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ALTERNATIVE FOSTER CARE GOALS

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ALTERNATIVE FOSTER CARE GOALS

11.1 Introduction

When the LDSS, in collaboration with the Family Partnership Meeting, determines that all three permanency goals (i.e., Return Home, Adoption, or Placement and Transfer of Custody to Relative) are not in the child's best interest, the LDSS may select an alternative goal of Permanent Foster Care, or Another Planned Permanent Living Arrangement. However, these goals do not achieve permanency for the child since the child remains in foster care.

When one of these alternative goals is selected, the service worker shall continue throughout the child's involvement with the child welfare system to search for permanent family opportunities and lifelong permanent connections. This process involves continually evaluating the child's best interests and the changing circumstances of the child and extended family. As new opportunities arise that are consistent with the child's best interests, the service worker shall make diligent efforts to place the child with a permanent family and end placement in the foster care system.

11.2 Framework

LDSS shall meet federal and state legal requirements, and should use sound practice principles to achieve desired outcomes and to guide decision making on selecting permanency goals for children in foster care.

11.2.1 Practice principles

Two fundamental principles in Virginia's Children's Services System Practice Model provide the philosophical basis and guide practice for decision making in selecting permanency goals.

First, we believe in family, child, and youth-driven practice.

- Children and families will be treated with dignity and respect. The voices of children, youth, and parents are heard, valued, and considered in the decision making regarding safety, permanency, and well-being, as well as in service and educational planning and in placement decisions.
- Family members are the experts about their own families. It is our responsibility to understand children, youth, and families within the context of their own family rules, traditions, history, and culture.
- We engage families in a deliberate manner. Through collaboration with families, we develop and implement creative, individual solutions that build on their strengths to meet their needs. Engagement is the primary door through which we help youth and families make positive changes.

Second, we believe that all children and youth need and deserve a permanent family.

- Permanency is best achieved through a legal relationship such as parental custody, adoption, kinship care, or guardianship. Placement stability is not permanency.
- Planning for children is focused on the goal of preserving their family, reunifying their family, or achieving permanency with another family.

11.2.2 Legal excerpts

The legal framework and specific requirements for selecting alternative foster care goals for children are delineated in federal and state law. Key citations are provided below. See the law for complete language by clicking on the citation.

- **Provide child welfare services to prevent separating children from families, restore them with families, place in adoptive homes, and assure adequate care**

(§ [63.2-319](#)). Each local board shall provide, either directly or through the purchase of services subject to the supervision of the Commissioner and in accordance with regulations adopted by the Board, any or all child welfare services herein described when such services are not available through other agencies serving residents in the locality...

6. Assuring adequate care of children away from their homes in cases where they cannot be returned home or placed for adoption.

- **Permissible goals in foster care plan**

(§ [63.2-906](#)). A. Each child who is committed or entrusted to the care of a local board ... shall have a foster care plan prepared by the local department.

B. Each child in foster care shall be assigned a permanent plan goal to be reviewed and approved by the juvenile and domestic relations district court having jurisdiction of the child's case. Permissible plan goals are to:

1. Transfer custody of the child to his prior family;
2. Transfer custody of the child to a relative other than his prior family;
3. Finalize an adoption of the child;
4. Place the child in permanent foster care;
5. If the child is admitted to the United States as a refugee or asylee, transition to independent living; or
6. Place the child in another planned permanent living arrangement in accordance with subsection A 2 of § [16.1-282.1](#).

- **Child's health and safety paramount concern; plan to return child to birth parents or prior custodians**

([The Adoption and Safe Families Act of 1997 \(PL 105-89\)](#)). (A) in determining reasonable efforts to be made with respect to a child....and in making such reasonable efforts, the child's health and safety shall be the paramount concern; (B)...reasonable efforts shall be made to preserve and reunify families—(i) prior to the placement of a child in foster care, to prevent or eliminate the need for removing the child from the child's home; and (ii) to make it possible for a child to safely return to the child's home;

(§ [16.1-281](#)). B. ...If consistent with the child's health and safety, [the foster care] plan shall be designed to support reasonable efforts which lead to the return of the child to his parents or other prior custodians within the shortest practicable time which shall be specified in the plan. The child's health and safety shall be the paramount concern of the court and the agency throughout the placement, case planning, service provision and review process.

- **If cannot return child to prior family, plan to place child with relative with subsequent transfer of custody or in adoptive home, or explain why permanent foster care is the plan**

(§ [16.1-281 B](#)). If the department or child welfare agency concludes that it is not reasonably likely that the child can be returned to his prior family within a practicable time, consistent with the best interests of the child, in a separate section of the plan the department, child welfare agency or team shall (a) include a full description of the reasons for this conclusion; (b) provide information on the opportunities for placing the child with a relative or in an adoptive home; (c) design the plan to lead to the child's successful placement with a relative if a subsequent transfer of custody to the relative is planned, or in an adoptive home within the shortest practicable time, and if neither of such placements is feasible; d) explain why permanent foster care is the plan for the child or independent living is the plan for a child in cases involving children admitted to the United States as refugees or asylees who are 16 years or older and whom the goal is independent living. "Independent living" as used in this section has the meaning set forth in § [63.2-100](#).

- **Petition to achieve the foster care goal**

(§ [16.1-282.1](#)). A. In the case of a child who was the subject of a foster care plan filed with the court pursuant to § [16.1-281](#), a permanency planning hearing shall be held ...

To achieve the permanent goal, the petition for a permanency planning hearing shall seek to (i) transfer the custody of the child to his prior family, or dissolve the board's placement agreement and return the child to his prior family; (ii) transfer custody of the child to a relative other than the child's prior family, subject to the provisions of subsection A1; (iii) terminate residual parental rights pursuant to § [16.1-277.01](#) or [16.1-283](#); (iv) place the child in permanent foster care pursuant to § [63.2-908](#); (v) if the child has been admitted to the United States as a refugee or asylee and has attained the age of 16 years or over and the plan is independent living, direct the board or agency to provide the child with services to transition from foster care, or (vi) place the child in another planned permanent living arrangement in accordance with the provisions of subsection A2. In cases in which a foster care plan approved prior to July 2, 2011, included independent living as the goal for the child who is not admitted to the United States as an asylee or refugee, the petition shall direct the board or agency to provide the child with services to transition from foster care.

- **Requirements for foster care goal of another planned living arrangement**

(§ [16.1-282.1](#)). A2. The following requirements shall apply to the selection and approval of placement in another planned permanent living arrangement as the

permanent goal for the child in accordance with clause (vi) of subsection A of this section.

1. The board ... shall petition for alternative (vi) of subsection A only if the child has a severe and chronic emotional, physical or neurological disabling condition for which the child requires long-term residential treatment; and the board or child welfare agency has thoroughly investigated the feasibility of the alternatives listed in clauses (i) through (v) of subsection A and determined that none of those alternatives is in the best interests of the child. In a foster care plan filed with the petition pursuant to this section, the board or agency shall document the following: (i) the investigation conducted of the placement alternatives listed in clauses (i) through (v) of subsection A and why each of these is not currently in the best interest of the child; (ii) at least one compelling reason why none of the alternatives listed in clauses (i) through (v) is achievable for the child at the time placement in another planned permanent living arrangement is selected as the permanent goal for the child; (iii) the identity of the long-term residential treatment service provider; (iv) the nature of the child's disability; (v) the anticipated length of time required for the child's treatment; and (vi) the status of the child's eligibility for admission and long-term treatment.

11.3 Alternative foster care goals

The LDSS shall select an alternative goal only when the three priority permanency goals are determined to be inconsistent with the child's best interest (See [Section 7](#)). The LDSS should convene a Family Partnership Meeting prior to changing to an alternative foster care goal. While the alternative goals are allowable by law, they do not achieve permanency for the child. The child does not leave foster care to live permanently with a family.

Research shows that youth who age out of the foster care system without a permanent family are more likely to experience poverty, homelessness, incarceration, mental health, and medical problems. They often lack the necessary educational and life skills to be successful in life. These challenges result in significant economic, emotional, and social costs for the youth and society.

The alternative foster care goals are:

- Permanent Foster Care;
- Another Planned Permanent Living Arrangement.

If one of these two alternative goals is selected, the service worker shall continue to search for relatives and significant individuals as permanent families throughout the child's involvement with the child welfare system. The service worker shall also

continually evaluate the child's best interests and the changing circumstances of the child and extended family.

As new opportunities arise that are consistent with the child's best interests for permanency, the service worker should request a Family Partnership Meeting and shall pursue one of the three priority permanency goals. The LDSS shall make diligent efforts to place the child in a permanent home and end placement in the foster care system when appropriate. These ongoing attempts shall be documented in the OASIS.

11.3.1 Permanent Foster Care

Selection of this goal and placement of a child, *ages 14* and over, in a permanent foster home occurs only after a determination that returning home, adoption, and placement with and custody by a relative are not in the best interests of the child. The child is placed in the residence of a person(s) who is determined to be appropriate in meeting the child's needs on a long-term basis ([§ 63.2-908](#)). Residential programs and group homes are not personal residences. The name of the individual foster parent(s) shall be provided for the court order.

This goal is selected when the child has developed a clearly established and documented significant relationship with a foster parent. The intent is for the foster parent to choose to adopt the child, for the circumstances to change and reunification or placement and custody transfer to a relative are determined to be in the child's best interest, or the child to remain with the foster parent until age 21.

If a youth with the goal of Permanent Foster Care leaves his or her permanent foster family home and is not expected to return to that home, the Permanent Foster Care goal shall be changed. Youth who leave for brief periods of time (e.g., hospitalization, detention) and who are expected to return to the permanent foster care home shall maintain the Permanent Foster Care goal.

This goal is not appropriate for a child younger than age *14*. An exception may be made if the child has an older sibling who is appropriately placed in the permanent foster home, and it is in the best interests of both the child and the sibling to be placed in the same home. The LDSS should contact the regional permanency consultant prior to filing the petition to review the appropriateness of placing any child under age *14* in permanent foster care.

11.3.2 Independent Living

This goal shall not be chosen for youth, ages 16 and over as of July 1, 2011. Those youth that have this goal prior to July 1, 2011 may keep the goal if it is determined that continuation of the goal of Independent living is in the best interests of the youth. For those youth with this goal, the service worker shall continue diligent efforts to search for a relative or other interested adult who will provide a permanent

long-term family relationship for the youth. Opportunities to facilitate reunification, adoption, or placement with and custody by a relative shall continue to be pursued.

The intent of the goal of independent living is to focus on assisting the youth in developing significant lifelong adult and/or family connections as well as the skills necessary to successfully transition to adulthood.

Note: For CPAs that provide services to children admitted to the United States as refugees or asylees who are 16 years or older, the goal Independent Living may still be used. For information about the refugee program and additional services to these youth contact the VDSS Office of Newcomer Services.

11.3.3 Another Planned Permanent Living Arrangement

The selection of “another planned permanent living arrangement” is appropriate only if the child has a severe chronic emotional, physical, or neurological disabling condition for which the child requires long-term residential treatment of six (6) months or longer (§ [16.1-282.1 A](#)). Selection of this goal requires that all permanency and other alternative goals have been ruled out as not being in the best interest of the child. Opportunities to change the goal and facilitate reunification, adoption, or placement with and custody by a relative shall continue to be pursued.

This is not an appropriate goal to use for youth age 16 and over for whom independent living would have been selected in the past. Older youth for whom this goal is selected must meet the requirement as described above.

11.3.4 Using Family Partnership Meetings prior to changes in goal

A Family Partnership Meeting should be held prior to changing the permanency or alternative foster care goal for the child. This team approach involves partnering with family members in decision making throughout the family’s involvement with the child welfare system. A facilitated team collaborates with the family on key decisions to ensure safety, a permanent family, and life-long connections for the child who is at high risk of being placed out of the home or who is in foster care, building upon the strengths of the child, family and community (see [Section 2.7](#)).

In changing the alternative foster care goal for a child, Family Partnership Meetings should be scheduled as described below:

- **Permanent Foster Care.** This meeting should be scheduled when the criteria in the above goals have been met and the service worker has exhausted possible options for placement with a relative and adoption. This meeting should be scheduled **within two (2) weeks** of the request by any party for the meeting and before a change in goal is requested by LDSS by filing the petition to the court.

- **Independent Living.** For those youth with this goal prior to July 1, 2011. This meeting should be scheduled *at least 12 months prior* to the youth aging out of foster care and a plan for independent living is implemented. The Family Partnership Meeting should be used to identify the supports and permanent connections the youth will utilize to be self sufficient and interdependent in adulthood
- **Another Planned Permanent Living Arrangement.** This meeting should be scheduled when all permanency and other alternative goals have been ruled out as not currently being in the best interest of the child. This meeting should be scheduled **within two (2) weeks** of the request by any party for the meeting and before a change in goal is requested by the LDSS by filing the petition to the court. The need of the child to transition to adult services should also be explored and the adult services worker included in the meeting, if appropriate

All Family Partnership Meetings shall be documented in OASIS. For more guidance regarding Family Partnership Meetings, see:

- [DSS SPARK page](#)
- [DSS public website](#)

11.4 Services for goal of Permanent Foster Care

This goal may only be selected for children age *14* and over only if Reunification, Adoption, or Placement with Relative and Subsequent Transfer of Custody has been determined to not be in the child's best interest. The siblings of a youth over age *14* with a goal of Permanent Foster Care who are under age *14* may also be assigned this goal if it is in their best interest to be placed together.

11.4.1 Legal excerpts for Permanent Foster Care

Legal excerpts for the goal of Permanent Foster Care are taken from [§ 63.2-908](#) of the Code of Virginia. See the law for complete language by clicking on the citation.

- The LDSS shall petition the court to approve a Permanent Foster Care placement for a child. A residential facility is not a Permanent Foster Care placement.
- The court shall determine that diligent efforts have been made to return the child home, place the child with relatives, or place the child for adoption prior to approving the permanent foster home placement.

11.4.2 Focus of services

- Maintain the child in a foster home where the child and family have a clear and long-term bond and the foster family is committed to providing a stable and ongoing adult connection for the child.
- Strengthen the legal bond between the child and foster family by providing greater rights and responsibilities to the permanent foster parents.
- Provide supportive services that are needed by the child and family in order to enhance and strengthen the parent/child bond.
- Provide the child independent living skill development through direct services and/or support/education of foster parents.
- Include plans for continuing the child's relationships with family members including the possibility of placing siblings together in the same home.
- *Continue to utilize family finding techniques to identify family connections that could potentially provide permanency for the youth through a permanent goal.*
- *Utilize the [Permanency Pact](#) with youth to provide for supports when the permanent foster care agreement is ended to continue the relationship through adulthood.*
- *Discuss with the youth and permanent foster parents, adult adoption which would create a legal and binding connection if desired by the youth and permanent foster care parents.*

11.4.3 How the team is used

A Family Partnership Meeting should be scheduled when the service worker determines that the plan for Reunification, Adoption, and Placement with Relative have not been successful. At this meeting, a change to Permanent Foster Care as the goal for the child will be discussed and selected if the family determines that Adoption or Placement with a Relative is not in the child's best interest. The placement of siblings together and all being assigned this goal should also be addressed in this meeting. This meeting should be scheduled **within two (2) weeks** of the request by any party for the meeting, before a change in goal occurs, and before any court filing.

The court order approving the Permanent Foster Care placement shall specify:

- The nature and frequency of visitation by the birth parents.

- Any modifications in rights and responsibilities of the foster parents that differ from those provided in [§ 63.2-908](#).

The roles and responsibilities of the LDSS, foster parents, birth parents or previous caretakers and, if appropriate, the child, are contained in a mutually developed and signed agreement. The agreement shall include at least any requirements contained in the court order approving the foster care placement. The following rights and responsibilities need to be taken into account when developing the agreement:

11.4.3.1 Rights and responsibilities of birth parents and family members

- Birth parents should visit the child if visitation is not contrary to the best interest of the child. The frequency of visitation should be documented in the service plan.
- Birth parents should provide financial support for the child and a referral for collection of child support shall be made.
- A plan for regular and frequent sibling contact shall be developed and implemented if it is in the best interest of all the children. The possibility of placing siblings together shall be assessed and discussed with the foster parents, family, and the children if appropriate.

11.4.3.2 Rights and responsibilities of foster parents

- Permanent foster parents have authority to give consent for activities that require parental consent unless this authority has been modified by the court order. This includes authority to consent to:
 - Application to college or entrance into the military.
 - Marriage.
 - Driver's license.
 - Surgery.
- The foster parents shall inform the LDSS of the decisions they make as they relate to the authority given them by law or the court ([§ 63.2-908 C](#)).
- If a child with a goal of Permanent Foster Care is staffed by the FAPT, the foster parents should sign the Individual Family Service Plan. The foster parents shall be notified in advance by the worker of all FAPT meetings related to the child. The foster parents have the right to either speak at the meetings or submit written recommendations and

testimony. The FAPT shall consider the foster parents' opinions in developing the service plan (§ [2.2-5208.3](#)).

- Permanent foster parents also have the right to request special education services and sign the IEP if the local school allows them to do so.

11.4.3.3 Responsibilities of the LDSS

- Face-to-face visit with the child shall occur monthly. Over half the visits shall occur in the youth's place of residence.
- Refer birth parents to the Division of Child Support Enforcement.
- Review the case plan and progress made through alternating administrative panel reviews (see [Section 15.6](#)) and a court hearing every six months. Permanent foster care cases shall be reviewed in court at least annually (§ [16.1-282.2](#)).
- Place siblings together in the home if it is in the best interest of all the children.
- Maintain involvement of the birth family, if possible.
- Continuously evaluate the changing circumstances of the child and family to determine if Reunification, Adoption, or Placement with Relative with Subsequent Transfer of Custody is in the best interest of the child.

11.4.4 Permanency not achieved with goal of Permanent Foster Care

The goal of Permanent Foster Care does not achieve permanency for the child since legal custody is not transferred from the LDSS to the permanent foster parents. Permanent Foster Care may be considered an acceptable goal for a child when no other permanent goal is appropriate and the child remains in the home and care of the permanent foster care parents.

11.4.5 Termination of Permanent Foster Care placements

Termination of Permanent Foster Care placements is covered in § [63.2-908](#) of the Code of Virginia.

- A child shall remain in permanent foster care until he reaches age 18. A youth may remain in permanent foster care until the age of 21 years, as long as the youth is participating in an educational, training, or treatment program and needs foster care services to continue that participation.

- No child shall be removed from the physical custody of the foster parents in the permanent foster care placement except by a court order or child abuse and neglect procedures pursuant to [§ 16.1-251](#) or [§ 63.2-1517](#) of the Code of Virginia.
- If the permanent foster care placement disrupts, the LDSS shall file a service plan and petition for a foster care review hearing to change the permanent foster care status to another goal for the child. The foster parent may jointly file the petition with the LDSS. All attempts shall be made to maintain the child with the permanent foster family until the court hearing.
- In unplanned situations where the child shall be removed from the permanent foster care placement, the LDSS shall file the service plan and petition for review and dispositional hearing immediately upon the removal.
- The cycle for service plans, panel reviews, and annual foster care review hearings starts with the court hearing date.

11.4.6 Placements outside Permanent Foster Care home without changing goal

There may be situations where a foster child is placed temporarily outside of a permanent foster home for education, training, or treatment. The Permanent Foster Care Agreement remains in effect if the plan is for the youth to return to the family. Payments to the foster parents will be suspended during those periods, although pre-authorized expenses for the family, such as transportation to visit, may be reimbursed by state pool funds.

11.5 Services for goal of Independent Living

The goal of Independent Living is allowable for youth age 16 and over for whom it was selected and approved in court prior to July 1, 2011 and only if the permanency goals of Reunification, Adoption, or Placement with Relative and Subsequent Transfer of Custody have been determined to not be in the youth's best interest. See [Section 14](#) on Serving Older Youth.

For those youth age 18 and over who continue to receive services from the CPA and who have not achieved permanency, the goal of independent living may again be selected. See [section 11.5.4](#) for additional information.

11.5.1 Focus of services

Independent living services are to be provided to all youth age 14 and over, whether or not their goal is independent living. Therefore, most of the services for youth who have the goal of independent living are no different than for other youth in foster care. For youth with this goal, however, a separate transition plan shall be

developed that documents how the youth will acquire the skills necessary to become self-sufficient and successfully prepare for transitioning to adulthood ([§ 63.2-905.1](#)).

Youth with the goal of Independent Living are eligible for foster care services, including independent living services regardless of their placement. They should live in community settings (versus group home or residential care settings) where the main focus is on developing the skills to successfully transition to adulthood. The youth should be placed in a setting that creates daily opportunities for the youth to learn and practice independent living skills and to build and nurture lifelong relationships with positive, caring adults.

Independent living arrangements cover a broad range of options that include, but are not limited to:

- Living with an adult with whom the youth has developed a bond.
- Living in one's own apartment.
- Living with a roommate.
- Living in a college dormitory.

Youth with the goal of Independent Living should not be placed in residential facilities since such facilities are not primarily for the purpose of developing independent living skills and transitioning the youth to adulthood.

Service planning for these youth shall be:

- Youth-driven (see [Section 14.8.1](#)).
- Focused on achieving permanency for the youth (see [Section 14.5](#)).
- Based on a formal independent living needs assessment (see [Section 14.7](#)).
- Developed through a team process, preferably in a Family Partnership Meeting.
- Coordinated with the Individual Education Program (IEP) that is developed through the school district for all youth in special education.

The service worker and the youth's team should engage the youth in discussions about the activities necessary to successfully prepare for and transition to adulthood (see [Section 14.12](#)). These goals and activities should be included in the Independent Living Services and Transition Plan (see [Section 14.8.3](#)).

If the service worker believes the youth may be eligible and needs supportive services into adulthood, the service worker should discuss the youth's situation with an Adult Services worker (see [Section 14.12](#)).

For more information on:

- Service planning for older youth, (see [Section 14.8](#)).
- Independent living arrangements as a placement option, (see [Section 6.14](#)); for funding, (see [Section 6.14.4](#)).

11.5.2 How the team is used

A Family Partnership Meeting should be scheduled at least 12 months prior to emancipation and a plan for independent living services and transition implemented. The meeting should be used to identify the supports and permanent connections the youth will utilize to be successful in adulthood.

The team approach is essential when working with youth who have a goal of Independent Living. The youth's team should consist of various individuals who can appropriately teach, guide, and provide emotional support to the youth as he or she transitions out of foster care to independence. Ideally, the team is composed of the youth, the Independent Living Coordinator and/or service worker, the regional Project Life consultant, primary caregiver(s), birth parents/family, professionals (i.e., educator, counselor), and community representatives (i.e., mentor, minister). If appropriate, the Adult Services worker should be included in the meeting if the youth may be eligible and need supportive services into adulthood.

The team shall work with the youth to ensure the youth is discharged from foster care to a family or a permanently committed, caring adult. This adult should be committed to the youth's emotional and future well being beyond the age of 21, including a demonstrated willingness to provide housing and financial assistance consistent with the adult's own financial resources.

Youth typically do best when they are members of a family that provide the physical and emotional security that meets their developmental needs. Youth who do not have this connection face serious risk to their well being. Healthy families provide strong, stable, and supportive relationships that promote the youth's sense of identity, belonging and normalcy. Disconnected youth miss out on typical growing up experiences in family, school and community that teach self sufficiency skills. The youth are vulnerable to developmental and environmental risk factors because they lack the financial, emotional, educational and protective support typically with youth in a permanent or intact family.

The team should use a teaming process to re-connect the youth with people within their own natural networks (family members or other significant adults) who know

and care about them. The teaming process may be time-intensive as time is taken to find and engage family members and significant others through mining of the entire case record, locating the significant others through Accurint and even more time to rebuild the relationships that have allowed to lapse. However, identifying these potential team members for youth with the goal of Independent Living will provide significant support to the youth's overall safety, permanent and well being through the use of reunification, custody, adoption or use of a Permanency Pact.

The youth shall have a central role on the team and in the development of the service plan to address his or her independent living needs. The service worker should assist the youth in identifying a permanent family, as well as positive adults in the community who are willing to be involved and assist the youth in carrying out identified tasks. The major roles of the Independent Living Coordinator or service worker are to function as the team facilitator for the youth's team if the team is not a Family Partnership Meeting, as well as a teacher and advocate for the child. Other professionals and community representatives on the team should be encouraged to provide different perspectives, insight, and expertise. This diverse group shares the responsibility of guiding the youth as he or she develops and implements the independent living services and transition plan. They should also help the youth assess his or her progress at each stage of the transition to independence.

The Transitional Living Plan may be incorporated into the foster care service plan in OASIS (see [Section 14.8.3](#)). If the plan is not incorporated in the foster care service plan, a separate document should be used and maintained in the paper case file. A [template for the Transitional Living Plan](#) addresses independent living services, incorporates the domains from the Casey Life Skills Assessment, and complies with state and federal requirements for serving and transitioning older youth.

During the 90-day period immediately prior to the youth turning age 18 and prior to an older youth no longer receiving foster care services, the service worker, youth, and youth's team shall develop a transition plan. This plan should represent the culmination of all prior efforts and document the specific plans for the youth to successfully transition from foster care services to independence. The transition plan may be documented by updating the youth's foster care service plan in OASIS, or the Transitional Living Plan, if a separate document in the paper case file.

11.5.3 Types of services that can be provided

All youth age 14 and over shall be provided independent living services for a planned period of time, based on the independent living needs assessment. The services shall assist the youth in developing the skills necessary for self-sufficiency and interdependence in adulthood, regardless of the youth's permanency goals.

- Independent living services include a broad range of activities, education, training and direct services (see [Section 14.10](#)).

11.5.4 Use of the goal of Independent Living after 18

LDSS may decide that the goal of Independent Living is appropriate for young adults age 18 and over for whom permanency through reunification, adoption or placement and subsequent transfer of custody to a relative was not achieved. Because these young adults are not in the legal custody of the LDSS and are not under the jurisdiction of the courts, selecting independent living as a goal on the formal service plan and transition plan is allowable. LDSS who choose to use the goal of independent living in this way should discuss this with their attorney and judge to ensure that the court is in agreement with using the goal in this manner for youth over 18.

By selecting a goal of independent living for young adults over 18 who remain actively involved in receiving services from the CPA, services should continue to be provided that assist the young person in making a successful transition to adult living. Maintaining healthy, adult relationships and developing or maintaining strong, life-long connections to older adults should be a component of the ongoing dialogue with the young adult.

11.5.5 Achieving the goal of Independent Living

The goal of Independent Living does not lead to permanency for the youth. For an older youth with this goal prior to July 1, 2011, or young adults age 18 and over for whom this goal is selected, a successful transition to adulthood is indicated by completing their Independent Living Services and Transition Plan, having clearly identified positive adult family-like connections and demonstrating that they are ready to live independently without the support of the LDSS.

11.6 Services for goal of Another Planned Permanent Living Arrangement

The goal of APPLA is unique in that it is designed solely to be used for children whose chronic disabling conditions clearly require placement in settings that can provide the services, monitoring, and treatment necessary to effectively address the disabilities of the child. The service worker proposing this goal for a child shall document the following in the foster care service plan:

- The LDSS has thoroughly investigated the feasibility of the placement alternatives Return to Parent(s) or Prior Custodian, Placement with Relatives, Adoption, Permanent Foster Care, and has determined why none of these alternatives is currently in the child's best interest.
- Compelling reason(s) why none of the alternative goals are achievable for this child at this time.
- Identity of a long-term residential treatment service provider.

- Nature of the child's disability that currently prevents placement in a less restrictive setting and why this is the case.
- Anticipated length of time required for the child's treatment.
- Status of the child's eligibility for admission and long-term treatment.

If the court approves the goal of Another Planned Permanent Living Arrangement for a child, the court shall schedule a foster care review hearing to be held within six months from the date of the permanency planning hearing to review the child's placement in another planned permanent living arrangement. At the conclusion of the foster care hearing, if the goal of APPLA remains the plan, the court shall indicate on the order that reasonable efforts have been made to place the child in accordance with the permanency plan.

The LDSS shall file a petition for a foster care review **no later than 30 days** prior to the scheduled six-month hearing. If at any time during the six-month period, the treatment provider determines the child no longer needs long-term residential treatment, the LDSS shall begin to plan for post-discharge services and, **within 30 days**, petition the court for a permanency planning hearing. The court shall schedule the hearing to occur **within 30 days** of notification.

11.6.1 Focus of services

This goal provides long-term residential treatment for children with a severe and chronic emotional, physical, or neurological disabling condition. If the goal of Another Planned Permanent Living Arrangement is selected for a child, all other goals shall have been explored and ruled out consistent with the child's best interest. The Foster Care Service Plan shall document that the feasibility of all other goals has been considered and contain a statement that supports why none of the permanent or alternative goals are in the child's best interest (see [Section 12.5.2](#) for additional information).

Services for these youth shall include planning for long-term care in the least restrictive environment possible that ensures the child's safety but affords the greatest opportunity for independence. For many of these youth, planning for long-term care involves exploring and applying for Social Security disability, DMAS waivers, an adult guardian, Adult Services, and other supportive services. (See [Section 14.12](#) for information on referring and transitioning youth to Adult Services).

11.6.2 How the team is used

A Family Partnership Meeting should be scheduled when the service worker determines that the plan for reunification has not been successful. At this meeting discussion of all other possible permanent and alternate goals shall be discussed and all other goals shall be ruled out as not in the child's best interest. A change to

the goal of APPLA for the child would be discussed. This meeting should be scheduled **within two (2) weeks** of the request by any party for the meeting, before a change in goal occurs, and before any court filing.

The team should identify the goal and objectives necessary to return the child to the parent(s)/community, the services needed to provide treatment for the child's disabling condition, and transitional services when the child is returned to his or her parent(s)/community.

When a youth has APPLA as a goal, the team should invite a member of the adult services division to join the team when the child is 17 years old to assist in providing continuity of services when the youth turns 18 years old.

For the youth with serious disabilities, the team should begin to pursue and arrange for guardianship prior to the youth aging out of care. (See Adult services manual, [Section seven](#)). As part of this process, family finding techniques should be used to identify any potential guardians for the youth.

11.6.3 Permanency not achieved with goal of Another Planned Permanent Living Arrangement

The goal of APPLA does not lead to permanency for the child. It should be used for youth who require a safe living environment that is responsive to their need for care and treatment for their disabling conditions.