



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

How States are Implementing the Fostering Connections Act

South Carolina's At-risk Children

In the state fiscal year (SFY) 2008, South Carolina Department of Social Services (SCDSS) investigated over 18,500 reports of child abuse and 39 percent of these were substantiated. At any point in time, approximately 13,000 children received child protective services and 5,400 were in out-of-home care. Approximately 30 percent or 1,500 of these are therapeutic placements.¹ South Carolina currently has approximately 1,700 children in foster care with a plan of adoption. During the last fiscal year, approximately 4,000 children entered foster care and an equal number exited care. As of December 2008, 76.31 percent of foster care children left care for the purposes of reunification. In 2008, South Carolina had a slight decrease in the number of children in foster care. The reason for this decrease is being analyzed, but it is most likely due to the record number of adoptions for SCDSS (515) during the past fiscal year. If the decrease is due to adoptions, no savings will be reflected in the State budget as the adoption subsidy payments would neutralize any savings in foster care payments.²

US Census Bureau 2008 estimates indicate that South Carolina has had a significant population growth rate of 12 percent since the 2000 Census. The Census Bureau's 2007 American Community Survey showed 15 percent or 642,000 of South Carolina's population falls below the poverty guidelines (ranking 12th in the nation). Growth rate analysis reveals significant disparities across counties and sub-populations. Poverty ranges from a high of 37 percent in Allendale County (one of the most rural counties) to 10 percent in Beaufort (one of the coastal counties). The poverty rate for whites was 10 percent compared to 28 percent for African Americans. African American female poverty rates are higher at 31 percent. Children suffer even more. African American female children under 5 years of age had a poverty rate of 47 percent.³

The Census Bureau's latest population estimate showed that the state's racial distribution was 69 percent white and 29 percent African American. For SFY 08, 47.5 percent of children in foster care were African American while 46.5 percent were white.

Because of yet another economic recession and resulting agency budget cuts, starting in 2008, the SSDSS has been reducing or eliminating service contracts and has begun replacing vacant caseworker positions only in offices with the most critical needs. Unfortunately, the current economic downturn will continue to affect service delivery despite the agency's best intentions. There is a statewide hiring freeze for all Department of Social Services staff and a five day furlough for the managers.

P.L. 110-351 State Options⁴

Currently, South Carolina does not have a kinship guardianship program. Kinship homes are licensed as foster homes or supported through TANF. Non safety issues are waived. Only 5 percent of foster parents are kin. Many kin do not want the state involved in their lives but want to care for the child. This has impacted the federal re-entry standard as after kin opt out of the state program, they find they need supports to provide for the child and the child comes back into care. South Carolina conducted a cost benefit analysis to determine if it is fiscally feasible for the state to implement.

Guardianship Assistance Program (GAP) in the current economic climate. The first eighteen months of costs are estimated to be about \$200,000 and the program would impact approximately 400 children. This cost does not include the non recurring cost of \$1,500 per case to cover processing costs such as attorney fees. After the 18 month startup the cost would be neutral to the state.

The **supports to eligible young adults aged 19, 20, or 21** will definitely be implemented. South Carolina has a long tradition of recognizing the need of this population for transitional support. State dollars have been used to support about 500 youth over 18 every year and federal assistance will be a welcome supplement. If the youth have to be in state custody or in a licensed setting as required currently for IV-E eligibility, this could be a stumbling block. In this regard, the Administration for Children and Families (ACF) program instructions will be critical. At age 18 youths must sign a voluntary agreement to continue to receive support services as technically they are adults. Youth between ages 18 and 21 who choose to exit the state program can come back within a year and will receive services, but again must sign a voluntary agreement with the state. South Carolina was one of the first states to provide Medicaid for former foster care youths to age 21. Adult Services program is available to vulnerable adults who have been abused or neglected. Generally this program serves the elderly. However, South Carolina has noticed a trend of former foster care youths with severe emotional or physical disabilities who need additional preventive services. Currently, South Carolina is meeting with the Department of Health and Human Services for a possible program for young vulnerable adults over the age of 21.

Implementation of **the support eligible youth who exit care to guardianship or adoption after age 16** option will also depend on a cost-benefit analysis. The current adoptions subsidy supports approximately 4500 children. South Carolina is considering the economic impact of chosen this option.

South Carolina Tribes

The Catawba Nation is the only federally recognized tribe in South Carolina. The tribe has a cooperative agreement with the state and has the option of assuming jurisdiction of children in need or placement or allowing the state to place. There are very few tribal children in state custody. The tribe is considering operating a foster care placement (foster homes and residential settings) program.

P.L. 110-351 Mandatory Provisions

South Carolina has not requested ACF delay any of the mandatory provisions. No regulations that would require state law change are anticipated. Changes as necessary will be made in the State Plan.

Relative notification of placement is embedded in case practice in South Carolina. SCDSS employees are required to search for appropriate relatives through due diligence search efforts. The South Carolina statute allows for kinship care. The statute provides that information such as placement and licensing options should be provided to relatives. Policy will be implemented to ensure staff will send out the thirty day notification as required under the act.

Educational stability requirements in the state meet the federal guidelines. State level meetings are under way with the Department of Education to ensure that what is in policy and statute is implemented.

Health oversight and coordination plans are being developed to include review of health care passports, medically fragile foster homes, and current review of health care services for foster care children to include the use of psychotropic medications. SCDSS and the South Carolina Department of Health and Human Services (Medicaid Agency) are working cooperatively to provide the necessary medical services for children in foster care. The Foster Care – Medical Home Collaborative was started in 2009 as the result of a three year grant from the Duke Endowment and Kate B. Reynolds Foundation.

Sibling connections policies are in place. Foster Care and adoption policies require that siblings be placed together whenever possible. Within 30 days of siblings being placed separately, a staffing must be conducted to develop a plan for reunification if appropriate. If siblings are separated, arrangements must be made for visits and/or contacts if it is in the children's best interest. South Carolina conducts local qualitative reviews of the counties. Sibling placement is one of the items that are a subject of the case review process. In FY 2008 eighteen counties were reviewed. The average score for the counties in this measure was 85 percent.

Transition plans for children aging out of foster care is a strong suit for South Carolina. Child welfare funds are blended with housing authority program funds to cover transitional housing costs and provide services, which include educational services, employment assistance and therapeutic counseling. Planning is in place at least six months prior to the youth's eighteenth birthday. Waiting until ninety days prior to exiting care does not allow sufficient time for adequate planning. South Carolina will be implementing policy to insure that a transitional planning meeting, though not the first one, takes place in compliance with the federal timeframe. Independent living services are initiated at age 13.

Family Connections Grants

The state has met with several independent groups that may be interested in applying for a Family Connection Grant. Application(s) will depend on the options when the ACF posts program instructions and the request for proposals.

South Carolina collaborates with child support for intensive family finding as a part of the on-going due diligent search requirements. The array of substance abuse treatment varies across the state. There are some drug treatment programs that place the mother and child together.

South Carolina is the recipient of support from Casey Family Programs. There are plans to implement a family engagement model in ten out of the 46 counties. The majority of the counties use some form of family meetings to engage families at the initial investigation or upon a child's entry into foster care.

Opportunities & Challenges

The opportunities and challenges of this legislation are largely dependent on the ACF final rule and the state budget. Resources are an issue. For example, to move children to timely permanency and reduce delays due to court continuance, South Carolina needs legal resources: more judges, lawyers and support staff for children's legal representatives. Delays and continuances make it less likely that a child will be returned home or exit foster care via adoption.

Conclusion

Though South Carolina has all the mandatory provisions and other innovative programs in place, sustainability is an issue in the current economic climate. For example, family group conferencing requires full time employees. Ensuring that supervisors do not carry a case load is an issue given the hiring freeze and potential lay offs.

¹ Conference with Mary Williams, Director, Division of Program Improvement, South Carolina Department of Social Services on April 3, 2009.

² Conference with Mary Williams, Director, Division of Program Improvement, South Carolina Department of Social Services on April 3, 2009.

³ American Community Survey, Population Estimates, United States Census Bureau.

⁴ Conference with Mary Williams, Director, Division of Program Improvement, South Carolina Department of Social Services on April 3, 2009.