South Carolina Department of Children's Advocacy

2021 Annual Report

South Carolina Department of
CHILDREN'S ADVOCACY
Advocacy. Accountability. Service.

South Carolina Department of Children's Advocacy

Broad Vision for Reform
Regarding Services Provided for Children by Child-Serving Agencies

Access and awareness of an array of services that allow children to safely remain in their homes and communities or in the least restrictive, most family-like setting based upon their needs

•

Coordination of services and efforts for a system of care grounded in urgency, empathy and sustainability

•

Continued collaboration with child wellbeing partners regarding communication, service coordination, and planning strategies to improve the timeliness of court hearings and outcomes for children

Mission:

The Department of Children's Advocacy champions advocacy, accountability, and service to improve outcomes for children served by state agencies in South Carolina.

Vision:

Growing a community where children thrive.

South Carolina Department of CHILDREN'S ADVOCACY
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A MESSAGE FROM THE STATE CHILD ADVOCATE AND EXECUTIVE DIRECTOR

To the Governor, President of the Senate, Speaker of the House of Representatives, and Joint Citizens and Legislative Committee on Children:

I have prepared and am submitting to you the Department of Children's Advocacy's 2021 Annual Report pursuant to S.C. Code of Laws Ann. Section 63-11-2270(7).

The Department of Children's Advocacy (DCA) began on July 1, 2019 pursuant to Act No. 160 (S. 805) which was signed into law on May 3, 2018. I was appointed by Governor Henry McMaster on June 3, 2019 to serve as the State Child Advocate and Executive Director of the Department of Children's Advocacy.

We have focused on integrating new statutory requirements into the existing child-serving system; building and strengthening the Agency's infrastructure; and creating and promoting a broad vision of reform regarding services provided to children by state agencies.

During 2021, the S.C. Department of Children's Advocacy (DCA) continued to establish capacity to fulfill its statutory obligations and focused more comprehensively on system improvement, specifically concerning suicide prevention; obtaining appropriate placement and services for justice-involved, seriously mentally ill youth; addressing the immediate needs of youth who are detained at DJJ facilities, specifically the Laurel and Evergreen units; and coordinating services to eliminate the agency silos that can preclude access and delivery of services to children and families. DCA is part of the system of care that serves children and strives to not only identify areas which need improvement but also to be a leader and a partner in collaboration, coordination, and communication toward sustainable transformation of the child and family wellbeing system.

DCA operated successfully within its budget and with a Continuing Resolution during FY22. DCA has worked with other agencies, including DHHS, DMH, DJJ and DSS to optimize funding opportunities and has submitted a budget request for FY23 to align with the agency's needs and statutory requirements.

Thank you for the opportunity to serve as South Carolina's first State Child Advocate and Director of the Department of Children's Advocacy. Please do not hesitate to contact me if you would like additional additional information regarding our agency.

South Carolina Department of CHILDREN'S ADVOCACY
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Respectfully submitted,

Amanda F. Whittle, J.D., CWLS
State Child Advocate and Director

DEPARTMENT OF CHILDREN'S ADVOCACY

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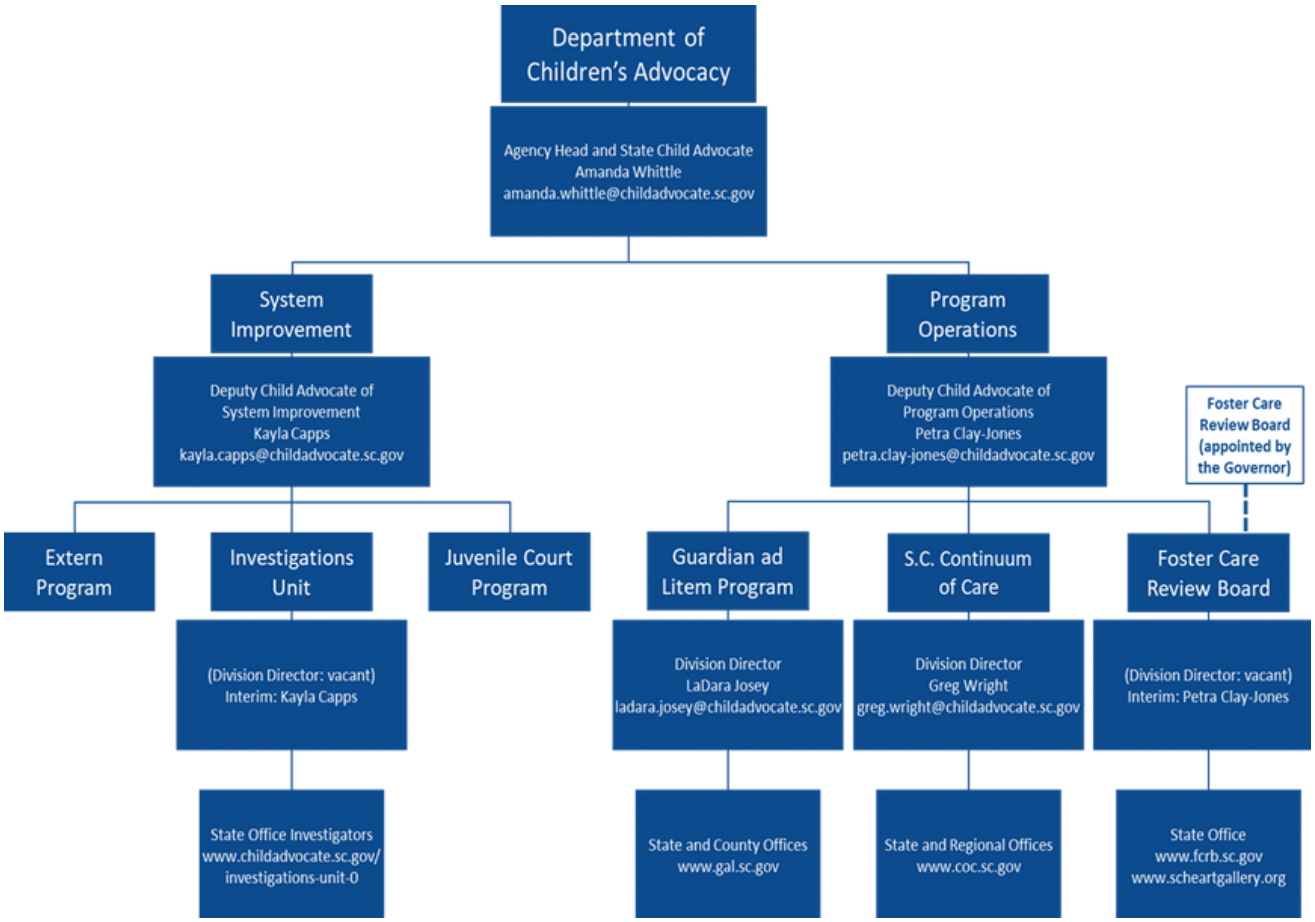
DEPARTMENT OF CHILDREN'S ADVOCACY

Agency Structure and Organizational Chart

The Department of Children's Advocacy (DCA) consists of approximately 180 full-time employees, 200 legislatively-appointed Foster Care Review Board local board members, a Gubernatorial-appointed Foster Care Review Board state board consisting of 7 members; and approximately 1780 volunteer Guardians ad litem. The organizational chart does not show DCA's shared services through the Department of Administration (Admin). DCA receives administrative support through Admin for financial accounting, human resources, information technology, procurement and logistical support pursuant to S.C. Code of Laws Ann. Section 63-11-2215. The support from Admin's shared services in HR, Procurement, Finance, Budget, and IT continues to be significant to DCA.

In 2021, the agency's organizational structure was modified to display the the agency's relationship with the Foster Care Review Board and to add the Extern Program and the Juvenile Court Program. The most significant change to the agency's organizational structure was the re-designation from Deputy Child Advocate of Investigations to Deputy Child Advocate of System Improvement. This change aligns with the agency's statutory duty to create and promote a broad vision for reform and with the agency's mission and vision.



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DEPARTMENT OF CHILDREN'S ADVOCACY

Budget

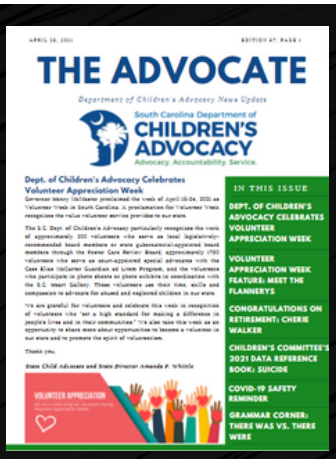
The Department of Children's Advocacy (DCA) has used existing funding with no additional state-allocations since its creation in 2019. The Department of Children's Advocacy (DCA) has successfully operated within its budget and has worked with other agencies to optimize funding opportunities.

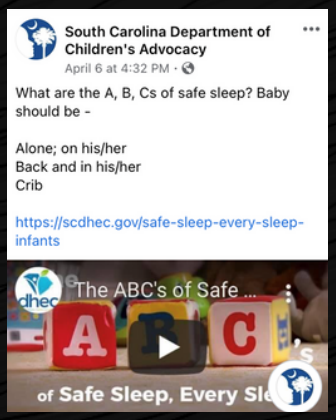
DCA's first budget submission for FY21 was submitted in September of 2019 and included a request for $2.6 million in recurring state dollars to support the ongoing work of Continuum of Care. Due to the COVID-19 emergency proclamation, state agencies operated pursuant to a Continuing Resolution into FY21, and no additional budget request was submitted for FY22.

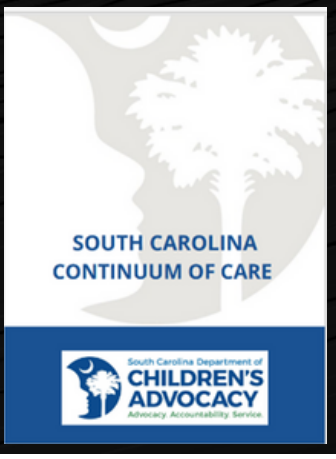
DCA has maximized funding opportunities including the submission of two successful grant applications in 2021 and CARES Act reimbursement submissions. The Agency's total FY2020-2021 budget was $19,461,550 of which $7,982,182 were general funds. In addition, the General Assembly authorized pass-through funding for Children's Trust and S.C. Network of Children's Advocacy Centers after hearing testimony at DCA's budget hearings and reviewing documents pertaining to the pass-through funding. DCA submitted the following FY23 budget request in September 2021:

Funding Type	Funding Amount	Funding Purpose
Recurring: Investigations Unit Infrastructure	$200,000	To fully staff the Department of Children's Advocacy's Administration and System Improvement Unit. Projections for DCA's FY22 Administration budget are (33,432) based on current spending.
Recurring: Continuum of Care Transfer Alignment	$400,000	To offset the elimination of a $400,000 transfer to Continuum of Care from DMH pursuant to Proviso 35.1 which has been in effect for approximately twenty years
Non-Recurring: Foster Care Review Advocacy Upgrade	$150,000	To support a case management system that drives action and advocacy for children in foster care.
Recurring: Foster Care Review Board Advocacy Upgrade	$200,000	To support staff capacity and training regarding the reviews of children in foster care
Non-Recurring: Administration Communications	$ 25,000	To support Agency visibility and staff training, development, onboarding, and continuous quality improvement

DEPARTMENT OF CHILDREN'S ADVOCACY







Communications Summary

Weekly internal newsletter: The Department of Children's Advocacy began publishing *The Advocate*, a weekly internal newsletter for employees and volunteers, in March of 2020. The internal newsletter continued during 2021, transitioning to a twice-monthly publication in June of 2021 for the agency's approximately 200 employees and 2000 volunteers. Through 2021, 77 editions of *The Advocate* have been published.

Monthly partner update: In January 2021, DCA began publishing its *Monthly Update* in addition to the internal agency newsletter. The *Monthly Update* was disseminated to other agencies, legislators, organizations, and statewide advocates. Through December, twelve (12) editions of the *Monthly Update* have been published.

Website: In 2021, the Agency's website was reconfigured to add the Resource Library as well as the Agency's *Monthly Update* publications. The website was also upgraded to include availability in both English and Spanish.

Social media: DCA launched FaceBook and Twitter (@ChildAdvocateSC) accounts on March 17, 2020. At the end of 2021, DCA's Facebook page had 871 followers and Twitter had 232 followers. DCA's newsletters are distributed to more than 2500 people each month. DCA's social media, newsletters, and website have increased the agency's ability to share information about safe sleep awareness, suicide prevention, resource access, child abuse prevention and reporting, and public health matters with a larger audience and to connect with other people and agencies even amidst an unprecedented health pandemic.

Signage: DCA created agency-branded designs for signage for its approximately-fifty state and local offices. The agency has central offices in Columbia in addition to 28 county Guardian ad Litem offices, 4 regional Continuum of Care offices, and 14 county Continuum of Care offices.

Additional communication: During 2021, DCA also designed and disseminated Investigations Unit posters (see more on page 24), multi-agency Safe Sleep Awareness posters (see poster on page 33), and an agency brochure. DCA participated in media interviews and other meetings and presentations as summarized on page 45.

DEPARTMENT OF CHILDREN'S ADVOCACY

Employee Appreciation Day 2021

During a virtual employee celebration ceremony on Friday, May 21, 2021, Governor Henry D. McMaster addressed the Department of Children's Advocacy through a prerecorded message. In addition to family members of Estelle Stevenson who was recognized for 20 years of state service, approximately 100 DCA employees attended the event via Webex. Department of Children's Advocacy employees were recognized for reaching state service milestones of five and ten years.

5 years of state service:

Darius Brown; Samantha Furr; Shenita Hamilton; Joy Hansen; Leslie Johnson; Ja'Nae Middleton, Kate Nelson, Margaret Anna Ponds; Alexis Rodgers; Sarah Schultz; and *Christine South*

10 years of state service:

Elizabeth Bryant; Evelyn Dennis; and Kimberly Ransom-Adams

20 years of state service:

Estelle Stevenson

In his message, Governor McMaster thanked South Carolina state employees and specifically recognized the Department of Children's Advocacy. The S.C. Department of Children's Advocacy appreciates Governor McMaster's encouraging message for our staff and for all state employees.

"Since your start [on July 1, 2019], the Department of Children's Advocacy has played a critical role for our children. Through advocacy, accountability and service, your agency ensures that children across our state receive the proper care and protection they need from services offered by the state. You perform your duties with commitment, compassion and professionalism. South Carolina is grateful for and proud of your service. To each of you in the Department of Children's Advocacy, I say, *thank you*."

~ Governor Henry D. McMaster

DEPARTMENT OF CHILDREN'S ADVOCACY

SOUTH CAROLINA continuum of care

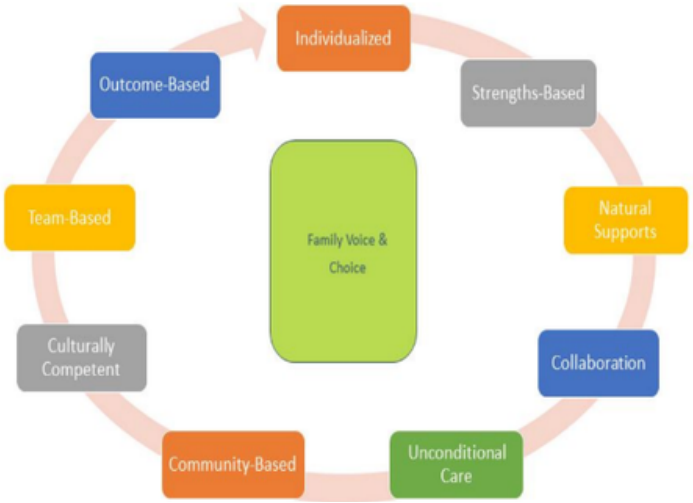
S.C. Code of Laws Ann. Section 63-11-1310, et.seq.

Effective July 1, 2019, the Department of Children's Advocacy administers the S.C. Continuum of Care. Continuum of Care was established by the Legislature in 1983 to develop and enhance the delivery of services to children and youth with severe emotional and behavioral needs and to ensure that the special needs of this population are met appropriately to the extent possible within South Carolina. Continuum of Care serves children with serious emotional, behavioral, and psychiatric issues whose families need help keeping them in their home, school or community.

Continuum of Care uses High Fidelity Wraparound to provide evidence-based intensive care coordination for children and families. Continuum of Care is the only state program that provides High Fidelity Wraparound as part of the system of care. High Fidelity Wraparound incorporates an assessment to measure outcomes.

Continuum of Care has used a Child Adolescent Functional Assessment Score (CAFAS), which is referred to as the acronym CAFAS, to measure how children function in daily life activities and to assess impairment of children and adolescents who have been or who are at risk for emotional, behavioral, substance abuse, psychiatric or psychological problems. Youth are assessed at the beginning of the program and then reassessed every 90 days while enrolled in the program to monitor progress. Continuum of Care's High Fidelity Wraparound model is grounded in a strengths perspective, driven by underlying needs, determined by the family, and supported by an effective team process. Youth who complete Continuum of Care's program experience successful outcomes as evidenced by significantly improved Child Adolescent Functional Assessment Scale Score (CAFAS). For example, if the youth scores 100 at the beginning of care coordination, the goal is that the youth's score would be reduced to 70 or less after receiving COC services.

Ten Principles of High Fidelity Wraparound



A 30 point improvement in a CAFAS score is a significant improvement, and CAFAS scores of 100 or less, in addition to a team decision, indicate that continued care coordination is no longer needed. These two charts show the reduction in CAFAS scores among children being served in the state's four regions. The first chart shows scores as of January 24, 2020 with a median average of a 58-point improvement. The second chart shows scores as of December 31, 2020 with a median average of a 38-point improvement.

Served Youth Medians

Region	Baseline Scores	Most Recent CAFAS	Difference
A	140	80	60
B	140	90	50
C	140	70	70
D	160	110	50

Data from Fidelity Electronic Health Record (EHR) 1/14/2020

Regional CAFAS Scores

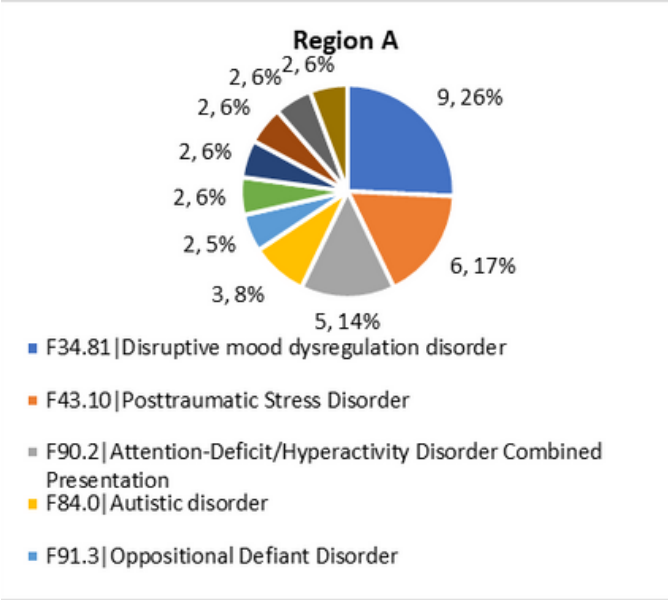
Region	Baseline Scores	Most Recent CAFAS	Difference	Percentage of Change
A	140	90	50	-36%
B	140	120	20	-14%
C	150	120	30	-20%
D	140	90	50	-36%
Total Agency Average of Difference			38	

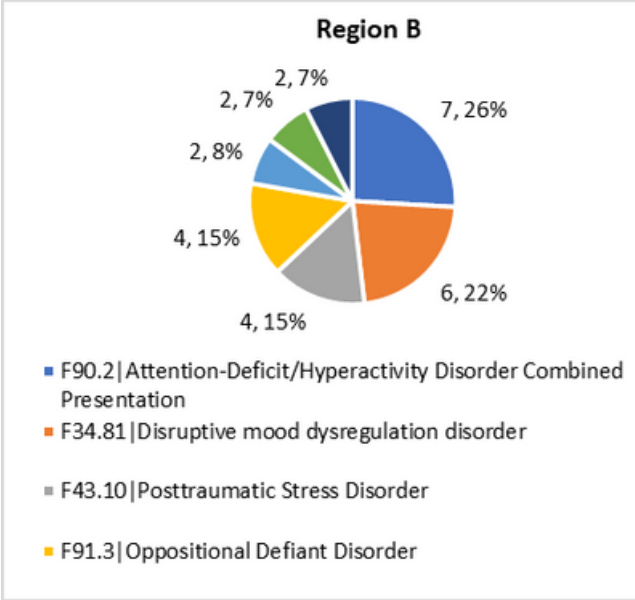
Data from Fidelity Electronic Health Record (EHR) 12/31/2020

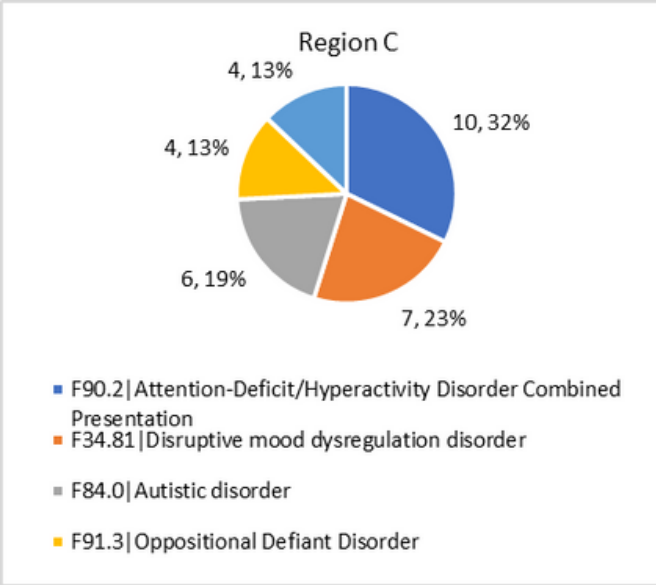
A child's improvement is the single-most important goal of the Department of Children's Advocacy. Continuum of Care's ability to objectively measure a youth's improvement is fundamental to the effectiveness of COC's model and professionals. DCA's Annual Accountability Report included an accountability goal for Continuum of Care's to have an average 30-point reduction in the youth's baseline crisis score as a measure of the efficacy of Continuum of Care's services.

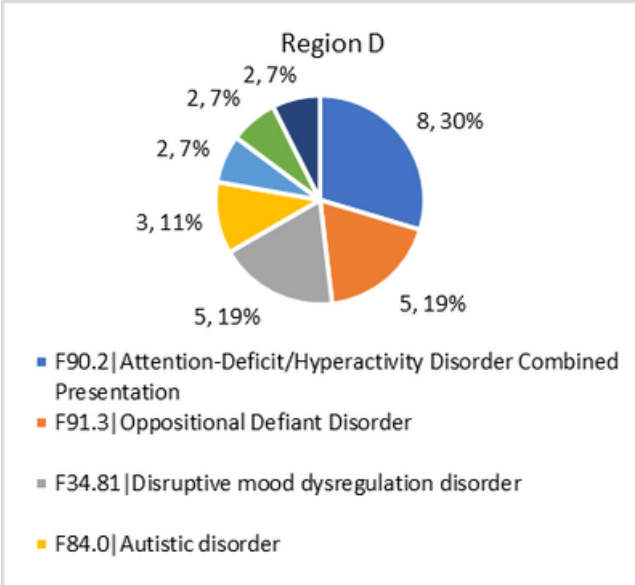
From July 1, 2020 through June 30, 2021, the average difference between baseline and current scores was 25. Region A (Baseline:140- Recent Score:100); Region B (Baseline: 130-Recent score:120); Region C (Baseline:150-Recent score:120); and Region D (Baseline: 140-Recent score:120). These scores indicated that youth were getting better, but the annual accountability goal was not met during the fiscal year. This could be attributed to the impact of COVID-19 and the dynamics associated with implementing High Fidelity Wraparound. Continuum of Care continues to track and review youths' improvement and survey families concerning their satisfaction with the services provided through High Fidelity Wraparound.

In FY21, Continuum of Care was approved by Centers for Medicare and Medicaid Services (CMS) as the provider for intensive care coordination through a 1915(C) Medicaid Waiver. The following charts show the most prevalent diagnoses in children and youth who are being served through Continuum of Care.









Serving youth and families in a way that promotes youth safely remaining in their homes and communities reduces the likelihood of foster care entry, juvenile justice involvement, and trauma for children and adolescents.

The Waiver allows Continuum of Care to serve up to 250 children during the second year of the waiver. Serving youth and families in a way that promotes youth safely remaining in their homes and communities reduces foster care entry, juvenile justice involvement, and trauma for youth and families. As part of the FY22 Annual Accountability Report goals, Continuum of Care has committed to increase enrollment from 150 youth to 250 youth by June 30, 2022. Continuum of Care also seeks to develop processes to provide excellent customer service through measuring customer satisfaction and establishing a customer feedback process which guides service improvements. COC's FY21 goal for this measurement was 97%, and the average percentage across the regions was 72.1% as of June 30, 2021. This goal is included in the FY22 accountability measures, and, in latter 2021, Continuum of Care staff were recognized for receiving positive comments from parents and guardians:

Feedback from Parents and Guardians

FOR CONTINUUM OF CARE

- "Shirley Floyd is always there to listen when we have issues."
- "Kate Nelson and Angela Chandler treat children and grandparents with respect."
- "Wraparound has been excellent. [It is wonderful] when someone is there for you that helps."
- "Ms. Angela Chandler is very helpful and a wonderful person."
- "Greatly appreciate the program and Mr. Michael Walker."
- "Lasaundra Barron - she is wonderful."
- "Very appreciate of the wraparound program…Ms. Joyel Thomas is a great help."
- "Leslie Johnson and Joyel Thomas have been amazing in their roles with our wraparound facilitation."
- "Lasaundra Barron has been great."
- "I love Ja'Nae Middleton! She is always responsive when I need her."
- "Rhonda Durst has been very helpful with collaborating with other service providers. She is persistent in helping us navigate through the system."

SOUTH CAROLINA continuum of care

Anticipated Legislative Recommendations Pertaining to Continuum of Care

These are division-specific statutes for which the Department of Children's Advocacy has identified for possible modification::

1. **S.C. Code of Laws Ann. Section 63-11-1360** requires Continuum of Care to submit an annual report to the Governor and General Assembly on its activities and recommendations for changes and improvements in the delivery of services by public agencies serving children. It appears that nine annual reports were filed between 1985 and 1994, and no reports have been filed since 1994. DCA requests that this report satisfy the statutory requirement for Continuum of Care's annual report.

2. **S.C. Code of Laws Ann. Section 63-11-1510** establishes the Interagency System of Caring for Emotionally Disturbed Children (ISCEDC). This statute established ISCEDC as "an integrated system of care to be developed by the Continuum of Care for Emotionally Disturbed Children within the Department of Children's Advocacy, the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health, and the Department of Social Services to be implemented by November 1, 1994. The goal of the system is to implement South Carolina's Families First Policy and to support children in a manner that enables them to function in a community setting. The system shall provide assessment and evaluation procedures to insure a proper service plan and placement for each child. This system must have as a key component the clear identification of the agency accountable for monitoring on a regular basis each child's care plan and procedures to evaluate and certify the programs offered by providers." ISCEDC has operated as an interagency staffing process to establish level of care to make placement decisions and assign lead agency responsibilities.

When the statute was originally enacted, Continuum of Care was involved with all children who were diagnosed with behavioral and emotional issues, but, in approximately 2000, Continuum of Care's staff and resources were divided into two cohorts of children and youth - youth in the custody of their parents (for whom Continuum of Care continued to offer intensive care coordination) and youth who were in DSS's custody (for whom DSS's Managed Treatment Services (MTS) division, subsequently known as Intensive Foster Care and Clinical Services (IFCCS), provided services). Continuum of Care has not been involved in making placement decisions for foster care youth since that time. Based upon the Family First Prevention Services Act (FFPSA), the 1915(C) waiver, the fact that there is no longer an IFCCS designation for DSS case managers, and the renewed momentum for agency coordination and collaboration particularly concerning youth with higher intensity of need, DCA is continuing to review the ISCEDC statute and whether it should be modified based on changes that have occurred within the child-serving agencies since ISCEDC was initially established in 1994.

3. **S.C. Code of Laws Ann. 63-11-1340** states, "The State Child Advocate may appoint a Director of the Continuum of Care to serve at his pleasure." There are four Division Directors within the Department of Children's Advocacy, and there are two Deputy Directors. The Deputy Directors are at-will employees, and it may be more appropriate to change the statutory at-will description of the Continuum of Care Director.

DEPARTMENT OF CHILDREN'S ADVOCACY

SOUTH CAROLINA DIVISION OF FOSTER CARE REVIEW

S.C. Code of Laws Ann. Section 63-11-700, et.seq.

Effective July 1, 2019, the Department of Children's Advocacy administers the Division for Review of the Foster Care of Children (DRFCC, hereinafter referred to as the Foster Care Review Division) which was created in 1974 to provide support for the Foster Care Review Board.

The mission of the South Carolina Foster Care Review Board is to provide external accountability for the foster care system and to advocate on behalf of children in foster care. South Carolina was the first state to enact a Foster Care Review Board (FCRB) to review the permanency of children in foster care. The FCRB consists of a State Board and 45 active local review boards. The FCRB, through their local review boards, begins reviewing the cases of children after children have been in foster care for six months and then reviews the child's case every six months thereafter while the child is in the custody of the Department of Social Services.

Trainings

During 2021, the Foster Care Review Division hosted four regional trainings on 1/8/2021; 1/25/2021; 2/8/2021; and 2/26/2021 and one statewide training on 4/30/2021 to provide an opportunity for board members and staff to learn about relevant legislative and caselaw updates in addition to strengthen ongoing mission objectives and focus. The statewide training was the Division's Annual Professional Development Day which was held virtually and included more than 100 participants.

Foster Care Review Division staff participated in four Joint Collaboration and Education Sessions in March and April of 2021. During these meetings, Foster Care Review, Department of Social Services, Guardian ad Litem Program, and Richland County CASA staff and volunteers in each region selected one family, and used non-identifying information to share how they jointly and collaboratively worked to advocate for positive outcomes.

DSS leadership met with Foster Care Review Division staff in the Summer of 2021 to discuss how the Family First Prevention Services Act will affect FCRB's reviews and recommendations regarding Qualified Residential Treatment Providers (QRTPs), and Foster Care Review Division staff continued to host and lead orientation trainings for newly-appointed board members.

Remote Reviews

The remote live process which began in late September, 2020 continued throughout 2021. This process mirrors the FCRB's in-person process and is possible as a result of the additional technology that was acquired for the Foster Care Review Division staff in 2020.

During 2021, the Foster Care Review Division continued to work on improvements to the process as issues arose. The Department of Children's Advocacy surveyed Board members regarding their observations and recommendations for improvements, and many requested that in-person reviews resume with a hybrid option for individuals who are not able to attend in person. The remote process provides greater access to some families who may have attendance barriers related to work, childcare, and travel.

FCRB's case reviews include approximately twelve people per case including, depending on the case, members of the local Foster Care Review Board, the Foster Care Review Division staff, biological parents and their attorneys, DSS case manager and supervisor, Guardian ad Litem, foster parents and the child. These meetings have traditionally been held at local DSS offices.

Department of Children's Advocacy leadership has regularly communicated with Department of Social Services leadership regarding the feasibility of convening quality reviews that are safe for attendees. New cases and percent positive reached an all-time high in January of 2021 with 4986 new cases and a percent positive of 41.8% on January 8, 2021. The number of new cases and percent positive declined in the Spring and early Summer of 2021, rose again in August, declined in October, and sharply rose in December of 2021. On December 31, 2021, SCDHEC reported 8,882 additional cases (6,319 confirmed and 2,563 probable) of COVID-19 which surpassed the previous record of 7,686 cases reported on Jan. 6, 2021 A state of emergency was declared at DJJ (see here) due to the rate of infection in December 2021, and DCA continues to balance the need to resume in-person meetings with the need to do our part in reducing disease spread among our co-workers, the children and families we serve, and other staff and personnel with whom we have regular contact.

Suicide Prevention Advocacy

Dr. Liyun Zhang, Research Scientist with the Children's Law Center, provided an informational briefing regarding the Children's Committee's 2021 Data Reference Book. The research showed that suicide rose to the #1 position as the leading cause of death for children in both the 10-14 and 15-17 age groups. The Department of Children's Advocacy appreciates the online suicide prevention training which all staff completed in 2020 and which was thereafter made available to FCRB board members and volunteer Guardians ad LItem through the Department of Mental Health's Office of Suicide Prevention. DCA staff continues to work with board members and volunteers to assist them with accessing and successfully completing the training to raise awareness and promote prevention regarding suicide.

Office of Inspector General Efficiency Study

Department of Children's Advocacy Director Amanda Whittle requested an efficiency study from the Office of Inspector General to assist with improving processes, workflows, workloads, and outcomes and to provide insight for recruiting, hiring and onboarding a new Foster Care Review Division Director. Many of the Inspector General's recommendations aligned with DCA leadership's improvement initiatives, and the following are in progress:

1. **Submission of a budget request to obtain funding to replace the current data system**

The Foster Care Review Division is committed to monitoring and reporting progress quarterly and annually in achieving permanent plans for children in foster care through an external system of accountability and advocacy. The division currently uses a case management and database system that was created more than 16 years ago and was intended to be temporary. The number of children who are reviewed by FCRB has increased by about 33% during this period of time, and permanency has slowed as a result of the pandemic. The COVID-19 pandemic has magnified the data system's inability to be flexible and productive. The Department of Children's Advocacy has requested funding for a FCRB Advocacy Upgrade to support procuring a case management system that moves away from merely capturing and reporting aggregate data to a system that drives action and advocacy for children in foster care.

2. **Providing Executive Director approval to existing or updated policies**

Foster Care Review staff and board members have policies and procedures which existed prior to the creation of the Department of Children's Advocacy. Foster Care Review leadership will continue to work with DCA leadership to review and provide recommendations for updates for the policies and for consideration and approval by the Foster Care Review Division Director and DCA's Executive Director.

3. **Addressing board vacancies**

During 2021, Director Whittle worked with Foster Care Review Division, legislators and the Governor's office to address the large number of board vacancies on the state and local Foster Care Review Boards by working directly with the Governor's office and with local legislative delegations to assume a more intentional role in communicating about filling vacancies. It is anticipated that all State Board seats will be appointed when the Legislative session resumes, As of September 2021, there were 56 review board vacancies, and, between May 2021 and December 2021, 19 new review board members were appointed.

4. **Clarifying the names and roles of the Foster Care Review Division and Board**

The name "Division of Review of Foster Care Children" was established by statute for the DCA staff who support the Foster Care Review Board, but, for years, both the division and the board have been referred to as "Foster Care Review Board." Efforts are underway to explain and communicate the distinction between the division and the board while not creating confusion. "Division for Review of Foster Care of Children" has been abbreviated to "Foster Care Review Division" or "Foster Care Review" in this report.

Department of Children's Advocacy's Survey

After gaining the perspective of an external review through the Office of Inspector General, the Department of Children's Advocacy prepared and disseminated surveys to Foster Care Review Board members and Foster Care Review Division staff to elicit their observations and recommendations. DCA leadership reviewed the responses with the Foster Care Review Board's State Board, and the State Board incorporated board members' responses in making recommendations in their annual report which can be viewed here.

House Legislative Oversight Committee | LAC Audit

During 2021, members of the House Legislative Oversight Committee requested the S.C. Legislative Audit Council to conduct an audit of South Carolina boards, commissions, councils, and committees. The LAC requested data and other information to improve the process of filling vacancies on boards. The Department of Children's Advocacy worked with Foster Care Review Division staff to gather and provide historical and current data and process information pertaining to the state and local Foster Care Review Boards. The packet of information was timely submitted to the Legislative Audit Council in September of 2021.

S.C. Heart Gallery

In July of 2008, the South Carolina Heart Gallery became a program of the Foster Care Review Board through a contract with the Department of Social Services. Over the years, this partnership has allowed Heart Gallery to expand and enhance adoption recruitment for children in foster care who are legally free and awaiting adoption.

Heart Gallery staff arranges photo sessions for children who are legally free for adoption. Heart Gallery staff recruits professional photographers to photograph legally free children at scenic locations throughout the state. During the COVID-19 pandemic, individual porch photo shoots have replaced traditional photo shoots that involved numerous children, photographers and volunteers.

The photographs are displayed on Heart Gallery's website and shared with other organizations. Heart Gallery also enlarges and frames the photos. Heart Gallery then contacts public spaces throughout the state to host an exhibit of the framed portraits in an effort to share information for the recruitment of adoptive families.

The Department of Children's Advocacy shares Heart Gallery children's photos and biographical summaries on its social media pages and in its newsletters in an effort to find forever homes for South Carolina's waiting children. Learn more here.

Anticipated Legislative Recommendations

There are division-specific statutes for which the Department of Children's Advocacy may seek amendment, and they are as follows:

1. **S.C. Code of Laws Ann. Section 63-11-700** creates the "Division for Review of the Foster Care of Children." This division has been known as and referred to as the "Foster Care Review Board," such that both the division and the board, which is also described in this and subsequent sections, are described interchangeably as "the Foster Care Review Board." Efforts need to be made to distinguish the division from the board, and to decrease confusion, the names should be similar. An appropriate change may be from "Division for Review of Foster Care of Children" to "Foster Care Review Division."

2. **S.C. Code of Laws Ann. Section 63-11-700, et.seq**. describes the roles of the Division for Review of the Foster Care of Children and the Foster Care Review Board. Consideration for modifying these statutes should be based on recommendations from the Legislative Audit Council's study regarding boards and commissions as well as observations from the Department of Children's Advocacy and other appropriate sources.

3. **S.C. Code of Laws Ann. Section 63-11-700(F)** states, "The Governor may employ a division director to serve at the Governor's pleasure who may be paid an annual salary to be determined by the Governor. The director may be removed pursuant to Section 1-3-240. The division director shall employ staff as is necessary to carry out this article, and the staff must be compensated in an amount and in a manner as may be determined by the Governor." Effective July 1, 2019, the Foster Care Review Board division became part of the Department of Children's Advocacy. Prior to that, FCRB was administered by the Department of Administration (Admin). Admin posted the FCRB Director's position and hired that individual, who was supervised as other FTEs within the agency. The FCRB division director has been similarly supervised by DCA. There are four Division Directors within the Department of Children's Advocacy, and there are two Deputy Directors. The Deputy Directors are at-will employees, and it would be appropriate to align the current statute regarding the division director with the DCA statute and organizational structure.

4. **S.C. Code of Laws Ann. Section 63-11-720** pertains to the review of children in foster care by the Foster Care Review Board. Consideration should be given to updating the statute to include kin, fictive kin, and qualified residential treatment programs (QRTPs).

DEPARTMENT OF CHILDREN'S ADVOCACY

GAL
Guardian ad Litem
FOR CHILDREN

CASS ELIAS McCARTER
GUARDIAN AD LITEM PROGRAM
SOUTH CAROLINA

S.C. Code of Laws Ann. Section 63-11-500, et.seq.

The Cass Elias McCarter Guardian ad Litem Program ("Guardian ad Litem Program") became a statewide system in 45 counties in 1984 to provide training and supervision to volunteers who serve as court-appointed special advocates for children in abuse and neglect proceedings within the family court pursuant to Section 63-7-1620. The Guardian ad Litem Program was named after Cass Elias McCarter, a volunteer who started the first Guardian ad Litem programs in South Carolina. The Guardian ad Litem Program is responsible for assigning a Guardian ad Litem to each child who is involved in a Department of Social Services abuse and neglect case in family court in all counties except Richland which is supported by county-operated Richland County Court-Appointed Special Advocates (CASA). As a result, Guardians ad Litem are assigned to children who are in foster care as well as children who are placed with their family or other adults through family preservation if there is a DSS legal proceeding in family court.

State of South Carolina

Governor's Proclamation

WHEREAS, America is blessed with millions of individuals of good will and good works who play significant roles in bringing positive change to the lives of others by their volunteer efforts; and

WHEREAS, through their generous donations of time, energy, talents, and resources, volunteers set a high standard for making a difference in people's lives and in their communities; and

WHEREAS, volunteers across the Palmetto State enhance our quality of life through their selfless service, including working to provide food, shelter, and other necessities for the disadvantaged, spending time with patients in hospitals, the homebound, seniors, veterans, and the lonely, and safeguarding the health and well-being of our children and vulnerable adults; and

WHEREAS, the observance of Volunteer Week offers a chance to thank the many volunteers throughout South Carolina and the nation whose work and compassion add so much to the quality of our lives while giving those who have never volunteered the opportunity to learn more about the many organizations that would benefit from their service.

NOW, THEREFORE, I, Henry McMaster, Governor of the great State of South Carolina, do hereby proclaim April 18 - 24, 2021, as

VOLUNTEER WEEK

throughout the state and encourage all South Carolinians to honor and show appreciation to volunteers across the state for their commitment to service and to help promote the spirit of volunteerism in our families and communities.

HENRY MCMASTER
GOVERNOR
STATE OF SOUTH CAROLINA

The operational model anticipates that all court-appointed Guardians ad Litem will be volunteer Guardians ad Litem who are recruited, trained, supervised, coached and supported by Guardian ad Litem staff. In FY20-21, the Guardian ad Litem Program served a total of 14,392 children. The program was serving an average of 8709 children monthly with 5163 being served by volunteers and 3546 being served by staff. During FY20, additional volunteer GALs were recruited and onboarded to increase the number of volunteer Guardians ad Litem for children from 51% to 59%.

Governor McMaster issued a proclamation to designate April 18-24, 2021 as Volunteer Week. This week recognizes volunteers including South Carolina's volunteer Guardians ad Litem who dedicate countless hours through training and service to make a difference in children's and families' lives.

DCA has committed to have enough volunteers to serve as Guardians ad Litem for all children by 2024. DCA's goal for its first year of operations was to increase coverage from 51% to 60%, and DCA increased coverage to 59%. The interim target for this fiscal year was 70%, and the GAL Program increased coverage to 61%.

In an effort to reach the interim measurements for the upcoming years and the ultimate FY24 goal of 100%, recruiter positions were developed in 2021. Two recruiters were hired in 2021, and additional recruiters will be hired and onboarded in FY22.

Recruitment of Volunteers to Serve as Guardians ad Litem			
Year	**Baseline**	**Goal**	**Actual Achieved**
FY20	51%	60%	59%
FY21	59%	70%	61%
FY22	61%	80%	to be determined
FY23	to be determined by the actual amount achieved in FY22	90%	to be determined
FY24	to be determined by the actual amount achieved in FY23	100%	to be determined

In recognition of the Guardian ad Litem Program's volunteer business model, the Department of Children's Advocacy developed a satisfaction survey for volunteers to complete in February of 2020, and volunteers were re-surveyed in February of 2021. The target was for 80% of volunteers to indicate they were satisfied with their work with the Cass Elias McCarter Guardian ad Litem Program.

"It's a sense of satisfaction that you were able to help the family improve and be reunified, be placed in good care (foster or kinship care), or adopted. I love to see how happy the children are to see their lives normalize."

~Elaine Flannery, volunteer Guardian ad Litem

"Since joining the GAL program, I have been amazed at the dedication and drive of the volunteers that give so freely of their time and energy to work passionately and diligently to ensure that the voice of the children in their counties is heard and that their unmet needs are being addressed."

~ Allen G. Mayer, Regional Administrator for Region 1
Cass Elias Guardian ad Litem Program

70% of the volunteers who responded expressed their overall satisfaction with the Guardian ad Litem Program in 2019, and 83% expressed overall satisfaction with the Program in 2020. For the success of the Guardian ad Litem Program, it is imperative to have volunteer Guardians ad Litem who are satisfied with the support and guidance they receive from Guardian ad Litem Program staff. The Department of Children's Advocacy appreciates the contributions of our state's volunteer Guardians ad Litem who advocate for children through direct involvement with children and through providing their feedback about systemic improvements.

Volunteer Satisfaction Survey			
Year	**Baseline**	**Goal**	**Actual Achieved**
FY20	n/a	80%	70%
FY21	70%	80%	83%

Due to an insufficient number of volunteers to serve as Guardians ad Litem for all of the abused and neglected children who are involved in DSS family court legal actions, Guardian ad Litem Program staff also serve as Guardians ad Litem for children.

One of the initial priorities for the Guardian ad Litem Program was to reduce the existing vacancies within the program. On July 1, 2019, 37% of the available Guardian ad Litem Program positions were vacant. Guardian ad Litem Program Director LaDara Josey was hired in March of 2020 and has prioritized recruitment and retention of not only volunteers but also staff. On July 1, 2019, there were 42 FTE vacancies in the Guardian ad Litem Program, and 18 of those vacancies were filled as of June 30, 2020. As hiring efforts were underway in 2019, DCA concurrently added capacity, through hiring temporary hourly employees to support offices that were critically understaffed.

The Guardian ad Litem staff vacancy rate was reduced from almost 40% in June of 2019 to 8% in February of 2021.

The vacancy rate decreased to a low of 8% in February and March of 2021 but increased to 9%, 11% and 13% in April, May and June, 2021, respectively. Some of the separations during the last three months of FY21 were attributable to COVID-19 related reasons including retirement.

The Cass Elias McCarter Guardian ad Litem Program was awarded a $317,298 Victims of Crime Act (VOCA) grant for October 1, 2021 through September 30, 2022. This award will fund grant employees who will provide direct child advocacy for children in abuse and neglect cases in South Carolina when there is not an available volunteer Guardian ad Litem. It is estimated that 7,000 hours of direct services will be provided by six employees who will be hired with grant funds. The VOCA grant strengthens the Guardian ad Litem Program's volunteer capacity. VOCA positions continue to be allocated based upon program needs, and, as anticipated, the VOCA grant awards were reduced in 2021 thus reducing position availability beginning in October of 2021.

Guardian ad Litem Program Staff Vacancy Rate			
Year	**Baseline**	**Goal**	**Actual Achieved**
FY20	37%	25%	20%
FY21	20%	10%	13%
FY22	13%	10%	to be determined

The Cass Elias McCarter Guardian ad Litem Program is a member of National CASA/GAL Association for Children which is "committed to "using fact-based knowledge, building toward becoming a data-informed, evidence-based organization. This will allow the CASA/GAL network to continue to grow its efforts to ensure children and families served have the greatest opportunity to thrive. Many independent academic studies have been conducted to evaluate the effectiveness of best-interest advocacy and the CASA/GAL network." The National CASA website includes research that supports the effectiveness of CASA/GAL best interest advocacy for abused and neglected children. *See also* page 14 of this report regarding the online suicide prevention training which is available for all volunteer Guardians ad Litem.

Anticipated Legislative Recommendations for Guardian ad Litem Program

There are division-specific statutes pertaining to the Guardian ad Litem Program for which the Department of Children's Advocacy may seek amendment, and they are as follows:

S.C. Code of Laws Ann. Section 63-11-550(A)

"All reports and information collected pursuant to this article maintained by the South Carolina Guardian ad Litem Program, or a county guardian ad litem program operating pursuant to Section 63-11-500(B) or by a guardian ad litem, are confidential ~~except as provided for in Section 63-7-1990(C)~~. A person who disseminates or permits the unauthorized dissemination of the information is guilty of contempt of court and, upon conviction, may be fined or imprisoned, or both, pursuant to Section 63-3-620." **(1) The appointed guardian ad litem may share reports and information collected with the county's Guardian ad Litem Program staff, the Guardian ad Litem State Office, and the State Child Advocate.**

The proposed language in red to be stricken refers to Section 63-7-1990(C) which contains exceptions that only apply to the Department of Social Services. It may be more appropriate to either omit the phrase in blue or to amend it to a more appropriate statutory reference. The proposed additional language in blue clarifies the authority to share information within the agency when appropriate.

S.C. Code of Laws Ann. Section 63-7-1990

(B) The department is authorized to grant access to the records of indicated cases to the following persons, agencies, or entities:

(2) **the county's Guardian ad Litem Program staff and the Guardian ad Litem State Office when carrying out their duties**, a person appointed as the child's guardian ad litem, the attorney for the child's guardian ad litem, or the child's attorney ....

(23) **employees of** the Division of Guardian ad Litem, for purposes of certifying that no potential employee or volunteer is the subject of an indicated report or an affirmative determination, and **when carrying out their duties ....**

Guardian ad Litem staff supervise volunteers who are appointed by the Court. The proposed language in blue clarifies the authority of staff to receive information in the records.

DEPARTMENT OF CHILDREN'S ADVOCACY

Click here to submit a complaint

System Improvement

In addition to the duties regarding administering the Cass Elias McCarter Guardian ad Litem Program, S.C. Continuum of Care, and Foster Care Review Division, the statutes which created the Department of Children's Advocacy include overarching duties related to system improvement as outlined in S.C. Code of Laws Section 63-11-2240(A); 63-11-2270; and 63-11-2290, in pertinent part:

Section 63-11-2240. (A) The State Child Advocate is responsible for ensuring that children receive adequate protection and care from services or programs offered by the Department of Social Services, the Department of Mental Health, the Department of Health and Human Services, the Department of Juvenile Justice, the Department of Health and Environmental Control, the Department of Disabilities and Special Needs, the John de la Howe School, the Wil Lou Gray Opportunity School, and the School for the Deaf and the Blind.

Section 63-11-2270. The Department of Children's Advocacy shall: (1) ensure that children under the care of a state agency, particularly children served by the child welfare or juvenile justice systems, receive timely, safe, and effective services and shall safeguard the health, safety, and well-being of all children receiving services; (2) examine, on a system-wide basis, the care and services that state agencies provide children and shall provide recommendations to improve the quality of those services in order to give each child the opportunity to live a full and productive life; (3) develop and promote a broad vision for reform, driven by the values and goals of child-serving agencies, to make the services and programs provided by state agencies more effective for children, youth, families, and communities; (4) receive and investigate complaints related to the provision of services to children by a state agency, shall review and monitor the complaints that reasonably cause the department to believe that a child may be in need of assistance, and shall ensure that the complaints are resolved. If a complaint is not resolved by the relevant state agency within a reasonable period of time in light of the circumstances, if the resolution is determined to be unsatisfactory to the State Child Advocate, or if the complaint reasonably causes the State Child Advocate to believe that a child may be in need of immediate assistance, then the State Child Advocate may conduct an investigation of the complaint;

State of South Carolina

Governor's Proclamation

WHEREAS, sudden unexpected infant death (SUID) is heartbreaking and can happen in any family regardless of income, education or community; and

WHEREAS, SUID is one of the leading causes of death in infants and is often associated with preventable unsafe infant sleep practices and environments; and

WHEREAS, research shows that a child's brain grows rapidly during safe sleep; and

WHEREAS, infants can suffocate when sleeping in an adult bed or on other dangerous sleep surfaces, such as couches, armchairs, or inclined sleepers, and when sleeping with parents, siblings, caregivers, or pets; and

WHEREAS, deaths due to unsafe sleep environments are preventable, and South Carolina's goal is to have zero deaths resulting from sleeping in an unsafe sleep environment; and

WHEREAS, infants sleep safest when sleeping alone and on their back in their crib or bassinet with a firm mattress and a tightly fitted sheet containing no other items such as toys, pillows, bumpers, quilts, blankets, or other soft surfaces; and

WHEREAS, moms and dads should not share beds with their babies and anyone under the influence of drugs, alcohol, or smoking should not be resting with the baby; and

WHEREAS, parents, grandparents, relatives, childcare providers, and other infant caregivers are urged to learn more about how to provide the safest sleep environments; and

WHEREAS, we recognize that infant unsafe sleeping is a public health issue in South Carolina and across the country, but together we can help by ensuring any person caring for a baby is using safe sleep practices.

NOW, THEREFORE, I, Henry McMaster, Governor of the great State of South Carolina, do hereby proclaim October 2021 as

SAFE SLEEP AWARENESS MONTH

throughout the state and encourage all South Carolinians to support the efforts of local and state agencies to promote safe sleep practices in South Carolina.

HENRY MCMASTER
GOVERNOR
STATE OF SOUTH CAROLINA

INVESTIGATIONS UNIT
1-800-206-1957
childadvocate.sc.gov

(Section 63-11-2270 continued)

(5) receive and investigate complaints from children in the care of the State, shall assist such children in resolving problems and concerns associated with their placement and plans for lifelong adult connections and independent living, shall ensure that relevant state agencies have been alerted to the complaints, and shall facilitate intra-agency cooperation, if appropriate;

(6) undertake activities designed to educate the public regarding the services and the independent role of the department and the mission of state agencies in providing services to children and families;

(7) annually submit a report to the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, and Joint Citizens and Legislative Committee on Children detailing the State Child Advocate's activities; and

(8) have access at any and all reasonable times to any facility, residence, program, or portion thereof that is operated, licensed, or funded by a state agency and shall have unrestricted access to all electronic information systems records, reports, materials, and employees in order to better understand the needs of children in the custody of the State or children who are receiving services from a state agency. The Department of Children's Advocacy shall also have access to relevant records held by the clerks of the family courts and the clerks of the probate courts and shall also have the right to inspect and copy such records, without cost.

Section 63-11-2270.

(A) The Department of Children's Advocacy shall establish a toll-free public telephone number and an electronic complaint submission form on the department's website for the purpose of receiving complaints relative to the provision of services to children by a state agency. The department shall transfer a complainant to the appropriate agency if the complainant's submission is related to abuse, neglect, or an open matter within another agency.

(B) The following agencies must post the toll-free public telephone number and the web address of the department's electronic complaint submission form prominently in clear view of all employees and the public and in a conspicuous location on the agency's website:

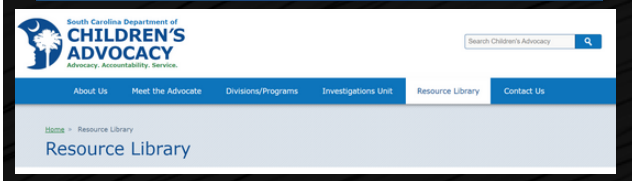
(1) Department of Social Services;
(2) Department of Mental Health;
(3) Department of Juvenile Justice;
(4) Department of Health and Environmental Control;
(5) Department of Health and Human Services;
(6) Department of Disabilities and Special Needs;
(7) Governor's School for Agriculture at Jo de la Howe;
(8) School for the Deaf and the Blind; and
(9) Wil Lou Gray Opportunity School

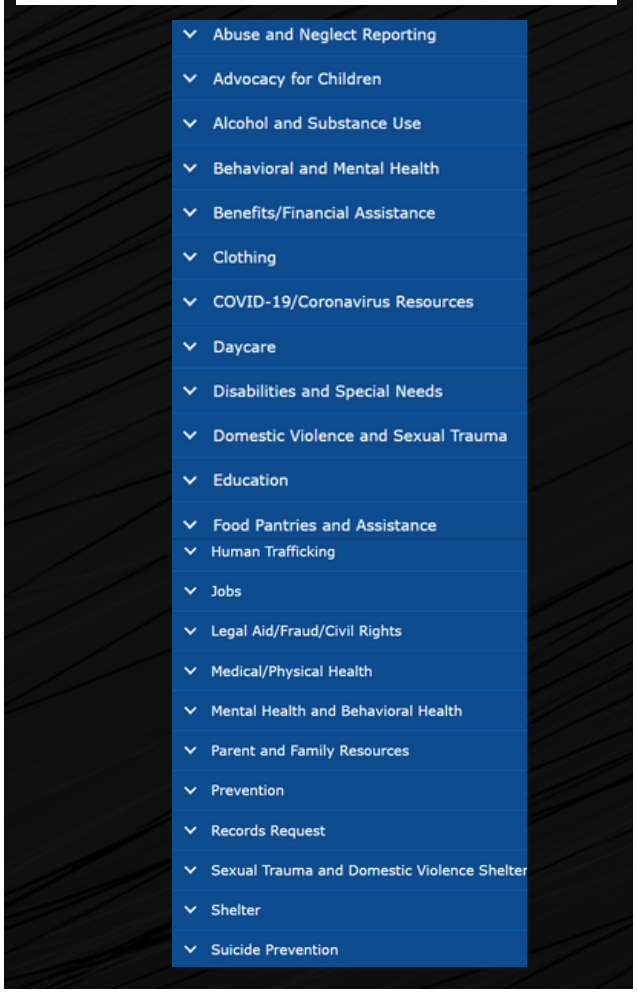
Posters

During 2021, the Department of Children's Advocacy designed, printed and disseminated approximately 200 posters to raise awareness regarding the Investigations Unit. The posters have been distributed at DSS and DJJ state and local offices as well as other agencies and organizations to assist agencies with complying with the statutory requirements of Section 63-11-2270(B) which states, "The following agencies must post the toll-free public telephone number and the web address of the department's electronic complaint submission form prominently in clear view of all employees and the public." DCA is in the process of having the poster printed in Spanish and will distribute additional posters in 2022.

Resource Library

DCA created an online Resource Library and launched it on May 7, 2021. as part of DCA's role to "undertake activities designed to educate the public regarding the services and the independent role of the department and the mission of state agencies in providing services to children and families," DCA recognizes that many people who contact the IU need resource information. This was a significant project that was accomplished in 2021 and will be maintained in future years.





The goal of the Resource Library is to provide current, relevant information about the availability of services to children and families to reduce incidences of abuse, neglect and out-of-home placement of children by sharing the services available through state agencies. The Resource Library is organized by broad categories with drop-down menus for more specific contact information.

DCA's resource library includes other agencies' resource information including Children's Trust's scparents.org and DHHS's Community Connections. DCA has communicated with many other resource and service providers including Family Connection of SC, SC Thrive, National Alliance on Mental Illness (NAMI), and First Steps. We are excited to share the Department of Children's Advocacy's Resource Library that links the public to reliable and relevant resource information.

DEPARTMENT OF CHILDREN'S ADVOCACY

S.C. Code of Laws Ann. Section 63-11-2270 through 63-11-2290, et.seq.

The Department of Children's Advocacy (DCA)'s Investigations Unit (IU) was created pursuant to S.C. Code of Laws Ann. Sections 63-11-2270 through 63-11-2290 which authorizes DCA to receive, refer, monitor and/or investigate complaints regarding services provided to children by nine specific state agencies. The Investigations Unit transfers complainants to the appropriate agency if the complainant's submission is related to abuse, neglect, if the complaint is related to an open matter within another agency, or if the complaint does not involve services provided to children (such as child support matters or private custody actions.

Director Amanda Whittle, Investigator Hayley Bolin, Investigator Melissa Fowler, and Deputy Kayla Capps attend a training at DJJ in July 2021.

The Investigations Unit (IU) is fully staffed based on the available funding for the agency. As of December 2021, the IU has two full-time investigators, and Deputy Child Advocate Kayla Capps and Director Amanda Whittle are significantly engaged with the IU's work regarding concerns about individual children as well as overarching systemic concerns.

Training

During 2021, Director Whittle, Deputy Capps and both Investigators completed additional professional training to enhance their knowledge, skills and abilities regarding child-related investigations. During this calendar year, all four participated in updated mandated reporter training and underwent credentialing and training with DJJ regarding DJJ's Event Reporting System and Juvenile Justice Management System.

The team also completed sexual abuse investigatory training and child abuse investigatory training through the University of South Carolina Children's Law Center in addition to a 4-day investigation training through the United States Ombudsman Association.

Referrals to the Investigations Unit

A total of 4,707 calls were made to the Investigations Unit between July 1, 2019 and June 30, 2020, and 4,000 calls were received between July 1, 2020 and June 30, 2021. By way of a calendar year comparison, 4,400 calls were received in calendar year 2020, and, as of December 20, 2021, 4,139 calls have been received in calendar year 2021.

In addition to online submissions and referrals from other offices, 4,139 phone calls have been received by the Investigations Unit so far during 2021.

The calls provide an opportunity to educate the public regarding the roles of the Department of Children's Advocacy and the Investigations Unit as well as the roles of other state agencies. As examples of some of the unique types of calls, our Investigations Unit brought critical attention and aid to finding and securing a missing child and, in a separate matter, contacted law enforcement for a wellbeing check on a caller who was in distress.

DCA's Investigations Unit, Deputy Child Advocate, and State Child Advocate obtained access to DJJ's Event Reporting System and Juvenile Justice Management System through web-based applications. In addition, the Investigations Unit maintained security credentials and access to DSS's confidential case records through a virtual desktop which provides secure access to DSS's records. Through collaboration with DSS and DJJ, there has been no net cost incurred by DCA for access to these records, and this access has been essential for conducting efficient and effective research, referrals, and investigations.

"I just wanted to send a thank you your way...within a few days of you getting involved we finally saw immediate action and response on this case. This could not have been done without you or your efforts ...."

~ Catherine Donnelly (Winchester DSS, Virginia)

Evaluating Services Provided by State Agencies

One of the statutory duties of the Department of Children's Advocacy includes examining, on a system-wide basis, the care and services that state agencies provide children. The Department of Children's Advocacy continues to build its capacity to fulfill the statutory requirements that created the agency and to sequence its priorities. For FY22, DCA has committed to establishing mechanisms to evaluate services that are not limited to the Investigations Unit complaint system. The first part of creating the evaluation process was creating an inventory of services, and this was accomplished during FY21. Reviewing other State Office of Children's Advocacy may reveal evaluation and review methods, and, to this end, Director Whittle joined the United States Ombudsman Association and has engaged in conversations with other State Child Advocates and Ombudsman throughout the country. In addition, Deputy Capps and Director Whittle have met with other state agencies and national partners regarding system evaluation, analysis and improvement.

Critical Incident Notifications

Director Whittle and Deputy Capps have worked with child-serving agencies to ensure that critical incident notifications are provided to the Department of Children's Advocacy within twenty four hours of a critical incident pursuant to S.C. Code of Laws Ann. Section 63-11-2280. A critical incident is defined in Section 63-11-2230 as a "fatality, near fatality, or serious bodily or emotional injury of a child who is in the custody of or receiving services from a state agency, or circumstances that result in a reasonable belief that a state agency failed in its duty to protect a child, resulting in the imminent risk or suffering of serious bodily or emotional injury, or death, of a child." DSS has reported critical incidents for children who are in foster care as well as for children who remain with family or fictive kin. DJJ and DMH have only reported critical incidents for children and adolescents who are at their facilities (as opposed to at home or community settings).

Deputy Capps worked with DSS and DJJ in 2020 and with DMH, DHEC, DHHS and DDSN in 2021 to develop notification procedures. From July 1, 2019 through June 30, 2020, DCA received a total of 30 critical incident notifications with 15 each from DSS and DJJ. In FY21, DCA received 78 critical incident notifications with 62 from DSS and 15 from DJJ. From July 1, 2021 through December 20, 2021, DCA received 57 critical incident notifications with 31 from DSS, 17 from DJJ, and 9 from DMH. The chart below shows the notifications by agency with additional information regarding the timeliness of the notifications.

DCA has had regularly scheduled meetings with DSS, DJJ, DHHS, and DMH leadership to discuss specific cases and systemic improvement. A majority of notifications are submitted beyond 24 hours of the critical incident, and we will build on the notification processes and prevention opportunities in 2022.

Crticial Incident Notifications by Fiscal Year

Fiscal Year	DSS	DJJ	DMH	Other agencies
7/1/2019-6/30/2020	15 11 submitted within 24 hours:	15 2 submitted within 24 hours	none reported	none reported
7/1/2020-6/30/2021	62 31 submitted within 24 hours:	15 2 submitted within 24 hours	none reported	none reported
7/1/2021-12/20/2021	31 10 submitted within 24 hours	17 8 submitted within 24 hours	9 3 submitted within 24 hours	none reported

Dashboards were created in 2020 to assist with reviewing critical incident information to identify trends that lead to prevention opportunities. FY20 fatality information reported by DSS indicates that unsafe sleep was a leading cause of death among children who had DSS involvement. This data aligned with Child Fatality Advisory Committee data and served as a catalyst for mobilizing South Carolina's first Safe Sleep Summit during October of 2021.

Fiscal Year Data: Critical Incident Notifications to Dept. of Children's Advocacy

FY21: *July 1, 2020 - June 30, 2021*

DSS (FY 2020-2021)	
Total Critical Incidents	**62**
Fatality	**42**
Car Accident	3
Dog Bite	0
Drowning	2
Drug or Alcohol Exposure	0
Fire	5
Gunshot Wound	1
Hot Car	1
Medically Fragile	8
Severe Bodily Injury	5
Suicide	1
Unsafe Sleep	13
Other	3
TBD	0
Severe Physical Injury	**17**
Attempted Suicide	0
Car Accident	0
Dog Bite	1
Drug or Alcohol Exposure	1
Fire	0
Gunshot Wound	3
Hot Car	0
Medically Fragile	0
Near Drowning	1
Severe Bodily Injury	11
Unsafe Sleep	0
Other	0
TBD	0
Sexual Assault	**2**
Attempted Sexual Assault	**0**
Child in Danger	**1**
Emotional Injury	**0**

DJJ (FY 2020-2021)	
Total Critical Incidents	**15**
Fatality	**0**
Severe Bodily Injury	0
Staff	0
Other Youth	0
Suicide	0
Other	0
TBD	0
Near Fatality	**3**
Attempted Suicide	3
Severe Bodily Injury	0
Staff	0
Other Youth	0
Other	0
TBD	0
Physical Assault	**6**
Staff	3
Other Youth	3
Sexual Assault	**6**
Staff	4
Other Youth	2
Attempted Sexual Assault	**0**
Staff	0
Other Youth	0

Mid-Year Data: Critical Incident Notifications to Dept. of Children's Advocacy

Mid-FY 22: *July 1, 2021 - December 20, 2021*

DSS (FY 2021-2022)	
Total Critical Incidents	**31**
Fatality	**19**
Car Accident	1
Dog Bite	0
Drowning	0
Drug or Alcohol Exposure	2
Fire	1
Gunshot Wound	2
Hot Car	0
Medically Fragile	6
Severe Bodily Injury	1
Suicide	1
Gunshot Wound	1
Overdose	0
Strangulation	0
Unsafe Sleep	1
Other	0
TBD	4
Severe Physical Injury	**10**
Attempted Suicide	0
Gunshot Wound	0
Overdose	0
Strangulation	0
Car Accident	1
Dog Bite	0
Drug or Alcohol Exposure	1
Fire	0
Gunshot Wound	1
Hot Car	0
Medically Fragile	0
Near Drowning	1
Severe Bodily Injury	5
Unsafe Sleep	0
Other	0
TBD	0
Sexual Assault	**1**
Attempted Sexual Assault	**0**
Child in Danger	**0**
Emotional Injury	**0**
Elopement	**1**

DJJ (FY 2021-2022)	
Total Critical Incidents	**17**
Fatality	**0**
Severe Bodily Injury	0
Staff	0
Other Youth	0
Suicide	0
Gunshot Wound	0
Overdose	0
Strangulation	0
Other	0
TBD	0
Near Fatality	**6**
Attempted Suicide	5
Gunshot Wound	0
Overdose	0
Strangulation	5
Severe Bodily Injury	1
Staff	0
Other Youth	1
Other	0
TBD	0
Physical Assault	**4**
Staff	0
Other Youth	1
Sexual Assault	**4**
Staff	2
Other Youth	1
Attempted Sexual Assault	**2**
Staff	2
Other Youth	0
Elopement	**1**

DMH (FY 2021-2022)	
Total Critical Incidents	**9**
Fatality	**0**
Severe Bodily Injury	0
Staff	0
Other Youth	0
Suicide	0
Gunshot Wound	0
Overdose	0
Strangulation	0
Other	0
TBD	0
Near Fatality	**1**
Attempted Suicide	1
Gunshot Wound	0
Overdose	0
Strangulation	1
Severe Bodily Injury	0
Staff	0
Other Youth	0
Other	0
TBD	0
Physical Assault	**4**
Self	1
Staff	1
Other Youth	2
Sexual Assault	**1**
Staff	0
Other Youth	0
Attempted Sexual Assault	**0**
Staff	0
Other Youth	0
Elopement	**1**
Physical Injury	**1**
Self	1
Staff	0
Other Youth	0

Site Visits

Director Whittle and Deputy Capps resumed site visits in June 2021 and completed thirty-five (35) in-person visits which included visits, tours and meetings with staff and youth at the following facilities/sites:

- Sheriff Al Cannon Detention Center (juvenile pod), Charleston
- Broad River Road Complex (BRRC), Columbia
  including visits to Laurel, Evergreen, Willow, Cypress, Maple and Poplar; Birchwood school, youth cafeterias, and recreation areas
- Charleston Juvenile Detention Center (during construction phase)
- Coastal Evaluation Center (CEC), Charleston
- DDSN's Whitten Center, Clinton
- DMH's Crafts Farrow Road complex, Building One, Columbia
- Dorchester County Detention Center, Dorchester
- Generations, Fountain Inn
- Juvenile Detention Center (JDC), Columbia
- Midlands Evaluation Center (MEC), Columbia
- Pinelands, Summerville
- S.C. School for the Deaf and the Blind, Spartanburg
- Three Rivers Psychiatric Residential Treatment Facility, Lexington
- Upstate Evaluation Center (UEC), Union
- Whitehorse Academy/Phoenix Center, Greenville
- William J. McCord Adolescent Treatment Facility, Orangeburg
- William S. Hall Psychiatric Institute Acute Care Facility, Columbia

In addition to site visits, Director Whittle and Deputy Capps attended in-person court hearings in Aiken, Richland and York counties.

Charleston Juvenile Detention Center - under construction 12/2021

Coastal Evaluation Center 6/30/2021

William J. McCord Treatment Facility

Willow Dorm at BRRC 12/2021

DEPARTMENT OF CHILDREN'S ADVOCACY

Legal Extern Program

Deputy Capps established a relationship between the Department of Children's Advocacy and the University of South Carolina School of Law's Externship Program to create DCA's Legal Extern Program which she supervises. The Investigations Unit has had Spring 2020, Fall 2020, Spring 2021, Summer 2021, and Fall 2021 legal externs who provided research and logistical support in addition to a strong relationship with the University of South Carolina School of Law. DCA Legal Externs receive school credit based on the approved program that the Department of Children's Advocacy has created. All of the legal externs have been engaged in the law school's Children's Law Concentration Program and were third year law students during their externship.

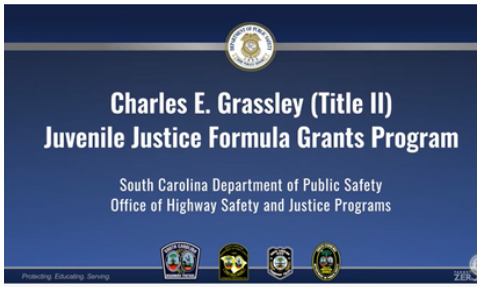
Some of the Legal Extern Program projects included creation of critical incident dashboards; assistance with grant application development; design of a Foster Care Review Division design; and legal research on topics including human trafficking, isolation, and service array. DCA is grateful for the partnership with the University of South Carolina School of Law in this endeavor and appreciates the contributions of the following University of Law School students who have externed with the Department of Children's Advocacy:

The Department of Children's Advocacy appreciates the opportunity to work with Stephanie A. Nye who is the Director of Externships and Special Academic Programs at the University of South Carolina School of Law. Ms. Nye received a triple major from Duke University in Biology, Art History, and History and earned her Juris Doctor from the University of South Carolina School of Law in 1999.

Ms. Nye administers the Externship Program, Children's Law Concentration Program, and the 1L Mentoring Program. Director Whittle and Deputy Capps served as Mentors through the 1L Mentoring Program in the Fall of 2021 for first year law students Andrew Farish, Marika Carlson, Mitchell Gibbons, Sarah Ashbrook Gwinn, Sara Mays, and William Ottinger.

DEPARTMENT OF CHILDREN'S ADVOCACY

Juvenile Court Observation and Court Coordination Program



In April of 2021, the Department of Children's Advocacy (DCA) submitted a Title II Formula Grant application to improve the juvenile justice system, and the grant was awarded to DCA in October 2021.

As outlined in the grant application package, the South Carolina Department of Public Safety's Office of Highway Safety and Justice Programs (OHSJP) has been designated to administer the Juvenile Justice and Delinquency Prevention Formula Grant Program authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (the Act): The purpose of the Formula Grant Program is to assist states and units of local government in carrying out specific programs which offer a high probability of improving the functioning of the juvenile justice system and to assist states and local communities to prevent youth from entering the juvenile justice system.

The Department of Children's Advocacy's Juvenile Court Observation and Court Coordination Program (Juvenile Court Program or JCP) is a mixed-methods process for addressing the issues of secure juvenile detentions, alternatives to detention, and racial and ethnic disparities for justice-involved youth.

The JCP goals are to promote placements in the least restrictive, most family-like setting based on the youth's needs, community-based alternatives to detention, and equity for justice-involved youth. Quantitative and qualitative data for all justice-involved who have Family Court judicial proceedings will be captured through court observation.

A court observation tool will be developed to consistently capture relevant data. For each youth, the tool will include whether DJJ's risk and needs assessment instrument is used by Judges, solicitors, public defenders and/or DJJ staff at the pre-adjudicatory detention, intake disposition, and/or commitment stages of the juvenile justice system. Data will be captured for each youth in DJJ court proceedings during the observation period regarding secure detentions including secure evaluations, access to and use of community-based alternatives including Short Term Alternative Placements (STAP) and evaluation of racial and ethnic equity.

The court observation process will occur in three pilot counties (Aiken, Richland and York) to include assessment, coordination, collaboration, resource-awareness and repeated court observation with modifications based on process evaluation. Baseline data has been established to measure outcomes.

Prior to submitting the grant application, DCA conferred with DJJ leadership and received a letter of support from DJJ for the grant. DCA was awarded the grant on October 1, 2021, and has begun implementation.

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DEPARTMENT OF CHILDREN'S ADVOCACY

Interagency Summaries

The Department of Children's Advocacy created and strengthened relationships with other state agencies and organizations. Summaries regarding interaction with the nine child-serving agencies which are listed in the statute are provided here.

Department of Disabilities and Special Needs (DDSN)

Dr. Michelle Gough Frye became the Director of the Department of Disabilities and Special Needs (DDSN) in October of 2021. Prior to her appointment, Department of Children's Advocacy discussed with DDSN concerns regarding compliance with S.C. Code of Laws Ann. Section 44-20-710 which says, "No day program in part or in full for the care, training or treatment of a person with intellectual disability, a related disability, head injury or spinal cord injury may deliver services unless a license first is obtained from the department [DDSN]." This applies to day programs for children as well as adults.

This statute says DDSN is the appropriate agency to accept applications for licensure of day treatment programs which serve children and young adults with disabilities and autism. In practice, DDSN licenses adult day treatment centers, but DDSN does not license child day treatment facilities. The plain and ordinary language of the statute requires DDSN to license both, and DDSN has exclusive jurisdiction and responsibility for these types of licensure. The lack of licensure affects not only the initial licensure requirements but also ongoing monitoring for critical incidents and quality assurance for part-time and/or full-time day programs for the care, training or treatment of children with intellectual disabilities, related disabilities, head injuries and/or spinal cord injuries.

Associated with this issue is the licensure of professionals who work at facilities; however, this is a separate issue from licensure of the facility. DHEC, DSS, DMH and DHHS are agencies that are involved in licensing and/or monitoring facilities. Because this type of day treatment program pertains to autism, S.C. Code of Laws Ann. Section 44-20-710 provides clear and exclusive authority and responsibility to DDSN as the licensing agency.

There should be consideration regarding whether licensure of child day treatment centers as defined in Section 44-20-710 is necessary for the protection, safety and accountability of this vulnerable population of children. If it is, there should be compliance with the statute, and, if there is not, the statute should be repealed or modified. The Department of Children's Advocacy has opportunities for communication with DDSN leadership through regularly-scheduled meetings as follows:

- Advocacy and accountability in individual matters as outlined above
- Inter-Agency Staffing (IAS) meetings regarding children
- Joint Council on Children and Adolescents quarterly meetings
- Joint Citizens and Legislative Committee on Children retreat and public hearings

Department of Health and Environmental Control (DHEC)

Dr. Edward Simmer became the new Director of DHEC in February of 2021. Regarding services provided for children, DHEC provided testing, vaccination, data, disease prevention information to the public concerning the COVID-19 pandemic. The Department of Children's Advocacy has shared SCDHEC's disease and spread prevention information with DCA staff, volunteers, and the public.

DCA partnered with SCDHEC and other agencies during 2021 to organize and promote South Carolina's first Safe Sleep Summit. According to the Centers for Disease Control and Prevention, 3,500 sleep-related deaths occur among U.S. babies each year. The CDC vital signs website indicates there was a sharp decline in the 1990s with the "Back to Sleep" campaign during which parents were told to place their infants on their backs, not their tummies or sides, to sleep. The trend changed, and data from DHEC, the Child Fatality Advisory Committee, and DSS indicate that too many babies are lost to sleep-related deaths, some of which could be prevented.

Several groups throughout our state engaged in safe sleep education for many years, and the purpose of South Carolina's Safe Sleep Summit in October 2021 was to coordinate and consolidate information and resources to ensure the greatest enduring impact and the best outcomes.

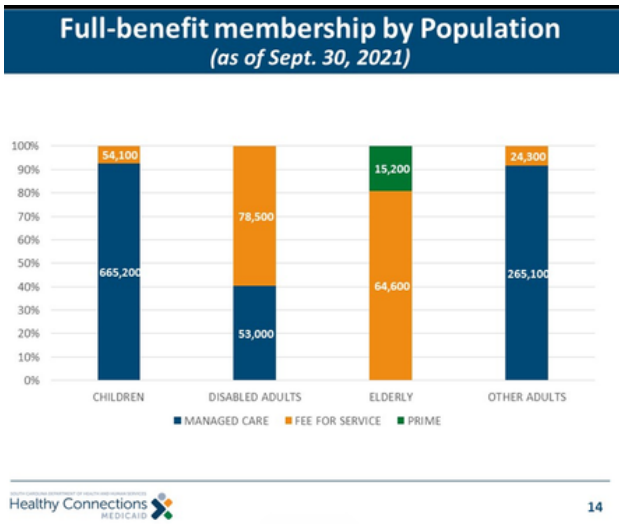
Governor Henry McMaster proclaimed October 2021 as Safe Sleep Awareness Month, and several agencies endorsed the first-ever Safe Sleep Awareness poster which was designed by the Department of Children's Advocacy. Child Fatality Advisory Committee members and other state leaders and advocates including the South Carolina Law Enforcement Division, Coroners' Association, DHEC, DHHS, DAODAS, Upstate AHEC, DSS, and Department of Children's Advocacy participated in South Carolina's 2021 Safe Sleep Summit.

The Department of Children's Advocacy has opportunities for communication with DHEC leadership through regularly-scheduled meetings as follows:

- Joint Council on Children and Adolescents quarterly meetings
- Joint Citizens and Legislative Committee on Children public hearings
- Safe Sleep Summit preparation including data-sharing and messaging
- Cabinet meetings

Department of Health and Human Services (DHHS)

Director Robby Kerr was confirmed as the DHHS Director in March of 2021 and immediately availed himself to increased and improved accessibility and quality of children's services. Director Whittle reached out to Director Kerr in March 2021 and began meeting and communicating regularly with him in June of 2021 regarding shared priorities.



Part of the Department of Children's Advocacy's broad vision for reform is to promote access and awareness of an array of services that allow children to safely remain in their homes and communities or in the least restrictive, most family-like setting based upon their needs with the understanding that some children will need to receive services in a Psychiatric Residential Treatment Facility (PRTF) or other out-of-home setting. DHHS, DSS, DJJ, DMH and DCA leadership agreed to prioritize the availability of Psychiatric Residential Treatment Facilities (PRTFs), rate reviews, and Rehabilitative Behavioral Health Services (RBHS).

At any given time, there are approximately fifteen (15) to twenty (20) youth who require both detention and in-patient mental health treatment. There are currently eight (8) PRTFs in South Carolina; however, none of these facilities will unconditionally accept or maintain justice-involved mentally ill youth. The DMH-owned facility on Bull Street which served these youth was closed in 2015. In 2019, DMH issued a Request for Proposal for guaranteed access beds in four regions. DMH only received a response for one region and entered into a contract with Three Rivers PRTF for four guaranteed access beds. With an insufficient number of guaranteed in-state and out-of-state options in place, DJJ is left with having to house youth in detention centers rather than transferring them to in-patient mental health treatment facilities as described on page 38 of this report.

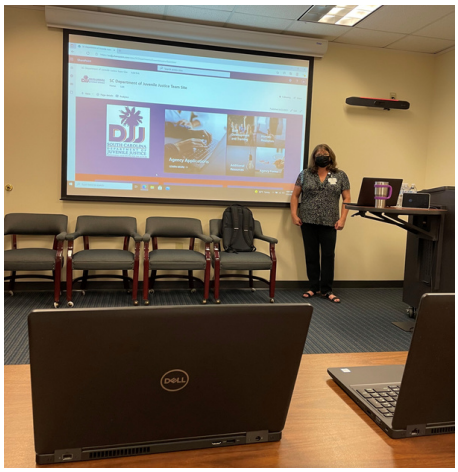
The agencies have discussed DMH initiating the recommencing an agency-owned PRTF to accommodate approximately 16 beds. Time is of the essence, so the time period for leasing, converting, and operating a facility must be considered in terms of both immediate access and long-term capacity for appropriate placement and treatment of seriously mentally ill, justice-involved youth.

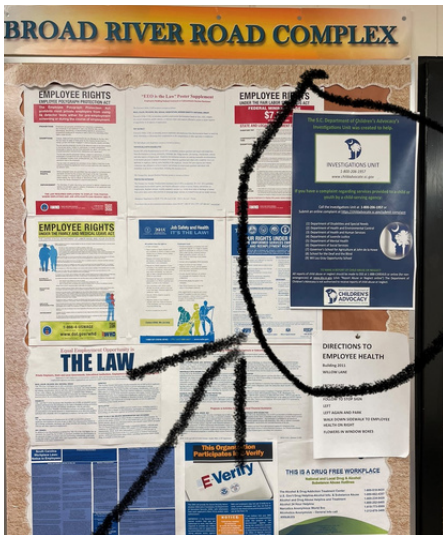
The Department of Children's Advocacy communicates regularly with DHHS as follows:

- Regularly-scheduled meetings and conversations with Director Kerr and agency leadership
- Regularly-scheduled meetings among DHHS, DJJ, DSS, DMH and DCA
- Joint Council on Children and Adolescents quarterly meetings
- Joint Citizens and Legislative Committee on Children public hearings
- Medical Care Advisory Committee quarterly meetings
- Safe Sleep Summit preparation including data-sharing and messaging
- Cabinet meetings

Department of Juvenile Justice (DJJ)

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE
EMPOWERING OUR YOUTH FOR THE FUTURE





Eden Hendrick became the Acting Director at DJJ in September of 2021 and shared with state lawmakers that "almost every aspect of what the troubled agency {was} doing will need to be reformed." The State Child Advocate and Deputy Child Advocate of System Improvement observed disturbing situations at the Laurel and Evergreen Units at the Broad River Road Complex during the Summer of 2021 including a lack of consistent procedures related to education, rehabilitative services, solitary/seclusion, recreation, and showering in addition to a lack of cleaning and maintenance schedules for the facilities and grounds. The low staffing levels have plagued DJJ and inhibit staff's ability to protect youth and staff. The State Child Advocate and Deputy of Systems Improvement are optimistic about the experience, focus, and sense of urgency Acting Director Eden Hendrick has demonstrated, but she will need resources and staff to stabilize and rebuild staff capacity and morale; to bring the facilities to adequate standards; to ensure safety for staff and youth; and to provide appropriate educational, mental health, and rehabilitative services for youth.

DJJ has promoted financial incentives to improve recruitment, but staffing levels have continued to decrease. During 2021, the COVID-19 pandemic continued to exacerbate DJJ's challenges to the point that Acting Director Hendrick issued a state of emergency in December of 2021. She has been transparent and persistent in sounding the alarm to invite and urge assistance including help from sister agencies.

During 2021, Governor Henry McMaster appointed Director Whittle as a member of the Governor's Juvenile Justice Advisory Council (GJJAC), and Director Whittle and Deputy Child Advocate Kayla Capps continued to be engaged members of the DJJ Systems Improvement Committee. Deputy Capps is the Program Manager for the Juvenile Court Program which is aimed at deinstitutionalizing status offenders, promoting alternatives to detention, and eliminating racial and ethnic disparities in the juvenile justice system. Deputy Capps has communicated with Short Term Placement Providers (STAPs) across the state regarding placement diversion, and DJJ shared STAP and other resource information with Solicitors, Public Defenders and Family Court Judges.

DCA has communicated with DJJ leadership regarding safety and reform. One of the issues that has proven frustrating for state agencies is the lack of placement options for youth in certain situations. As stated in DCA's 2019-2020 Annual Report, "Part of the Department of Children's Advocacy's broad vision for reform is to promote access and awareness of an array of services that allow children to safely remain in their homes and communities or in the least restrictive, most family-like setting based upon their needs with the understanding that some children will need to receive services in a Psychiatric Residential Treatment Facility (PRTF) or other out-of-home setting. DCA is engaged in sharing and identifying coordinated solutions regarding gaps in services primarily concerning qualified, quality intensive community service providers."

Our state currently does not have a sufficient placement array for seriously mentally ill, justice-involved youth. "No reject" would guarantee the availability of placement, and "no eject" would ensure that the placement would not be terminated until there was a clinical recommendation for discharge and transition. As a result of the lack of no eject/no reject placements, it is difficult for DSS, DMH and DJJ to obtain, and secure, placement of youth, particularly seriously mentally ill, justice-involved youth who need residential treatment and who also have emotional or behavioral challenges. When appropriate mental health facilities cannot be obtained and maintained, justice-involved youth remain "behind the fence" at the Broad River Road Complex (BRRC) or at a secure evaluation center where they are not able to receive the mental health treatment they need.

Avoiding placement of status offenders at DJJ and securing appropriate guaranteed access beds for seriously mentally ill, justice involved youth would not solve all of the problems at DJJ facilities but would alleviate significant behavioral and mental health challenges at DJJ. Ending the institutionalization of status offenders and ensuring appropriate mental health placement and treatment for justice-involved youth would also comply with state law, federal law, and best practice.

The Department of Children's Advocacy continues to advocate for a robust service array *and* a robust placement array that are grounded in urgency, empathy and sustainability as shared here.

- Individual meetings and conversations with former-Director Pough and Acting Director Hendrick
- Regularly-scheduled meetings among DHHS, DJJ, DSS, DMH and DCA
- Interagency staffings regarding specific youth
- Seriously-Mentally Ill (SMI) staffings with DJJ, DMH and DDSN
- Staffings regarding dually-involved victims of human trafficking with DSS and DJJ
- Visits with youth and staff at Department of Juvenile Justice facilities throughout the state
- Legislative Oversight and subcommittee hearings
- Governor's Juvenile Justice Advisory Council quarterly meetings and retreat
- DJJ System Improvement Committee monthly meetings
- Receipt and responses regarding Critical Incident Notifications
- Joint Council on Children and Adolescents quarterly meetings
- Child Fatality Advisory Committee meetings every other month
- Human Trafficking Task Force
- Implementation of the Juvenile Court Program in Aiken, Richland and York counties
- Participation in DJJ court hearings
- Coalition for Juvenile Justice conference
- Special events including the Juvenile Detention Alternatives Initiative
- Cabinet meetings

Department of Mental Health (DMH)

Dr. Kenneth Rogers became the Director of the Department of Mental Health in March of 2020. The Department of Mental Health has strong programs to raise awareness about mental health and to serve South Carolinians. Three highlights related to DMH's children's services are:

- Suicide prevention efforts through DMH's Office of Suicide Prevention;
- Mobile crisis; and
- School-based counseling and telehealth services

More successes are on the horizon as DMH prepares for the launch of 988 in the Summer of 2022 and as DMH advocates for crisis stabilization centers for children and adolescents.

The Department of Children's Advocacy recognizes the need for a robust placement and service array for children in our state and has included this issue in its broad vision for reform. The Department of Children's Advocacy's priority and focus regarding DMH has been the creation of a state-operated Psychiatric Residential Treatment Facility (PRTF). DMH's operation of a PRTF will not solve all of the placement and treatment deficits in our state, but it is important to establish our state's greatest needs and to prioritize and sequence meeting those needs.

Throughout 2021, Director Whittle arranged and facilitated meetings among DSS, DJJ, DMH, DHHS and DCA to identify the five agencies' shared priorities and to work together to resolve the barriers.

Dr. Rogers, Director Whittle, Deputy Capps, and DMH staff have visited and met with representatives at five separate sites throughout the state during 2021 to assess the fiscal and practical ability to repurpose or modify an existing building and for DMH to concurrently design, build and operate a state-operated facility.

DHHS, DJJ, DSS, DMH and DCA leadership met throughout 2021 to discuss ways to strengthen the placement and service array for children to remain in the least restrictive settings and, when out-of-home placement is necessary, to remain close to their homes and communities.

The *Alexander S.* lawsuit was a federal class action lawsuit that was brought in 1990 and included allegations related to the treatment of seriously mentally ill youth within the DJJ system. A summary of that lawsuit is here.

S.C. Code of Laws Ann. Section 63-19-1450 prohibits seriously mentally ill youth and intellectually disabled youth from being committed to a DJJ institution and authorizes DJJ to transfer the juvenile to the state agency which is best qualified for the care of the juvenile. The two designated state agencies for transfer are DMH for seriously mentally ill youth and DDSN for intellectually disabled youth.

SECTION 63-19-1450(A)

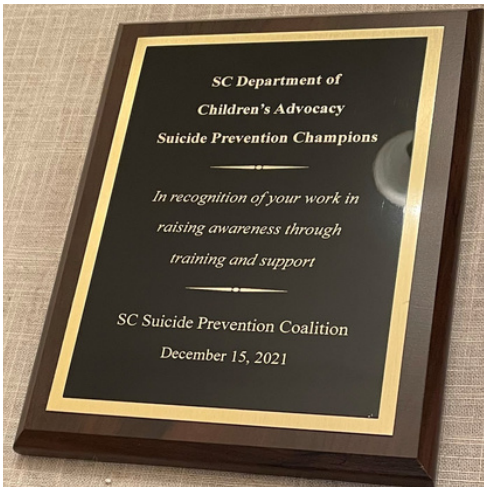
(A) No juvenile may be committed to an institution under the control of the Department of Juvenile Justice who is seriously handicapped by mental illness or retardation. If, after a juvenile is referred to the Reception and Evaluation Center, it is determined that the juvenile is mentally ill, as defined in Section 44-23-10, or a person with intellectual disability to an extent that the juvenile could not be properly cared for in its custody, the department through the voluntary admission process or by instituting necessary legal action may accomplish the transfer of the juvenile to another state agency which in its judgment is best qualified to care for the juvenile in accordance with the laws of this State. This legal action must be brought in the juvenile's resident county. The department shall establish standards with regard to the physical and mental health of juveniles whom it can accept for commitment.

DMH and DJJ entered into a Memorandum of Understanding (MOU) which requires that youth be transferred to DMH within 90 days of being determined to be seriously mentally ill (denoted as "subclass" in the context of the Alexander S. class action lawsuit).

Due to a lack of appropriate placement, youth are not being transferred within 90 days. There are approximately 15 to 20 youth on the SMI list at any given time who are awaiting placement. The initial placement priority for timely transferring youth to an appropriate facility is for DMH to create capacity through a DMH-operated Psychiatric Residential Treatment Facility (PRTF). The last state-operated PRTF was operated by DMH on Bull Street, and the facility closed in December of 2015. Children and youth are currently placed at private PRTFs, but the array of private PRTFs does not meet our state's placement needs, particularly for justice-involved, seriously mentally ill youth.

This gap in service and placement must be filled by the state in order to place children appropriately and to place them in state near their homes, communities, and continuum of treatment providers.

The Department of Children's Advocacy has opportunities for communication with DMH as follows:



•988 State Planning Committee

•Systems of Care State Leadership Team

•Suicide Prevention Coalition member quarterly meetings

•Joint Council on Children and Adolescents and Steering Committee quarterly meetings

•Regularly-scheduled meetings and conversations with DMH leadership

•Joint Citizens and Legislative Committee on Children public hearings

•Individual meetings and conversations among DMH, DJJ, DHHS, DSS and DCA Directors regarding mental health priorities for children and adolescents

•Site visits and meetings with Dr. Rogers regarding a DMH-operated Psychiatric Residential Treatment Facility (PRTF) for seriously mentally ill, justice-involved youth

• Facilitation with Dr. Rogers at the MUSC 37th Annual Judges and Attorneys Mental Health and Substance Abuse Seminar in December of 2021

•Advocacy for the Student ID Suicide Prevention Bill which was signed into law in 2021

•Collaboration regarding DMH's SAMHSA grant application for the sustainability of South Carolina's system of care services in Cherokee, Union and Spartanburg counties

•Delivery of online suicide prevention training to all staff through DMH's Office of Suicide Prevention and ongoing efforts to delivery training to DCA's approximately 2000 volunteers

•Meeting with the Mental Health Commissioner to discuss improved mental health services for children

•Recognition in December of 2021 by the Suicide Prevention Coalition of the Department of Children's Advocacy as a Suicide Prevention Champion

Department of Social Services (DSS)

Director Mike Leach was appointed by Governor McMaster to lead DSS in March of 2019. The Department of Social Services has improved accessibility to children's services in the many areas including:

- Centralizing reports of abuse and neglect: Launching a single (easy to remember and share) phone number to report abuse or neglect
- Improving the intake of abuse or neglect reports: Creating a centralized 24-hours/day, 7 days/week intake system to receive and respond to abuse and neglect
- Making childcare more available: Distribution of federal funding to support and sustain childcare providers
- Improving efficiency of child support collection and distribution: A successful, operating child support system for the collection and distribution of child support payments

DSS needs sufficient funding to transform the current child-serving system into a 21st century child and wellbeing system. This includes successfully implementing placement, caseload/workload, and healthcare plans regarding children who are in foster care as well as addressing an under-resourced infrastructure that was exacerbated by the Covid-19 pandemic.

Despite the funding shortfalls, DSS has made progress in system improvement efforts. A relatively small number of children and adolescents in South Carolina have complex mental health and challenging behavioral needs, and their inability to get the help they need in their homes/communities increases foster care entries, involvement with juvenile justice, and hospitalization. DSS leadership has worked to increase the placement and service array through implementation of the Families First Prevention Services Act (FFPSA) and child wellbeing reform efforts alongside the Michelle H. settlement agreement and Program Improvement Plan requirements. This has included working with the child-serving system to identify and submit evidence-based treatment for Clearinghouse approval and working with providers regarding offering specialized care and transitioning to Qualified Residential Treatment Facilities (QRTPs).

Foster Parent Facts

May 2021 Issue 5

DSS SOUTH CAROLINA DEPARTMENT of SOCIAL SERVICES

Leaders Show Solidarity in Addressing Child Abuse and Neglect

Gov. Henry McMaster has designated April as Child Abuse Prevention Month. On April 6th, he was joined by DSS State Director Michael Leach, Lt. Gov. Pamela Evette, and other child-serving organizations and agencies for a ceremony at Riverfront Park in Columbia. S.C. State Child Advocate Amanda Whittle and Children's Trust CEO Sue Williams also spoke.

"South Carolina's most precious resources are its children," said Governor McMaster. "Bringing awareness to the harsh realities of child abuse and educating ourselves on the signs of abuse is a critical step towards ensuring a safe and bright future for our children." What happens in childhood can last a lifetime. Research shows that adversity in a child's life can have long-lasting negative health and social effects into adulthood. Happy, healthy children have better odds of becoming thriving, productive adults.

SCDSS Director Leach speaks to media
Source: Children's Trust of SC

"Now more than ever, South Carolina families need us – organizations, governmental agencies, businesses, communities, neighborhoods, faith-based groups, and individuals – to join together," S.C. Department of Social Services State Director Michael Leach said. "When we support families where they are in life, our communities become stronger and more resilient, and children grow up healthy, nurtured and safe."

"As a mother, it breaks my heart to hear of children who suffer any form of abuse. I am so thankful for those who are working to prevent child abuse in our state and around the world. We must do our part to raise awareness and provide support to everyone on the frontlines of this serious issue," said S.C. Lt. Governor Pamela Evette.

Amanda Whittle, S.C. State Child Advocate and Director of the Department of Children's Advocacy remarked, "Now is the time for all South Carolinians to work together to strengthen families. Child abuse prevention is critically important to the future of our state. When we raise awareness about protective factors and provide services that promote resiliency, we improve outcomes for children."

Sue Williams, CEO of Children's Trust, applauded these partners for participating in Child Abuse Prevention Month. "As South Carolina strives to give every child the opportunity to grow up in supportive environments, we know how important it is to all work together," Williams said. "There is no single public agency, community organization, or individual that can ensure success for our children. Together we can grow a better tomorrow for our state." You can read more about Child Abuse Prevention Month here.

See the Governor's Proclamation declaring April 2021 as Child Abuse Prevention Month

Children's Trust OF SOUTH CAROLINA

South Carolina Department of CHILDREN'S ADVOCACY Advocacy. Accountability. Service.

DSS has taken the lead in receiving, assessing, organizing and reporting child fatality data. Pursuant to S.C. Code of Laws Ann. Section 63-11-1930(A), the State Child Advocate is a member of the Child Fatality Advisory Committee. The CFAC is uniquely positioned to communicate and strategize prevention efforts based on fatality information. The CFAC meets every other month, and DCA and DSS have worked closely together to gather data, identify barriers and gaps, share strategies, and and educate and equip parents and professionals with the information learned from fatality reviews.

DSS has also led and engaged in interagency efforts with First Steps, Children's Trust, DAODAS, Department of Children's Advocacy, and DHHS to maximize resources and improve outcomes.

DSS Director Mike Leach attended all of the Joint Citizens and Legislative Committee on Children's public hearings in 2021 as well as the retreat and is an tireless advocate for his staff and for the people who are served by DSS.

The Department of Children's Advocacy has opportunities for communication with DSS as follows:

- Individual meetings and conversations with Director Leach and DSS leadership
- Regularly-scheduled quarterly meeting between DCA and DSS leadership
- Implementation of the DSS/DCA Critical Incident Notification protocol
- DCA, DSS, DJJ, DMH, and DHHS Agency Director meetings
- Joint Citizens and Legislative Committee on Children meetings and public hearings
- Cabinet meetings
- Special events including Child Abuse Prevention month; the Spring 2021 Joint Collaborative and Training Sessions; and the Safe Sleep Summit

S.C. School for the Deaf and the Blind (SCSDB)

Director Whittle and Deputy Capps visited the South Carolina School for the Deaf and the Blind, met with Jolene Madison, and observed children learning during a tour of the campus in June of 2021. "The S.C. School for the Deaf and the Blind is the state's specialized school for students who are deaf or blind. The school serves students from throughout the state on its main campus in Spartanburg and through its statewide outreach programs."

The SCSDB offers residential education and provides transportation for students throughout the state. Statewide outreach programs include American Sign Language services and interpreter services. The photos do not fully capture the creativity and quality of this special place in Spartanburg, South Carolina.

It is a resource-rich facility due not only to state allocations but also due to generous benefactors and the heart of the school's staff. The school remained open during the pandemic and is an incredible asset to our state. The Investigations Unit has not received any complaints or concerns about SCSDB since July 1, 2019. Learn more here.

Playground at SCSDB

Video Phone Booth at SCSDB

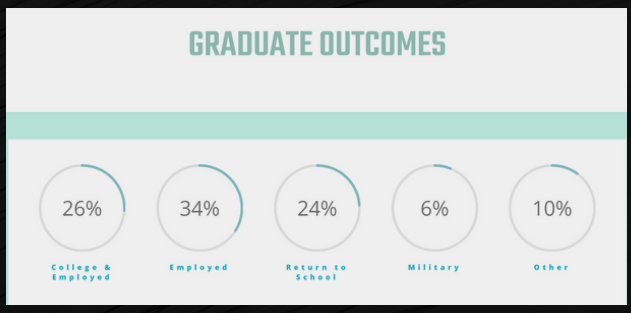
Tactile art display

Wil Lou Gray Opportunity School (WLG)

Director Whittle and Deputy Capps met with WLG Director Pat Smith and other WLG staff and toured the 86-acre campus in 2020. Director Smith provided information about the school's history, the application process, and graduation criteria. WLG offers a 14-week program with small class sizes for at-risk students to prepare them to earn their General Education Diploma (GED). The tour included seeing the "GED Bell" and the wall where parents write encouraging words for their students. The Investigations Unit has not received any calls, complaints or concerns about Wil Lou Gray since July 1, 2019.

The Wil Lou Gray Opportunity School is the state's oldest alternative education provider; nearly 100 years old, serving South Carolina's families since 1921." The school has state-of-the art classrooms and facilities. Wil Lou Gray is a valuable resource for youth in our state. Other than an administrative fee, the cost is free for Wil Lou Gray's state-supported residential educational program. Learn more here.

Wil Lou Gray Opportunity School's Library (2020)



For more information about Wil Lou Gray Opportunity School's graduate outcomes, click here

Governor's School of Agriculture at John de la Howe (JDLH)

These photos were taken from John de la Howe's website. Click here for more information.

Director Whittle and Deputy Capps met with the Governor's School of Agriculture at John de la Howe President Timothy Keown and staff at the John de la Howe campus in 2020.

President Keown provided information about the school's historical background as well as a thorough tour of the bucolic campus. This included the opportunity to view the dorms and classrooms as well as some of the 1310 acres of forests and farmland.

"John de la Howe School is the oldest educational institution in South Carolina below the college level. It was established in 1797 through the will of Dr. John de la Howe, a French physician who immigrated to Charleston in 1764." JDLH was closed following a Feasibility Study in 2017 that recommended that the school "undertake a mission for becoming a statewide residential high school for agriculture and mechanical studies." JDLH initiated an intentional admissions processes to support its agricultural mission.

JDLH was officially recognized and renamed with S.613 during a ceremonial bill signing by Governor McMaster on December 8, 2020. The Investigations Unit has not received any calls, complaints or concerns about the Governor's School of Agriculture at John de la Howe since July 1, 2019.

Community Engagement and Education

State Child Advocate and Department of Children's Advocacy Director Amanda Whittle engaged with other leaders and community advocates to learn, share and create opportunities for ongoing communication, information-sharing and coordination. Some of the meetings, hearings, conferences, presentations and training included:

- Attorney General's Human Trafficking Task Force
- Bench Bar Committee *ex officio* member
- Child Fatality Advisory Committee member
- Children's Justice Act Task Force member
- Children's Trust annual meeting presenter
- Children's Trust Evening with the Experts
- DSS/DCA Joint Collaborative and Training
- Family Connection SC conference presenter
- First Steps meeting presenter
- Foster Care Review Board Annual Professional Development Day presenter
- Governor, Presentation to Governor, Lieutenant Governor and Cabinet Members at Cabinet meetings
- Governor's Juvenile Justice Advisory Council member (GJJAC)
- Human Trafficking Task Force
- Joint Citizens and Legislative Committee on Children Guest/Attendee for all public hearings
- Joint Council for Children and Adolescents member (Chair, 2020)
- Media interviews
- Medical Care Advisory Committee member
- Medical University of South Carolina: 37th Annual Judges and Attorneys Substance Abuse and Ethics Conference (Organizer/Facilitator for "The Intersection of Juvenile Justice and Mental Health")
- Palmetto Association for Children and Families conference presenter
- Safe Babies Courts State Leadership Team (led by S.C. Infant Mental Health Association)
- Safe Sleep Awareness Month and Safe Sleep Summit state planning committee and presenter and youth
- S.C. Bar Children's Law Committee (Chair, Legislative Subcommittee)
- S.C. Behavioral Health Coalition member
- S.C. Infant Mental Health Association annual conference presenter
- S.C. Network of Children's Advocacy Centers Child Abuse Response Protocol
- Suicide Prevention Coalition and 988 Planning Committee
- Systems Improvement Committee of Governor's Juvenile Justice Advisory Council
- Testimony at subcommittee hearings regarding Student ID Suicide Prevention bill; S.C. Child Abuse Response Protocol; and Extension of Foster Care Services and Agency budget hearings
- United States Ombudsman Association member
- University of South Carolina School of Law presentations and training sessions
- Conducted approximately 35 in-person visits to tour facilities, attend court hearings, and meet with children and youth

AGENCY CONTACT INFORMATION

Department of Children's Advocacy
803-734-3176
Investigations Unit: 1-800-206-1957

Children's Law Center
803-777-1646

Children's Trust of South Carolina
803-733-5430

Department of Alcohol and Other Drug Abuse Services
803-896-5555

Department of Disabilities and Special Needs
803-898-9600

Department of Health and Environmental Control
803-898-0124

Department of Health and Human Services
803-898-2580

Department of Juvenile Justice
803-896-9749

Department of Mental Health
803-898-8581
Mobile Crisis: 833-364-2274

Department of Social Services
General Information 803-898-7601
24-HR Abuse & Neglect Reporting Hotline: 1-888-CARE4US or 1-888-227-3487

Governor's School for Agriculture at John de la Howe
864-391-2131

S.C. Network of Children's Advocacy Centers
803-576-7250

S.C. School for the Deaf and the Blind
864-577-7501

Suicide Prevention Lifeline
National Suicide Prevention Lifeline: 800-273-8255

Wil Lou Gray Opportunity School
896-6480

South Carolina Department of
CHILDREN'S ADVOCACY
Advocacy. Accountability. Service.

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This report was prepared by the South Carolina Department of Children's Advocacy. For additional information, please email Communications@childadvocate.sc.gov or call 803-734-3176. The cost of printing 100 copies was $12.52 per copy, totaling $1252.30.