with a request to obtain another set of fingerprints.

b. If fingerprints are not readable due to poor fingerprint quality (best prints

obtainable) and have been rejected by the FBI two times for this reason,

OI-ISM will then request the FBI to conduct search by name on the applicant.

Name search results will be sent to requestor upon receipt by OI-ISM from the FBI.

Licensing Worker

10. If fingerprint results are returned and no criminal record was found, proceeds with the application.

11. If the fingerprint results are returned with an attached record of convictions, determines if the convictions fall under the statutory prohibitions of SC Code Section 63-7-2350 as cited below.

(A) No child may be placed in foster care with a person:

(1) with a substantiated history of child abuse or neglect; or

(2) who has pled guilty or nolo contendere to or who has been convicted of:

(a) an "Offense Against the Person" as provided for in Chapter 3, Title 16;

(b) an "Offense Against Morality or Decency" as provided for in Chapter 15,

Title 16;

(c) contributing to the delinquency of a minor as provided for in Section

16-17-490;
(d) the common law offense of assault and battery of a high and aggravated nature when the victim was a person seventeen years of age or younger;
(e) criminal domestic violence, as defined in Section 16-25-20;
(f) criminal domestic violence of a high and aggravated nature, as defined in Section 16-25-65;
(g) a felony drug-related offense under the laws of this State.
(B) A person who has been convicted of a criminal offense similar in nature to a crime enumerated in subsection (A) when the crime was committed in another jurisdiction or under federal law is subject to the restrictions set out in this section.
(C) This section does not prevent foster care placement when a conviction or plea of guilty or nolo contendere for one of the crimes enumerated in subsection (A) has been pardoned. However, notwithstanding the entry of a pardon, the department or other entity making placement or licensing decisions may consider all information available, including the person's pardoned convictions or pleas and the circumstances surrounding them, to determine whether the applicant is unfit or otherwise unsuited to provide foster care services.

Note: Please consult with your supervisor and, if necessary, your county attorney, Office of General Counsel, Office of Investigation or Investigation Support Management, if there is a question as to whether any conviction falls under this statutory prohibition.

12. If the convictions are for the specified offenses in the cited sections of state law (SC Code Section 63-7-2350), recommends denial of the application after first providing applicant an opportunity to withdraw as required by SC Code of Regulations 114-550, E. 5.

13. If the results include convictions for crimes other than those in SC Code Section 63-7-2350, consults with the supervisor and submits to the County Director or Regional Administrator for review and recommendation, with the following material:

- a. A copy of the criminal record
- b. A written explanation by the applicant regarding the charge, arrest or conviction
- c. A written recommendation from the Licensing Worker.

County Director/ Regional Administrator

14. Considers on a case-by-case basis any other convictions which are reported in the

criminal records check for all applicants and other residents of the home who are

eighteen years of age and older. This review will take into account:

- a. The nature of the offense(s) and what the offense(s) may suggest about whether the individual should be providing services to foster/adoptive children;
- b. The length of time that elapsed since the conviction(s);
- c. The individual's life experiences indicating reform or rehabilitation during the ensuing period of time; and
- d. The potential impact which the behavior that resulted in the conviction(s) might have on the individual's fitness and ability to serve as a foster/adoptive parent.

15. Provides written documentation of decision to continue with the application or to

deny based on the criminal record.

Licensing Worker

16. Obtains written documentation of the county director's or regional administrator's decision (signed by the County Director or Regional Administrator) and maintains in the family's file.

17. If the applicant disagrees with information contained in criminal history records

received from SLED or the FBI, the applicant should be instructed to contact the specific agency to resolve the alleged inaccuracy.

18. If the applicant's criminal record history results in adverse action, informs the applicant of their right to appeal through the Office of Administrative Appeals. (See Section 924.03)

19. Documents results in CAPSS system.

B. Criminal Background Check (SLED report)

Note: To avoid duplication, DO NOT request DSS 2612 and fingerprinting simultaneously since SLED records are also checked when fingerprints are submitted. The DSS 2612 is used for the annual criminal (SLED) background records check.

Licensing Worker

20. Obtains written permission from the individual being checked by having him/her

sign and date the bottom of DSS Form 2612, Request for Criminal Background Check.

21. Makes request in writing on the DSS-2612, Request for Criminal History Background Check.

a. Includes all identifying information listed on the form,

b. Has request signed by county staff designated to authorize Criminal

History Record Check (CHR)

c. Completes the reason for the request.

22. Submits DSS-2612 in duplicate to the Office of Investigation-Investigation Support Management at State Office.

Office of Investigation

23. Receives a CHR request form from the county/regional office.

24. Conducts the background check.

25. Sends response directly to the County Director or Regional Administrator.

Licensing Worker

26. If the completed request is returned and no criminal record was found, documents in licensing file.

27. If the CHR is returned with a record of convictions, determines if the convictions are for crimes covered by SC Code Section 63-7-2350, as cited in item 11.

NOTE: Please consult with your supervisor and, if necessary, your county attorney, Office of General Counsel, Office of Investigation or Investigation Support Management, if there is a question as to whether any conviction falls under this statutory prohibition.

28. If the convictions do apply to the specified offenses in the cited sections of state law (SC Code Section 63-7-2350), recommends revocation of the license after first providing applicant an opportunity to withdraw as required by SC Code of Regulations 114-550, E. 5.

29. If the CHR includes convictions for crimes other than those in SC Code Section 63-7-2350, consults with the supervisor and submits to the County Director or Regional Administrator for review and recommendation, with the following material:

- a. a copy of the criminal record
- b. a written explanation by the applicant regarding the charge, arrest or conviction
- c. a written recommendation from the Licensing Worker.

County Director/ Regional Administrator

30. Considers on a case-by-case basis any other convictions which are reported in the criminal records check for all applicants and other residents of the home who are eighteen years of age and older. This review will take into account:

- a. the nature of the offense(s) and what the offense(s) may suggest about whether the individual should be providing services to foster/adoptive children;
- b. the length of time that elapsed since the conviction(s);
- c. the individual's life experiences indicating reform or rehabilitation during the ensuing period of time; and
- d. the potential impact which the behavior that resulted in the conviction(s) might have on the individual's fitness and ability to serve as a foster/adoptive parent.

31. Provides written documentation of decision to continue licensing or to revoke the foster home license.

Licensing Worker

32. Obtains written documentation of the county director's or regional administrator's

decision (signed by the County Director or Regional Administrator) and maintains in the family's file.

33. If the applicant disagrees with information contained in criminal history records

received from SLED or the FBI, the applicant should be instructed to contact the specific agency to resolve the alleged inaccuracy.

34. If the applicant's criminal record history results in adverse action, informs the applicant of their right to appeal through the Office of Administrative Appeals. (See Section 924.03)

35. Documents results in CAPSS system.

Referenced Documents

Revision Comments

05/09 - added legal basis, added digital fingerprinting, DSS 2612 (SLED) moved to this section

914.01 Online Fire Inspection Requests

Fire inspection requests are to be made online. Effective January 1, 2002, no hand written or type written requests will be accepted by the State Fire Marshal. The web address is: <http://www.llr.state.sc.us> (caps are not required). Please refer to the following instructions when filling out a request:

Licensing Worker

1. Upon accessing the state government website, staff will need to click on **SC Department of Labor, Licensing, and Regulation**.
2. This will bring up the **LLR** home page. Click on **State Fire Marshal** tab. Scroll down the page and click on **Inter-Agency Online Inspection Request Form**.
3. Enter "America" as the password. Staff will then see the actual online inspection request form.
4. For the "Names" field ensure that one name is used consistently from year to year. In most situations please use the foster mother's name in these two fields.
5. The "Ladies Social Security Number" field must use the **foster mother's** social security number. In the event a home is to be licensed with a single male foster parent, insert his number in this section. If at a later date the male foster parent marries, then **his social security number must continue to be used**. This field is the primary method for the State Fire Marshal to track this home and to prevent billing errors.
6. Enter the county code from the enclosed list (refer to Forms Appendix, County Codes, page 80) in which the foster parent resides.
7. Directions must be clear and concise and staff should note if this is an initial inspection for a new license.
8. The "License Expiration Date" field **must** correspond with the date on the **Foster Parent License** for renewals. **For new foster homes, enter the date the inspection is being requested**.
9. Review the entire request to ensure that each field has an entry. When the request is complete, print a copy of the request for the licensing record. If no date is automatically printed on the request, manually add a date, initial, and file in the record.

10. Click on the "**Submit Query**" button.

Please note that staff will subsequently be contacted by an inspector to schedule a date for the inspection. Staff will still be expected to accompany the inspector for the inspections.

Referenced Documents

Revision Comments

914 Fire Inspections-Initial, Annual and Other

This section outlines procedures for assuring fire safety standards are met prior to initial licensure, during re-licensure, when a family changes residence or makes structural changes to the residence, and if the number of children in the home exceeds five.

Licensing Worker

1. Makes online request to appropriate fire authorities and receives written report on the home for:

a. Any applicant who appears likely to be approved as a foster parent, or

b. Any current foster family in the re-licensure process, or

*NOTE: Fire inspections must be conducted annually.

c. Any current foster family that moves to a new residence or makes changes to the physical structure of the home.

2. When there are no deficiencies or re-inspections necessary, documents results on database and proceeds with initial licensing process or changes needed with a current license.

3. If deficiencies are noted and need additional inspections:

a. Discuss corrections and time frames for completion with family and needed follow up from fire marshal.

b. When a licensed foster family notifies the agency of a change in residence:

(i) makes a new online request for a fire inspection, and

(ii) makes a home visit prior to the move, (or within two (2) working days if the agency was not informed in advance) if there are foster children currently in placement. Home visit is for the purpose of observing sleeping arrangements and reviewing for safety hazards.

*NOTE: Cross reference Section 918.01.

c. When the number of children in the home exceeds five (5) children, cross reference actions in Section 918.02 regarding needed approval of fire marshal's office.

d. Cross reference Section 918.1, 918.02 regarding the need for a Waiver on a Standard license.

Referenced Documents

Human Services 918.01

Human Services 918.02

Revision Comments

915 Requesting a Health Inspection

This section explains the process for obtaining and reviewing the health inspection required prior to licensure.

Primary Legal Basis: SC Code of Regulations: 114-550 Licensure for Foster Care requires that a health inspection be conducted prior to the initial licensure and as needed thereafter.

Procedure

1. DSS 1570A, Request for Foster Family Home Sanitation Inspection, is used to request a DHEC inspection near the conclusion of the applicant's training or at any time problems or changes are identified that would require a re-inspection.
 - a. If no response is received within thirty (30) days, a second request is made for an inspection.
2. The report is reviewed upon receipt from DHEC.
 - a. If deficiencies are documented that require DHEC follow-up, a follow-up report is obtained. A copy of the report is filed in the licensing record.
 - b. If deficiencies are documented that require DSS follow-up report (i.e. child proofing), a home visit is made to ensure that the corrections are complete and recommendations are being followed. A copy of the report is filed in the licensing record.
 - c. The worker ensures that the report addresses lead if the home is to be licensed for children under the age of six (6). The report must state that "no lead found or a lead inspection was not necessary (e.g., due to the age or structure of the home and/or the absence of mini-blinds)." If the report does not address lead, additional documentation must be obtained from the health inspector regarding the status of lead in the home and be clearly documented in the licensing record.
 - d. Activity and/or corrections are documented in the CAPSS-Dictation screens.

Referenced Documents

SC Code of Regulations, DSS 1570A

Revision Comments

Added Legal Basis, added form number 1570A for inspection requests

916 Disaster Preparedness Plans for Foster Families

In the event of a disaster such as a hurricane, foster parents need to be prepared to act quickly and decisively. While it is impossible to be ready for every conceivable disaster, a plan is the first step to ensuring that foster parents and children are safe. As a prerequisite to licensure, all foster parents are required to have a plan in place initially and annual reviews thereafter. This section serves to provide guidance to issues surrounding disaster preparedness for foster parents and staff. Please note that "listings of shelters" are not always available as many shelters are identified only at the time of emergency/need.

Licensing Worker

1. Reviews the foster parents' written evacuation plans during the initial assessment and at the time of re-licensing. The plan should include the following topics:

a. Disaster preparedness plans that are responsive, flexible, appropriate to the situation and include several locations to choose from.

b. If the child is considered medically fragile, the plan should reflect attendance at either a medically fragile shelter or a home that can accommodate the child's special needs. (Refer to the county emergency plan for a listing of shelters to accommodate the medically fragile - if a listing is available).

c. Foster children must be evacuated when there is a mandatory evacuation order.

d. Foster parents should evacuate to shelters that have been approved by the local emergency/disaster preparedness plan.

e. In the event that the foster parents plan to evacuate to a residence, they must be certain that:

- the location is safe and is large enough to accommodate everyone; and
- the location of residence is located far enough away to not be threatened by the disaster; and
- the name, address and telephone number of the residence is available; and
- the residence is appropriate to the needs of the child.

2. Reviews and discusses with foster parents approved shelters in the local area on an annual basis, (if a listing is available).

3. Informs the foster parents to contact the Children's 24 hour Helpline number **(1-800-645-9789)** at the time of evacuation with the following information:

- a. foster child's name; and
 - b. county or office of case management; and
 - c. foster child's whereabouts and situation; and
 - d. the telephone numbers where the child/family can be reached.
4. Instructs foster parents to ensure that the foster child's name is listed on an attendance roster, if they are evacuating to a shelter.
5. Informs foster parents to contact the local county or office of case management as soon as lines of communication are restored with the following information:
- a. the safety and condition of the foster child and foster family; and
 - b. the current living arrangements; and
 - c. the condition of the home (if known); and
 - d. whether or not if they can reside in the home (if known).
6. Amends the foster home's license if the home has been damaged and is not habitable.

**NOTE: Reference Section 921, Changes in license.*

Referenced Documents

Human Services 921

Revision Comments

Update Children's 24 hour Helpline Number.

917 Foster Parent Training

The following procedures should be followed in arranging, evaluating, and documenting required training for foster families.

All prospective caregivers must be afforded the same training opportunities. Training must not be targeted on the basis of race, color or national origin (RCNO) of a child or prospective caregiver. Cultural diversity training must be offered to all prospective caregivers. The training on cultural diversity should be offered in a non-biased and non-threatening environment.

Licensing Worker

1. Arranges for foster parent applicants to participate in a minimum of fourteen (14) hours pre-service training prior to initial licensure.
2. Arranges for foster parents (both mother and father) to complete a minimum of twenty eight (28) hours of training prior to their re-licensure (fourteen (14) hours per year recommended).
 - a. If training is conducted by non-agency staff, gets approval for the training from Foster Care Licensing Supervisor.

Approval can be given only for training topics directly related to the care of foster children. This includes any particular special needs of foster children or types of children for which the home is licensed.
 - b. Does **not** grant training hours for books, magazines, or newspaper articles read at home or television programs watched at home.
 - c. Allows licensed foster parents to receive up to eight (8) hours of on-line training per two year licensing period from the National Foster Parent Association website. The website address is www.nfpainc.org. The agency will not pay for on-line training. Each foster parent is responsible for any costs associated with receiving on-line training. Requires the foster parent to provide a certificate from the approved site which shows the title of the training, number of hours, and date of completed training.
3. Documents that **both the foster mother and the foster father** participate in required training.
 - a. Files documentation with trainer signature, training date, title, and number of hours in the paper licensing file.

4. Documents in CAPSS- "License" screen whether or not training has been completed or is a deficiency.

* Note: A license cannot be issued if training requirements are not met.

Referenced Documents

Revision Comments

Paragraph 1 revised to provide that training will not be targeted based on RCNO and that all prospective caregivers will have the same training opportunities.

918.01 Standards of Care

This section addresses standards of care to be maintained by foster families. Failure to comply with one or more of these standards of care may result in removal of foster children from the home and revocation of the foster home license.

*NOTE: Referenced in SC Code Section Chapter 114-550H.

Licensing Worker

1. The child's daily routine shall be planned to promote the development of good health habits.
2. Each child shall be provided with adequate health and hygiene aids.
3. Space for a child's possessions shall be provided.
4. The foster family home shall be able to comfortably accommodate a foster child as well as their own family.
 - a) Each child in care shall be provided with his or her own bed and storage space, however same sex siblings may be allowed to share a bed or storage.
 - b) No child may routinely share a bed or a bedroom with an adult and except for a child under one year of age, a child must not share a bedroom with an adult unless SCDSS or the child placing agency staff document extenuating circumstances exist.
 - c) Children of opposite sex sleeping in the same bed must be limited to siblings under the age of four years. Children of opposite sex sleeping in the same room must be limited to children under the age of four years.
 - d) Children shall sleep within calling distance of an adult member of the family, with no child sleeping in a detached building, unfinished attic or basement, stairway, hall, or room commonly used for other than bedroom purposes.
 - e) No biological children of the foster family shall be displaced and made to occupy sleeping quarters prohibited in (b) and (c) and (d) above because of a foster child being placed in the home.

f) The top level of bunk beds shall not be used for children under the age of six years of age.

5. If deemed appropriate by SCDSS or the child placing agency, the foster family will cooperate in assuring that foster children are able to maintain regular contact with their birth parents, siblings, and other significant relatives.

6. Unless advised otherwise by the responsible agency, each foster child shall be prepared by foster parents to eventually leave the home.

7. Foster parents shall follow instructions and suggestions of providers of medical and health related services. If receiving medication, a child's prescription shall be filled on a timely basis and medications will be administered as prescribed, and otherwise be kept secured.

8. Foster parents shall obtain emergency medical treatment immediately as need arises, and shall notify SCDSS and child placing agency staff, no later than 24 hours of receiving such care.

a) If the primary source of payment for medical care is Medicaid, foster parents must ensure that the child's card is accessible at all times.

b) Foster parents should contact SCDSS for coordination of any elective or non-emergency surgical procedures as far in advance of the procedure(s) as possible.

c) Any injuries sustained by a foster child must be reported as they occur and no later than 24 hours of incident.

NOTE: Refer to Section 911 (5p) for foster parent notification requirements to DSS.

9. Foster parents are responsible for notifying SCDSS and child placing agency staff as soon as possible when a critical incident has occurred such as:

a) Death of any child in the home;

b) Attempted suicide by the child;

c) Child is caught with a weapon or illegal substance;

d) Child is charged with a juvenile or adult offense;

e) Child is placed on homebound schooling or is suspended or expelled from school;

f) Child has left the home without permission and has not returned.

10. Religious education shall be in accordance with the expressed wishes of the natural parents, if such wishes are expressed.

11. The use of corporal punishment as a form of discipline is prohibited.

12. Tasks which are assigned to foster children shall be appropriate to the ability of the

child, similar to responsibilities assigned to other children, and geared toward teaching personal responsibility.

13. Foster parents must assist older foster adolescent in their care in learning skills that are necessary for successful independent living.

14. Varied recreational activities shall be available to each child.

15. Infants and children shall not be left without competent supervision.

16. Foster parents, in conjunction with SCDSS, shall keep a life book/scrapbook on each foster child placed in their home. Children's records and reports shall be kept confidential and shall be returned to SCDSS when a foster child leaves the foster home.

17. Firearms and any ammunition shall be kept in a locked storage container except when being legally carried upon the foster parent's person; being used for educational, recreational, or defense of self or property purposes by the foster parent; or being cleaned by the foster parent.

18. Foster parents must be able to secure/supervise access to in ground or above ground swimming pools and maintain adequate supervision during periods of swimming.

19. Fire escape plans must be developed, posted and routine drills conducted.

20. A plan for how the family will respond and travel in the event of disaster (e.g. a hurricane evacuation) must be developed and shared with SCDSS or child placing agency.

21. All pets must be kept current with rabies vaccinations and proof of such provided. Pets must not pose a safety concern. SCDSS or the child placing agency will determine what constitutes a safety concern.

22. Applicants and current licensed families must make themselves reasonably available on an ongoing basis to SCDSS or the child placing agency for statutorily required contacts or other contacts SCDSS or the child placing agency deems necessary. SCDSS or the child placing agency has the right to make unannounced visits, and talk to any foster child on an as needed basis.

23. Board payments shall be utilized but not limited to reimbursement for a foster child's board, school expenses, food, clothing, incidentals, minor medical needs and other expenses.

24. A foster home shall not provide full time care for more than five (5) children, including the foster parents' own children and/or other children who are household

members unless SCDSS or the child placing agency is keeping siblings together or making an adoptive placement or the placement has been court ordered.

a) No more than two (2) infants (age birth to one year) shall be placed in the same foster home without prior approval from SCDSS or child placing agency management staff.

b) No foster home shall exceed the number of children stipulated on their issued license without permission from SCDSS or child placing agency staff.

c) No foster home shall accept children referred by another public or private source without obtaining the permission of SCDSS or child placing agency staff prior to the actual placement.

25. When a home is licensed to provide care for an unmarried mother, a plan for medical and hospital care, as well as appropriate protection from community stresses associated with pregnancy, must be made.

26. Applicants or current foster families must advise SCDSS or the child placing agency staff prior to opening a day care or other home based business in the home.

27. No unrelated lodger or boarder shall be allowed to move into a foster home without the agency's concurrence. Foster children may be placed or remain in a foster home where there is an unrelated lodger or boarder or room mate after necessary safety checks have been made and written concurrence obtained by SCDSS or the child placing agency. Anyone over the age of eighteen years and living in the home must undergo fingerprinting, SLED, and CPS check. (Sex Offender checks for all household members 12 years and older). If children are already in placement, an affidavit must be submitted by the household member confirming there is no record. The license must be amended to a Standard with Temporary Waiver until the results of the submitted checks have been received.

28. Foster parents shall transport children in accordance with state public safety laws.

Referenced Documents

Revision Comments

918.02 Standard Licenses with Temporary Waivers

Federal law mandates that when foster children are in placements that do not meet the state's full licensure requirements, such as during a waiver period, federal funding is not to be used for board payments. Foster parents and foster care/licensing staff are to be aware of all the requirements for a Standard license. In addition, foster parents have a responsibility to inform the agency of situation that can impact on licensing requirements - such as moving, a family member about to turn 18, and new persons joining the household. In general, there should be few instances in which a foster family does not have time to include the agency in planning for changes.

This section discusses the instances in which a foster home family with a Standard license (and with children already in placement) may need a temporary waiver. The waiver must not be used unless it is clearly contrary to the best interests of the children already in placement to be away from the foster family for the period necessary to address the changes and meet requirements. A waiver can be granted for up to ninety (90) days. No additional children may be placed during the waiver period.

Agency staff should document that they have evaluated further any foster home situation in which the family either chooses not to share information about changes, and/or has a pattern of unplanned moves. For any situation not covered in this section, consult further with program technical assistance or policy staff.

Licensing Worker

1. The issuance of a Standard with Temporary Waiver license should be restricted to:
 - a. Those situations in which the family has moved to a new location and the department has not had time to obtain new fire and health inspections that verify there are not any outstanding deficiencies; or
 - b. A family member has just turned eighteen years of age and the agency has not yet obtained clearance on SLED checks or FBI fingerprinting.
 - c. A new adult household member has entered the home and the agency is waiting for background checks.

Note: No unrelated lodger or boarder shall be allowed to move into a foster home without the agency's approval (SC Code Section 114-550). Foster children may remain in the home or be placed in the home where there is an unrelated boarder/lodger only after necessary safety checks have been made (CR, SO,

SLED). If children are already in the home, an affidavit must be submitted confirming that the person has no record.

2. Upon learning of one of the changes outlined above, within two working days, the worker needs to;

a. Visit any new residence to document ongoing compliance with sleeping arrangements.

b. Observe any new residence to document safety hazards are not present.

c. Initiate requests for any needed background clearance checks.

d. Inform family that no additional children can be placed until a further licensing decision is rendered

e. Report back to supervisory and foster care staff on results of home visit and future actions that need to be taken. If a Temporary Waiver is issued, includes specific language on the temporary license that reflects the expiration date and the reason for the temporary waiver.

f. Make changes to waiver status of license when corrections are completed and all requirements are met.

g. Consult with supervisory staff for further direction if compliance actions cannot be completed, or cannot be completed timely.

Referenced Documents

Revision Comments

918.03 Standard Licenses - Number of Children Exceeds Maximum Allowed

This section addresses those situations in which the number of children exceed the number recommended under licensing requirements. The number of children can exceed five only if the department is attempting to keep siblings together, the foster child(ren) is(are) in the process of being adopted by the foster family or it has been court ordered. The foster home must have a current Standard license at the time the waiver is being requested. No additional children may be placed until the waiver circumstance is corrected. This license can be continued until the number of children satisfies licensing requirements.

Licensing Worker

1. Upon learning from CPS, foster care, adoption staff, or the foster family that there is a need to consider placement of or that more children are being placed into the home than what licensing requirements allow:
 - a. Makes a home visit within two days to:
 - (i) document that sleeping arrangements continue to be in compliance with regulations,
 - (ii) inform the family that no additional children may be placed until a further licensing decision is rendered.
 2. Reviews the fire inspection report record to determine if the number of children now placed exceeds fire marshal recommendations. If so, document contact with the fire marshal to secure approval from that office.
 3. Amends the license to Standard when waiver conditions no longer apply.
-

Referenced Documents

Revision Comments

CHAPTER 9, Foster Care Licensing

Revision Number: 07-08

Effective Date: 03/02/2007

918.04 Licensing Requirements Checklist Guide

Below is a guide designed to assist agency licensing staff in documenting that a foster family home is in compliance with state licensing requirements. This guide is intended to serve as a reference, not a substitute for the assessment summary. Submit the following cover sheet along with the foster parent licensing requirements to the attention of the State Office Program Development IV-E Unit. Do not submit DSS Form 1511, a copy of references or home visit dictation to the IV-E Unit.

STANDARD LICENSE (Chapter 9 - Section 914)

- DSS Form 1511 Fire Inspection
- DSS Form 1513 Fire Escape Plan Posted
- DSS Form 1572 DSS Form 1573
- DSS Form 3059 Sanitation Inspection
- DSS Form 30219 Home Visit
- Lead Report Central Registry Check
- Disaster Preparedness Plan Sex Offender Registry
- Training (14 hrs.* each parent) Criminal Record Check
- Medical Forms on Family Members Fingerprinting
- Three References Assessment Study
- Firearms (Location) Pet Vaccinations
- Information re: Alternative Caregiver

*NOTE: Number of training hours may be more in certain curricula. **Fourteen (14)** hours of training is an initial minimum requirement. Twenty-eight hours of training are required for re-licensure.

QUARTERLY CHECKS

ANNUAL CHECKS

- Fire Inspection Central Registry Check
- Sex Offender Registry Criminal Record Check

RELICENSURE (Chapter 9, Section 918)

- Central Registry Check Fire Inspection
- Criminal Record Check Home Visit
- Fire Escape Plan Posted Disaster Preparedness Plan

Training (28 hours each parent) Assessment Study
 Sex Offender Registry Check DSS Form 1513
 DSS Form 3059

CHANGE/AMEND (Chapter 9, Section 919)

Circle Change(s) Requested: Age range, Gender, Number of children, Waiver
 Change Documented in Licensing File
 DSS 1513
 DSS 3059

WAIVER (Chapter 9, Section 914.01, 914.02)

*Note: Valid for 90 days - Must have previously had a Standard License -
Complete Change/Amend

Home Visit N/A for Fire or Sanitation
 Fire Inspection Requested DSS Form 3042
 Sanitation Requested Criminal Checks in Progress

Referenced Documents

DSS Form 1511
DSS Form 1513
DSS Form 1572
DSS Form 1573
DSS Form 30219
DSS Form 3042
DSS Form 3059

Revision Comments

First paragraph changed to add procedure for materials to be submitted to state office
IV E unit.

Annual Checks section added to clarify licensing requirements. 12/06

918 Completion of the Initial Foster Home Licensing Study

This section outlines procedures to be followed in completing the licensing study, including the written evaluation. **If a foster family is interested in being approved as a foster and adoptive family, adoptions will conduct the study process. Applicants who wish to be licensed ONLY as foster parents will be processed by foster home licensing staff. Specialized Foster Home staff will complete assessments and provide additional training for those foster families who want to provide therapeutic care.** **NOTE: Also see sections on Requesting a Criminal History Record Check (Section 912), Arranging Fingerprinting (Section 913), Fire Inspections- Initial, Annual, & Other (Section 914), and Requesting a Health Inspection (Section 915).*

Licensing Worker

1. Consults with supervisor and completes the study within 120 days after the date the application is signed by the applicant. If DSS has requested information that has not been received in 120 days, then the decision is "stayed" pending receipt of all information. **NOTE: Document all efforts to complete the Licensure requirements for a Standard license within 120 days. Document justification as needed when the 120 day time frame cannot be met.)*
 - a. Does **not** recommend issuance of a Standard license until all requirements for licensure have been met.
 - b. Does not recommend any placements in home until a license has been issued.
2. Documents in the licensing record and CAPSS that the applicant complies with minimum licensing requirements and includes:
 - a. A completed application with a narrative documentation of any discussion with the applicant and resolution of any identified problem areas;
 - b. Current check of Central Registry information documents there has not been an indicated case of abuse or neglect on applicant and household members;
 - c. Current SLED check and FBI fingerprint results on any adult in the household documents they do not have a conviction nor a plea of guilty or nolo contendere to an offense: **NOTE: Also refer to SC Code Section 20-7-1642.*
 - i. against the person;

- ii. against morality or decency;
- iii. for contributing to the delinquency of a minor;
- iv. of criminal domestic violence;
- v. of criminal domestic violence of a high and aggravated nature;
- vi. of common law offense of assault and battery of a high and aggravated nature when the victim was seventeen years of age or younger
- vii. of felony drug-related offenses under the laws of this state; or
- viii. convictions similar in nature when the crime was committed in another jurisdiction (other state or under federal law).

**NOTE: Consult with the Supervisor, County Attorney, Office of General Counsel, or Office of Investigations for assistance in determining if specific convictions meet the criteria above.*

d. For applicants pardoned for crimes listed Section 20-7-1642, consider all information available, including the person's pardoned convictions or pleas and the circumstances surrounding them, to determine whether the applicant is unfit or otherwise unsuited to provide foster care services.

e. Check of Sex Offender Registry within 120 days of the date of application for all household members over age 18 and neither the applicant or any other household member appears on the registry;

f. Current fire inspection report which documents that deficiencies listed have been corrected;

- i. Confirm with foster family that a fire escape plan is drafted, posted and they are aware of the need to conduct regular fire drills.

g. Current health inspection report with evidence that the deficiencies listed have been corrected and the recommendations have been addressed.

h. Any parent figures (e.g., grandmother who provides parenting) in the home have each received a minimum of fourteen (14) hours of foster care pre-service training;

i. Current medical reports on all household members (DSS Form 1574 for prospective foster/adoptive parents, DSS Form 30102 for household members, DSS Form 30202 for children, and DSS 1526 for infants under two (2) years old);

j. Three (3) positive written references by non-related persons (unless a relative reference is specifically requested) who have known the applicant(s) for three (3) years prior to the application.

k. Document interview with any proposed day care provider/babysitter to assess the provider's availability, appropriateness, vacancy status, and willingness to provide for foster children. Central Registry checks on any non-licensed day care providers/babysitters.

NOTE: Consultation with regional day care specialists who are familiar with day care regulations and ABC funding requirements is also recommended.

k. Any other needed supplemental background information on applicants;

l. Written home study which at a minimum, includes topics of:

- i. motivation to foster parent;
- ii. preferences related to placements (age and behavior);
- iii. family history, relationships, parenting experience, and coping ability;
- iv. educational, health and work history of family members;
- v. information on other household members, adult children, and related children not in the physical custody of the applicant or spouse, including whether any household member is a paramour of the applicant.
- vi. home environment and community resources;
- vii. working with foster children;
- viii. preparation training;
- ix. results of CPS/Sex Offender/SLED and FBI checks;
- x. religious affiliation and discipline;
- xi. income is reasonable secure and not dependent on board payments;
- xii. appropriateness of child care and babysitting arrangements; and
- xiii. overall understanding of the purpose of foster care and ability to provide quality foster care.

m. Written disaster preparedness plans for foster parent(s).

NOTE: Reference Section 916 for additional information.

n. Discipline Agreement form signed by both foster parents (DSS Form 30219) .

o. Recommendation for issuance of a Standard license if all requirements are met and this is the agency's intent.

NOTE: It is advised that homes be licensed only for the specific age range/sex requested by the foster parent and recommended by the worker. Foster parents should not generally be licensed for 0-18.

p. If the worker cannot recommend the applicant to be licensed, the file should contain documentation that:

i. the worker has discussed any potential barriers with the family and discussion with the family resulted in a written confirmation of withdrawal; or,

ii. resolution is not possible, the family does not choose to voluntarily withdraw and denial is the current course of action (refer to Section 922).

3. Consults with supervisor and contacts County Director for permission prior to:
- a. placement of more than two (2) infants (ages birth to one year of age) in the same foster home, or
 - b. placement of more children in a foster home than stipulated in the current license.

**NOTE: Reference 918.02.*

4. See Section 919 for actual issuance of the license.

Referenced Documents

SC Code of Laws Section 20-7-1642

Revision Comments

Added 2 (d); renumbered list.

919 Issuance of the License

This section outlines procedures to be followed to initiate the issuance of a license when the licensing study has been completed. A standard license is valid for two years.

Licensing Worker and Licensing Supervisor

1. Reviews all materials; discuss and resolve any gaps in information or problems noted in study materials or recommendations.

Licensing Worker

2. Completes Section A and B on the DSS 1513 (Original Licensing/Relicensing Changes form) and enters signature and date at the end of Section C on the DSS 1513 upon completion of the written study and supporting materials including recommendations on licensure.

*NOTE: The date of the approval signature should never be entered by county staff. The approval authority must date the director's designee signature.

Designated County Staff

3. Obtains the CAPSS license number and places this number on the DSS 1513 and DSS 3059.
 - a. Completes Section D on the DSS 1513 and types the license, DSS Form 3059.

Licensing Worker

4. Attaches Licensing Requirements Checklist Guide (Section 918.04), Certificate of Statutory and Regulatory Compliance form to the DSS 1513, DSS-3059, and submits to the licensing supervisor for review.

Licensing Supervisor

5. Reviews and submits to the County Director/Regional Adoption Administrator/Regional MTS Director the Original Licensing/Relicensing/Changes Form (DSS-1513), the formal license (DSS-3059) completed except for signature and date, the Licensing Requirements

Checklist Guide, and the Certificate of Statutory and Regulatory Compliance.

County Director/Area Adoption Administrator

6. Signs and dates Certificate of Statutory and Regulatory Compliance.

IV/E Staff

7. Records the DSS-1513, DSS-3059, and the Certificate of Compliance on the List of Licenses, Closures, Letter form.

Licensing Worker and Licensing Supervisor

8. Submits DSS 1513, DSS 3059, Requirements Checklist Guide and Items listed in Section 918.04, and the Certificate of Compliance to the Deputy Director of County Operations for signature.

Designated Support Staff

9. Records date materials received on the List of Licenses, Closures.

Licensing Worker

10. Upon receipt of the signed license from the Office of County Operations, places signed DSS 1513 and a copy of the license in the appropriate foster family file and mails the license to the foster family.

Referenced Documents

DSS Form 1513

DSS Form 3059

Revision Comments

Item 7, Revision- IV-E staff will review all foster home licenses. 12/06

Item 8, Revision, Licensing staff to submit licensing materials to the State Office IV-E Unit. 12/06

CHAPTER 9, Foster Care Licensing

Revision Number: 04-03

Effective Date:

920.01 Re-licensing Assessment Study Guide

FOSTER FAMILY NAME AS APPEARS IN CAPSS: _____

FOSTER MOTHER: _____ DOB: _____

FOSTER FATHER: _____ DOB: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

EXPIRATION DATE OF CURRENT LICENSE: _____

DATE OF HOME VISIT(s): _____

PERSONS INTERVIEWED: _____

I. CURRENT HOUSEHOLD COMPOSITION

Household Member	Date of Birth	Relationship	Employment/School

II. INFORMATION ON HOUSEHOLD MEMBERS

Name	Date of CR check	Date of SLED check	Date of SO Registry Check	Fingerprinting completed (Y/N)	Medicals on file (Y/N)

Is any household member a paramour of the foster parent?

Any medical problems that would require obtaining an updated medical on any household member?

III. FOSTER CHILDREN OVER AGE 18

Name	CR check date	SLED check date	SO check date	Fingerprinting

IV. TRAINING (describe type of training, date obtained and hours earned)

Foster Mother	Foster Father	Other Caregiver

V. FOSTER CARE PLACEMENTS

Child's Name	Date of Birth	Date Placed	Date Removed	Reason Removed

VI. EMPLOYMENT AND FINANCIAL INFORMATION

	Foster Father	Foster Mother
Name of Firm/Business		
Address		
Telephone Number		
Type of employment		
Hours of employment		
Wages/Income		

Is there a history/pattern of changes in employment (reason for changes in employment may require verification with employer)?

Management of Money: (Income is sufficient to meet expenses, board payment used appropriately, routine medical care provided,

adequate clothing provided, any problems with bad checks).

VII. CHILD CARE ARRANGEMENTS

Current day care provider used:

Address of day care provider:

Telephone number:

Date of interview with day care provider to assess appropriateness.

Central Registry checks on non-licensed day care providers.

Babysitters used:

If in babysitter's home, address and telephone number:

Frequency/reason used (does foster parent ever leave foster children overnight with a babysitter):

VIII. SAFETY ISSUES

A. PHYSICAL HOME ENVIRONMENT

Fire Inspection current/date: _____

Fire Extinguisher charged/ accessible: _____
Fire escape plan posted: _____
Date of last fire drill: _____
Number and location of smoke detectors appropriate/operable: _____
Absence of space heaters: _____
Safety covers in electrical outlets _____
Observed proper storage of chemicals: _____
Absence of new mini-blinds w/ possible lead paint: _____
Copies of current pet vaccinations on file: _____
Car seats properly utilized: _____
Fire arms listed/observation of proper storage: _____
Evacuation plan current/ copy on file: _____
Swimming pool secured/supervised: _____

Have any structural changes/additions been made to the home that would require a new health or fire inspection?

Overall assessment of general maintenance of the home and the yard.

B. STANDARDS OF CARE

Describe sleeping arrangements observed (insure compliance with SC Regulations 114-550).

Worker's signature: Supervisor's signature:

Date: _____ Date: _____

Referenced Documents

Revision Comments

Item II. added paramour language.

920 License Renewal

This section outlines procedures to be followed to renew a foster home license every two years (and prior to the expiration of the last license issued). Also see Section 919, Issuance of License.

*NOTE: Foster parents should be notified at least ninety (90) days in advance of license expiration that the re-licensure process is being implemented.

Licensing Worker

1. Upon review of any CAPSS report which lists licenses that are due for renewal, puts priority on completing re-licensing study for any foster home license which will expire within ninety (90) days.
 - a. A foster home is ineligible to receive foster care board payments if the foster home license expires.
 - b. A child placed in a foster home which has an expired license may be ineligible to receive Medicaid benefits until the license is renewed.
2. Consults with foster care workers who have placed children in the home during the preceding licensing period and documents these contacts in the licensing record. Focus upon the foster parents relationship with workers, quality of care provided, ability to work with biological family and reason(s) for any disruption.
3. Schedules at least one home visit to the foster home during the renewal process and:
 - a. Determines the number of other interviews and contacts needed for re-licensure based on the individual situation including the level of involvement between the worker and family during the previous licensing period, the findings of the previous licensing study, and problems/concerns noted by licensing or other staff during contacts with the family.
 - b. Reassess the foster parents suitability to be re-licensed by assessing compliance with licensing requirements and standards of care. The assessment process should include but is not limited to consideration of the following:
 - i. Reassessment of the foster parent's financial stability, are they dependent upon the board payment to pay other bills?

- ii. Discussion regarding the stability of the marriage.
- iii. Questions regarding any mental health, alcohol or drug related problems. If noted, contact with the therapist is required.
- iv. Assessment of safety issues (child proofing, fire arms, rabies vaccinations, smoke detectors, fire extinguisher, etc.)
- v. Changes in household composition or sleeping arrangements.
- vi. Current child care arrangements;
- vii. Discussion of any changes in preferences in age range or behaviors that they are comfortable in working with.
- viii. Discussion of discipline techniques and the agency's no corporal punishment policy.

*NOTE: Ensure that a copy of the Discipline Agreement is retained in the record.

4. Documents the foster parents have completed a minimum of twenty eight (28) hours of foster care training.

5. Requests Central Child Abuse/Neglect Registry Check within ninety (90) days before license expiration date on the foster parent and household members eighteen years of age or older, including any foster child eighteen years old and older.

6. Requests Annual Fire Inspection.

7. Requests Criminal History Record Check Registry check within 90 days before license expiration date on the foster parent and household members eighteen years of age or older, including any foster child eighteen years of age and older. Requests Sex Offender Registry Check for all individuals in the household over age 12. Requests FBI fingerprinting on new household members or those who have turned eighteen (18).

8. Requires a new medical report:

a. for any household member who has been hospitalized during the previous licensing period if not already obtained; or

b. if the licensing worker has other reason (documented) to request a new medical on a house hold member; or

c. for any biological child who has turned eighteen (18) years of age and a child's medical form was used for the initial exam; and

d. for any foster child who has been adopted by the foster parent.

*NOTE: Copies of medicals obtained during the adoption assessment process can be used to meet this requirement.

9. Reviews and documents foster parents' disaster preparedness plans.*NOTE: Refer to Section 916 for more details.

10. Consults with Supervisor on recommendation for license renewal.

11. Reserves the right to request additional information if needed.

12. Prepares a written assessment study based on information gathered during the renewal process. See Section 920.01 for Re-licensing Assessment study format.

13. Completes Parts A and B on DSS 1513, Original Licensing/Relicensing/Changes for Foster Home Licensing form based on the information obtained and assures license is completed correctly. Ensure that the issuance date (month and day) of the original license is always retained as the (month and day) issuance date for all renewals.

*NOTE: The date of the approval signature on the DSS Form 1513 should never be entered by the county. This date should only be entered by the approving authority at the time of approval.

14. Submits materials and provides documentation according to procedures outlined in section on Issuance of License to the attention of State Office Program Development/ IV-E Unit.

a. Completes and submits the licensing renewal material immediately for any foster home (listed in the report of foster home licenses) which will expire within thirty (30) days.

b. Contacts the State Office Program Development IV-E Unit if there are any questions related to the status of the foster home license.

15. Documents case activity and updates license date in CAPSS Dictation and License screens.

*NOTE: Any known changes must be updated in "License" and "Provider" screens.

Referenced Documents

DSS Form 1513

Revision Comments

14, clarification, submits licensing renewal materials to State Office Program Development IV-E State Office . 10/06

14(b), language revised, IV-E Unit will receive questions relating to the status of a foster home license. 10/06

921 Changes in License

This section outlines procedures to be followed when a change occurs in the foster family or their residence which requires a revision in the current license.

**NOTE: Also see sections on Denial or Revocation, When Foster Parents Move Out of County, Termination/Closure, Fire Inspection Report for Licensure and Issuance of License.*

SCDSS child welfare staff will not engage in activities that delay or deny the placement of a child for adoption or foster care on the basis of race, color, or national origin of the adoptive or foster caregiver, or the child involved. Likewise, SCDSS child welfare staff is prohibited from delaying and denying foster and adoptive parents the opportunity to foster or adopt on the basis of race, color, or national origin.

Licensing Worker

1. Recommends issuance of a Standard License when the discrepancies on the Standard with Temporary Waiver License have been corrected.
 - a. Submits information and materials prior to the expiration of the Standard with Temporary Waiver License and recommends that a Standard license be issued if all discrepancies have been corrected.
 - b. Submits the licensing change paperwork to the State Office Program Development IV-E Unit

State Office Program Development IV-E Unit

- c. Reviews the request and forwards to the Deputy Director of County Operations, via licensing issuance procedures, documentation that the licensing discrepancies have been corrected, the Standard with Temporary Waiver license and DSS 1513 (Original Licensing/Relicensing /Changes) form.

Licensing Worker

2. Initiates request for an amended license (or a closure as appropriate) when changes occur in the family including the following:
 - a. marriage, separation or divorce of the foster parents,
 - b. death of a foster parent,
 - c. the number of children for which the home is licensed

changes,

- d. the age range of children the home serves changes,
- e. the gender(s) of children for which the home is licensed changes, e.g., from male only to males and females,
- f. change of address for the foster family,
- g. foster family requests that the home be closed, or
- h. license is revoked.

3. Completes Sections A and C of DSS 1513 (Original Licensing/Re-licensing/Changes for Foster Home Licensing) form indicating changes.

4. Attaches other documentation, as appropriate, including:

a. Narrative statement summarizing the change(s) and indicating reasons license should be amended;

b. If the family has moved to a new residence within the county, a written description of the new location and a copy of fire report of the new address with no deficiencies listed or the inclusion of the follow-up inspection report verifying deficiencies have been corrected;

c. A copy of a health report of the new address or documentation that inspection has been requested, a written description of the new location and a copy of health report of the new address with no deficiencies listed or the inclusion of the follow-up inspection report verifying deficiencies have been corrected;

d. If the family has moved out of the county, a statement that the family wishes to remain licensed and documentation that actions to share appropriate information and transfer licensing responsibility to the other county/state have been initiated on a timely basis;

e. If the license is being revoked or the home closed, a written explanation of the action and documentation to support the decision and to verify required procedures have been followed;

f. The current license if available or written explanation of why the license is not included.

5. Ensures that the issuance date for this amended license is the effective date of the change and that the expiration date continues to be two years from the issuance date of the original/renewal license, not two years from the issuance (effective) date of this amended license (i.e. the expiration date does not change).
 6. Submits materials to Foster Care Supervisor for review and follows procedures outlined in section on Issuance of License.
 7. Notifies foster care workers, who have children placed at the home, **immediately** of any changes of address or other major changes which would impact the children in care or necessitate their removal.
 8. Documents on the License- Provider/Dictation screens in CAPSS, details of case activity noting all changes to the license.
-

Referenced Documents

DSS Form 1513

Revision Comments

Introductory paragraph added to provide that foster/adoptive placements will not be delayed or denied based on race, color or national origin; and that applicants will not be denied the opportunity to become a foster/adoptive caregiver based on race, color or national origin.

922 Withdrawal of an Application for Licensure

This section outlines procedures to be followed when a foster home applicant decides to withdraw their application for licensing.

Licensing Worker

1. Ensures that the potential applicant was not denied the opportunity to become a foster caregiver on the basis of race, color or national origin (RCNO) of the applicant or of the child involved. Does not attempt to discourage applicants on the basis of RCNO.
2. Discusses the reason(s) for the decision with the supervisor and applicant. If appropriate, attempts to resolve any identified problems/concerns with the applicant.
3. Confirms by letter to the applicant the applicant's decision and the worker's understanding of the reasons, within ten (10) working days of applicant's notification of the withdrawal of the application.
4. Documents in the applicant's record all relevant discussions with the applicant and includes a copy of the withdrawal confirmation letter to the applicant.
5. Documents case activity and license status in CAPSS.

Referenced Documents

Revision Comments

Section 922, 1. revised to provide that the licensing worker ensures that RCNO is not a factor in the licensing process.

923 Termination/Closure of a Current License

This section outlines procedures to be followed when a foster home is closed or a current license is terminated **NOTE: Also see sections of Denial or Revocation, Changes in License.*

Licensing Worker

1. Ensures that the potential applicant was not denied the opportunity to become a foster caregiver on the basis of race, color or national origin (RCNO) of the applicant or of the child involved.
2. Consults with supervisor and initiates procedures to terminate a license and close a foster home when:
 - a. the date/time frame specified on the license has expired and there have been no steps/plans to renew the license;
 - b. notification is received from the foster family of a move to a new location (which automatically terminates the license issued to the former address) and the family does not wish/request licensure of the new location;
 - c. the license is revoked; or
 - d. the foster family voluntarily returns the license to the Agency and requests closure of the foster home.
3. Notifies foster care workers with children placed in the home **immediately** (and prior to the termination/closure) of the need to find alternate placements for the foster children.
4. Advises the foster parents by letter of the actions taken and reasons for termination/closure.
5. Follows procedures outlined in Section 921 (Changes in License), Section 919 (Issuance of License), and (as appropriate) Section 924.03 (Appeal of Denial or Revocation).
6. Updates license status in CAPSS including details of all case activity in Dictation.

Referenced Documents

Human Services 919
Human Services 921

Human Services 924.03

Revision Comments

Section 923, 1. added to provide that applicants are not denied the opportunity to foster due to RCNO.

South Carolina Department of Social Services
Human Services Policy and Procedure Manual

CHAPTER 9, Foster Care Licensing
Revision Number: 09-02

Effective Date: 05/14/2009

924 Denial/Revocation of a License

Foster Home Licensing Regulations provide standards that are to be met and maintained by foster families. Failure to comply with one or more of the requirements should result in either denial of the application for initial licensure, denial of renewal, or revocation of an existing license.

Ongoing contacts by foster home licensing and foster care workers should assess the quality of care given to children in the home. Foster parents should be assisted on an ongoing basis to meet the needs of foster children through training, consultation, etc.

Identified problems should be promptly addressed and documented in the foster home licensing file. However, bear in mind that a foster child can be removed immediately when emergency circumstances warrant such.

The decision to deny an initial licensure application, a request for a denial of a re-licensure, or revocation of an existing license should be discussed with the licensing supervisor and county attorney. State Office Program Development IV-E Unit is available to provide assistance related to denials and revocations of licenses. [Licensing and supervisory staff must ensure that denial/revocation is not based on race, color or national origin \(RCNO\) of the potential foster caregiver or the child involved.](#)

Referenced Documents

Revision Comments

Language added to ensure that RCNO is not a factor in the denial/revocation process.

**South Carolina Department of Social Services
Human Services Policy and Procedure Manual**

CHAPTER 9, Foster Care Licensing

Revision Number: HSP-14-17

Effective Date: 9-18-2014

924.01 Denial of a Foster Home Application

This section outlines procedures to be followed when an application for licensure is denied.

Policy

Foster home applicants must meet specific requirements to ensure the safety and well-being of children placed in their home. A license will not be issued if licensing requirements are not met or standards of care are not maintained as prescribed by statute, or if it is the opinion of the agency that it would be detrimental to place children in the home.

Race, color or national origin (RCNO) of the applicant and/or the child involved may not be considered in making decisions about licensing an applicant. Culture may not be used as a proxy for RCNO in making these decisions.

Procedure

Licensing Worker

1. Discusses with supervisor and determines that an application must be denied when:
 - a. The applicant's or household member's criminal record contains a conviction for which SC Code Section 63-7-2350 prohibits licensure:
 - (i) Offense against the person;
 - (ii) Offense against morality or decency;
 - (iii) Contributing to the delinquency of a minor;
 - (iv) Common law offense of assault and battery of high and aggravated nature when the victim was a person seventeen years of age or younger;
 - (v) Criminal domestic violence;
 - (vi) Criminal domestic violence of a high and aggravated nature;
 - (vii) a felony drug-related offense under the laws of this state;
 - (viii) unlawful conduct toward a child;
 - (ix) cruelty to children;
 - (x) child endangerment;
 - (xi) criminal sexual conduct with a minor in the first degree
 - (viii) Convictions similar in nature when the crime was committed in another jurisdiction; or
 - b. As stated in the Social Security Act, Section 471(a) (20) (A) (ii), the prospective foster or adoptive parent has, within the last five years, been convicted by a court of competent jurisdiction, of a felony involving:
 - i. physical assault;
 - ii. battery; or
 - iii. a drug-related offense.

- c. The applicant or household member has been pardoned for a crime as listed in SC Code Section [63-7-2340](#) and a review of the applicant's pardoned convictions, pleas and the circumstances surrounding them determine the candidate is unsuitable.
- d. The applicant or household member is listed on the Sex Offender Registry.
- e. When a completed assessment indicates the applicant(s) lacks or fails to demonstrate one or more parenting characteristics as listed in Section 911.01 (#12).
- f. After notification of and assistance to resolve identified problems, the applicant is still unable to meet licensing requirements.
- g. Documented evidence, e.g., incidences of inadequate parenting, which indicate it would be detrimental for children to be placed in the home;
- h. The applicant has a substantiated history of child abuse and/or neglect in which the applicant or household member is the perpetrator;
- i. The applicant's or other household member's criminal record (obtained from SLED, FBI, or Sex Offender Registry) contains convictions for crimes other than those listed in item 1a above and the County Director/Adoption Administrator has completed a review of circumstances of the criminal record and does not recommend licensure.
- j. The fire or health inspection report contains deficiencies that have not been or cannot be corrected or the applicant refuses to correct.

Licensing Worker and Supervisor

2. Consults with State Office Licensing Unit and county attorney, as needed, for technical assistance in determining the basis for denial.

Licensing Worker

3. Explains to the applicant the basis for the denial and offers the applicant an opportunity to withdraw the application. If the applicant elects to withdraw, sends applicant a letter confirming the withdrawal of the application and closure within ten (10) working days.

*NOTE: Reference Section 922.

4. If the decision is to proceed with the denial, drafts a letter which specifies the reason(s) for the denial, including references to applicable statute and/or agency policy/procedures and/or applicable foster care regulations; and which advises the applicant of the right to appeal this decision by submitting a written request to the Office of Administrative Hearings (OAH), PO Box 1520, Columbia, SC 29202 within thirty (30) days of the date of receipt of the letter.

*NOTE: Reference Section 924.03, Appeal of Denial or Revocation.

a. Submits the proposed letter for review by Foster Care Licensing Supervisor; DSS county attorney; and County Director/Adoption Administrator.

5. If applicant does not elect to withdraw and the county wants to proceed with the denial, the county submits to the State Office Licensing Manager the proposed denial letter, along with supporting documents for the denial. The county retains a copy for the foster home licensing record.

State Office Licensing

6. Once signed letter is returned from Office of State Director and mails to applicant by certified mail. A copy of signed the signed letter is mailed to county/adoption licensing worker/supervisor.

Licensing Worker

7. If the applicant appeals, follows the procedures in Section 924.03, (Appeal of Denial or Revocation); or, if the applicant does not request an appeal within thirty (30) days of receipt of letter, proceeds with closure of application.

8. Updates the agency data base (CAPSS) that application is denied, and include reasons for the denial.

Referenced Documents:

[Social Security Act, Section 471](#)
[SC Code Section 63-7-2340 and Section 63-7-2350](#)
[Policy Sections: 911.01; 922; 924.03](#)

Revision Comments:

Revised SC Code of Laws references. Added required Federal language regarding denial based on criminal record.

924.02 Denial of a Renewal or a Revocation

This section outlines procedures to be followed for denial of license renewal or revocation of existing license. An application for renewal may be denied during the re-licensure. A license may also be revoked at any time. A license will not be issued if licensing requirements are not met or standards of care are not maintained as prescribed by statute, or if it is the opinion of the agency that it would be detrimental to place children in the home. Race, color or national origin (RCNO) of the applicant and/or the child involved may not be considered in making decisions about licensing an applicant. Culture may not be used as a proxy for RCNO in making these decisions.

Licensing Worker

1. Discusses with supervisor the basis for denial of a renewal or revocation of a current license when:

- a. The foster parent or other household member's criminal record check shows a conviction for which SC Code Section 20-7-1642 prohibits licensure:
 - (i) Offense against the person;
 - (ii) Offense against morality or decency;
 - (iii) Contributing to the delinquency of a minor;
 - (iv) Common law offense of assault and battery of a high and aggravated nature when the victim was a person seventeen years of age or younger;
 - (v) Criminal domestic violence;
 - (vi) Criminal domestic violence of a high and aggravated nature;
 - (vii) Felony drug-related offense under the laws of this state;
 - (viii) Convictions similar in nature when the crime was committed in another jurisdiction.

**NOTE: Consult with the Office of Investigations for assistance in determining if specific convictions meet the criteria in SC Code Section 20-7-1642.*

- b. The foster parent or household member appears on the Sex Offender Registry.
- c. An assessment indicates the applicant(s) lacks or fails to demonstrate one or more parenting characteristics as listed in Section 911.01 (#12).
- d. After follow-up with the foster parent(s) and assistance to resolve

identified problems, the foster parents have failed to correct the identified problems.

e. A CPS report against a foster parent is indicated by the Out of Home Abuse Unit (At that point, the foster parent is in the Central Registry of Child Abuse and Neglect, and has to appeal to have name removed.)

f. A foster parent or household member is pardoned for a crime as listed in SC Code Section 20-7-1642 and a review of the applicant's pardoned convictions, pleas and the circumstances surrounding them determine them to be unsuitable.

2. Consults with licensing supervisor, county attorney, or Licensing Technical Assistance Staff in State Office

regarding the basis for denial of renewal or revocation.

a. Drafts a letter which specifies the reason(s) for the denial or revocation, including references to the applicable statute and agency policy/procedures and/or applicable foster care regulations; and which advises the foster parent of the right to appeal this decision by submitting a written request to the Office of Administrative Hearings (OAH), P.O. Box 1520, Columbia, SC 29202 within thirty (30) days of the date of receipt of the letter.

b. Submits the proposed letter of denial/revocation for review of the basis of denial/revocation to the Licensing Supervisor; DSS attorney, County Director/Adoption Administrator.

c. If the decision is to proceed with the denial of renewal or revocation, contacts the foster parent to explain the basis for denial/revocation and to inquire if the foster parent would prefer to withdraw the application for renewal or relinquish the license. If foster parent elects to withdraw or relinquish the license, sends a letter to the foster parent confirming the withdrawal or relinquishment; updates CAPSS.

County Director / Adoption Administrator

3. If the foster parent elects to proceed with the denial or revocation process, submits to the State Office Program Development IV-E Unit the proposed letter along with the completed form - Request for Signature for Denial or Revocation of a Foster Home License.

Licensing Worker

4. Once the signed letter is returned, dates the letter and mails to foster parent by certified mail.

5. If no appeal within thirty (30) days of receipt of letter, then updates the provider licensing section of the agency database. Include a brief summary of reasons home is being closed in the "comments" section.

6. If the applicant appeals, follows procedures in Section 922.03, Appeal of Denial or Revocation.

Note: If the agency is seeking to revoke a license and the license will expire during the appeal process, the license cannot be renewed. Management staff should be made aware of the reason for the appearance of an expired license on any management report.

7. If the decision by OAH upholds the denial/revocation, proceeds with closing licensing case and updating CAPSS.

8. If the decision by OAH reverses the action to deny or revoke the license, takes immediate steps to reinstate the application or license, unless in between the time of the denial and the appeals hearing, other circumstances have arisen which would cause the home not to meet licensing standards.

9. Informs foster care workers of the status of the appeal and, at its conclusion

Referenced Documents

Human Services 911

Human Services 922.03

SC Code of Laws Section 20-7-1642

Revision Comments

Language added to prohibit the use of RCNO in making placement decisions, and that culture cannot be used as a proxy for RCNO.

924.03 Appeal of a Denial of a Renewal or Revocation

This section outlines procedures to be followed when an applicant/foster parent appeals their application/license being denied or revoked. A Fair Hearing is to be scheduled by the Office of Administrative Hearing (OAH) upon receipt of the request for the appeal. The Hearing is conducted by a three (3) member panel comprised of a Hearing's Officer and two members appointed by the State Director, or his/her designee. A decision is reached within thirty (30) days of the hearing and the written results are sent to all parties.

Licensing Worker

1. Upon notification from the applicant or foster parent of the intent to appeal the agency's actions, informs the foster parent that all requests for a Fair Hearing must be in writing and must include:
 - a. the name of the foster parent requesting the hearing;
 - b. details regarding specifically what actions by the agency they are appealing,
 - c. and the requested relief.
2. Assists the foster parent (as requested) in completing the written request to OAH using DSS form 2633 (Request for a Fair Hearing).
3. Informs foster parents that they are entitled to request a conference with the county director or his/her designee concerning the agency's actions. The request for a conference is directed to the county director. The foster parent may waive the conference and proceed to the Fair Hearing.
4. Forwards the completed form (2633) to OAH within two (2) working days, if the foster parent requests a Fair Hearing.
 - a. Documents actions in CAPSS;
 - b. Retains a copy of DSS Form 2633 and files in the licensing record.
5. Coordinates preparation for the Fair Hearing with the county attorney to include:
 - a. Reviews prepared summary of circumstances leading to the hearing;
 - b. Arranges for any witnesses, including expert witnesses, to be present at the hearing.

DSS staff as determined by Licensing Supervisor and County Attorney

6. Testifies and presents evidence at the hearing.

Referenced Documents

DSS Form 2633

Revision Comments

925 Reopening a Closed Foster Home

This section outlines procedures to be followed to reopen a former foster home. Race, color or national origin (RCNO) of the applicant and/or the child involved may not be considered in making decisions about reopening a closed foster home. Culture may not be used as a proxy for RCNO in making these decisions.

*NOTE: See Sections 919 (Issuance of License) and 920 (License Renewal).

Licensing Worker

1. Upon request of the foster parent(s) or receipt of a new application, pulls the closed record. Uses "SEARCH" function of "Provider" screen through CAPSS. Locates file of former provider for purpose of review for potential future license actions). If the home assessment contains a transracial portion, rewrites it without regard to race, color or national origin (RCNO), or redacts the information concerning RCNO;
2. Affixes to the front of the record Form 2535 instructing that information in the family assessment regarding race, color or national origin (RCNO) shall be disregarded;
3. Makes a decision as to whether a new foster home assessment is needed or whether an update will suffice:
 - a. If the home has been closed within the past twenty four (24) months, completes and submits materials (through established procedures) required for a re-licensing study.
 - b. If the home has been closed for over twenty four (24) months, completes and submits materials (through established procedures) required for an initial license;
4. Proceeds as required for a reapplication or update, depending on the length of time the case has been closed, changes in the family, etc.;
(Note: Focuses with the foster parents on reasons they closed their home and the resolution of any problems involved in the closure and includes in the licensing/re-licensing study a narrative summary of the discussion with foster parents on resolution of problems which resulted in previous closure.)
5. Within fifteen (15) days of the record being reopened, ensures that the foster home assessment has been redacted or rewritten with regard to RCNO, as appropriate, and has been placed into the foster home record;

6. When the foster home assessment has been redacted or rewritten and no references to RCNO remain, removes the notice from the front of the record, places it in the open files.

7. Follows procedures in Section 919 (Issuance of License) or Section 920 (License Renewal).

8. Updates CAPSS.

Referenced Documents

Human Services 919

Human Services 920

DSS 2535

Revision Comments

Language added to provide that RCNO, if present in a home assessment, is redacted or the assessment is amended or rewritten, as appropriate.

926.01 Transfer of Licensing Records to Another Agency

Licensing Worker

1. Provides the foster parent with their licensing materials and other information in the licensing file if the foster parent requests a transfer from DSS licensure to another public or private licensing agency.

a. The foster parent is entitled to receive their licensing materials and other information except the SLED Criminal History Record Check (CHR) or fingerprint review .

b. The CHR and fingerprinting results should be kept separately or removed from the record prior to giving the record to the foster parent. The record should contain a note that the CHR and fingerprinting was done.

Referenced Documents

Revision Comments

926 Licensure of Home at the Request of Another Agency

This section outlines procedures to be followed when another agency, county DSS or area adoption office request a county office to provide a licensing/relicensing study on a home providing foster care services for that agency. **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 agency should not be accepted. Dual licensing (i.e., a home is licensed by more than one agency) for the placement of children from more than one agency or the placement of adults in addition to children is not permitted.**

**NOTE: Also see Sections 918, Completion of Licensing Study; 919, Issuance of License and 924, Denial or Revocation.*

Licensing Worker

1. Completes licensing study upon receipt of a written request from another public or private agency, county DSS or area adoption office indicating the reason(s) for the request and identifying data about the foster parents. Race, color or national origin (RCNO) of the applicant and/or the child involved may not be considered in making decisions about licensing an applicant. Culture may not be used as a proxy for RCNO in making these decisions.
2. If the home meets licensing standards:
 - a. Follows established procedures for issuance of a license, and
 - b. Notifies the other agency of the license issuance.
3. If the home does **not** meet licensing standards:
 - a. Submits materials and recommendation to Foster Care Licensing Supervisor for discussion and review;
 - b. Notifies requesting agency **immediately** if any children are in placement;
 - c. Notifies the requesting agency of the reasons for the denial; and
 - d. Follows established procedures for license denial.
 - e. If deficiencies are detrimental to the well-being of children in

placement, takes other necessary actions to ensure the safety of the children, including a referral for a CPS investigation if the concerns are to the degree that abuse/neglect is suspected.

Referenced Documents

Human Services 918

Human Services 919

Revision Comments

Section 926, 1., Language added to prohibit consideration of RCNO in making placement decisions; and to prohibit the use of culture as a proxy for RCNO.

927 Licensure of Agency Staff or Board Member

This section outlines procedures to be followed when a staff person with the Agency or a member of the County Board request licensing as a foster parent.

Licensing Worker

1. Discusses licensing request with the Licensing Supervisor.

Licensing Worker and Licensing Supervisor

2. Discuss the licensing request with the County Director in the case of a board member.

Licensing Worker

3. Arranges for licensing study to be completed by another county's/child placing agency's foster care licensing staff.
 - a. The licensing county/child placing agency will count the foster home as theirs for recording/reporting purposes.
 - b. The county for which the board member serves, or the county office in which the employee works, shall not place children with or handle the case management of any child placed into the home.
-

Referenced Documents

Revision Comments

928.01 Emergency Study of Relatives

Unlicensed placements should not be routinely utilized. Safety must be assessed in an unlicensed placement. This section outlines procedures to be followed when a child in agency custody has been court ordered into a relative's home that is not licensed. Upon contact with the relative resource, the agency is to explain to the relative the procedure and benefits of licensure. Children in the ongoing custody of the agency should be in placements in full compliance with licensure requirements. Board payments cannot be paid except to the licensed foster homes. Federal funding cannot be expended for board payments to homes with less than Standard licenses. Within ninety (90) days, the home should become licensed or an alternate placement plan should be assessed.

Note: Court orders that place a child in an unlicensed home should provide flexibility so that the agency can move the child if necessary without having to get another court order.

Licensing Worker

1. In coordination with the child protective services and/or foster care workers and upon the recommendation of the Placement Committee:
 - a. Within two (2) working days (if court has already ordered child into the home), or prior to the placement, initiates emergency study or licensure process for a relative (other than parent) whose home is to be considered for a foster child.
 - b. Uses SEARCH function in database to determine if relative resource is already known to the system.
2. Informs the potential relative resource of the need to complete the entire foster home licensing process if the relative wants to receive foster care board payments and Medicaid coverage for the child who is eligible to receive board payments. (The child may be Medicaid eligible under other eligibility guidelines.)
3. If the relative wants to provide care for the child, but does not want to pursue foster home licensing, the child can only continue to remain in the relative placement if the emergency home study process was completed.
 - a. Prior to, or within five working days of the placement, attempts to complete the emergency relative study process to determine the relative's /family's suitability to provide a temporary home for the child(ren).

- b. Evaluates relative's home situation in accordance with relative placement emergency home study requirements outlined below.
4. Includes the following in the relative resource study:
- a. DSS Forms -3042 (Affidavits for Alternate Placement), and DSS Form-2612 (Consent for Background Checks).
 - b. Information about the initial inquiry, data and types of contacts and who initiated, and relative's reasons for requesting placement.
 - c. Degree/level of current relationship between relative and child;
 - d. Observations or evidence of physical, emotional, or substance abuse issues for any member in the household (Contact with therapists or physicians is required):
 - e. Household members attitude about child(ren) and parents and the agency's involvement with the child's family:
 - (i) Any animosity within family;
 - (ii) Will be protective ally for child; and
 - (iii) Will cooperate with agency's plans for child;
 - f. Current Central Registry check on the relative and household members eighteen years of age or older;
 - g. Current Criminal History Record check and fingerprint review on the relative and household members eighteen years of age or older;
 - h. Current Sex Offender Registry check on all family members;
 - i. Family's current resources and living arrangements (adequacy of sleeping space, no visible safety hazards, not experiencing financial stress);
 - j. Documents plans for day care, school, discipline, family contact and visitation, medical care, etc.;
 - k. Observations of, and histories of family members;
 - l. List all household members. Include whether any household member is a paramour of the applicant..
 - m. Explanation regarding agency policy prohibiting the use of corporal punishment and identification of discipline methods use.
 - n. Obtain two written positive references;

*NOTE: References must have known family at least three of the last six years.

o. Worker's recommendation on whether the relative's home should continue as a placement for child.

5. If the recommendation is that the child(ren) should not continue in placement with the relative, discusses with Licensing Supervisor and Foster Care Worker.

6. Submits the study and recommendation to Licensing Supervisor.

Licensing Supervisor

7. Reviews all materials and discusses or resolves any problems noted in study materials

Licensing Worker

8. If the relative wishes to pursue the licensing process, information gathered as a part of the emergency study becomes a part of the licensing record with copies filed in the child's record.

9. If the relative does not wish to pursue licensing, all the information gathered as part of the emergency study is filed in the child's record.

Designated Support Staff

10. Documents all information in CAPSS.

*NOTE- The information listed above in the requirements can be documented using the following format as a guide (which can be copied as needed). See the following pages.

Referenced Documents

DSS Form 2612

DSS Form 3042

Revision Comments

Item 4. (l) revised to include paramour when assessing household members.

928.02 Relative Placement Checklist Guide
EMERGENCY PROCESS CHECKLIST FOR RELATIVE PLACEMENT FAMILY

(May Use Reverse Side for Notes- Keep a copy of this document)

Date:

Name of Applicant(s) or Facility:

Address: Phone Number:

Requirements Compliance:

___ DSS 3042s, Affidavit for Alternative Placement, signed by all adult household members of relative placement family

___ DSS 2612s, Requests for Criminal Background Checks
Central Registry clear _____ (Date) FBI Fingerprints clear _____ (Date)

Sex Offender Registry clear _____ (Date) SLED checks clear _____ (Date)

___ Family indicates ability to protect child(ren). Comments?

___ Walk through of home environment. Review the following for fire and safety hazards

- > unlocked firearms;
- > accessible poisons; Comments?
- > overloaded outlets or extension cords;
- > exposed electrical wiring;
- > peeling or flaking paint;
- > broken windows, doors, steps
- > holes in walls or floors or ceilings;
- > rodent or insect infestation
- > unsanitary plumbing, etc.

___ Any indicators of alcohol or other drug abuse? Comments?

_____ Any indicators of domestic violence? Comments?

_____ Are sleeping arrangements adequate? (opposite sex children will be in separate beds, no child sleeping in a bed with an adult- justify any special situations).
Comments?

_____ Home has easy access to a telephone and to reliable transportation? Is day care or school transportation available? Comments?

_____ List all household members. Include whether any household member is a paramour of the relative resource.

_____ Family can care for child's daily needs and medical/mental health issues (if applicable)? Comments?

_____ Family understands and agrees to Safety Standards as prescribed?
Comments?

_____ How will family contacts and visitation (approved by DSS) be handled?

_____ Observations of, and histories of, family members (Issues such as domestic violence, substance abuse, child abuse or neglect, mental health, mental retardations, physical disabilities, educations & occupations)

_____ Minimum of two positive written references obtained- References have known family at least three years of the last six years..

_____ Family receiving FI?, FS? Medicaid?,
Other? _____

If yes, notify family that FI staff will be contacted with an update.

_____ Any financial/resource stressors? Comments?

If a Day Care is utilized, name facility: _____

Do a needs assessment to determine there other resources needed to support the placement? Consider if the child(ren) is/are special needs or if a sibling group is being placed.

Department Staff Signature Date:

Note: On the following page is a listing of the safety standards that the agency would review with the proposed relative resource providing emergency and temporary care.

Referenced Documents

DSS Form 2612

DSS Form 3042

Revision Comments

Added paramour when assessing household members.

928.03 Safety Standards for Emergency or Temporary Relative Placement

**NOTE: These standards should be reviewed and left with relative and placement families.*

Corporal Punishment - Is prohibited by the relative placement family or anyone serving in a baby-sitting or day care capacity for the family.

Emergencies - Relative placement family will respond appropriately to emergency situations, seek any necessary medical treatment while at the same time giving notice to the department as soon as possible/no later than twenty-four (24) hours.

Home Visits - Initially to ensure relative placement family members understand the purpose of the emergency alternative placement and will prepare child(ren) for return home. Ongoing monitoring visits to assess placement's appropriateness, safety and address needed referrals.

Relocation - Instruct the relative placement family that they must notify DSS if changing residency.

Reporting Obligations - Inform the relative placement family to contact DSS in the following circumstances:

1. If there is an emergency situation in which they can no longer provide care for the child(ren).
2. If the parent attempts to remove the child(ren) prior to permission.
3. If there is additional information that the child(ren) has/have been subjected to abuse/neglect in the past, or if they learn of information that would have an impact on reunification.

Return Home - Relative placement family will prepare child(ren) for eventual return home, unless otherwise directed by the agency and/or the court.

School Attendance - Continuity of attendance at current school of enrollment is encouraged for school age children, whenever possible and appropriate.

Telephone and Transportation - The child or the birth parent/siblings may desire phone contact. Visits and phone contacts may be arranged, as agreed upon by DSS, during the placement. The relative placement family will be expected to provide transportation

to these visits, unless other arrangements are developed.

Supervision - Children must be adequately supervised at all times.

Visitation - Relatives may be asked to assist in facilitating visits.

Referenced Documents

Revision Comments

CHAPTER 9, Foster Care Licensing

Revision Number: 04-01

Effective Date: 02/23/2004

928 Licensure of Relative Foster Homes

Applicant families who want to be licensed to care for relative children who are in foster care must adhere to the same licensing and re-licensing requirements as non-relative families. Cross reference sections: 911, Initial Contacts, Orientation and Evaluation; 912, Requesting a Criminal History Record Check; 913, Arranging Fingerprinting; 918, Completion of the Licensing Study; 914, Initial and Annual Fire Inspections; 915, Health Inspections; 917, Foster Parent Training, and 919, Issuance of License.

**NOTE: Federal policy allows some licensing requirements to be waived, on a case by case basis, for relative foster homes. The specific requirements being waived must not affect ongoing safety of the children in placement.*

The next section, 928.01, Emergency Approval of Relatives, is intended for those situations in which the court has ordered a child in agency custody into a relative's home which is not licensed. This should not be utilized routinely. Any time the court orders this, the agency needs to emphasize to the court that agency policy encourages foster children to be in licensed placements. Any court order which causes a child to be placed in an unlicensed placement should contain language giving the agency the authority to remove the child(ren) in the event there is a problem uncovered during the process which impacts negatively on the child(ren) being allowed to remain in the home. The court order should also reflect that the court considered the agency's position about the placement, otherwise future federal funding that could be applied to the board payment may be jeopardized.

Referenced Documents

Human Services 911
Human Services 912
Human Services 913
Human Services 914
Human Services 915
Human Services 917
Human Services 918
Human Services 919
Human Services 928.01

Revision Comments

929.01 Quarterly Home Visit Guide
QUARTERLY HOME VISIT GUIDE

Date of HV: _____

Worker: _____

Foster Home: _____

Licensed for: _____ Renewal Date: _____

Last fire inspection: _____

Current Placements

Foster Child	Age	Sex	Date Placed	Present at QHV	Interviewed during QHV

Are the above placements consistent with the current license? YES ___ NO ___

If NO, corrective action taken and date:

Is the foster parent aware of the permanent plan for each foster child in the home?

YES ___ NO ___

If No, explain:

Did the foster parents receive notice of hearings for the foster children in their care?

YES ___ NO ___

Comments:

Were the foster parents given an opportunity to give input during those hearings? YES

___ NO ___

Comments:

Current Household Composition

Name	Role/Relationship	Present at QHV	Interviewed

Does the above household composition reflect a change since the last contact (including the change of status of a foster child to an adopted child and child turning 18)? YES NO

If YES, is any member of the household a paramour of the foster parent?

If YES, describe corrective action taken and date (Central Registry, SLED, Sex Offender checks, Fingerprinting, physicals):

I. SAFETY ISSUES

1. Safety Observations:

Date of last fire inspection:

Fire extinguisher charged/accessible:

Fire escape plan posted: ___YES ___ NO

Date of last fire drill: _____

Number/location of smoke detectors
appropriate/operable: ___YES ___ NO

Space heaters: ___YES ___ NO

Safety covers in electrical outlets ___YES ___ NO

Observed proper storage of chemicals/child proofing:

Absence of mini-blinds w/ possible lead paint:

___YES ___ NO

Pet vaccinations current: YES NO

Car seats properly utilized: YES NO

Fire arms listed/appropriately secured:

YES NO

Secured/supervised access to swimming pool:
 YES NO

Disaster Plan current: YES NO

2. Any additions to the home that would require a new fire/health inspection.

YES NO If YES, referral made:

3. Current sleeping arrangements:

Bedrooms observed? YES NO

Sleeping arrangements are consistent with Standards of Care?
YES NO

If NO, corrective action taken:

4. Current day care arrangements:

Is this a change? YES NO

(If YES, arrangements must be made to interview day care provider to determine appropriateness).

Central Registry checks on non-licensed day care providers completed? YES NO

5. Babysitters used: _____

Frequency: _____

6. Any injuries to any foster child since last contact? YES

NO

If YES, explain

If yes, were they reported immediately or no later than 24 hours?

YES NO

(May require verification by foster care worker.)

7. Discipline techniques used:

EXPLANATION GIVEN REGARDING AGENCY'S PROHIBITION OF THE USE OF CORPORAL PUNISHMENT. YES ___ NO ___

*NOTE: A signed copy of the Discipline Agreement should be in the licensing record.

II. FOSTER FAMILY FUNCTIONING/INTERACTION WITH AGENCY/BIOLOGICAL FAMILY

1. Health issues/hospitalizations/concerns regarding any household member.

YES ___ NO ___

If YES, describe:

Assessment of impact on foster parenting: _

Updated medical required? YES ___ NO ___

2. Any arrests/criminal offenses involving any household member since last contact (including domestic violence, fraudulent checks, traffic violations)?

YES ___ NO ___

Has law enforcement been called to the home since last contact?

YES ___ NO ___

If YES, describe in detail.

Follow up required (supervisory staffing, contact with law enforcement, etc.):

Assessment of impact on foster parenting:

3. Any assessment/treatment for mental health issues, marital counseling, substance abuse by any household member since last contact? YES ___ NO ___

If YES, explain. (May require contact with counselor/therapist.)

Assessment of impact on foster parenting:

4. Current employment status:

If YES, reason for change (may require verification from previous employer, especially if involuntary termination).

Effect of change on income/money management:

5. Religious activities/observances:

Are these consistent with the expressed wishes of the biological parents? YES ___ NO ___

If NO, explain:

6. Recreational activities:

7. Involvement with foster child's education (attendance at teacher conferences, IEP meetings, etc.):

8. Nature of interaction with biological parents:

Problems encountered:

9. Interaction with child's foster care worker/last contact:

Concerns noted:

10. Is foster parent advised of court hearing, FCRB, team meeting, planning conferences, etc.?

YES ___ NO ___

How are they informed?

11. Were any concerns/problems identified by a FC worker during the last quarter discussed with the foster parent?

YES ___ NO ___ NA.

If yes, detail concern/problem and how resolved with foster parent.

III. TRAINING

1. Hours already earned for this licensing period:

Foster Mother: _____

Foster Father: _____

2. Specific training needs identified:

IV. PLACEMENT PREFERENCES discussed with foster parent and determined as follows:

1. Age range:

2. Sex:

3. Number of children:

3. Behaviors willing to accept:

4. Behaviors not willing to accept:

Note: Licensing Workers must not solicit information on potential caregiver preferences to race, color or national origin (RCNO).

V. OBSERVATIONS REGARDING ANY FOSTER FAMILY/FOSTER CHILD INTERACTIONS:

V. CONFIDENTIALITY

Foster parent advised that no foster family shall directly or indirectly disclose any information regarding foster children, their biological families/relatives or other individual who have had control of the foster children, other than to professionals treating, caring and providing services for the child or others as the agency deems appropriate and that information disclosed shall be limited to information that is necessary to provide for the child's needs and in their best interest.

YES ___ NO ___

Referenced Documents

Revision Comments

Section 929.01, IV., 4. Language added to prohibit solicitation of information regarding caretaker's RCNO preferences.

929 Ongoing Contact with Foster Family and Relative Resource

This section outlines procedures for minimum contacts to be maintained between the foster care licensing worker and the foster parents, whether or not a child is placed in the foster home.

Licensing Worker

1. Functions in a consultative and supportive manner to advise the foster parent or relative resource with any foster care related difficulties, to discuss policy/procedural changes, and to provide requested/needed information.
2. Makes at least quarterly visits to the foster parent's or relative resource's home for the purpose of an ongoing assessment of compliance with all licensing and safety issues and standards of care. Completes the "Quarterly Home Visit Guide" at each quarterly visit. See Section 929.01.
 - a. Documentation of the quarterly home visits should be documented on CAPPS - "Dictation" screen.
3. Documents the dates and significant content of all visits and other contacts with the foster parent or relative resource in CAPSS License Dictation Screen.
4. Shares pertinent information about the foster family or relative resource with the child's Foster Care Workers as appropriate; in particular if the child has experienced recent illness or injury, or if the child is currently ill or injured. Secure documentation if child received, or needs to receive medical treatment.
5. Provides or arranges related training on an ongoing basis (required for licensed providers only).
 - a. Applicants are required to have fourteen (14) hours of basic training prior to initial licensure.
 - b. Subsequent to initial fourteen (14) hours of training for licensure and prior to the first renewal, foster parents are required to have a minimum of twenty eight (28) hours during the two year licensing period.
 - c. For married couples, training requirements apply to **both** spouses.
 - d. Viewing standard television programs or reading popular

news or magazine articles will not be accepted as training hours.

e. Training should be provided by agency staff or via another source which has been approved by the county director or his/her designee.

Referenced Documents

Human Services 929.01

Revision Comments

930 Foster Parent Adoption

This section outlines procedures to be followed when foster parents decide to pursue adoption. Because of the single application process for foster parents and adoptive parents, no further application forms are necessary. Due to the inherent differences between adoption and serving as a foster parent, the following procedures are recommended. Race, color or national origin (RCNO) of the applicant and/or the child involved may not be considered in making adoptive or foster care placement decisions. Culture may not be used as a proxy for RCNO in making placement decisions.

**Note: Refer to Section 911.01 for procedures for licensing foster/adoptive parents.*

Licensing Worker

1. Provides initial information to foster parent applicants about the difference between the foster care and adoption programs and goals as part of orientation and explains that being a foster parent does not automatically provide special priority for adoption.
2. Refers the foster parent to the Area Adoption Office when a foster parent requests consideration as an adoptive applicant, and informs the Foster Care worker of any child placed in foster home of the referral.

Licensing Worker, FC and Adoption Worker

3. Consults and coordinates in considering the foster parent, who is also an adoptive applicant, for first consideration in adopting a child in their home:
 - a. who is legally free for adoption, and
 - b. who has been in that foster home for six consecutive months, and
 - c. who has a meaningful relationship of significant duration with the foster family, and
 - d. for whom adoptive placement with the foster family is deemed by the responsible agency to be in the child's best interest.
-

Referenced Documents

Human Services 911.01

Revision Comments

Introductory paragraph revised to prohibit the use of RCNO in making foster care decisions, and to prohibit using culture as a proxy for RCNO..

931 Confidentiality

This section outlines procedures to be followed in maintaining confidentiality for the child, his/her biological family and the foster parents/family.

Licensing Worker

1. Releases no information about a foster parent or household member to a source outside the Agency, including name, address, or other identifying data, unless:
 - a. a court orders the release of information:
 - b. the agency's legal counsel authorizes the release of information, or
 - c. the foster parent signs written consent authorizing the release of the information.
2. Discusses with the foster parent the need to maintain the confidentiality of the foster child and his/her biological family, during orientation and when a child is placed.
 - a. Emphasizes that the foster parent is bound by confidentiality law and licensing regulations, that no foster family may directly or indirectly disclose any information regarding foster children, their biological family-relatives or other individuals who have had control of the foster child other than to professionals treating, caring for, or providing services to the child or others as the agency deems appropriate. Information that is disclosed is limited to information that is necessary for the child's needs and in their best interest. The foster parent must not release (directly/indirectly) or disclose information including a child's picture, name, etc., unless authorized by DSS.
 - b. As needed, discusses any specific questions concerning information about a particular child which can be released (e.g. medical problems) and to whom (e.g. doctor) with Licensing supervisor, Foster Care worker, State Office Foster Care Consultant, or Foster Care Licensing Specialist.
3. Advises foster parents that they may be allowed upon request to see their licensing record, except any information identifying a reporter of a protective services allegation.

Referenced Documents

Revision Comments

932.01 Foster Parent Communication Plan

This section explains the requirement that each county director must develop a Foster Parent Communication Plan to provide guidance to staff and notice to foster parents regarding how the agency will work with the foster parents to provide services for foster children.

A Foster Parent Communication Plan is necessary because:

1. Foster parents play a key role in the Department's ability to protect and care for children.
2. In order to achieve the goals of safety, permanency and well-being for children in care of the agency, foster parents must be included as members of the care and treatment team.
3. Foster parents are valuable resources for the agency and must be treated with respect.

The Communication Plan must address the following:

1. A listing of staff and telephone numbers for foster parents to use when they need to contact the DSS office including provisions for after hour calls as well as calls during business hours. There must be provisions for periodically updating the listing and distributing it to foster parents.
2. During office hours there must be provisions for staff to respond to foster parents in person rather than having messages sit in voice mail with no response.
3. Phone calls must be returned within one business day by the worker, the supervisor or another designated staff person.
4. Foster parents must be invited to participate in team decision making and service planning for the children in care.
5. Foster Parents are to be given a copy of the foster child's treatment plan.
6. Foster parents must receive notice of court hearings for the children in their care.
7. A member of the county staff must be designated to serve as liaison with the county foster parent association. (See Section 932 Working With the Local Foster Parent Association)
8. Foster parents must be given contact information and be invited to speak with the program coordinator and the county director if problems cannot be resolved at the worker and supervisor level.

The Plan must be signed by the county director and the president of the county foster parent association in the counties that have local associations.

Referenced Documents

Revision Comments

New Section

932 Working With the Local Foster Parent Association

This section outlines procedures to assist staff in working with the local Foster Parent Association.

Licensing Supervisor

1. Designates licensing worker to be the liaison with the Foster Parent's Association and encourages involvement and support by all staff.

Liaison Licensing Worker

2. Assumes responsibility for:

- a. representing the Agency's viewpoint to the Association;
- b. attending meeting and functions of the Association;
- c. apprising staff of the Association's activities;
- d. when appropriate, seeking guidance from supervisor and staff in working with the Association;
- e. assisting the Association with leadership development;
- f. assisting with the program planning for Association meetings;
- g. assisting with development of Association goals and projects;
- h. facilitating communication between the Agency and foster parents; and
- i. providing support services (e.g. arranging meeting space).
- j. discussing with the Association members the impact of MEPA. Discusses with the Association members that race, color or national origin (RCNO) of the applicant and/or the child involved may not be considered in making foster care placement decisions. Culture may not be used as a proxy for RCNO in making placement decisions.

3. Seeks coordination and assistance, as needed, from appropriate State Office staff in:

- a. program and project plans;
 - b. leadership development;
 - c. Association formation and maintenance, including structure and development;
 - d. relevant issues, problems, and proposed solutions of a state and national scope;
 - e. information about the National Foster Parents Association: and,
 - f. policy interpretation.
-

Referenced Documents

Revision Comments

Section 932, 2. j. added to prohibit the use of RCNO in making foster care decisions, and to prohibit the use of culture as a proxy for RCNO.

933 Licensing Complaint Concerning a Foster Parent

This section outlines procedures to be followed when a licensing complaint is received concerning a foster parent. (Also see section on Changes in License.)

Licensing Worker

1. Upon receipt of a complaint or notification that a complaint has been received by the county or State Office concerning a regulatory issue:
 - a. discusses the complaint with supervisor;
 - b. initiates an evaluation by the next working day; and
 - c. schedules an appointment with the foster parent within five working days.
 - d. Documents all actions using CAPSS License-Dictation screen.
2. Upon completion of the evaluation, informs the foster parent by letter of the outcome and puts a copy in the licensing record.
3. If the licensing complaint is verified and the problem is satisfactorily resolved;
 - a. assures/confirms (and assists as appropriate) that the foster parent takes necessary and adequate remedial action;
 - b. discusses the remedial action/plan with supervisor
 - c. documents in writing the satisfactory completion of remedial action by letter to the foster parent;
 - d. puts a copy of the letter in the licensing record; and
 - e. sends a copy of the letter to the Foster Care worker and State Office if the complaint comes from that source.
4. If the licensing complaint is verified and the problem is not satisfactorily resolved:
 - a. discusses the situation with the Licensing Supervisor:
 - b. amends the current license to reflect the situation; or

c. takes steps to revoke the license and close the home in extreme cases.

5. Keeps the Foster Care worker of any child in the foster home informed of the situation and any actions that may be needed on behalf of the child, including the possibility of removal if the license is revoked.

Referenced Documents

Revision Comments

934 Child Protective Services Report Concerning a Foster Home

This section outlines procedures when a report of abuse or neglect in a foster home is received. Licensing workers are responsible for following-up on complaints related to licensing requirements (S. C. Code of Laws, Regulation 114-550), quality of care and OHAN complaints that involve regulatory concerns in agency foster homes.

**NOTE: See Chapter 7, Child Protective and Preventive Services, Section 721, Out of Home Investigations.*

Licensing Worker

1. **Immediately** upon receipt of the allegation of abuse or neglect makes a report to the state office OHAN (Out-of-Home Abuse and Neglect) unit. The report should be made by telephone to the OHAN unit so that all necessary information can be obtained by OHAN.
 - a. Cooperates with OHAN and CPS in implementing a safety plan if necessary.
 - b. Coordinates with CPS and OHAN regarding notification to County Director, Foster Care Supervisor, and Foster Care worker(s) for all children in the home of the allegation.
 - c. Coordinates as requested by OHAN and CPS in notifying county offices with children in the foster home under investigation.
2. Cooperates with OHAN during the investigative process.
 - a. Provides information needed by OHAN about the foster home including any previous complaints or concerns.
 - b. Participates along with the Licensing Supervisor in staffing with OHAN to provide information and to determine regulatory concerns that need to be addressed.
3. If notification is received from OHAN that the allegations have been indicated, initiates procedures to revoke the foster home license. (See Section 924, Denial/Revocation of a License.)
4. If report is not indicated, follows up on any regulatory concerns identified during the investigation.

- a. Staffs case with Licensing Supervisor to determine necessary actions that must be taken by the Licensing Unit. The nature and severity of the complaint and the number of previous complaints must be considered when determining necessary actions to be taken.
 - b. Documents all regulatory concerns and corrective actions in the licensing file as reference for future licensing decisions related to the foster home.
 - c. Contacts the State Office Program Development IV-E Unit for assistance or to help resolve any questions.
5. In the event the that the report to OHAN does not meet the state statute criteria for abuse and neglect and is screened out for investigation, staffs case with Licensing Supervisor to determine necessary follow up on any regulatory concerns or child care concerns that are identified.

NOTE: Staff are reminded that a finding of abuse or neglect by OHAN is not required to revoke a foster home license. A foster home license may be revoked or denied if the home does not maintain compliance with licensing requirements or if it is determined that it would be detrimental for children to be placed in the home. (See Section 924, Denial/Revocation of a license).

Referenced Documents

Human Services 721
S. C. Code of Laws, Regulation 114-550

Revision Comments

Section revised to address follow up on safety and any regulatory issues that are identified as the result of a report of abuse/neglect in a foster home.
Item 4 (c), State Office Program Development IV-E Unit is available to assist in providing guidance for regulatory concerns. 12/06

935 Foster Parent Licensing Records

This section outlines procedures for uniform composition of foster parent licensing records.

Licensing Worker

1. Obtains and places the following materials in the foster parent record in accordance with the following format. (Most current data on top)

Section I -- Separated, tabbed and filed in chronological order

1. DSS-1513 (copy of unsigned, original of signed)
2. DSS-3059

Section II -- Separated, tabbed, and filed in chronological order

1. Monitoring - Dictation (Print out of dictation in CAPSS (optional))
2. Monitoring - Quarterly Visits (Any forms used for documentation of Quarterly Home Visits)
3. Monitoring - Documentation of ongoing training.

Section III -- Separated by tabbed dividers, and filed in chronological order

1. Safety Issue - Background checks (includes SLED, Central Registry, Sexual Offender checks, and fingerprinting)
2. Safety Issue - Fire Inspections
3. Safety Issue - DHEC Inspections
4. Safety Issue - Medicals
5. Safety Issue - Emergency Plans (includes Disaster Plan and Fire Escape Plan)
6. List of Firearms

Section IV -- Grouped together by review period.

1. Re-licensing assessment summary, Certificate of Regulatory Compliance

Section V -- Original Licensing Assessment - information for original licensure unless addressed in other sections, to include:

1. Assessment Summary
2. DSS-1511
3. References
4. Financial forms
5. Copies of Driver's Licenses

6. Copies of SS cards
7. Documentation of initial training
8. Any other relevant information

Section VI -- Separated, tabbed and filed in chronological order

1. Correspondence
2. Complaints
3. Miscellaneous -- receipts, vouchers, etc.

Note: If a second volume is created, all medicals and fingerprinting data should be moved forward to the new volume along with the most recent documents under Sections I, II, III, and IV.

CPS INFORMATION SHOULD NOT BE FILED IN THE LICENSING RECORD.

Referenced Documents

DSS Form 1511
DSS Form 1513
DSS Form 3059

Revision Comments

936.01 Data Update Through CAPSS

Updated information should be entered on the LICENSE screens regarding the status of the license -- sex, age, capacity for which the home is licensed, expiration dates, vacancies, deficiencies, complaints. Case activity should also be entered on the License-Dictation screen. The history of placements in a particular foster home can be found on the related Provider screen.

See the CAPSS User's Guide for detailed information regarding data entry.

Referenced Documents

Revision Comments

936 Obtaining a License Number Through CAPSS

A license can be created in CAPSS by clicking on "NEW" in the tool bar and selecting License in the drop down box. If a PROVIDER does not already exist, one must be created and there must also be an INTAKE created or already existing that is associated with the PROVIDER. The PROVIDER ID is created by the system and carries over to the LICENSE ID.

See CAPSS User's Guide for detailed information regarding creating Intakes, Providers, and Licenses.

Referenced Documents

Revision Comments

937.01 Out of State Foster Parents Moving to South Carolina

This section describes the procedures when an out-of-state foster parent is moving to South Carolina and already has a **foster child in their home**.

Regulation 1 of the Interstate Compact allows a receiving state to conditionally pre-approve a placement when a foster child moves to another state with the foster parents. The receiving state may use the documentation from the sending state unless there is substantial evidence to the contrary.

The State Office Interstate Compact (ICPC) Office **must receive this information prior to the family arriving in South Carolina**. Contact the State Office ICPC consultant for additional information regarding Regulation 1.

If an out-of-state foster family moves to South Carolina without prior approval or adequate notice, it is the Agency's policy that every effort will be made to bring the placement into compliance. If the family fails to follow through with becoming licensed or information is later obtained that indicates that this family is not appropriate to become foster parents, the sending state is to be notified immediately that the child must be returned to the sending state. However, **if foster parents evacuate to South Carolina** from another state due to a catastrophic event, such a hurricane, the federal Administration for Children and Families may issue exceptions for federal funding eligibility. Contact the State Office ICPC consultant for additional information.

**Note: For additional information, refer to Sections 841, and Section 937*

ICPC Consultant

1. Receives a request from a sending state to license a foster parent moving to SC.
2. Conducts a review of the materials submitted and may grant a conditional approval contingent upon the foster parent completing all the requirements for licensure.
3. Forwards the licensure request to the appropriate DSS office.

Foster Licensing Supervisor and/or Supervisor of Designated Supervising Worker

4. Upon receipt of the ICPC 100 B (DSS Form 30126), assigns worker to supervise the placement and to complete progress reports as requested by the sending state. Refer to Chapter 8 for supervision of children placed into South Carolina. If there are two workers involved, the licensing and supervising worker should share information about the child and home status.

Licensing Worker

5. Receives the request for licensing (from the sending state) through the State Office ICPC Office.

6. Reviews documentation of licensure from the sending state including background checks, copies of their license, complaints, training, etc. Documentation of training hours (conducted out-of-state) **may** be accepted provided that the training was conducted in the past year and the content of the training is appropriate (also refer to Section 917, Foster Parent Training).

**Note: An exception has been granted to review and consider accepting foster parent training hours received from out-of -state child welfare agencies. This exception is to prevent unnecessary placement disruptions for the foster child and is specific only to this situation. Out-of-state foster parents must be provided orientation training specific to Agency policies and procedures.*

7. Completes the foster home licensing study within 120 days of receipt of a complete referral.

Licensing Supervisor

8. Reviews the completed licensing study and indicates approval by signature and date; forwards the study to state office IV-E unit for review, approval or denial and processing.

Licensing Worker

9. Submits to the State Office ICPC Consultant a copy of the license and copies of all licensing materials in **triplicate**, along with the specific placement recommendation; if the home is not being approved for licensure, immediately submits information to the SC ICPC to notify the sending state to act on the denial of licensure.

ICPC Consultant

10. Reviews and forwards the packet of information and a signed DSS Form 3049 (also known as ICPC Form 100A) to the sending state.

Licensing or Designated FC Worker

11. Monitors the placement in accordance with licensing regulations and submits progress reports, through State Office ICPC Office, on a quarterly basis unless requested to use other time frames. Refer to Chapter 8 for supervision requirements and outlines for progress reports.

Licensing Worker

12. Completes license renewal study every 2 years and submits renewal materials, including the license and assessment summary to the State Office ICPC Office.

13. Utilizes CAPPs to document all of the above actions.

Referenced Documents

Chapter 8
Section 937.02

Revision Comments

Entire section revised to reflect changes in legislation. 12/06

937.02 SC Foster Parents with Foster Children Moving to Another State

This section describes the decision making process for letting a foster child relocate with a foster parent and the steps necessary to complete an out-of-state foster parent licensing request through the Interstate Compact process.

Regulation 1 of the Interstate Compact Law allows a receiving state to conditionally pre-approve a placement using the documentation from the sending state unless there is substantial evidence to the contrary. Contact the ICPC consultant in State Office for additional information regarding Regulation 1 and foster parents moving with children in their care.

**Note: For procedures for placement with out-of-state parents or relatives refer to Chapter 8; for procedures on placement of a child with non-relatives residing in another state see Chapter 8.*

Licensing worker

1. Consults with the foster child's case manager and the case manager's supervisor regarding the foster parents plan to relocate with the child remaining in the foster home.

Licensing worker, FC worker, FC supervisor, Licensing Supervisor, Adoption staff

2. Conducts a Placement Committee staffing (Section 819) involving significant parties including Agency staff, Guardian Ad Litem, foster parents, child (if age appropriate), Area Adoption staff (if appropriate). Determines whether the request for the child's move is consistent with the child's permanent plan.

Licensing worker, FC worker

3. If the agency does not concur with the planned move, initiates steps to identify alternate placement resource for the child.

4. If the agency and all involved parties (parents, GAL) concur with the move, and court approval has been obtained, submits ICPC request for licensing to the ICPC office; **if the desired date for**

relocation is 45 days or less, clearly identifies the request as a priority in bold in the cover memo.

Includes the following information:

- a) A completed DSS Form 3049 (ICPC 100 A);
- b) A cover letter (on official letterhead stationary) stating:
 - A request for an Interstate Compact Regulation 1 Approval;
 - Reason an out-of state placement is being requested and the planned date of relocation;
 - Statement that indicates that South Carolina Department of Social Services has legal custody of the child
 - The child's long term permanent goal and brief summary of the child's case plan including identification of specific service(s) needed and expected achievement date;
- c) **A copy of the court order that indicates the agency has authority to place the child out of state;**
- d) A case history for the child including clear identification of the child's permanent plan;
- e) A copy of the most recent foster home license;
- f) A copy of licensure study and updates, background checks and foster parent training documentation;
 - g) The Agency's plan to provide the child's medical and financial needs (including Title IV-E information) in the receiving state. Refer to Section 841.01 for additional information;
- h) A statement requesting monthly contacts with the foster child and time frames for receiving progress reports.

ICPC Consultant

5. Reviews the referral packet and completes DSS Form 3049 (ICPC 100A) and forwards the request to the receiving state.

6. Receives a response from the receiving state and forwards the decision to the county foster care worker.

Foster Care Worker

- 7, When the decision is received from the receiving state **regarding the planned relocation of the child with the family:**
- a. **If the relocation is approved**, submits a DSS 30126 (ICPC 100B) to the State Office ICPC consultant to forward to the receiving state to notify them of the arrival of the family and the date supervision is to begin. **Notifies the IV-E staff at State Office of the foster child's relocation date;**
 - b. **If the placement is denied**, informs the foster family that the child can not relocate with the family; and makes other arrangements for placement of the child;
8. If the home is not approved for licensure after the family and child have relocated, contacts the ICPC consultant for assistance in implementing a plan for the child's return to South Carolina. **Notifies the IV-E staff at State Office of the change of the denial.**

Licensing worker

9. **If home is approved for licensure in the receiving state**, using LICENSE and PROVIDER screens in CAPSS, update the foster parent's information, as though this is a re-licensure.

Licensing worker / FC Worker

10. Requests a copy of the licensing renewal/evaluation information through the State Office ICPC office.
- a. Submits request to ICPC consultant 120 days prior to the renewal date.
 - b. Requests that renewal study **in the receiving state** be completed and submitted through ICPC thirty (30) days prior to the renewal date.

Referenced Documents

DSS Form 30126 (ICPC 100 A)
DSS 3046
Chapter 8

Revision Comments

New section to address new federal legislation. 12/06

937 Out of State Home-Study and Licensing Requests

This section provides the procedures to complete a home-study request received through Interstate Compact (ICPC).

*Note: Also refer to Sections 841 to 841.01 for additional information regarding the Interstate Compact process.

The Interstate Compact on the Placement of Children establishes procedures for the interstate placement of children, fixes responsibilities for those involved in placing the child, and provides for accountability and consistency among all the states. It is a violation of the ICPC for the sending state to place the child prior to approval into South Carolina. Should that occur, DSS will work with the sending state to bring the case into compliance.

The Safe and Timely Interstate Placement of Foster Children Act, (PL 109-239) requires that ICPC home-studies must be completed within 60 calendar days. This time frame begins when the home-study request is received at the State Office. County offices will have to complete a home-study in less than 50 days. A provision for a 15 day extension may be granted under certain conditions. Financial penalties from Title IV-B and Title IV-E federal funds may be imposed for failure to meet the timelines.

Potential caregivers must be reminded that a foster child is not eligible to receive Medicaid or to receive Title IV-E board payments unless a child is in a licensed foster home. Exceptions may exist from the sending state for other than Title IV-E funding. The caregivers must be able to meet the child's needs.

If the request is for the home to be licensed, the caregivers must complete the foster home licensing process within 120 days as described in Section 918.

State Office ICPC Consultant

1. Receives the request for a home-study from the sending state (may be for a relative or non-relative).
 - a. Contacts the sending state if the information packet is incomplete. If no information is received within 3 weeks, the packet may be returned to the sending state. The 60 day timeframe begins upon receipt of all the information.
 - b. Forwards the request to the county office within 5 calendar days.

Foster Licensing Worker

2. Immediately reviews the request and documentation and initiates action necessary to complete the licensure study.

a. If additional information is needed from the sending state, notifies the State Office ICPC consultant no later than the 10th calendar day from the date the request is received by State Office ICPC. Continues to complete the study based on the available information (i.e. initiating criminal records requests, required inspections, etc.).

b. Within 15 calendar days of the date the request is received in the SC ICPC Office, initiates contacts with individuals to be studied, identifies and notifies references, makes requests for fire and health inspections; makes requests for criminal record information; documents requests by filing hard copies of requests and documenting in CAPSS.

*Note: These actions must be initiated in order to justify an extension request if information is missing.

c. If vital information has not been received within 50 calendar days from the State Office's receipt of the home-study request, submits a request for a 15 day extension to the State Office ICPC consultant. An extension may be granted if:

- a supervisor has approved the request including a date and signature;
- the information is important and vital to the determination;
- requests for information (background checks, etc.) were mailed within 10 days upon receipt of the home-study request at state office;
- the request is faxed to the ICPC consultant and clearly states on the cover sheet that the document is a request for an extension for completion of the home-study. Additionally the packet must include documentation to verify that information requests were sent timely;
- the request must indicate what documentation/information is missing, the circumstances involved, and a statement indicating that completing the home study is in the best interest of the child.

State Office ICPC Consultant

3. Notifies the worker and supervisor immediately whether the extension is approved or not.

Foster Licensing Worker and Supervisor

4. Completes the study with supervisory indicating approval of recommendation by signature and date.

a. when an extension has been approved, the home-study must be completed, no later than the 65th day in the timeline (when an extension has been granted).

b. if the extension is not approved, the completed home-study must be forwarded immediately to the State Office ICPC Office.

Indicate in bold that the packet is the response to an ICPC home study request. The completed report must indicate whether or not placement may be made by the sending state. If the provider is requesting to be a licensed foster parent, use the format as outlined in Section 918.

* Note: The recommendation for placement of the child in the home must include an assessment of the parenting capacity of the candidates being studied to meet the specific needs of the child. The home could meet licensing standards and the placement not approved if it is determined the needs of the child cannot be met in the home for which placement is being requested. Reference the information in the child summary received from the receiving state.

State Office ICPC Consultant

5. Signs DSS Form 3049 (ICPC Form 100A-Interstate Compact Placement Request) approving or denying placement and notifies the sending state; forwards the completed home evaluation /report to the sending state by the 60th or 75th day of the timeline, which ever is appropriate.

Sending state

6. Accepts the study completed by SCDSS standards, unless the sending state notifies SCDSS ICPC within 14 days of the receipt of the study that reliance on the report would be contrary to the welfare of the child.

7. If placement is approved, makes placement and submits DSS Form 30126 (ICPC Form 100B-Interstate Compact Placement Request) through S.C. ICPC to verify the date of placement.

Note: by ICPC standards, the approval of a placement via a 100 A is valid for 6 months from the date the 100 A is signed to approve the placement.

Foster Licensing or Designated Worker

8. Upon receipt of notification that child has been placed by the ICPC 100 B (DSS Form 30126), begins monthly supervision; references any specifications on the 100 A (DSS Form 3049). Refer to Chapter 8, Section 841 for minimum supervision that includes face to face contact with the child and an assessment to confirm safety. Follow up immediately to address child's safety (may include a report to OHAN for investigation of abuse or neglect).

a. Notifies the local sending agency immediately if threats to safety are identified; then contacts state ICPC consultant regarding immediate return of the child to the sending state, if appropriate.

9. Completes the foster home licensing process for the caregiver. Sends a copy of the license and an attached cover letter including the child's name and placement resource to the State Office ICPC consultant.

10. Submits quarterly progress report in TRIPLICATE to be forwarded to the state ICPC office. Refer to Chapter 8 Section 841 for additional information regarding progress reports.

Foster Care or Foster Licensing Worker and Designated Supervisor(s)

11. Reviews the quarterly or other written report, indicates approval by signing and dating the report; forwards the report to the state ICPC consultant.

12. Recommends, after six months of supervision, whether or not legal custody should be given to the relative or other individual with whom the child is placed if transfer of custody or guardianship is the permanent plan for the child. Continues supervision until notified by the sending state that supervision is longer required. Continues to submit quarterly reports until the case is closed.

Foster Licensing or Designated Worker

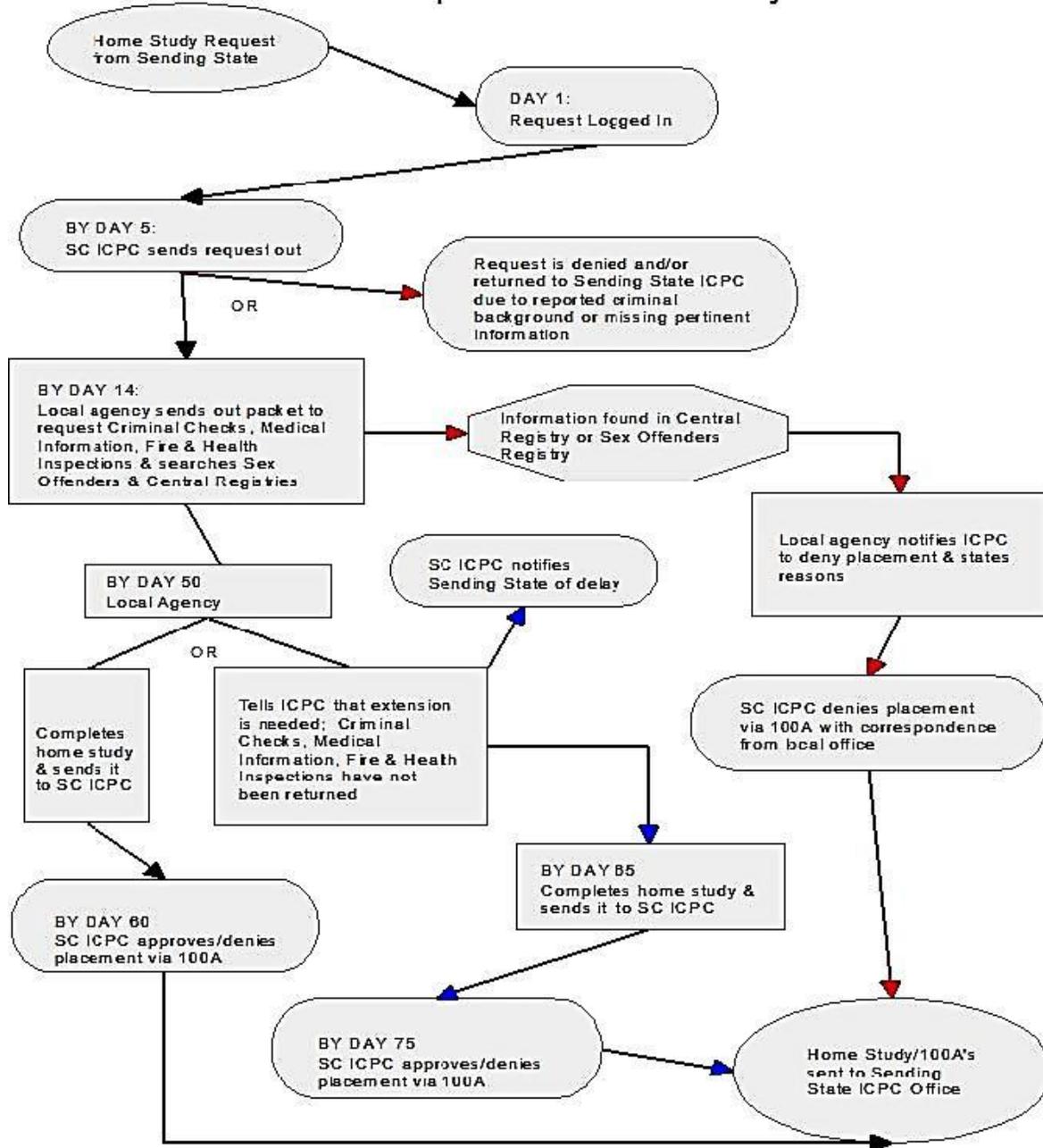
13. If placement disrupts, notifies the sending state's local agency to make arrangements for the child's return and submits a written summary of the disruption to the S.C. ICPC Office; follows up immediately with a written report.

14. If the sending state is not responsive to a removal request, contacts the SC ICPC Office for assistance.

15. Closes case when a copy of the court order and ICPC 100B (DSS Form 30126) is received indicating case is closed in the sending state.

16. Uses CAPSS to document all of the above actions.

Interstate Compact Home Study Timeline



Referenced Documents

- DSS Form 3049 (ICPC 100A)
- DSS Form 30126 (ICPC 100B)
- Section 918
- Section 918.01
- SC Statute 20-7-1642

SC Statute 20-7-1980
Section 928 .02
Section 937
Chapter 8

Revision Comments

This entire section was revised to include new federal legislation and to clarify existing procedures. 12/06

938 Insurance for Foster Parents

This section explains that limited liability insurance is provided for foster parents who are licensed by the agency and gives details for filing a claim.

Primary Legal Basis:

SC Statute 63-7-2390: The Foster Family Uninsured Loss Act

Insurance Coverage

There are two liability insurance policies for foster parents who are licensed by the agency. This insurance does not provide coverage for foster homes paid by other child placing agencies. DSS self insurance covers small claims up to a limit of \$500. A contracted insurance company provides coverage for larger claims with pre-determined limits of liability. This coverage is secondary to any other insurance the foster parent may have such as homeowner's, renter's, or automobile insurance. There must be a minimum of \$50 damage to file a claim. Submission of a claim does not guarantee payment and there is no time limit for reaching a decision regarding a claim.

Reporting and Claims Procedure

1. The foster parent should notify their licensing worker immediately after becoming aware of an incident that is likely to result in a claim or lawsuit. Foster parents should never agree to pay damages caused by a foster child.
2. The licensing worker should arrange a visit to the foster home as soon as possible to view the damage and assist the foster parent in completing the DSS Form 3075, Foster Parent Loss/Claim Form that is found in the Master Forms Index.
3. The licensing worker must prepare a written statement based on observations of the damage and conversations with the foster child and foster parent.
4. The foster parent will need an itemized estimate to repair or replace the damaged property. Additional estimates may be required by the insurance company or by DSS.
5. If the foster parents had to call the police to their home in connection with the incident that resulted in damage to their real and/or personal property, a copy of the police report must be provided, if one was generated by the police.
6. If damage is more than \$250.00, foster parents must provide proof that they have filed with their primary insurance company, if applicable, or submit a statement from the insurance company that the damage is not covered by their policy prior to submitting a claim to DSS.
7. After completing the County Office Use Only section of the Foster Parent Loss/Claim Form, the licensing worker will mail the form to the address listed on the Foster Parent Loss/Claim Form along with:
 - the estimate for repair/loss

- the police report, if applicable
 - any statements by the foster parent or child
 - any statements from the primary insurance company
 - a copy of the workers statement from item # 3 in this section.
8. State Office will communicate with the licensing worker regarding results of the claim.
9. Contact Program Development if further information is needed.

Referenced Documents

SC Statute 63-7-2390

DSS 3075

Revision Comments

New Section

950 Regulations for Foster Care Licensure

LICENSURE FOR FOSTER CARE

(Statutory Authority: S.C. Code Sections 20-7-2250 and 43-1-80 (Supp.2000))

114550. LICENSURE FOR FOSTER CARE

A. Definitions.

(1) Foster Care -- This is care for children in the custody of the South Carolina Department of Social Services who must be separated from their parents or guardians. It is a temporary living arrangement within the structure and atmosphere of a private family home (kin and non relative), or a group home, emergency shelter, residential facility, child care institution, or pre adoptive home, and is utilized while permanent placement plans are being formulated for the involved children.

(2) Board Payments -- These are monthly funds appropriated for daily care and maintenance for eligible children in foster care.

(3) The Foster Family -- A family that is generally composed of a father and mother, but may be widowed, divorced or single adults, who are licensed by SCDSS, and who are mutually interested in and evidence a capability to care for foster children.

(4) Kinship Care Foster Family -- This is a relative family that has been identified and licensed to provide foster care for a specified child or children. Unless otherwise stated, the term foster parent or foster family includes kinship foster care parents and families.

(5) Assessment Study -- This is the actual documentation of the assessment study of a family or related family applying to provide foster care services, completed by designated agency staff of the South Carolina Department of Social Services or designated staff of a child placing agency.

(6) Child Placing Agency -- For the purposes of these regulations, any person or entity who holds legal or physical custody of a child for the purpose of placement for foster care or adoption or a private placement, or a person or entity who facilitates the placement of children for the purpose of foster care or adoption or a private placement and, which for the purpose of these regulations, retain their own system of foster homes, is a child placing agency. Homes assessed by child placing agencies are licensed in accordance with the Department of Social Services licensing regulations and issued a license by SCDSS.

(7) Agency -- South Carolina Department of Social Services.

(8) Foster child -- for the purposes of these regulations, a child in the custody of SCDSS

(9) Household member -- 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.

B. Applications.

- (1) An application form shall be completed by all foster families desiring to be licensed and relicensed.
- (2) Applicants must supply thorough, complete and accurate information. Incomplete or erroneous information or violation of regulations can be grounds for denial of an application, revocation of a current license or denial of a renewal.
- (3) SCDSS or a licensed child placing agency reserves the right to request and consider additional information if needed during the licensing or renewal process. This additional information may be considered during the licensing or renewal decision-making process.

C. Licensing Procedure.

- (1) Any application for licensure pursuant to these regulations shall be studied by SCDSS or a licensed child placing agency.
- (2) A decision regarding each application for a license shall be made within 120 days subsequent to the date the standard application is completed by the applicant(s) and is received by SCDSS or the child placing agency. If SCDSS or the child placing agency has requested information that has not been received within 120 days, then the decision is stayed pending receipt of all information.
- (3) An initial Standard license shall be issued or denied by the director of SCDSS or his/her designee based on the result of the assessment study and recommendation of SCDSS or child placing agency.

D. Licenses.

- (1) The issued license shall not be transferable from either the address or foster family specified on the license.
- (2) A Standard license shall be issued when all requirements of these regulations are met. A Standard license is valid for two years from the date of issuance.
- (3) A Standard with Temporary Waiver license may be issued for up to 90 days. The utilization of this type of license is warranted when SCDSS or the child placing agency is acting in the best interest of children already in placement and for whom stability is necessary. The Standard with Temporary Waiver license shall include language that reflects the expiration period and the reason for the temporary waiver. No additional children may be placed during temporary waiver periods. Standard with Temporary Waiver licenses can be issued under the following circumstances:
 - (a) A standard licensed foster parent moves to a new home and SCDSS or child placing agency is waiting to receive written documentation that the fire and health inspections have been completed and any noted deficiencies have been corrected; or
 - (b) A standard license has previously been issued to a foster family and subsequently a household member reaches the age of eighteen years, or a new adult household member has entered the home since licensure, and SCDSS or child placing agency is waiting to receive written clearance on all background checks for that individual.
- (4) A Standard- Exceeds Maximum Number Allowed license may be issued when a standard licensed foster parent receives placement of more children than allowed under requirements due to SCDSS or child placing agency trying to preserve unity of a sibling group or making an adoptive placement. This license can continue until the

number of children again satisfies licensing requirements.

(5) No license issued shall be effective for more than two years from the date of issuance. Subsequent relicensure studies must be completed prior to the expiration of the last license.

(6) A foster home shall not be licensed for more than five (5) children, including the foster parents' own children and/or other children who are household members unless SCDSS or child placing agency is keeping siblings together or the placement has been court ordered.

(7) Foster Home licensure by more than one agency, or by more than one division within an agency, is not permitted.

E. Assessment Study.

(1) Each prospective foster family shall be assessed by designated staff of SCDSS or by designated staff of a licensed child placing agency.

(2) Such assessment shall be conducted in order to determine:

(a) Whether the applicant(s) complies with licensing requirements and standards;

(b) For which gender and age range of children the home can be licensed;

(c) Whether the prospective foster parents fully understand the purpose of foster care; and

(d) Applicant(s) and other household members ability to provide quality foster care.

(3) All members of the household over six years of age shall be assessed and interviewed in order to determine their willingness to accept a child and to evaluate the stability of the family unit.

(a) A minimum of one family interview, and one interview per individual, shall be conducted in the home with the prospective applicant, spouse, their children and other household members.

(b) The applicant and spouse shall provide information to SCDSS or the child placing agency staff that enables the licensing staff to interview adult children of the applicant and spouse.

(4) Documentation for the assessment study at a minimum includes the following issues:

(a) motivations to foster parent;

(b) preferences related to placements;

(c) family history, relationships, parenting experiences, and coping ability;

(d) educational, health, and work history of family members;

(e) information on other household members, adult children, and related children not in the physical custody of the applicant or spouse;

(f) home environment and community resources;

(g) completion of preparation training;

(h) results of CPS/Sex Offender/SLED and FBI background checks;

(i) compliance with all requirements;

(j) income is reasonably secure and not dependent on board payments;

(k) appropriateness of day care arrangements for foster children; and

(l) family's overall understanding of the purpose of foster care and ability to provide quality foster care.

(5) The assessment study and the SCDSS or child placing agency's recommendation

shall be explained to the applicant. If SCDSS or the child placing agency is not recommending licensure, the applicant family should be offered the opportunity to elect to withdraw their application. If the applicant elects to continue their request to be licensed and if the application is denied, the reason(s) for the denial shall be provided in writing. The applicant shall be advised regarding the right to appeal.

F. Working Foster Parents.

(1) If foster parents are employed outside the home, a written statement outlining a total plan of care, including plans for any necessary emergency care for the child, shall be submitted by the foster family.

(2) Individuals who are to provide child care on behalf of employed foster parents must be interviewed by SCDSS or child placing agency staff prior to the issuance of a Standard license to a foster home.

G. The Requirements for Licensing of a Foster Family.

(1) The following requirements shall be met prior to the issuance of a Standard license to provide foster care:

(a) Background checks shall be documented including a review of abuse and neglect history, criminal history found with SLED and the FBI, and the Sex Offender Registry.

(i) The applicant(s) cannot be considered for licensure if an applicant and/or any household member over age eighteen has a substantiated history of child abuse and/or neglect and/or convictions of those crimes listed in SC Code 20-7-1642 and/or is listed on the SC Sex Offender Registry.

(ii) The applicant(s) may be considered for licensure if an applicant and/or any household member over age eighteen has a conviction, or has been pardoned for a conviction of an offense other than those offenses listed in SC Code 20-7-1642. The Director of SCDSS or his/her designee shall review the conviction or pardoned conviction taking into account the nature of the offense(s), any implications of the offense which have bearing on the individual having access to foster children; the length of time that has elapsed since the conviction(s); the applicant's life experiences indicating reform or rehabilitation during the ensuing period of time; and the fitness and ability to perform as a caregiver or the degree of risk which an individual may pose to children placed in the home. The Director of SCDSS or his/her designee shall document the basis of the decision to approve applicant in light of applicant's and/or household member's criminal record.

(2) The applicant(s) shall be able to access community services and activities.

(3) The applicant's home and property shall be inspected by licensing or child placing agency staff, State Fire Marshal authorities, and health authorities .

(a) A fire inspection by State Fire Marshal authorities who are required or permitted to inspect and enforce fire regulations must be conducted prior to the initial standard licensure.

(b) Annual fire inspections are required thereafter.

(c) A health inspection by such health authorities who are required or permitted to inspect and enforce health and sanitation regulations must be conducted prior to the initial licensure and as needed thereafter.

(d) Additional fire and health inspections are required if there is a change in residence.

- (e) Additional fire and health inspections may be required if there are structural changes made to a residence or if such an inspection is deemed necessary by SCDSS or the licensed child placing agency.
- (f) Any deficiencies must be corrected prior to initial licensure and/or relicensure.
- (4) The applicants/foster parents shall:
 - (a) Be at least twenty one years of age or older. Age of foster parents should be considered only as it affects their ability to care for children within the age group applicant has expressed an interest in, and in relation to the probable duration of placement of a particular child.
 - (b) Have knowledge of the needs of children, be capable of meeting the needs of foster children and provide adequate foster care services;
 - (c) Be capable of handling an emergency situation;
 - (d) Be cooperative with SCDSS or child placing agency staff in furthering the best interest of the child; and
 - (e) Provide all relevant and factual information to SCDSS or the child placing agency.
- (5) Foster parents must each have a minimum of fourteen (14) hours of appropriate foster care pre service training and which includes training on licensing requirements and expected standards of care prior to licensure commencing January 1, 2003.
 - (a) The foster parents will each subsequently be required to complete a minimum of fourteen (14) hours training each year, or twenty (28) hours prior to each subsequent relicensure commencing January 1, 2003.
 - (b) Viewing standard television programs or reading popular news or magazine articles will not be accepted for training hours and the training shall be provided by SCDSS or via another source which is approved by SCDSS.
- (6) The applicant's or current foster family's income shall be reasonably secure and not dependent upon foster care boarding payments. The family shall supply verifiable information on family income and expenditures whenever requested to do so by SCDSS or the child placing agency.
- (7) All applicants and household members shall submit an initial medical report by a duly licensed physician or licensed nurse practitioner verifying that such individuals are in reasonably good health, including an evaluation as to any communicable or contagious diseases. If deemed necessary by SCDSS or the child placing agency, additional medical reports may be required.
 - (a) If applicant/household member has sought treatment for issues related to mental health or drug or alcohol abuse, such information must be disclosed to SCDSS or the child placing agency during the assessment. Applicants shall only be licensed after consultation between SCDSS or the child placing agency staff and appropriate therapist, counselor or physician, if applicable, of the applicant/household member to obtain a history of rehabilitation and to assess the potential effects on their ability to care for children placed in the home.
 - (b) SCDSS or the child placing agency has the authority to request a psychological report on an applicant or household member, at the expense of the applicant, pursuant to securing information during the assessment study process that could indicate a need for professional consultation.
 - (c) Applicants/household members will execute the necessary releases to allow SCDSS or the child placing agency to access this information.

(8) A minimum of three written letters of reference shall be initially obtained in regard to foster parent applicants.

(a) If deemed necessary by SCDSS or the child placing agency, additional references may be required.

(b) References should have known the applicants three years prior to the application and, unless specifically requested, should not be related to the applicants.

H. The following standards of care shall be maintained by foster families. Failure to comply with one or more of these standards of care may result in removal of foster children from the home and revocation of the foster home license:

(1) The child's daily routine shall be planned to promote the development of good health habits.

(2) Each child shall be provided with adequate health and hygiene aids.

(3) Space for a child's possessions shall be provided.

(4) The foster family home shall be able to comfortably accommodate a foster child as well as their own family.

(a) Each child in care shall be provided with his or her own bed and storage space, however same sex siblings may be allowed to share a bed or storage.

(b) No child may routinely share a bed or a bedroom with an adult and except for a child under one year of age, a child must not share a bedroom with an adult unless SCDSS or the child placing agency staff document extenuating circumstances exist.

(c) Children of opposite sex sleeping in the same bed must be limited to siblings under the age of four years. Children of opposite sex sleeping in the same room must be limited to children under the age of four years.

(d) Children shall sleep within calling distance of an adult member of the family, with no child sleeping in a detached building, unfinished attic or basement, stairway, hall, or room commonly used for other than bedroom purposes.

(e) No biological children of the foster family shall be displaced and made to occupy sleeping quarters prohibited in (b), (c) and (d) above because of a foster child being placed in the home.

(f) The top level of bunk beds shall not be used for children under the age of six years.

(5) If deemed appropriate by SCDSS or the child placing agency, the foster family will cooperate in assuring that foster children are able to maintain regular contact with their birth parents, siblings, and other significant relatives.

(6) Unless advised otherwise by the responsible agency, each foster child shall be prepared by foster parents to eventually leave the home.

(7) Foster parents shall follow instructions and suggestions of providers of medical and health related services. If receiving medication, a child's prescription shall be filled on a timely basis and medications will be administered as prescribed, and otherwise be kept secured.

(8) Foster parents shall obtain emergency medical treatment immediately as need arises, and shall notify SCDSS and child placing agency staff, no later than 24 hours of receiving such care. (a) If the primary source of payment for medical care is Medicaid, foster parents must insure that the child's card is accessible at all times.

(b) Foster parents should contact SCDSS for coordination of any elective or non-emergency surgical procedures as far in advance of the procedure(s) as possible.

(c) Any injuries sustained by a foster child must be reported as they occur and no later than 24 hours of incident.

(9) Foster parents are responsible for notifying SCDSS and child placing agency staff as soon as possible when a critical incident has occurred such as:

(a) Death of any child in the home;

(b) Attempted suicide by the child;

(c) Child is caught with a weapon or illegal substance;

(d) Child is charged with a juvenile or adult offense;

(e) Child is placed on homebound schooling or is suspended or expelled from school;

(f) Child has left the home without permission and has not returned.

(10) School attendance shall be in accordance with State law requirements and be in accordance with the ability and in the best interest of the child.

(a) The foster parents will assure that each foster child has access to education, educational opportunities and related services. Foster parents must emphasize the value of education and encourage and support children in their care to fully participate in educational activities;

(b) SCDSS will choose school foster child attends.

(c) SCDSS will not pay for costs associated with private tuition.

(d) Unless extenuating circumstances exist, foster parents shall not home school foster children. SCDSS must approve any such plan.

(11) Religious education shall be in accordance with the expressed wishes of the natural parents, if such wishes are expressed.

(12) All discipline must be reasonable in manner, moderate in degree and responsibly related to the child's understanding and need.

(a) Discipline should be constructive or educational in nature (e.g. withdrawal of privileges).

(b) Cruel, inhumane and inappropriate discipline is prohibited. This would include but not necessarily be limited to the following: head shaving or any other dehumanizing or degrading act; prolonged/frequent deprivation of food or serving foster children meals which are not as nutritionally adequate as those served to other family members or requiring children to be isolated from other family members when eating, deprivation of mail, slapping or shaking; a pattern of threats of removal from the home as punishment; disciplining a child for a medical or psychological problem over which he/she has no control (e.g. bedwetting, stuttering, etc.).

(c) All foster homes are subject to South Carolina laws relating to child abuse and neglect.

(d) The use of corporal punishment as a form of discipline is prohibited.

(13) Tasks which are assigned to foster children shall be appropriate to the ability of the child, similar to responsibilities assigned to other children, and geared toward teaching personal responsibility.

(14) Foster parents must assist older foster adolescents in their care in learning skills that are necessary for successful independent living.

(15) Varied recreational activities shall be available to each child.

(16) Infants and children shall not be left without competent supervision.

(17) Foster parents, in conjunction with SCDSS, shall keep a life book/scrapbook on each foster child placed in their home. Children's records and reports shall be kept

confidential and shall be returned to SCDSS when a foster child leaves the foster home.

(18) Firearms and any ammunition shall be kept in a locked storage container except when being legally carried upon the foster parent's person; being used for educational, recreational, or defense of self or property purposes by the foster parent; or being cleaned by the foster parent.

(19) Applicant must be able to secure/supervise access to in ground or above ground swimming pools and maintain adequate supervision during periods of swimming.

(20) Fire escape plans must be developed, posted and routine drills conducted.

(21) A plan for how the family will respond and travel in the event of a disaster (e.g., a hurricane evacuation) must be developed and shared with SCDSS or child placing agency.

(22) All pets must be kept current with rabies vaccinations and proof of such provided. Pets must not pose a safety concern. SCDSS or the child placing agency will determine what constitutes a safety concern.

(23) Applicants and current licensed families must make themselves reasonably available on an ongoing basis to SCDSS or the child placing agency for statutorily required contacts or other contacts SCDSS or the child placing agency deems necessary. SCDSS or the child placing agency has the right to make unannounced visits, and talk to any foster child on an as needed basis.

(24) Board payments shall be utilized but not limited to reimbursement for a foster child's board, school expenses, food, clothing, incidentals, minor medical needs and other expenses.

(25) A foster home shall not provide full time care for more than five (5) children, including the foster parents' own children and/or other children who are household members unless SCDSS or the child placing agency is keeping siblings together or making an adoptive placement or the placement has been court ordered.

(a) No more than two (2) infants (age birth to one year) shall be placed in the same foster home without prior approval from SCDSS or child placing agency management staff.

(b) No foster home shall exceed the number of children stipulated on their issued license without permission from SCDSS or child placing agency staff.

(c) No foster home shall accept children referred by another public or private source without obtaining the permission of SCDSS or child placing agency staff prior to the actual placement.

(26) When a home is licensed to provide care for an unmarried mother, a plan for medical and hospital care, as well as appropriate protection from community stresses associated with pregnancy, must be made.

(27) A foster family is required to notify SCDSS or child placing agency staff of any significant change in the family/home including, but not limited to, any structural changes in the home; plans involving a change of residence; any major changes in the health of anyone living in the home; change in marital status and the addition of any occupants to the home; significant changes in finances; and criminal and/or child abuse allegation charges and/or investigations.

(28) No unrelated lodger or boarder shall be allowed to move into a foster home without the agency's concurrence. Foster children may be placed or remain in a foster

home where there is an unrelated lodger or boarder or room mate after necessary safety checks have been made and written concurrence obtained by SCDSS or the child placing agency. Anyone over the age of eighteen years and living in the home must undergo a fingerprinting, SLED, Sex Offender, and CPS check. If children are already in placement, an affidavit must be submitted by the household member confirming there is no record. The license must be amended to a Standard with Temporary Waiver until the results of the submitted checks have been received.

(29) Applicants or current foster families must advise SCDSS or the child placing agency staff prior to opening a day care or other home based business in the home.

(30) Foster parents shall transport children in accordance with state public safety laws.

I. Records Documentation Required for Child Placing Agencies.

(1) All child placing agencies in the State shall keep records regarding each of their foster children containing the following information:

- (a) The child's name;
- (b) The child's birth date;
- (c) The date of his admission and discharge from each foster care placement;
- (d) Name, address and telephone number of relatives;
- (e) Place and hours of employment of child's relatives; and
- (f) Name, address and telephone number of available physician.

(2) All child placing agencies in the State shall keep records regarding each of their foster homes and said records shall contain documentation of compliance with these regulations and SCDSS procedures related to foster home licensing.

J. Adoption of Foster Children by Foster Parents.

(1) Foster parents may apply to adopt a foster child.

(2) Foster families who have been approved for adoption will be given first consideration for the adoption of a foster child under the following conditions:

- (a) The child has been in the same foster home for a consecutive six months period of time or more; and
- (b) The child is legally free for adoption; and
- (c) Placement for adoption with the foster family is deemed to be in the best interest of the child by SCDSS or the child placing agency.

K. Initial Licensing, Renewal, Denial, Revocation, and Termination of License.

(1) Foster family licenses shall be studied for renewal every two years and prior to the expiration of the last license.

(2) Renewal process requirements include documentation of annual fire inspection, additional training hours, background checks through CPS, SLED, and Sex Offender Registry, home visit, assessment of ongoing compliance with requirements and standards of care, and any additional requirements as SCDSS or the child placing agency staff may deem necessary.

(3) A license will not be issued or renewed if licensing requirements are not met, or standards of care have not been maintained as prescribed within these regulations or if, in the opinion of SCDSS, it would be detrimental for children to be placed in the home. Written notification of the denial, signed by the director of SCDSS or his/her

designee will be mailed via certified mail from SCDSS to the applicant(s) or license holder. The notification will inform the applicant(s) or license holder of any right to appeal this decision pursuant to established SCDSS procedure.

(4) A foster home license may be revoked by SCDSS if minimum licensing requirements or standards within these regulations are not met, or, if in the opinion of SCDSS or child placing agency staff, it would be detrimental for additional children to be placed in the home. Written notification of the revocation, signed by the director of SCDSS or his/her designee will be mailed via certified mail from SCDSS to the license holder. The notification will inform the license holder of any right to appeal this decision pursuant to established SCDSS procedure.

(5) A foster family license shall be terminated when:

(a) The time specified on the license has elapsed; or

(b) The foster family has moved to a new location without applying for a change in license; or

(c) The license has been revoked or renewal denied and the time frame for appeal has elapsed; or (d) A foster family voluntarily returns the current license to SCDSS of the child placing agency for cancellation or otherwise informs SCDSS or the child placing agency that they no longer desire to be licensed.

L. Kinship Foster Parents.

(1) Per federal policy, relatives being licensed must be licensed in accordance with the same requirements as non-relative applicants. SCDSS may waive, on a case by case basis, for relatives or non-relatives, non-safety elements as SCDSS deems appropriate. Safety elements such as history of child abuse/neglect, state and/or federal criminal history checks must not be waived. SCDSS must note on the standard license if there was a waiver of non-safety element and identify the element being waived.

(2) Relatives are given preference in placement options provided such placement is in the best interest of the child(ren).

M. Confidentiality.

(1) No foster family shall directly or indirectly disclose any information regarding foster children, their biological families/relatives or other individuals who have had control of the foster children, other than to professionals treating, caring and providing services for the child or others as SCDSS or the licensed child placing agency deems appropriate.

(2) Information that is disclosed shall be limited to information that is necessary to provide for the child's needs and in their best interest.

N. Prior Regulations Repealed.

All regulations concerning foster family homes previously promulgated by the agency are hereby repealed, including: Regulations 114-550 (Vol. 27).

O. Regulations Review.

These regulations are to be evaluated at a minimum, every five (5) years from the date of initiation, to assess the need for revision.

Fiscal Impact Statement:

The South Carolina Department of Social Services estimates there will not be any additional costs incurred by the State and its political subdivisions in complying with the proposed regulation.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: The Licensure for Foster Care regulations establish revised procedures for South Carolina Department of Social Services and other child placing agencies engaged in the practice of studying applicants for foster family care.

Purpose: This regulation will govern the licensure requirements, standards of care expected, and licensing parameters pertaining to foster families in South Carolina.

Legal Authority: Sections 20-7-2250 and 43-1-80 (Supp. 2000) of the South Carolina Code of Laws.

Plan for Implementation: The South Carolina Department of Social Services Division of Human Services will be coordinating implementation of needed changes internally in conjunction with the Staff, Development and Training Division and the Office of County Operations. In addition, the agency will coordinate with, and provide ongoing training for, staff of other child placing agencies.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: This regulation establishes the administration and process for licensure of foster families in South Carolina by authority of Sections 20-7-2250 and 43-1-80 (Supp. 2000) of the South Carolina Code of Laws.

DETERMINATION OF COSTS AND BENEFITS: No additional costs will be incurred.

UNCERTAINTIES OF ESTIMATES: None

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH: None

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: None

Referenced Documents**Revision Comments**

