

14A

INDEPENDENT LIVING SERVICES FOR YOUNG ADULTS 18 to 21 (Who turned 18 before July 1, 2016)

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INDEPENDENT LIVING PROGRAM FOR YOUNG ADULTS 18-21 (for young adults who turned 18 before July 1, 2016)

14A.1 Introduction

This section of guidance will address how three authorities in the Code of Virginia guide the provision of services to youth who turned 18 in foster care prior to enactment of the Fostering Futures program on July 1, 2016.

For youth who turned 18 before July 1, 2016, local departments of social services (LDSS) have three authorities through which they serve youth between the ages of 18 and 21:

- Section 406(a) of the Social Security Act: An exception to the age limit for title IV-E foster care eligibility under section 472 is permitted for those children who are over 18 and under the age of 19 and who are full time students expected to complete their secondary schooling or equivalent training before reaching age 19. In Virginia, youth in foster care who turn 18 and are expected to complete their schooling prior to their 19th birthday continue to be eligible for foster care services until they complete school or it becomes clear that they will not complete school prior to their 19th birthday.
- Section 63.2-908 of the Code of Virginia: This Code section provides LDSS the authority to provide foster care services to a youth in a permanent foster care placement where the child shall remain until attaining majority or thereafter, until the age of 21 years, if such placement is requisite to providing funds for the care of such child, so long as the child is a participant in an educational, treatment, or training program approved pursuant to regulations of the Board.
- Section 63.2-905.1 of the Code of Virginia: This Code section requires that LDSS provide independent living services to all between the ages of 18 and 21 who are transitioning to self-sufficiency.

Whether the youth is eligible for the full array of foster care services or independent living foster care services only, the LDSS service worker will continue ongoing efforts to help prepare and ensure the youth's successful transition to adulthood. Additionally, continued work toward establishing permanent connections is even more critical for the population.

Older youth should be connected with at least one adult before leaving foster care, and preferably several adults. These adults are individuals the youth can go to for advice or guidance when making decisions or resolving problems, or for companionship when celebrating holidays, special occasions, and personal achievements. The adults should be easily accessible to the youth, either by telephone or in person. They may include, but are not limited to, adult relatives, parents, foster parents, neighbors, family friends, coaches, and teachers. These adults should be in addition to the youth's spouse, partner, boyfriend, girlfriend, and current caseworker. As circumstances change over time, LDSS should continue to try to engage family members or other relatives who may become permanent connections for the youth.

14A.2 Framework

The LDSS shall meet federal and state legal requirements and should use sound practice principles to achieve desired outcomes and to guide decision making in providing foster care services for children of all ages and their families.

14A.2.1 Practice principles

Fundamental principles inherent in Virginia's Children's Services System Practice Model guide service delivery:

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

- Older youth are treated with dignity and respect.
- Older youth and families have the right to say what will happen to them. Their voices are heard, valued, and considered in all decision making, including safety, permanency, and well-being as well as in service and educational planning and in placement decisions. Each youth's right to self-determination is respected within the limits of established community standards and laws.
- Older youth and family members are the experts about their own families. It is our responsibility to understand youth and families within the context of their own family rules, traditions, history, language, and culture.
- Older youth have a right to connections with their biological family and other caring adults with whom they have developed emotional ties.
- We engage older youth and families in a deliberate manner. Through collaboration with youth and families, we develop and implement creative,

individualized solutions that build on their strengths to meet their needs. Engagement is the primary door through which we help older youth and families make positive changes.

Second, we believe all older youth need and deserve a permanent family and lifelong adult and family connections.

- Lifelong family connections are crucial for older youth and adults. It is our responsibility to promote and preserve kinship, sibling, and community connections for each youth. We value past, present, and future relationships that consider the youth's hopes and wishes.
- Permanency for older youth is best achieved through a legal relationship such as parental custody, adoption, or kinship care. Placement stability is not permanency.
- Planning for older youth is focused on the goal of preserving their family, reunifying their family, or achieving permanency with another family.

Permanency planning for children and youth begins at the first contact with the children's services system. We proceed with a sense of urgency until permanency is achieved. We support families after permanency to ensure that family connections are stable

14A.2.2 Legal citations

The legal framework and specific requirements for providing services for youth in foster care are delineated in federal and state law. See the law for complete language by clicking on the citation.

- **The Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183)**
 - Requires states to develop and implement policies and procedures related to children and youth at risk of sex trafficking as well as policies and procedures encouraging normalcy for children in foster care, supporting successful transitions to adulthood for older children in foster care, and working towards achieving permanency for children entering or at risk of entering foster care. The Preventing Sex Trafficking and Strengthening Families Act requires that:
 - Children age 14 and older are included in the development of their foster care plan;
 - Children age 14 and older are given the opportunity to choose up to two (2) members to be part of their case planning team;

- The foster care plan for a child age 14 and older include a document identifying the youth's rights pertaining to education, health, visitation, court participation, and the right to stay safe and avoid exploitation. The plan shall also include a signed acknowledgement by the youth that the document was provided to them and that those rights have been explained in an age-appropriate way;
 - Children age 14 and older receive an annual copy of their credit report and assistance to fix any inaccuracies; and
 - All youth aging out of foster care, unless they have been in care less than six months, be given or have certain documents including their social security card, a driver's license or state identification, certified birth certificates and a copy of their medical records.
- **John H. Chafee Foster Care Independence Act of 1999**
 - Establishes the Chafee Foster Care Independence Program (CFCIP) which provides federal funds to help eligible youth:
 - Transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention).
 - Receive the education, training, and services necessary to obtain employment.
 - Prepare for and enter post-secondary training and educational institutions.
 - Provide personal and emotional support to youth through mentors and the promotion of interactions with dedicated adults.
 - Provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood.
 - Establishes the Education and Training Voucher (ETV) Program

The Promoting Safe and Stable Families amendments to the Chafee Act of 2001 established the ETV Program. It provides federal and state funds to help foster youth with expenses associated with college and post-secondary vocational training programs.

- Clarifies that independent living activities should not be seen as an alternative to permanence for children/youth and can be provided concurrently regardless of permanency goal.
- Imposed penalties for misuse of funds or non-compliance with data reporting requirements.
- Increased accountability and performance standards for states in providing independent living services and improving outcomes.

CFCIP and ETV focus on collaborating and coordinating independent living services with other federal, state and community based agencies and providers that serve youth. There are six outcomes used for the purpose of evaluating efforts in preparing youth for adulthood, self-sufficiency, and interdependence as they transition from foster care.

The six outcomes are:

- Youth financial self-sufficiency;
- Youth educational (academic or vocational) attainment;
- Youth positive connections with adults;
- Experience with homelessness among youth;
- High-risk behavior among youth; and,
- Youth access to health insurance.

- **National Youth in Transition Database (NYTD)**

Federal regulation requires states to report specific information in the National Youth in Transition Database (NYTD) ([45 CFR 1356.80 through 1356.86](#)). States are required to report two types of information beginning October 1, 2010. This data includes:

- Outcomes on cohorts of youth who are aging out and have aged out of foster care.
- Independent living services that youth receive that have been provided and/or paid for by Chafee agencies (i.e. LDSS and United Methodist Family Services (UMFS) [Project LIFE](#))

- **Foster care services**
 - [§ 63.2-905](#)
- **Independent living services**
 - [§ 63.2-905.1](#)
- **Foster care and transition plans for youth over age 14**
 - [§ 16.1-281](#)
 - [§ 63.2-905.1](#)
 - [Social Security Act, Title IV, § 475 \(5\) \(H\) \[42 USC 675\]](#)

14A.2.3 Outcomes

The LDSS shall strive to achieve the same outcomes for older youth in foster care as any other youth, as required in the federal Child and Family Services Review. Some specific outcomes and specific measures are listed below:

Outcome 1: Children have permanency in their living situations.

- More children leave foster care and achieve permanency.
- Children achieve permanency with shorter lengths of stay.
- Increased timeliness to permanency.
- Fewer placement moves and disruptions.
- Fewer children in out-of-home care.
- More children placed in family-based care.
- More children placed in relative foster homes.
- Fewer children placed in residential care.
- Fewer children re-enter out-of-home care.

Outcome 2: The continuity of family relationships and connections is preserved for children.

- More children in foster care placed in close proximity to families and communities.

- More children in foster care placed with their siblings.

In addition, federal regulations require the tracking of outcomes for cohorts of youth in foster care who are aging out and have aged out of foster care. The six NYTD outcome areas include:

- Youth financial self-sufficiency.
- Youth education (academic or vocational) attainment.
- Youth positive connection with adults.
- Experience with homelessness among youth.
- High risk behavior among youth.
- Youth access to health insurance.

14A.3 Clarification of terms

Several terms are used in serving older youth that sound similar but are distinct and should not be used interchangeably.

- “Independent living arrangement” means that a youth is living independently under a supervised arrangement. A youth in an independent living arrangement is not supervised 24 hours a day by an adult. The youth is provided with opportunities of increased responsibility; such as paying bills, assuming leases, and working with a landlord. Examples include living in one’s own apartment or living in a college dorm.
- “Independent living services” are services and supports that are designed with and provided to the youth. They build upon the strengths and meet the unique needs of the youth in preparing for adulthood. Independent living services do not include foster care placements.
- “Independent living skills” are skills the youth develops to achieve self-sufficiency and interdependence. These skills prepare and enable the youth to be successful in adulthood.
- “Self-sufficiency” means the youth becomes skilled in accomplishing and being responsible for daily life tasks.
- “Interdependency” means the youth becomes skilled in being resourceful and connected with others to meet his or her needs and to contribute to society.

- “Independent living goal” means a planned program of services designed to assist persons who are former foster care children between the ages of 18 and 21 in preparing for adulthood.
- “Independent living stipend” is a service intended to provide for the care and support of a youth over age 16. Covered costs are not limited to but generally include: room and board, rent, household equipment, utilities, clothing, personal care, and transportation. Payment cannot be made from Title IV-E funds, but is made from the Children’s Services Act (CSA) State Pool Funds. Payments may be made directly to the youth or, if the youth is living with an individual to whom the youth pays rent, the costs may be paid to that individual. The method of payment must be in a written agreement signed by the youth.¹

14A.4 Authority for providing foster care placement services to youth who turned 18 prior to July 1, 2016

With the exception of participants of the Fostering Futures program, under Virginia law, youth over the age of 18 are adults. Virginia Code provides authority under which youth who turn 18 in foster care can continue to receive services through the LDSS until age 21. Some youth who turned 18 before July 1, 2016, may be eligible for independent living services only and others may be eligible to continue to receive placement services as well as independent living services.

14A.4.1 Youth completing high school prior to their 19th birthday

In accordance with Section 406(a) of the Social Security Act, an exception to the age limit for title IV-E foster care eligibility under section 472 is permitted for those children who are over 18 and under the age of 19 and who are full time students expected to complete their secondary schooling or equivalent training before reaching age 19. The eligible 18 year old child is considered to be enrolled full-time, regardless of the number of courses or length of time in school.

Youth in foster care who turn 18 and are expected to complete either high school or a general education development (GED) program prior to their 19th birthday, shall continue to be eligible for foster care services including placement until they complete school or it becomes clear that they will not complete school prior to their 19th birthday. This authority includes youth eligible for either CSA and title IV-E funding. The youth is also eligible for supplemental clothing allowance and maintenance payments for a minor child during this period.

¹ Policy Manual for the Children’s Services Act, July 2015.

14A.4.2 Permanent Foster Care

In accordance with [§ 63.2-908](#) of the Code of Virginia, the LDSS has the authority to provide a full array of foster care services, including placement, to a youth in permanent foster care. A youth is in permanent foster care when the goal of permanent foster care has been approved by the court, there is a valid Permanent Foster Care Agreement, and there are identified foster parents who agree the child shall remain in the foster home until attaining majority or thereafter, until the age of 21 years, if such placement is requisite to providing funds for the care of such child, so long as the child is making progress in an educational, treatment, or training program approved by the LDSS. The youth is also eligible for a supplemental clothing allowance and maintenance payments for a minor child.

Under this authority, the youth may live outside of the permanent foster parents' home if the plan is for the youth to return to the home (See section 11.3.1). For example, the youth may attend college away from home. If the plan is for the youth to return to the home during breaks and in the summer, the Permanent Foster Care agreement remains valid.

For youth over 18, living outside the permanent foster parents' home does not include residential or group home placement, unless the youth was placed before turning 18 and is on track to graduate before turning 19, and the plan is for the youth to return to the foster home upon graduation. Following graduation, or if it becomes clear the youth will not graduate before 19, there is no funding available for continued residential or group home placement. The youth will need to return to the foster parents' home no later than the end of the month in which either event occurs.

If the youth will not be returning to his/her permanent foster parents' home, the Permanent Foster Care Agreement will no longer be considered valid and the youth will no longer be eligible for placement services under this authority. The youth does remain eligible for independent living services. The LDSS should consult counsel regarding the dissolution of the Permanent Foster Care Agreement which has previously been approved by the court.

14A.5 Youth eligible for independent living services

14A.5.1 Youth required to receive independent living services

The following youth shall receive independent living services as part of foster care services, based on their needs as indicated in an independent living needs assessment ([§§ 63.2-905](#) and [63.2-905.1](#)):

- All youth in foster care ages 14 to 18.
- All young adults whose foster care episode does not end on their 18th birthday because they are still enrolled in high school or vocational/technical

school of the same equivalency and expected to complete the high school or vocational/technical program prior to or in the month of his or her 19 birthday, are to receive independent living services.

- All young adults over 18 years of age but under 21 years of age who:
 - Were in foster care and request that independent living services be continued; or,
 - Were in foster care and request that independent living services be restored; and,
 - Have entered into a written agreement, within 60 days after services were discontinued, with LDSS or licensed child placing agency; or,
 - Are in Permanent Foster Care with a valid Permanent Foster Care agreement approved by the court ([see Section 11](#)).
- Any young adult between 18 and 21 years who:
 - Was in the custody and care of the LDSS in Virginia immediately prior to his commitment to the Department of Juvenile Justice (DJJ); and,
 - Is in the process of transitioning from a commitment to DJJ to self-sufficiency; and,
 - Completes an initial application requesting independent living services and enters into a written agreement for the provision of IL services with the LDSS or licensed child placing agency within 60 days of his release from commitment to DJJ. See [Section 3.9.4](#) for additional information.

14A.5.2 Youth adopted at age 16 or older

Youth adopted from the foster care system at age 16 years and older are eligible for independent living services. The adopted youth is eligible to participate in any free independent living programs, clinics, or classes. If there is a fee, the adoptive youth or parent will be responsible for payment of the fees required to participate. The adopted youth is not eligible for an independent living stipend. An adopted youth is eligible for the ETV program if criteria are met and the youth was adopted at age 16 years or older from the foster care system.

14A.5.3 Provision of independent living services for youth 18-21

Youth ages 18 to 21 may continue to receive independent living services if the youth:

- Willingly agrees to cooperate with all services and this is documented in the case record.
- Makes progress in an educational, treatment, or training program.
- Signs an independent living service agreement ([See Independent Living Services Agreement](#)).

Through the provision of independent living services, the youth is eligible to receive an independent living stipend to help support the youth's independent living arrangement. The stipend may be used to pay for the costs of rent, utilities, household equipment, food, clothing, personal care items, insurance, recreation, and transportation ([see Section 6.14.4](#)).

[Section 63.2-100](#) of the Code of Virginia defines independent services as including: counseling, education, housing, employment, money management skills development, access to essential documents and other appropriate services to help children or persons prepare for self-sufficiency.

LDSS shall provide services as noted above to support eligible youth to successfully transition into adulthood. Independent living services do **not** include foster care placements. The independent living stipend is used to provide youth with the means to secure housing.

Group home or residential treatment placement is not permissible for youth who are eligible for independent living foster care services **only**. If the youth has significant special needs and requires a higher level of care than can be provided in an independent living arrangement, the LDSS is responsible for making efforts prior to the youth's 18th birthday to transition that youth to the appropriate adult serving agencies in order to access a higher level of care.

14A.5.4 How long youth may receive services from the LDSS

Even though anyone over the age of 18 is an adult under Virginia law, young adults who were in foster care before the age of 18 may continue to receive services from LDSS between the ages of 18 to 21 if:

- The youth willingly agrees to cooperate with all services and this is documented in the case record; and
- The youth is making progress in an educational, treatment, or training program.; or
- The youth is in permanent foster care, requires continuing foster care assistance to participate in an educational, training, or treatment program, and wishes to continue receiving services; or

- The youth was in the custody of an LDSS immediately prior to his commitment to DJJ, is between the ages of 18 and 21 at the time of his release from DJJ, and completed and submitted an initial application requesting a resumption of services within 60 days of his release from DJJ commitment. The LDSS shall provide independent living services if the youth meets the eligibility requirements for the resumption of IL services. See [Section 3.9.4](#) for additional information.

14A.6 Resuming independent living services

Youth aged 18 and older may choose to discontinue receiving independent living services any time before their 21st birthday. They also have the legal right to request a resumption of these services. This is referred to as the right to “opt back in.” The LDSS shall restore independent living services at the youth’s request if the youth has not yet reached his 21st birthday and enters into a written agreement with the child placing agency less than 60 days after the discontinuation of services ([§ 63.2-905.1](#)).

14A.6.1 Eligibility for former foster care youth

A former foster care youth is eligible to resume independent living services if the youth meets all of the following:

- Returns for independent living services within 60 days of discontinuing services;
- Is between the ages of 18 and 21 but has not yet reached his 21st birthday;
- Was in the custody/care of LDSS in Virginia at the time of his 18th birthday;
- Is a resident of Virginia;
- Completes an initial application requesting independent living services;.
- Is not on active military duty; and
- Enters into a written agreement specifying the responsibilities of the youth, the LDSS, and other providers as appropriate, less than 60 days after the discontinuation of services; or
- The youth was in the custody of an LDSS immediately prior to his commitment to DJJ, is between the ages of 18 and 21 at the time of his release from DJJ, and completed and submitted an initial application requesting a resumption of services within 60 days of his release from DJJ commitment.

14A.6.2 Application

The former foster youth who is interested in resuming independent living services shall apply directly to the LDSS that held custody of the youth. The [Application to Resume Independent Living Services](#) shall be completed and signed by the youth and a representative of the LDSS. It will serve as the temporary written agreement. The completion of the initial application will be verification that the youth requested a resumption of services within the legally allowed time frame. If the youth completes the application with the Licensed Child Placing Agency (LCPA) with which he had been placed, it is the LCPAs responsibility to contact the LDSS that had custody of the youth and submit the youth's application to the LDSS.

Acceptance of the initial application requesting services is based on the willingness of the youth to enter into an agreement that documents service needs and expectations of the youth, LDSS or LCPA, and other parties providing services to the youth. The representative of the LDSS or LCPA shall ensure the youth has provided all necessary information on the initial application. The representative should not sign the application requesting services until it has been reviewed with the youth.

The request for services will be denied if the youth does not meet eligibility requirements as outlined in Section 14A.6.1, the youth refuses to complete all application items, or the youth refuses to meet with the team to complete the agreement. It is the responsibility of the assigned worker to review the application, confirm the date, time, and location of the team meeting with the youth, and provide any assistance necessary to facilitate completion of the application and attendance at the team meeting. The youth's application should be reviewed and a team meeting scheduled **within ten (10) business days** upon receipt of the initial application.

14A.6.3 Assessment

The request to resume independent living services is based on the youth's willingness to meet with a team of individuals to complete the "[Agreement to Resume Independent Living Services](#)" form and his willingness to cooperate with recommended services. The agreement describes the responsibilities of the youth, LDSS, LCPA if applicable, and any other parties that may be involved with the youth.

The agreement will be developed by a team of individuals which will include but not be limited to the following:

- The youth;
- An individual identified by the youth as a permanent connection in his life. This should be an individual with a positive relationship with the youth willing to offer long-term, ongoing support and who will assist the youth in successfully transitioning to self-sufficiency (e.g., relative, family friend, former teacher, or former foster parent);

- Previous service worker (If the previous service worker is not available or no longer employed by the agency and cannot be consulted, the agency should attempt to include the previous worker's supervisor or other service worker that has some knowledge of the youth. If no one remains in the agency that has knowledge of the youth, a new service worker shall be assigned and that worker is responsible for reviewing the information in the case file including OASIS);
- Independent Living Coordinator;
- Foster Care Supervisor;
- Representatives from the LCPA where the youth had been placed; and,
- At least one appropriate community stakeholder, (e.g., Community Services Board (CSB), Division of Rehabilitation Services (DRS), (CSA) Coordinator and Adult Services worker). The community stakeholder should be a person(s) capable of providing ongoing services to the youth after age 21 (e.g., for youth requiring psychiatric services, a representative of the CSB would be an appropriate community representative for the youth's team).

The team should address the following issues with the youth in the scheduled meeting to review the application for independent living services:

- The youth's social support system (including peers, adults, family members, etc.) and how those individuals identified by the youth provide assistance, a sense of connection/family, and accessibility of those individuals to the youth;
- The short and long-terms goals identified by the youth and team;
- The youth's willingness to actively participate in an educational program (i.e., high school diploma, GED, vocational training program, college);
- The youth's willingness to cooperate with a life skills assessment if one was not completed within the last six (6) months;
- The youth's willingness to participate in a substance abuse evaluation or mental health evaluation if recommended by the team; and,
- Any other factors that affect the youth's ability to establish self-sufficiency (i.e., lack of family support, social skill needs, criminal charges pending, substance abuse, or mental health issues).

Acceptance of independent living services is based on the willingness of the youth to participate with services and expectations as documented in the "Resuming Independent Living Services Agreement." The youth will be denied the opportunity to

resume independent living services if he refuses to comply with the recommendations as outlined in the agreement.

A copy of the agreement is given to the youth, a copy is given to the LCPA when applicable, and the original copy shall be kept in the case record. The youth and the service worker should review the agreement at least every three (3) months and if additional services are recommended, the team should re-convene.

14A.6.4 Services

Youth returning to the LDSS or LCPA are eligible for all independent living services delineated in [Section 13.6](#). Youth are not eligible for placement.

14A.6.5 Funding

If a youth resumes independent living services, the team shall explore funding sources such as Chafee/Independent Living funds, CSA, CSB, Medicaid, and private insurance. If it is determined that CSA funds are needed, the service worker shall refer the child to the Family Assessment and Planning Team (FAPT), in accordance with local Community Policy and Management Team (CPMT) procedures.

14A.6.6 Contact with youth

When a youth aged 18 or older resumes independent living services, there shall be a minimum of one (1) monthly contact (e.g., phone, in-person, email) by the assigned worker of the LDSS or LCPA and the youth. Every 90 days the contact shall be face-to-face and occur in the residence of the youth. The needs of the youth should determine the frequency of the contacts beyond the minimum requirements.

A supervisory review shall occur at least every six (6) months and should include the youth and the members of the team. The composition of the team may change to include any additional permanent connections for the youth.

14A.6.7 Discontinuance of independent living services

Independent living services shall be discontinued when:

- The youth reaches 21 years of age;
- The youth completes the services identified and has no additional assessed needs;
- The youth is non-compliant with the terms of the agreement; or
- The youth requests that independent living services be discontinued.

14A.6.8 Formal request for a decision review

The youth may request that the LDSS director conduct a formal review of the decision if the application to resume independent living services is denied by the team or the youth does not agree with the decision to discontinue services.

14A.6.9 Reporting

Youth resuming independent living services shall have their case documented in the OASIS under case type “IL Former Foster Care Youth-ages 18-21.” Services provided to the youth shall be documented in the contact screen. In addition, documentation shall include issues identified, visitation, and progress made toward achieving agreed upon goals. Instructions for data entry in the OASIS for these cases can be found in the document entitled “[Guidelines For Resuming Independent Living Services.](#)”

14A.7 Independent living needs assessments

For all youth receiving independent living services, an independent living needs assessment shall be conducted to assess the strengths and needs of youth in preparation for adulthood on at least an annual basis. The assessment shall be driven by the youth, be strength-based, and collaboratively involve the birth parents and caretakers of the youth. An independent living needs assessment is “a systematic procedure to identify a youth’s basic skills, emotional and social capabilities, strengths and needs to match the youth with appropriate independent living services. It should address the knowledge of basic living skills, job readiness, money management abilities, decision-making skills, goal setting, task completion, and transitional living needs” (45 CFR 1356.83(g)(20)). Independent living needs assessments should be re-administered annually for all youth receiving independent living services. See [Section 13.5](#) for more information about independent living needs assessments.

14A.7.1 Independent living services for youth

LDSS shall offer independent living services to all youth who turn 18 and are in the process of transitioning from foster care to adulthood. These services should be based on the independent living needs assessment and include a broad range of activities, education, training, and direct services. The following types of services and skills development shall be considered to help the youth prepare for self-sufficiency: counseling, education, housing, employment, and money management. Access to essential documents, such as assistance in obtaining a birth certificate or Social Security card, and other appropriate services shall be provided consistent with the needs assessment ([§§ 16.1-228 and 63.2-100](#)). Additional services and skill development include daily living, social relationships, and communication skills.

As required by CFCIP, the U.S. Department of Health and Human Services in consultation with other stakeholders developed outcome measures to assess the performance of each state and the effectiveness of its independent living services.

The NYTD was established via regulation in 2008 and implemented October 2010. The CFCIP and federal regulation requires states to report specific information to NYTD ([45 CFR 1356.80 through 1356.86](#)). In Virginia, all NYTD defined independent living services (including ETV) that are paid for and/or provided by LDSS on behalf of youth must be documented on the OASIS “IL” screen by the LDSS.

An independent living service is provided by LDSS if it is delivered by LDSS staff or an agent of the LDSS, including a foster parent, group home staff, or child care institution staff; or provided pursuant to a contract between a local department of social services and a provider, agency, or any other entity regardless of whether the contract includes funding for the particular service.

The service worker and youth’s team shall consider the types of services listed below for all youth over age 14 and older who are in foster care. Any of these services, as well as any other services and supports the youth requires, shall be provided, if indicated by the comprehensive assessment process and consistent with funding requirements. When a youth receives any of the services listed below, as well as the required independent living needs assessment, the services shall be identified in OASIS ([45 CFR 1356.83\(g\)\(20\) through 1356.83\(g\)\(30\)](#)).

The Virginia NYTD categories are:

- **Academic support.** Academic supports are services designed to help a youth complete high school or obtain a GED. Such services include the following: academic counseling; preparation for a GED, including assistance in applying for or studying for a GED exam; tutoring; help with homework; study skills training; literacy training; and help accessing educational resources. Academic support does not include a youth's general attendance in high school.
- **Post-secondary education support.** Post-secondary educational supports are services designed to help a youth enter or complete college, and include the following: classes for test preparation, such as the Scholastic Aptitude Test (SAT); counseling about college; information about financial aid and scholarships; help completing college or loan applications; or tutoring while in college. The list is not all-inclusive; other supports such as college tours paid for or provided by the agency could fall within this definition.
- **Career preparation.** Career preparation services focus on developing a youth's ability to find, apply for, and retain appropriate employment. Career preparation includes the following types of instruction and support services: vocational and career assessment, including career exploration and planning, guidance in setting and assessing vocational and career interests and skills, and help in matching interests and abilities with vocational goals; job seeking and job placement support, including identifying potential employers, writing resumes, completing job applications, developing interview skills, job

shadowing, receiving job referrals, using career resource libraries, understanding employee benefits coverage, and securing work permits; retention support, including job coaching; learning how to work with employers and other employees; understanding workplace values such as timeliness and appearance; and understanding authority and customer relationships.

- **Employment programs or vocational training.** Employment programs and vocational training designed to build a youth's skills for a specific trade, vocation, or career through classes or on-site training. Employment programs include a youth's participation in an apprenticeship, internship, or summer employment program and do not include summer or after-school jobs secured by the youth alone. Vocational training includes a youth's participation in vocational or trade programs in school or through nonprofit, commercial or private sectors and the receipt of training in occupational classes for such skills as cosmetology, auto mechanics, building trades, nursing, computer science, and other current or emerging employment sectors.
- **Budget and financial management.** Budget and financial management assistance includes the following types of training and practice: living within a budget; opening and using a checking and savings account; balancing a checkbook; developing consumer awareness and smart shopping skills; accessing information about credit, loans and taxes; and filling out tax forms.
- **Housing education and home management training.** Includes assistance or training in locating and maintaining housing, including filling out a rental application and acquiring a lease, handling security deposits and utilities, understanding practices for keeping a healthy and safe home, understanding tenant's rights and responsibilities and handling landlord complaints. Home management includes instruction in food preparation, laundry, housekeeping, living cooperatively, meal planning, grocery shopping and basic maintenance and repairs.
- **Health education and risk prevention.** Health education and risk prevention includes providing information about: hygiene, nutrition, fitness and exercise, and first aid; medical and dental care benefits, health care resources and insurance, prenatal care and maintaining personal medical records; sex education, abstinence education, and HIV prevention, including education and information about sexual development and sexuality, pregnancy prevention and family planning, and sexually transmitted diseases and AIDS; substance abuse prevention and intervention, including education and information about the effects and consequences of substance use (alcohol, drugs, tobacco) and substance avoidance and intervention. Health education and risk prevention does not include the youth's actual receipt of direct medical care or substance abuse treatment.

- **Family support and healthy marriage education.** Such services include education and information about safe and stable families, healthy marriages, spousal communication, parenting, responsible fatherhood, childcare skills, teen parenting, and domestic and family violence prevention.
- **Mentoring.** Mentoring means that the youth has been matched with a screened and trained adult for a one-on-one relationship that involves the two meeting on a regular basis. Mentoring can be short-term, but it may also support the development of a long-term relationship.
- **Independent living arrangement.** An independent living arrangement means that the youth is living independently under a supervised arrangement approved by the LDSS or Licensed Child Placing Agency. A youth in independent living is not supervised 24-hours a day by an adult and often is provided with increased responsibilities, such as paying bills, assuming leases, and working with a landlord, while under the supervision of an adult.
- **Room and board financial assistance.** Room and board financial assistance that is paid for or provided by the VDSS, LDS and/or Children's Services Act (CSA) to assist with a youth's room and board, including rent deposits, utilities, and other household start-up expenses. (Includes the independent living stipend).
- **Education financial assistance.** Education financial assistance is a payment that is paid for or provided by the VDSS and/or LDSS for education or training, including allowances to purchase textbooks, uniforms, computers, and other educational supplies; tuition assistance; scholarships; payment for educational preparation and support services (i.e., tutoring), and payment for GED and other educational tests. This financial assistance also includes vouchers for tuition or vocational education or tuition waiver programs paid for or provided by the VDSS and/or LDSS (ETV program).
- **Other financial assistance.** Other financial assistance includes any other payments made or provided by the VDSS, LDSS, and/or the local FAPT to help the youth live independently.
- **Other financial assistance** (incentives and stipends for youth). Monetary incentives or stipends to acknowledge or reward eligible youth who successfully completed:
 - A life skills training;
 - Other independent living services that are designed to help the youth live independently; and/or,
 - If part of the follow-up population, the NYTD Follow-up Survey.

Incentives and stipends must not exceed what is reasonable and necessary to accomplish the purpose of needing to provide such incentives and/or stipends. The local director or his/her designee must approve in writing all monetary incentives and stipend methods (i.e. gift cards, money cards, certificates, and/or stipends), purpose of incentives/stipends, and the amount paid from basic IL and/or ETV funds for each youth. Also, youth receiving an incentive/stipend must have a clear understanding of purpose, cash value of incentive/stipend, and sign a document stating that he/she acknowledges receiving the monetary incentive. The document acknowledging youth receipt must be kept in the youth's case record and documented in OASIS as "Other financial assistance" within 30 days from the purchase date. Each transaction for an incentive/stipend must be recorded individually on Virginia's Independent Living Program (ILP) Quarterly Report for the applicable report period.

- Other financial assistance (outreach services). Efforts to attract eligible youth to participate in independent living services and formalized programs (i.e. covering transportation expenses so that eligible youth may attend independent living conferences and other youth conferences, meetings, retreats, and workshops designed to help the youth live independently)

14A.8 Preparing youth for adulthood

All youth shall have the opportunity to be engaged in directing their own life and to be engaged in the community around them. In order to provide youth in and transitioning from foster care opportunities to be listened to, to be informed, to be respected and to exert control over their lives, the service worker should:

- Prepare/train youth to lead in the development of their case planning, including permanency planning and transition planning that addresses education and employment goals.
- Provide youth opportunities for leadership and community involvement, including opportunities for advising LDSS and community partners on policy and practice.
- Maintain contact with the youth to find out how they are doing when they leave care so that policy and practice can be improved.²

Preparing youth in foster care for adulthood is similar to preparing all children and youth for the transition to adulthood. Successful adults are self-sufficient in accomplishing daily life skills, while also being resourceful and connected with others in meeting their own needs while contributing to society. Regardless of the permanency goal, service workers should deliberately plan and prepare youth over time to be increasingly self-sufficient, resourceful, and contributors to society.

² Adapted from Jim Casey Youth Opportunities Initiative

Preparation for adulthood is a life-long process that begins at birth. It initially involves informal learning by observing and participating in day-to-day activities with birth parents and substitute caregivers. Then, as children mature, it includes formal instruction and activities. For older youth, it requires increasing opportunities for them to practice life skills and build competencies with support from caregivers, service workers, and significant others.

During adolescence, the movement to self-sufficiency and resourcefulness is not linear, but rather a dynamic process based on the youth's evolving maturity, strengths, and needs. An adolescent's search for identity and transition to adulthood can be a turbulent process, particularly for youth who have experienced abuse, neglect, separations, and/or trauma in their lives.

Developmentally, adolescents are striving to gain control over their lives. Adults need to provide opportunities for adolescents to practice resolving problems, seeking out and using resources, making decisions, and contributing to society. These are essential skills for self-sufficiency and success in adulthood.³

Serving older youth and preparing them for adulthood requires a planned, dynamic, strengths-based process. Service planning and decision making shall be driven by the youth, in collaboration with the youth's family and team. Services shall be based on the strengths and needs of the youth, as identified in the comprehensive assessment. The service worker and youth's team should focus on achieving permanency and ensuring the youth develops the skills necessary for self-sufficiency and interdependency. They should assist the youth in managing the transition to adulthood and then follow up to ensure success.

14A.8.1 Youth-driven planning

Youth shall have a central role in all service planning and decision making. Involving the older youth increases his or her motivation to participate in and complete services. It also helps the youth increase self-awareness and learn how to develop goals, use networks, and resolve problems – essential skills for adulthood.

The service worker should encourage and support the youth in taking responsibility for becoming increasingly self-sufficient and interdependent over time. The service worker should help the youth:

- Understand his or her responsibility for developing and achieving a plan.
- Develop personal goals.
- Identify strengths, interests, and needs.

³ Adapted from Illinois Department of Children and Family Services Best Practice Manual, Characteristics of Adolescent Development.

- Use these goals, strengths, and interests to design services, use networks, and access services and resources to meet his or her needs.

14A.8.2 Engaging families and working with the youth's team

The service worker should diligently search, pursue, and engage the youth with extended family members and other appropriate individuals the youth defines as significant, while keeping the safety and best interests of the child at the forefront in decision making (see [Section 2.5](#) and [Section 2.6](#)). These individuals can provide diverse roles and resources for the youth during and after his or her stay in foster care (see [Section 2.4](#)).

The service worker shall engage appropriate family members and other significant individuals to work collaboratively as a team to help prepare the youth for adulthood. Since critical decision points, including goal and placement decisions, are made through Family Partnership Meetings, the LDSS may decide that this team should continue working together as the youth's team to prepare for and transition the youth into adulthood (see [Section 2.9](#)).

The youth shall be an active and central participant on the team. The youth shall be provided with the opportunity to identify up to two (2) members of the team who are neither a foster parent of nor a case/service worker of the youth ([P.L. 113-183](#)) who he or she wants to involve with the team to help represent the youth's needs and provide support during the process. One of the individuals selected by the youth may serve, as necessary, as an advocate with respect to normalcy for the youth. The LDSS may only reject the member(s) selected by the youth if there is good cause to believe that the individual(s) would not act in the best interest of the youth.

Team members may include birth parents, siblings, family members, prior custodians, primary caregiver(s), service worker, adult services worker for appropriate older youth, independent living coordinator, professionals involved with the youth (e.g., teacher, counselor, coach), service providers, community members (e.g., friend, neighbor, mentor, minister), and any other individuals identified by the youth and family as important.

The service worker and team should actively assist the youth in:

- Assessing strengths, interests, and needs, including life skills.
- Identifying significant adults who may be willing to assist the youth in carrying out identified tasks.
- Identifying services, resources, supports, and networks.
- Developing or enhancing their skills.
- Making decisions.

- Planning and supporting the youth through the transition to adult living.
- Maintaining contact and following up after the youth leaves foster care.

14A.8.3 Transition to independent living plan for youth age 18 and older

All youth age 14 or older, regardless of their permanency goal, shall have a written transitional living plan personalized to their individual needs based on their independent living skills assessment; specifying the independent living services, activities, and supports to be provided to help the youth transition to adulthood. The youth shall be involved in the development of his/her initial transition plan and any revisions or additions made to it. The transition plan shall be:

- Youth-driven.
- Based on a formal independent living needs assessment.
- Developed through a team process.
- Coordinated with the IEP developed by the school district for all youth in special education.

The transition plan for youth over age 14 and older shall be personalized to the individual youth and describe in writing:

- The activities to be undertaken to establish a permanent family and lifelong connections with family members and significant adults.
- The strengths, goals, and needs of the youth, based on the assessment of independent living skills, and including the areas of counseling, education, housing, employment, and money management skills.
- The specific independent living services to be provided and activities undertaken to assist the youth in meeting these goals and needs, building on the youth's strengths.
- The programs and services to be provided and activities undertaken to help the youth prepare for his or her future life as an adult, including but not limited to, specific options to be pursued in education, career preparation, and work.
- The responsibilities of the child placing agency, the youth, the service provider, and any other involved individuals in achieving the planned services and activities.
- Information on the youth's right to appeal LDSS decisions on services in the transition plan for independent living services (See Section 14.12 of the July 2015 Foster Care guidance).

The service worker may use the transition plan template developed by VDSS or the Foster Club's Transition Toolkit to document the youth's transition plan (see below.) Any other transition plan template needs to be approved by VDSS before use.

- The VDSS [Independent Living Transition Plan Template](#) 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.
- The [FosterClub's Transition Toolkit](#) is designed for youth and their team of adult supporters to identify their assets and resources and map out a plan for the challenges after foster care.

14A.8.3.1 Development and maintenance of the transition plan

The transition plan shall be printed and attached to the foster care plan which is filed with the court for distribution and placed in the paper case record, if further court review is required by the court. When court review is not required, the transition plan should be printed and attached to the Supervisory Review document and placed in the paper case record. The service worker, youth, and youth's team shall implement and modify the transition plan over time, while continually assessing the youth's progress.

- The transition plan shall be completed **within 30 days** of the initial or repeated independent living assessment.
- The transition plan shall be updated at least every 12 months.
- Completion of the transition plan shall be documented in OASIS on the IL Checklist.

14A.8.4 Youth rights

As a requirement of the Preventing Sex Trafficking and Strengthening Families Act of 2014 ([P.L. 113-183](#)), youth age 14 and older shall be provided a document that describes certain rights with respect to their care. The LDSS shall be responsible for explaining to the youth his/her rights in an age-appropriate way and obtaining a signature from the youth acknowledging that the youth has received them. A description of the youth's rights follows:

- Appeals: the youth has the right to appeal LDSS decisions regarding the delay, denial or termination of services identified in the transition to independent living plan and foster care plan (See Section 14.12 in the July 2014 guidance).

- Education: the youth has the right to go to school and get an education that is consistent with his or her age and any special needs. The youth also has the right to stay in the school he or she was enrolled in before coming into foster care if this is in the youth's best interest.
- Health: the youth has the right to be regularly taken to doctors and dentists, including eye doctors, for medical evaluation, medical care, and/or treatment as needed.
- Visitation with siblings: the youth has the right to have regular contact and visitation with siblings, if separated. Contact may include but not be limited to face-to-face visits, telephone calls, emails, and video conferencing.
- Court participation: the youth has the right to attend court hearings involving his or her care; be consulted in the development of and any revisions to his or her case and permanency plan. The youth also has the right to tell the judge what is happening to him or her and what the youth wants regarding the plan for permanency.
- Documentation: when exiting foster care, the youth shall be provided with an official or certified copy of the youth's (1) birth certificate; (2) social security card; (3) health insurance information; (4) medical records; and, (5) driver's license or state-issued identification card.
- Safety: the youth has the right to be safe and free from exploitation.

The list of youth rights is included in the Rights and Responsibility section of the VDSS Transition Plan template. The completed transition plan shall be attached to the printed Foster Care Plan when it is submitted to court for distribution, if further court review is required by the court. When court review is not required, the transition plan should be printed and attached to the Supervisory Review document and placed in the paper case record. The Rights and Responsibilities section and the youth's signature shall be submitted to court, even if an alternative transition plan template is used. This document shall be reviewed and signed at least annually or for each Permanency Planning and/or Hearing Review as a best practice.

14A.9 Paying for independent living services

Independent living services are paid from the LDSS' allocation of the CFCIP funds otherwise referred to as basic independent living program funds. VDSS must approve the LDSS funding application for independent living services before funds are expended.

Independent Living services may also be paid for with CSA funds. CSA establishes a collaborative system of services and funding that is child-centered, family-focused and community-based when addressing the needs of troubled and at risk youth and their

families. One of the targeted populations is children and youth for whom foster care services, as defined by [§ 63.2-905](#), are being provided.

Foster care services are the provision of a full range of casework, treatment and community services including but not limited to independent living services, for a planned period of time to a child or youth who has been abused or neglected, or in need of services, or a youth or child who has been placed through an agreement between the LDSS and the parent(s) where legal custody remains with the parents or guardians, or has been committed or entrusted to an LDSS or licensed child placing agency. Foster care services also include the provision and restoration of independent living services to a person who is over the age of 18 years but who has not reached the age of 21 years who is in the process of transitioning from foster care to self-sufficiency. However, independent living services are not maintenance and cannot be paid for with title IV-E funds.

Access to CSA funds is governed by state and local policies which require multi-agency planning, uniform assessment, utilization review, and authorization of funds. If it is determined that these funds are needed to access independent living services, the service worker shall refer the youth to the FAPT, in accordance with local CPMT procedures, in order to request funding for services. The LDSS service worker should become familiar and comply with policies established by their local CPMT for access to CSA funding.

14A.10 ETV Program for youth

The purpose of the ETV Program is to fund goods and services designed to assist eligible youth in successfully completing a “post-secondary” educational or vocational training program by covering up to a maximum of \$5,000 or the total cost of attendance (whichever is less) per state fiscal year of the following expenses:

- Tuition and fees;
- Room and board;
- Rental or purchase of required educational equipment, materials, or supplies (including computer, software, and computer related accessories);
- Allowance for books and transportation;
- Required residential training related to an educational or vocational program;
- Special study projects related to education;
- Child care; and/or,
- Other related expenses.

Expenses not covered by ETV include:

- Doctors' visits;
- Dentist services;
- Apartment or dorm room set-up (i.e., comforters, sheets, microwave, cleaning supplies); and
- Food (separate from the school meal plan.)

14A.10.1 ETV funding

ETV Program provides federal and state funding to help eligible youth with expenses associated with college and post-secondary vocational training programs. Funding of up to \$5,000 per year OR the total cost of attendance per year (whichever is less), per eligible youth. LDSS do not receive \$5,000 per youth in their initial allocation because the Virginia ETV program does not receive enough federal and state funds to allocate the full amount per student. Although the ETV program is integrated into the overall purpose and framework of the CFCIP/ILP, the program has a separate budget authorization and appropriation from the general program.

For additional information about use of ETV funding see [section 13.11](#)

14A. 10.2 Eligible youth

14A.10.2.1 Eligible youth ages 16-21 years

Youth ages 16-21 who are eligible to receive vouchers under this program must meet the following eligibility criteria:

- Have had their most recent foster care episode provided by the Commonwealth of Virginia;
- Eligible for services under Virginia's CFCIP, called the Independent Living Program (ILP);
- Have received their high school diploma or equivalent, or GED certificate;
- Have applied for financial aid through the post-secondary school or training program, if applicable, they wish to attend or participate in; and
- Make satisfactory academic progress by maintaining at least a cumulative grade point average of 2.0 on a 4.0 scale or have an academic standing consistent with the institution's graduation requirements for the federal student financial aid program. LDSS should monitor all ETV recipients'

progress and review grades to ensure compliance prior to disbursing additional ETV funds for each semester.

14A.10.2.2 Eligible youth ages 21-23 years

Youth ages 21 to 23 years old that are eligible to receive vouchers under this program must meet all of the following eligibility criteria:

- Meet all eligibility requirements listed in Section [13.13.2.1](#) “Eligible Population for Youth Ages 16 to 21” with the exception of bullet number two (Eligible for services under Virginia’s ILP).
- Are participating in the voucher program on the date they attain age 21 in order to be eligible to receive assistance until reaching the age of 23.
- Participants must be enrolled full-time or part-time in a post-secondary education or training program and making satisfactory progress toward completion of that program.

14A.11 Credit checks for youth age 18 to 21

Identity theft is a national problem and is becoming more common among the foster care population. Children in foster care are at greater risk to become victims of identity theft due to the number of people who have access to their social security numbers and other identifying information. Many times, it is not until the young adult is applying for credit that it is discovered that credit information has been compromised.

The LDSS is responsible for assisting youth 18 years and older with obtaining his or her credit report by accessing www.annualcreditreport.com during the month of their birthday, and every year thereafter, until he/she turns age 21. The youth will need access to a computer. The Fair Credit Reporting Act (FCRA) requires each nationwide Credit Reporting Agency (CRA) to provide adults with a free copy of their credit report once every 12 months. The LDSS shall:

- Discuss the results of the consumer credit report check with the youth, emphasizing the importance of credit in their lives. Document the conversation on the youth’s transition plan including if the youth refuses to obtain his/her consumer credit report and/or refuses to have credit issues corrected;
- Assist the youth in contacting the CRA to have the information corrected if fraudulent credit history exists or a credit error is discovered;
- Provide documentation if necessary to the CRA;
- Document the steps taken to assist the youth in clearing his credit report as a contact in OASIS selecting “Annual Credit Check” as the purpose; and,

- Maintain a hard copy of the credit report and letters of dispute in the youth’s case file.

Refer to the [Independent Living Program Credit Checks for Foster Youth Guidebook](#) for complete information on VDSS and LDSS responsibilities; procedures to assist youth 18 to 21 with obtaining their credit report, suggestions for discussing the results of the credit report, and directions for contacting the CRA to have the credit issues corrected.

14A.12 Conducting the NYTD outcomes survey with youth at ages 19 and 21

Public Law 106-169 established the CFCIP, providing states with flexible funding to carry out programs that assist youth to transition from foster care to self-sufficiency. The law also mandated that ACF develop a data collection system to track the independent living services states provide to youth and develop outcome measures that may be used to assess each state’s performance in operating their ILPs. This data collection system is known as the NYTD. The law requires ACF to impose a penalty of between one and five percent of the state’s annual allotment on any state that fails to comply with the reporting requirements. Pursuant to the regulation ([45 CFR 1356.80 through 1356.86](#)), states report data to ACF semiannually.

NYTD requires all states to engage in two data collection activities. First, states are to collect information on each youth who receives independent living services paid for or provided by the state agency that administers the CFCIP. Second, states are to collect demographic and outcome information on certain youth in foster care whom the state will follow over time to collect additional outcome information. This information allows ACF to track which independent services states provide and assess the collective outcomes of youth.

The LDSS shall conduct NYTD surveys on specific cohorts of youth in foster care beginning at age 17. A cohort is a group of people who are followed over time. A new cohort of youth begins every three (3) years. The same youth population, survey questions, and longitudinal outcomes data are used nationally.

	Baseline: all youth after 17 th birthday (Survey is due within 45 days after attaining 17 years of age)	Follow-up: Same youth On or around the 19 th birthday	Follow-up: Same youth On or around the 21 st birthday
Cohort 1	FFY 2011	FFY 2013	FFY 2015
Cohort 2	FFY 2014	FFY 2016	FFY 2018
Cohort 3	FFY 2017	FFY 2018	FFY 2020

The federal fiscal year (FFY) is October 1 through September 30.

For baseline data, LDSS shall conduct the outcomes survey on all youth in foster care during the 45 days after their 17th birthday in specified years. Thus, youth in foster care who turn 17 years old are surveyed in FFY 2011 for cohort 1, in FFY 2014 for cohort 2, and in FFY 2017 for cohort 3.

The youth who participated and are a part of the baseline survey will be identified by VDSS and confirmed by ACF. Once confirmed, this information will be communicated to the LDSS ILP and NYTD contacts to ensure that the youth are served in a timely manner. The LDSS shall survey the same youth around their 19th birthday in the applicable reporting period as identified by VDSS (in FFY 2013 for cohort 1; in FFY 2016 for cohort 2; and in FFY 2019 for cohort 3) and when they turn age 21 (in FFY 2015 for cohort 1; in FFY 2018 for cohort 2; and in FFY 2021 for cohort 3). The youth shall be surveyed regardless of whether they continue receiving independent living services or age out of foster care. In the month (usually September) prior to the beginning of a survey year, VDSS will communicate with each LDSS ILP and/or NYTD contact providing a list of youth who need to be surveyed and what survey (i.e. baseline, follow-up at 19, or follow-up at 21) to administer, the time frame for administration of the survey, as well as other pertinent information.

The six outcome areas include:

- Youth financial self-sufficiency;
- Youth education (academic or vocational) attainment;
- Youth positive connection with adults;
- Experience with homelessness among youth;
- High risk behavior among youth; and,
- Youth access to health insurance.

See the [NYTD Outcomes Chart](#) that delineates for each outcome, the federal measures, definitions, and legal citations for tracking progress on the cohorts of youth who are aging out and have aged out of foster care.

14A.12.1 Administering follow-up NYTD Survey with 19 and 21 year olds

During specific reporting periods, LDSS will need to administer the NYTD Survey to 19 or 21 year olds. For 19 and 21 year olds, ACF allows 6 months to administer the survey. VDSS will compile the list of youth who need to be surveyed. LDSS will find this list in SafeMeasures. The young people need to complete the survey within the federal reporting period in which their 19th or 21st birth date falls. For example, the youth whose 19th birthday falls in the reporting period of October 1 to March 31, needs to complete the survey at some point between October 1 and March 31. The youth whose 19th birthday falls in the reporting period of April 1 and September 30,

needs to complete the survey between April 1 and September 30. The same pattern applies to 21 year olds who need to take the survey.

The survey contains questions about financial self-sufficiency, educational attainment, connections with adults, experience with homelessness, high-risk behavior, and access to health insurance. There are approximately 22 questions in the survey, and it should take about 20 minutes to complete the survey.

For youth that the LDSS successfully located, the LDSS shall contact each youth:

- Explain the purpose, importance, and process for the survey;
- Answer any questions or concerns the youth may have;
- Obtain his verbal consent to participate in the survey; and,
- Determine an appropriate time and location to administer the survey (the survey may be administered in-person or over the phone).

If the survey will be administered in-person, provide the youth with the paper form of the survey to complete. (See [NYTD Follow-up Outcomes Survey-Age 19 for LDSS use](#)). The youth shall complete the survey form independently. If the youth is physically unable to complete the form, but can provide answers to the survey, the service worker may assist the youth by completing the forms. The service worker shall not consult with any source other than the youth when administering the survey.

If the survey will be administered by phone, follow the instructions on the survey.

After completion of the survey, the data shall be entered into the OASIS case record on the NYTD survey screen exactly as the youth has responded to the survey questions. The service worker or data entry staff shall not correct or change the survey responses; even if the staff has knowledge about the youth's benefits, financial circumstances or health insurance.

The data should be entered within 14 calendar days from the date of the survey administration on the correct OASIS screen for the 19-year-old survey. Place the original survey in the youth's paper case record.

Notify youth that he may receive a copy of the survey and provide a copy if requested.

If help is needed in OASIS, additional assistance may be found on SPARK, under [Foster Care Guidance, Procedures and FAQ's](#).

- [OASIS Independent Living-NYTD Tips Sheet](#)

14A.12.2 Technical assistance

Frequently Asked Questions (FAQs) – Children’s Bureau in the Administration for Children and Families of the U.S. Department of Health and Human Services.

- [NYTD FAQs](#)

Surveying youth with special needs and limited English proficiency:

- [“NYTD Technical Assistance Brief #3: Surveying Youth with Special Needs or Limited English Proficiency.”](#) June 2010. Discusses accommodations that enable these youth to fully participate in the survey.

14A.13 Referring and transitioning youth to Adult Services

Adult Services are provided to impaired adults age 18 or older, and to their families when appropriate. “Impaired” means any person whose physical or mental capacity is diminished to the extent that he needs counseling or supervisory assistance or assistance with activities of daily living such as feeding, bathing, and walking, or instrumental activities of daily living such as shopping and money management ([Adult Services Chapter 1, Definition Section 1](#)). Adult Services are designed to help the adult remain in the least restrictive setting and function as independently as possible. Services may include case management, home-based care, transportation, adult day services, or assessment for the need for long-term care service such as nursing facilities, Medicaid-funded home and community based waivers, or assisted living facilities.

If the service worker believes an older youth in foster care may be eligible and need supportive services into adulthood, the service worker should discuss the youth’s situation with an Adult Services worker. While Adult Services workers work only with adults age 18 and over, early discussions and collaboration between the foster care and Adult Services workers are essential for a successful, smooth, and timely transition for the youth. These conversations should begin well before the youth turns 18, but in the event that they have not, it is essential that the service worker help the 18 to 21 year old access appropriate services as quickly as possible.

In addition to collaborating with the Adult Services worker, the foster care worker should:

- Explore the extent to which the youth needs assistance with activities of daily living (ADLs) and instrumental activities of daily living (IADLs) or requires support for mental health, intellectual disability, or cognitive issues.
- Assess the older youth’s interest in receiving Adult Services.

- Consult with the youth's family members on their opinions regarding the suitability of these services for the youth.
- Collaborate with the youth's school to ensure that the IEP services are being appropriately accessed and will be available to the youth as long as necessary or to age 23.

For more complete information, see the [DARS Adult Services Manual webpage](#) on the DSS internal website. Additional Information may be found under [Transition Planning for Foster Care Youth with Disabilities](#).

14A.13.1 Assessing for benefits programs and other supports

The foster care services worker should work with an eligibility worker to evaluate the youth's potential eligibility for Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI), Medicaid, and Auxiliary Grant (if the individual will be residing in an assisted living facility or adult foster care home).

Applying for these benefit programs can take several months, so it is critical to begin the process as early as possible. While the Adult Services worker can provide information on these programs, the foster care services worker or independent living coordinator should begin the application process. Starting early provides sufficient time for determining the youth's eligibility for services and for either smoothly transitioning the youth to Adult Services or finding alternative resources for assisting the youth who is not eligible for these services.

The Social Security Administration (SSA) allows youth with disabilities who are eligible for Supplemental Security Income (SSI) to file an SSI application up to 90 days before federal foster care payments are expected to end. This change in SSA policy helps older youth in foster care who have disabilities to transition to adult life by helping to ensure that they have income and health benefits in place. For additional information about SSI applications for foster care youth with disabilities see [Section DI 25201.011](#) in the Social Security Administration's Program Operations Manual System (POMS).

Some youth may not have the capacity to meet their health or safety needs or to manage their financial affairs. The foster care service worker should discuss this need with the Adult Services worker early in the transition planning to explore the options available for the youth. The youth may need a guardian and/or conservator appointed or an alternative option instituted to provide substitute decision making for the youth. (See Adult Services [Guardianship Chapter](#) for additional information).

14A.13.2 Adult Foster Care Services

LDSS often struggle in transitioning youth who have complex service needs, require placements, and will continue to need significant support after they age out of foster care. Placement for a young adult with special needs may be difficult, as most adult

long-term care facilities focus on the elderly with significant medical and nursing needs.

An Adult Foster Care (AFC) program may be an appropriate option to meet the needs of these youth in transition. The foster care service worker should discuss with the Adult Services worker whether this program is offered locally. Many LDSS do not offer this program since it is an optional program. Additionally, while some LDSS provide an AFC program, the program may only serve individuals age 60 and older.

If an AFC setting is being explored, the foster care service worker, the eligibility worker, and Adult Services worker should collaborate in developing an appropriate post foster care plan to provide a seamless transition for the older youth from foster care services to an AFC setting. While permanency is the goal for all youth in foster care, early planning needs to occur for these youth, particularly when they do not have permanent families.

A resource parent may be approved as an Adult Foster Care Home or receive dual approval as a resource parent and an Adult Foster Care Home, depending on the needs of the young adult and other children residing in the home. This situation may allow siblings living with a resource parent to remain together if an older sibling with a disability ages out of foster care. Dual approval or conversion to an Adult Foster Care Home may be considered if it is determined to be in the best interest of the young adult, the other children residing in the home, and the resource family.

For more information on AFC, see the [Adult Foster Care Manual](#) on the DSS internal website.

14A.14 90-day transition plan for youth exiting services

The service worker, youth, and youth's team shall create a transition plan during the 90 day period immediately prior to the youth choosing to leave foster care or terminate independent living services any time before his or her 21st birthday (§ [63.2-905.1](#)).

For all youth who may exit services at any time between their 18th and 21st birthdays, or will exit services upon turning 21, a Family Partnership Meeting (FPM) should be held to facilitate the development of a 90-day transition plan. The transition planning process should include discussion about the benefits to the youth of continuing to receive services.

The transition plan shall be directed by the youth, and shall be as detailed as the youth chooses. This plan should document the specific goals and needs for the youth to successfully transition from foster care or independent living services to independence. The planning process should engage the youth's family and the youth's team. See Section 14A.8 regarding service planning for older youth.

Written notice shall be documented in the youth's transition plan that the youth was informed of his or her right to request that independent living services be restored within 60 days of services ending, if he chooses to leave foster care any time after turning 18 years old and before the age of 21 years.

The service worker and the youth's team shall help the youth understand the importance of including specific areas in the transition plan. These areas include, but not limited to:

- Transition activities identified in Section 14A.8.
- Housing.
- Options for health insurance.
 - Former foster care youth under age 26 years may be eligible to receive Medicaid if they were under the care and responsibility of any state's foster care agency and receiving Medicaid until discharged from foster care upon turning 18 years or older, meet all Medicaid requirements, and are not eligible for Medicaid in another mandatory Medicaid covered group (see Section 12.11.7.1.1).
 - Youth under age 19 who are not eligible for Medicaid may be eligible for the Family Access to Medical Insurance Security (FAMIS) program and receive health insurance until their 19th birthday. The youth must not have other health insurance, and must not have not had health insurance in the past 4 months (some exceptions apply.) There are no enrollment fees or monthly premiums. For some services, there may be a small co-payment. Covered services include: doctor visits, well-baby checkups, hospital visits, vaccinations, prescription medicine, tests, x-rays, dental care, emergency care, vision care, and mental health care. See the [FAMIS Teens section of the FAMIS website](#) for more information.
- Designating someone to make health care treatment decisions on the youth's behalf, if the youth becomes unable to participate in the decisions and does not have or want a relative who would otherwise be authorized by State law to make these decisions. The youth, after reaching age 18, may designate a health care power of attorney by completing the form, entitled [Virginia Advance Medical Directive](#), on the Virginia Department of Health (VDH) website, which complies with Virginia law ([Patient Protection and Affordable Care Act P.L. 111-148; § 54.1-2995](#)). The LDSS should encourage and assist the youth in seeking guidance from an attorney to address any questions. The youth should provide a copy of this document to his or her physician, close relatives, and/or friends.
- Local opportunities for mentors.

- Workforce supports and employment services ([Social Security Act, Title IV, § 475 \(5\) \(H\) \[42 USC 675\]](#)).

For youth in care at least six months, prior to the youth's leaving care, the LDSS shall also provide the youth with an official or certified copy of the youth's (1) birth certificate; (2) social security card; (3) health insurance information; (4) medical records; and, (5) driver's license or state-issued identification card. Provision of these documents should be documented in OASIS on the IL Checklist.

The 90-day transition planning process should be documented by creating a 90-day transition plan (see [Section 13.7.3](#)) and the FPM with the purpose of preventing placement disruption should be entered in OASIS.

14A.15 OASIS documentation for independent living services

Independent living service(s) that are offered or provided to any youth shall be documented in OASIS on the "IL" services screen consistent with guidance requirements (as soon as possible but no later than **30 days** after each activity or event). This information is part of the data submitted to the NYTD twice a year. Both services participated in and declined shall be entered on the correct screen. Services a youth needs, but there is no funding for, shall also be entered on the screen. The independent living services that should be documented are listed below:

- Independent living needs assessment;
- Academic support;
- Post-secondary educational support;
- Career preparation;
- Employment programs or vocational training;
- Budget and financial management;
- Housing education and home management training;
- Health education and risk prevention;
- Family support and healthy marriage education;
- Mentoring;
- Independent living arrangement;
- Room and board financial assistance;

- Education financial assistance; and,
- Other financial assistance.

The service worker is responsible for updating IL services screens including the start date and end date of the service offered. If a service is declined, the start date and end date may be the same date. In the comments section, the service worker should define the type of service provided, consistent with definitions in guidance and OASIS, and whether or not the service met the youth's needs.

As part of the data submitted twice a year to NYTD, the service worker shall review and update screens under "IL." These updates should be done consistent with guidance requirements for documentation. These screens should be reviewed at a minimum, every other month, so that data submitted to the federal government will be both accurate and timely.

- Education Screen. If a youth received special education services this shall be identified on the OASIS screen. Special education as defined by NYTD means specifically designed instruction, at no cost to parents, to meet the unique needs of a child with a disability. The service worker should select the box that states special education at the bottom of the education screen.
- Adjudicated Delinquents. If a youth has ever been adjudicated delinquent, this status shall be documented in the IL section of OASIS. The federal NYTD definition of an adjudicated delinquent is one where a state or Federal court of competent jurisdiction has adjudicated the youth as a delinquent.
- Post independent living. If the youth's case is closed in OASIS and the youth receives as least one independent living service after the case is closed, the type of service provided shall be documented in OASIS.

14A.16 Program monitoring and case reviews

Independent living (including ETV) services that are paid for and/or provided by the LDSS are subject to monitoring and evaluation via submission of ILP reports, OASIS data, LASER reports, and case reviews. VDSS will conduct quality assurance onsite visits and request additional information as necessary for program monitoring. VDSS staff may conduct case reviews of youth receiving independent living services. These reviews may be done by comparing data in OASIS and NYTD screens with documentation in the paper case record for the youth. These activities are consistent with VDSS' role of ensuring the proper administration of all foster care activities and services, including any action taken or not taken.

OASIS is the approved child welfare system for Virginia and all required documentation shall be input into this system. However, there are components of the case record that are required consistent with guidance in [Section 4.4](#). The service worker should review

this section to determine that hard copies of required items are in the youth's case file. In addition to those items required in [Section 4.4](#), the service worker shall be responsible for providing for the record of the youth receiving independent living services the following:

- A copy of any documentation from a state or federal court of competent jurisdiction that the youth was adjudicated delinquent. Note: for NYTD purposes, the youth is considered an adjudicated delinquent no matter when the youth was adjudicated in his lifetime;
- Copy of IEP (if any);
- Copy of independent living needs assessment(s);
- Copy of written transition plan(s);
- Copy of approved student ETV Application(s) and supporting documentation;
- Documentation that verifies the youth received any or all of the independent living services that were paid for and/or provided by the LDSS on behalf of the youth;
- Documentation to define who, how and when the youth was invited to participate in the NYTD survey (if part of the NYTD follow-up population);
- Copies of completed NYTD surveys (i.e. baseline and follow-up), if applicable.

14A.17 Resources to help serve older youth

14A.17.1 Engaging youth

- [Child Welfare Information Gateway](#) –Promotes the safety, permanency, and well-being of children, youth, and families by connecting child welfare, adoption, and related professionals as well as the public to information, resources, and tools covering topics on child welfare, child abuse and neglect, out-of-home care, adoption, and more. The section on [youth](#) provides guidelines, protocols, and resources for service providers and other stakeholders to build partnerships with families and youth to achieve permanency and promote positive outcomes for youth.
 - [Positive youth development](#)
 - [Engaging and involving youth](#)

14A.17.2 Resources for youth

- **Foster Care Alumni of America**

The mission of [Foster Care Alumni of America](#) (FCAA) is to connect the alumni community of youth who were in foster care and to transform policy and practice, ensuring opportunity for people in and from foster care.

The vision of [Virginia Chapter's of FCAA](#) is to be the leader in Virginia in connecting the alumni community so that youth can be heard. We envision alumni and allies working together to help truly transform Virginia's Child Welfare System to ensure a high quality of life for those in and from foster care.

- **FosterClub**

The FosterClub is a national network for young people in foster care. The [website](#) serves as a primary communication tool for young people to connect in a safe, monitored environment. It also provides information related to foster care, including books, posters, and forms specifically designed for youth transitioning out of care. Publications are developed specifically for kids in care and are written in collaboration with foster youth. The FosterClub also is involved in teen conferences and workshops.

14A.17.3 Education and training resources for youth

- **Education and Training Vouchers (ETV)**

The ETV Program (See [Section 13.13](#) for additional information) assists eligible foster care and adopted youth with post-secondary education and training expenses. It is designed to help youth aging out of foster care with the education, training, and services needed for employment and self sufficiency. Funding for the program is supplied in the form of vouchers. These can be applied toward, but not limited to, colleges, universities, community colleges, and one-year training institutions. Youth are encouraged to visit the [Free Application for Federal Student Aid \(FAFSA\)](#) website and utilize the FAFSA Tips for completing the application.

- **Virginia Community College System (VCCS)**

- **Great Expectations Program**

The VCCS Great Expectations Project provides transitional support to teens in foster care to help them complete high school and gain access to a community college education. The goal is to provide education and employment opportunities to improve the likelihood of life success for foster youth.

[Great Expectation programs](#) are offered in several community colleges across the state. Coaches and mentors can provide assistance, offer encouragement, and help youth reach their goals.

- **Tuition Grant Program**

The [Tuition Grant Program](#) provides tuition and fees at any Virginia Community College for youth who graduated from high school or completed their GED and who:

- Were in foster care when turning age 18;
- Are in the custody of LDSS; or
- Are considered a special needs adoption.

Assistance is based on financial need.

- **Other Funding and Scholarship Opportunities**

The Great Expectation website provides additional information on and links to [funding and scholarship opportunities](#).

- **Vocational Rehabilitation (VR) Transition Services with Virginia Department of Aging and Rehabilitative Services**

The Department of Aging and Rehabilitative Services (DARS) provides services to help Virginians with significant disabilities, including youth in transition, become more independent and self-sufficient. Transition Services help youth with disabilities develop skills and formulate plans to move from high school to an adult life that includes opportunities for employment, higher education, independent living, and community involvement.

Referrals of students for DRS services often come from school personnel to the VR Counselor assigned to their school district. Referrals should be made three years prior to the youth leaving school and written into the student's Individual Education Plan (IEP).

- [DRS Transition Services Guide](#)
- [DRS office locations](#)

- **Foster Care to Success Program (FC2S)**

FC2S is the largest national nonprofit organization dedicated entirely to helping former foster youth obtain the academic and technical skills and competencies needed to thrive in today's economy. To that end, FC2S provides [scholarship and grant money](#) to former foster students in colleges

and specialized training programs across the country. Every FC2S student receives care packages and coaching and is eligible to participate in mentoring and internship programs.

14A.17.4 Other resources

- **Jim Casey Youth Opportunities Initiative**

Private foundation with the vision that every youth aging out of foster care should have access to the opportunities and supports needed for a successful transition to adulthood. Brings people and resources together to help youth and young adults make the connections they need for permanence, education, employment, housing, health care, and supportive personal and community relationships. Supports community-based efforts that create opportunities and build assets for youth leaving foster care through grant making, technical assistance, and advocacy.

- [Website](#)

- **You Gotta Believe!**

Pat O'Brien's organization, [Older Child Adoption and Permanency Movement, Inc.](#), in New York State seeks to prevent homelessness by finding permanent moral and legal adoptive homes for teens and preteen children in foster care. Stresses unconditional commitment to all children who come into care as the essential ingredient in preventing both placement disruption and foster care drift. Website provides links to articles, blogs, and live stream on the Internet for radio and television broadcasts.