

	Department of Human Services CHILDREN, ADULTS & FAMILIES	NUMBER: I-B.2.3.5 OAR: 413-030-0400 thru 0455
	CLIENT SERVICES INDEX	SECTION: B. Case Management
	ISSUED BY: Office of Safety and Permanency for Children TEMPORARY: 9-01-09 thru 11-2-09	SUBSECTION: 3. Program Eligibility
SUBJECT: 5. Independent Living Program – OAR		

REFERENCES:

Section 477, Title IV-E of the Social Security Act
Public Law 106-169, Foster Care Independence Act of 1999, Title I
45 CFR Parts 1355, 1356, and 1357
ORS 418.475

413-030-0400

Purpose

These administrative rules incorporate the requirements of the federally enacted Chafee Foster Care Independence Program, created by the passage of the Foster Care Independence Act of 1999. The Chafee Foster Care Independence Program (CFCIP) replaces the Title IV-E Independent Living Program. Additionally, these rules specify the requirements of the Independent Living Subsidy Program (ILSP), administered by the Department of Human Services Children, Adults and Families (DHS-CAF).

Stat Auth: ORS 418.005

Stats. Implemented: ORS 418.475

413-030-0405

Definitions

- (1) "Chafee Foster Care Independence Program (CFCIP)" means: a federally funded grant allocated to the State of Oregon Department of Human Services (Oregon DHS) for administration. This grant replaces the previously administered Title IV-E Independent Living Program grant. Services provided under the CFCIP will continue to be referred to as Independent Living Program (ILP) services.
- (2) "Contractor" or "Service Provider" means: an entity with whom DHS-CAF has contracted to provide independent living services.
- (3) "Federally Recognized Tribes in Oregon" means: Burns Paiute Tribe; Confederated Tribes of Coos; Lower Umpqua and Siuslaw; Confederated Tribes of Grand Ronde;

Confederated Tribes of Siletz; Coquille Indian Tribe; Confederated Tribes of Umatilla; Confederated Tribes of Warm Springs; Cow Creek Band of Upper Umpqua; and Klamath Tribe.

- (4) "DHS Foster Care" means: 24-hour substitute care for children placed away from their parents or guardians for whom the state agency has placement and care responsibility. This includes but is not limited to placements in foster family homes, relative care, group homes, emergency shelters, residential facilities, child care institutions, and preadoptive homes. It further covers ILP enrolled youth placed in the State's Independent Living Subsidy Program. A child is in foster care in accordance with this definition regardless of whether the foster care setting is receiving a payment from DHS.
- (5) "Tribal Foster Care" means: 24-hour substitute care for children placed away from their parents or guardians for whom the Tribe has placement and care responsibility. This includes but is not limited to placements in foster family homes, relative care, group homes, emergency shelters, residential facilities, child care institutions, and preadoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care setting is receiving a payment from the Tribe.
- (6) "Former foster child" means a person under 21 years of age who was in substitute care at or after 16 years of age, including substitute care provided by Federally Recognized Tribes in Oregon, and has been in substitute care for at least 180 cumulative days.
- (7) "ILP Desk" means: the central and administrative center, housed at Central Office, for administering the Independent Living Programs (ILP) which include Independent Living Skill Building (ILPBS), the Independent Living Subsidy Program (ILSP) and the Chafee Housing Program (ILP-CH).
- (8) "Independent Living Subsidy Program - ILSP" means: State of Oregon funded program (ORS 418.475) to assist foster care youth with housing services for their transition to independence.
- (9) "Self Sufficiency" means: to demonstrate the knowledge, skills, and abilities to provide for one's self without reliance on public assistance programs.
- (10) "Service Provider" or "Contractor" means: an entity with whom DHS-CAF has contracted to provide independent living services.
- (11) "Permanency for Children (PFC)" means: the Permanency for Children office in the Department of Human Services' Children, Adults and Families program area.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-030-0410 Eligibility for Services

- (1) In general, the following youth are eligible for ILP services:
- (a) A youth, fourteen (14) years of age and older who is currently in foster care with Oregon DHS or one of the Federally Recognized Tribes in Oregon;
 - (b) A former foster child; or
 - (c) A youth enrolled in a formal Oregon ILP which began providing services prior to the effective date of these rules (January 22, 2002), shall be allowed to continue to receive services until their plan for independence has been completed or until the youth reaches 21 years of age.
- (2) The individual programs and services within these rules may have further eligibility requirements based on program limitations, funding restrictions, age appropriateness or youth's readiness.

Eligibility Matrix

Age	ILP Skills Training/Support	Chafee Housing	ILSP
14-16	X		
16-18	X		X
18-21	X	X	X

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-030-0415 Goals of the Independent Living Program

- (1) Assist foster care youth in the following ways:
- (a) Obtaining personal and emotional support and promote healthy interactions with dedicated adults;
 - (b) Making the transition to self sufficiency;
 - (c) Receiving the education, training, and services necessary to obtain employment;

- (d) Attaining academic and/or vocational education, and prepare for post-secondary training and education.
- (2) Assist an eligible former foster child currently between the ages of 18 and 21 years old who has not reached 21 years of age with support and services.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-030-0420

Values and Guiding Principles

Services, programs, case planning, funding options and persons working with the youth will:

- (1) Involve the youth in making decisions that affect their life;
- (2) Involve youth in planning, developing, and providing services whenever possible;
- (3) Recognize and value a youth's strengths and seek ways to support them;
- (4) Promote a youth's development in a planful way rather than identify and seek to "fix" a youth's problem through crisis services; and
- (5) Honor and promote the diversity of the youth and adults involved.

Stat Auth: ORS 418.005

Stats. Implemented: ORS 418.475

413-030-0425

Program Overview

- (1) In order to obtain the most efficient, lasting, and comprehensive programs and services for foster care youth each of the program areas must:
 - (a) Involve the youth in planning for their independence;
 - (b) Involve the youth's relatives, foster parents, mentors and/or significant others including the youth's biological parents (when appropriate) in the development of the youth's plan for independence; and
 - (c) Coordinate with other federal, state, and local agencies providing services to youths.

- (2) DHS-CAF implements three distinct Independent Living Programs. These programs although individual in nature allow for youth to access them concurrently and/or consecutively. The three programs are described in 413-30-0430, 0435, and 0440.

Stat Auth: ORS 418.005

Stats. Implemented: ORS 418.475

413-030-0430

Independent Living Program - Skills Training (ILP-S)

ILP-S authorizes eligible Oregon foster care youth the following services:

- (1) Instruction in basic living skills such as money management, home management, consumer skills, parenting, health care, access to community resources, transportation and housing options;
- (2) Educational and vocational training, High School Diploma or General Equivalency Diploma (GED) preparation, post-secondary education and academic support, job readiness, and job search assistance and placement programs;
- (3) Training, workshops and conferences, individual and group skills building for improved healthy self-esteem and healthy self-confidence, and interpersonal and social skills training and development; and/or
- (4) Development of community organizational networks and support groups to encourage youth in foster care and youth formerly in foster care toward self sufficiency

Stat Auth: ORS 418.005

Stats. Implemented: ORS 418.475

413-030-0435

Independent Living Program - Chafee Housing Services (ILP-CH)

ILP-CH authorizes funding to provide eligible youth the following services:

- (1) Assistance in funding room and board for youths 18 to 21 who have left foster care because they reached age 18, and who have not attained 21 years of age and who are no longer in the care and custody of DHS (formerly SOSCF) or the Tribe; and/or
- (2) Coordination of housing services with Transitional Living Programs;

Stat Auth: ORS 418.005

Stats. Implemented: ORS 418.475

413-030-0440

Independent Living Subsidy Program (ILSP) - Housing Subsidy

ILSP assists eligible foster care youth in housing services for their transition to independence in conjunction with receiving "skills training", and includes the following:

- (1) Services to assist in funding room and board for youths 16 to 21 years of age who are currently in the care and custody of DHS (formerly SOSCF) for foster care services or who have had a prior foster care service; and
- (2) Coordination of Housing Subsidy services with ILP-CH and Transitional Living Programs.

Stat Auth: ORS 418.005

Stats. Implemented: ORS 418.475

413-030-0445

Referrals for Independent Living Program Services (ILP)

- (1) The following youth may be referred to the ILP program.
 - (a) Youth in foster care with Oregon DHS between the ages of 14 and 16 years of age may be considered for ILP services.
 - (b) Youth in foster care with Oregon DHS who have reached their 16th birthday shall be considered for services to achieve independence unless; the case plan or court order finds that it is not in the youth's best interest and that documentation in the youth's case file reflects the reasons for this decision and lists the individuals (i.e. youth, foster parents, youth's relatives, CASA, youth's attorney) involved in that decision. [Per federal case planning regulations: Section 475 of the Social Security Act; PL 96-272; and DHS Child Welfare Policy I-1.2, Narrative Recording].
 - (c) A former foster child who meets the eligibility criteria may request voluntary services from Oregon DHS by completing a Service Application (CF304).
- (2) If a youth is considered appropriate and eligible for ILP services a referral for services will be made by DHS for a formal written Life Skills Assessment. Referral for ILP services are made to the local contracted provider for the county in which the youth resides. If an ILP Contractor is not available in the local area then the caseworker may

contact the ILP Coordinator in Central Office for assistance in accessing other service providers.

- (3) A Life Skills Assessment may include the following:
- (a) assessment of the youth's skills gathered by interviews with the youth, caseworker, foster parent, biological parents and/or other significant adults, and
 - (b) use of a formalized independent living assessment tool such as; Ansell-Casey Assessment or Daniel Memorial Assessment.
 - (c) Youth shall also be assessed for readiness of services, commitment to participate in services, and types of services necessary.
 - (d) The written life skills assessment will:
 - (A) Identify the strengths of the youth being assessed.
 - (B) Describe the youth's current skill needs in the following areas:
 - (i) interactions and connectedness to dedicated adults who can assist in the personal and emotional support necessary to achieve independence;
 - (ii) ability to make a successful transition to self sufficiency;
 - (iii) educational and vocational interest and abilities;
 - (iv) physical health and/or mental health; and
 - (v) residential stability.
 - (C) Include the youth's signature indicating that the youth participated directly in the assessment.
- (4) The Youth's Service Plan includes:
- (a) a decision making meeting will be held between the youth, the ILP service provider, the youth's caseworker, the youth's foster parent and/or other significant adults, following completion of the youth's life skills assessment.
 - (A) The purpose of this decision making meeting is to create a service plan identifying what services are needed, which services are available by the ILP provider and what services may be obtained within the community.

- (B) If the youth's needs cannot be met by the local service provider, or with community services, the caseworker will consult with the ILP Coordinator in Central Office and consider other service options.
 - (b) an outline of the services that will be offered, the needs the services intend to address, the anticipated time frame for when services will begin and end, and what responsibility each member of the decision making team will assume.
 - (c) signatures of the participating team members acknowledging their participation and agreement with the plan; and
 - (d) a review of the plan within the first 90 days after it is established, and every 180 days thereafter.
 - (A) The purpose of the review is to ensure appropriate services are being provided for the youth and that the youth is engaged in services.
- (5) A Youth's Service Plan will be considered completed when a youth has:
- (a) achieved self-sufficiency to the extent that there is no longer a need for services; or
 - (b) made the voluntary and informed decision to no longer participate in services; or
 - (c) made themselves unavailable for services for 60 days or more, unless the reason for the absence is known to the skills provider or caseworker and the absence is for the purpose of supporting the youths plan for independence.
- (6) Post-Service Assessment. A post-service assessment will be made by the service provider, in conjunction with the decision making team, upon the completion of a Youth's Service Plan. The post-service assessment will include:
- (a) the youth's successes and continued needs. This information may be gathered by interviews with the youth, caseworker, foster parent, biological parents and/or other significant adults, and may involve the use of a formal independent living assessment tool such as Ansell-Casey Assessment or Daniel Memorial Assessment.
 - (b) the youth's assessment and evaluation of the program and services delivered to them during their participation in ILP services. This information may be in the form of a verbal interview with the members of the decision making team, or through a formalized evaluation format provided by DHS or the service provider.

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413-030-0450

Referrals for Housing Services Programs

- (1) Youth are eligible for ILP Housing Services when they meet the following eligibility requirements:
 - (a) Chafee Housing (ILP-CH) services may be provided to youth who meet all of the program conditions outlined below in section (c) and who are:
 - (A) a former Oregon DHS or Tribal foster care recipient between the age of 18 and 21, who had care and custody terminated on or after the youth's eighteenth (18) birthday;
 - (B) expected to have some form of employment throughout the youth's participation in the Chafee Housing Program, and;
 - (b) Independent Living Subsidy Program (ILSP) housing services may be provided to youth who meet the program conditions outlined below in section (c) and who:
 - (A) are in the care and custody of Oregon DHS and at least 16 years of age;
 - (B) have had at least one substitute care placement prior to applying for the ILSP;
 - (C) have written permission to participate in the ILSP program from the juvenile court, if a ward of the court; or from a parent or legal guardian, if in the voluntary custody of DHS, and;
 - (D) are able to pay all or a portion of the housing expenses and other support costs.
 - (c) Program Conditions require that the youth is:
 - (A) enrolled and participating in an Independent Living "skills training" program;
 - (B) in need of room and board services to complete the youth's plan for independence and is willing to accept personal responsibility for making the transition from adolescence to adulthood;

- (C) involved in a program of education and employment, or a combination thereof, which amounts to full-time activity as specified below:
 - (i) If the youth has not graduated from high school or obtained a General Equivalency Degree (GED), the youth must be enrolled in high school, or GED classes seeking to earn a high school diploma or GED, and may be working part or full-time to accumulate at least 40 hours of combined school and work activities per week; or
 - (ii) If the youth has completed high school or obtained a GED, the youth may be involved in a program of post-secondary education, or vocational training, and be working part or full-time to accumulate at least 40 hours of combined school and work activities per week.

(2) Several Types of Assistance with Housing Services:

- (a) Skills Training. Assistance for the youth in preparing or maintaining to live independently is obtained through "skills training" which is a required component of receiving housing services. Skills training may provide: assistance in searching for adequate, affordable, and safe housing for the youth; and/or preparation of personal budgets for the costs associated with accessing and maintaining housing, learning how to evaluate a safe residence, selecting roommates, filling out rental agreements, and learning to be a good renter or roommate.
- (b) Financial Assistance. Effective September 1, 2009, a monthly housing services payment may be no greater than \$600 per month. The amount of the monthly housing assistance will be determined through completing the Budget Worksheet (CF77). Financial Assistance shall be limited as follows:
 - (A) Independent Living Subsidy Program assistance shall not exceed 12 months for a youth.
 - (B) Chafee Housing assistance shall not exceed a cumulative total amount of \$6,000 for a youth, up to 21 years of age.
 - (C) Housing funds shall not be expended to allow a youth to reside with their biological or legal parent(s).
- (c) Payment Review. The amount of the housing payment will be reviewed on a quarterly basis, and more frequently when deemed appropriate. The youth is expected to bring receipts of monthly expenditures, income, and checking and saving account information to the review, in order to determine whether the

youth's housing payment should be adjusted upward or downward. Failure of the youth to provide the above documents may be grounds for termination from the Housing Services Program. A youth who has been terminated from a Housing Services Program may not reapply for at least 30 days.

- (d) Housing Services include on-going payments which may be made directly to youth for room and board (which may include rent, food, and utilities). A youth's housing services may be terminated if the youth demonstrates an unwillingness or inability to meet the requirements of the program or the written terms of the Housing Performance Agreement (CF 76) that they have signed.
- (3) Appropriate Living Situations include, but are not limited to:
- (a) boarding houses, apartments, and shared housing.
 - (A) The residence shall meet the following minimum standards:
 - (i) located to provide reasonable access to schools, places of employment, or necessary services to support the youth's plan for independence;
 - (ii) Comply with applicable state and local zoning, fire, sanitary and safety regulations;
 - (b) shared housing shall meet the following criteria:
 - (A) each resident shall share equally in paying for rent, food, and other costs associated with maintaining the dwelling;
 - (B) each resident shall not pose a risk to the youth's physical, mental, and emotional well-being, or demonstrate unlawful behavior.
- (4) Enrollment Process for the Housing Services Program: The youth's caseworker, or the youth's ILP service provider will contact the ILP desk in central office to determine the availability of funds to finance the youth's room and board needs.
- (a) Enrollment in Housing services is subject to available funding. A request may be denied on the basis of insufficient funds.
 - (b) Although a youth may be eligible for housing services, the services may be provided by an existing contracted service in the local area. Therefore, the youth may need to access the currently contracted housing services available. (These contracted service providers will be known to the ILP service provider and the ILP desk in Central Office.)

- (5) Screening committee or decision meetings: will include the youth, their case worker, an ILP service provider, and other significant adults for the youth to consider the youth's request. The purpose of the decision meeting is to:
- (a) assess the youths need for housing services, the readiness of the youth for services, the services necessary to enhance the success for the youth, and the amount of funds necessary to supplement his/her income.
 - (b) to make a written recommendation for provision or denial of services to the ILP Coordinator.
 - (c) The ILP Coordinator may then authorize or deny the use of Housing funds.
- (6) Denied access. If a youth is denied access to housing services, a youth is entitled to reapply for room and board services after addressing the concerns used in the decision for denial of services.
- (7) Budgeting.
- (a) Initial Budget. An initial monthly budget will be developed by the youth, the youth's service worker, ILP service provider, and other significant adults involved in the youth's life. The budget will be reviewed and adjusted accordingly. The purpose is to allow the youth to learn money management and accountability toward self sufficiency.
 - (b) Budget Items. The youth, the ILP service provider, and caseworker will complete the Budget Worksheet (CF77) which includes, but is not limited to Rent, Food, Utilities, Phone, Clothing, Laundry, and/or Transportation costs.
 - (c) Youth Contributions. The youth will contribute to the youth's support in accordance with the youth's Housing Services Performance Agreement (CF76) and signed Budget Worksheet (CF77).

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413-030-0455

Exceptions - Special Circumstances

- (1) The ILP desk may approve funds for appropriate discretionary or emergency funding requests. Requests must be in writing (form CF78) and come from the youth, caseworker, and ILP service provider concurring with the need.

- (2) In extraordinary situations a youth may request an extension of housing services beyond the allowed period of time. This request must be submitted to the ILP Desk in writing, identifying why the extension is necessary, what efforts have been made to prevent the need for an extension, the plan to remedy the need, and the time period for which the funding is being requested. This request must be signed by the youth, caseworker and ILP service provider, demonstrating support for the request.
- (3) Request for exceptions in special circumstances beyond the above areas must be made to the SDA Manager or designee. The SDA Manager or designee in consultation with the ILP Coordinator shall determine whether to approve the request. All determinations are final.

Stat Auth: ORS 418.005

Stats. Implemented: ORS 418.475