

# *A Judge's Guide to Having Youth in Court*



Adapted from ***ESTABLISHING POLICIES FOR YOUTH IN COURT –  
OVERCOMING COMMON CONCERNS***

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ABA Research performed on Westlaw compliments of West Group.

### **TENNESSEE COURT IMPROVEMENT PROGRAM**

The purpose of this guide is to provide information to the juvenile court judges in Tennessee regarding the participation of youth in court proceedings. The guide addresses the effects of participation on youth, logistical issues and ethical considerations. It includes information on independent living for older youth in state custody. In order to provide for the effective participation of youth in court proceedings, judges are urged to engage community involvement in crafting solutions to the issues addressed in this guide. Technical assistance for working with community stakeholders is available through the

Court Improvement Program, Administrative Office of the Courts, 511 Union Street, Nashville, TN (615-741-2687).

The Court Improvement Program would like to thank the Department of Children's Services for its contribution to this guide.

TAB 1: THE EFFECTS OF COURT

# The Effects on Youth by their Participation in Court Proceedings

You may think that participation in court proceedings upsets youth. Most of the time, this concern is exaggerated. Youth are the first to remind us that they have lived through these issues. As long as they are properly prepared for the hearing, discussions in court will not cause them additional trauma or harm. Moreover, excluding youth from court can be equally (if not more) upsetting, as that can strip youth of the opportunity to come to terms with their past and prevent them from moving on with their lives while also precluding them from having a sense of involvement in and control over planning their future. Below are some solutions for addressing the effects that attendance in court may have on a child.

## SOLUTIONS

### SET CLEAR STANDARDS FOR WHEN YOUTH SHOULD BE IN COURT

- Set a presumptive rule that youth will come to court unless specific circumstances are present, e.g.
  - Unavoidable trauma, as established by compelling evidence that the youth's attendance would be detrimental to his or her well being.
  - Strong objection by youth based on the youth's own informed choice. A youth's desire not to participate must be taken into account and may waive the youth's opportunity to be present pursuant to T.R.J.P. 30.
  - A no-contact order between the child and parent or concern about the child being present for some testimony can be managed depending on the circumstances of a particular case.
- ❖ **T.C.A. § 37-2-409 requires the attendance of the child at the permanency hearing. The only exceptions to a child attending the permanency hearing are: 1) a child who is placed out of the state, and 2) a child who is under a doctor's care preventing the child from attending court.**

## PREPARE THE YOUTH FOR COURT HEARINGS

- The youth's attorney or guardian ad litem (GAL) should inform the youth about the hearings.
  - This information should include the purpose of the hearing, when the hearing will occur, who will be there, what is expected to happen, and how to talk to the judge. There should be other suggested areas to discuss with the youth (e.g. courtroom etiquette). **The Court Improvement Program can assist you with this area of concern.**
  - Require strict adherence to Supreme Court Rule 40. (It provides for guidelines on how the GAL should communicate with the child.)
  
- Foster parents have a right to be heard at the hearing. The Department of Children's Services (DCS) case manager is required to inform the foster parent(s) about each hearing. Their knowledge of the upcoming hearing enables them to talk about any concerns the youth might have about the hearing. Foster parents should be given adequate notice of the hearings, to give them the opportunity to adjust their schedules to be present for the hearings.
  
- DCS and/or counsel for the youth should utilize therapists and other professionals engaged with the youth, if necessary, to assist in preparing him or her for court.
  
- A support person chosen by the youth should accompany the youth to court and be present with him or her during the proceedings. This person may be a foster parent, church member, therapist or teacher. The intent is to provide the youth with mental and emotional support during court from a person with whom the child has an established relationship of trust.
  - Establish a process to ensure that confidentiality of the court proceedings is maintained regarding this support person, i.e. have the person sign a confidentiality agreement.
  
- Develop a local court rule and procedures to support this solution in collaboration with a community based team:
  - Adoption of Supreme Court Rule 40 as a local rule applicable to dependent, abused, unruly and delinquent children.
  - Ensure that there is agreement with DCS concerning a social worker's obligation to youth and foster parents.
  - Develop a program with court staff to familiarize youth with the courtroom such as a tour of the courtroom and introductions to court staff. Enlist the aid of your local child advocacy center to develop the program.

TAB 2: THE LOGISTICS OF HAVING CHILDREN IN THE COURTROOM

# Transportation to Court

Children may not be placed near the courthouse and or can't be easily transported to hearings. Transporting youth long distances for short hearings may be a challenge. Some youth pose a flight risk. Moreover, once they get to court, they have may have to wait, sometimes a long time, in an area that is not youth-friendly.

## SOLUTIONS

### **SCHEDULE THE PLANNED VISITS TO THE AREA WHERE THE COURTHOUSE IS LOCATED**

- Suggest to DCS that they try to schedule a planned overnight or weekend visit to coincide with the hearings. If a court date is already scheduled, have DCS attempt to set up visits or something else the youth can do in the area. To ensure success, this policy must be developed by the attorneys, GAL and DCS staff.

### **ALLOW YOUTH TO PARTICIPATE IN COURT PROCEEDINGS VIA TELEPHONE AND VIDEO CONFERENCE**

- Develop a court rule to support alternative participation. **The Court Improvement Program may be able to assist with the costs of purchasing equipment to have conference calls or video conferencing in the courtrooms.**
  - ❖ **Remember the requirements of T.C.A. § 37-2-409 that children attend their permanency hearings.**

### **CREATE A YOUTH-FRIENDLY SPACE IN THE COURTHOUSE (EVEN IF IT IS SMALL)**

- Use a jury room or extra conference room where youth can wait.
- Engage a local school, college or community partner to create art, reading or other programs to keep youth occupied while awaiting their hearing.

- ❖ Establish Time Certain Hearings for these cases and work with DCS and counsel to ensure everyone is present on time and ready to go – This reduces the long waits for youth that can be difficult for them – especially the younger children

### **PROVIDE SOME YOUTH AN ESCORT TO COURT**

- Some youth will need an escort to court and during the court proceedings because the youth is a flight risk. Have a system in place whereby your court officer, youth service officer or probation officer can monitor and safeguard the youth before, during and after the hearing.
- Schedule the hearing first on the docket to minimize the amount of time the youth is waiting.
- Have the youth transported back to their placement upon the conclusion of their hearing.
  - This will require prior communication with the placement facility.

### **REQUEST/REQUIRE DCS TO TRANSPORT YOUTH TO COURT**

- Have a local rule that DCS will transport all children in state custody to court.
  - Request that DCS include transportation to court as a contracted responsibility with contract placements.



(Youth-friendly waiting area near the courtroom)



# Balancing Court and the Youth's Schedule

School outcomes are already poor for youth in foster care. They should not be put in a position of having to choose between attending school or attending court.

## SOLUTIONS

### SCHEDULE HEARING TIMES TO BE MINIMALLY DISRUPTIVE TO THE DAILY ACTIVITIES OF THE CHILD

- Schedule hearings before or after school hours or on school holidays. Determine at this hearing whether this sort of schedule will be necessary for each school-age youth who will be attending court.
  - Require DCS to notify school in advance of the youth's absence so that it will not be labeled unexcused.
- Consider other docketing methods, e.g. time certain hearings, next date scheduling and lawyer & social worker court teams. **The Court Improvement Program offers technical assistance in this area.**
  - When youth are present, hear their cases first. Develop a policy with your clerks or youth service officer to assure this practice is uniformly followed.
- Work with school officials to ensure that youth's grades are not affected by attending court.
- Keep a school district calendar on the bench to ensure there are no conflicts with state standardized tests, i.e. Gateway & TCAP.
  - For youth placed out of your county, communicate your expectation for the DCS case manager or GAL to have this information.
- Consult with the youth to ensure there are no conflicts with tests, sports, field trips and other necessary school-related activities.
- Schedule the next hearing at the end of each hearing to make sure the proper accommodations are made to the youth's schedule.

## Other Concerns of Having Children in Court

Situations may arise that give you pause as to the benefit of having children in court. Such issues as safety, well-being and due process may present obstacles, but they should not be barriers to children having the opportunity to participate in court proceedings.

### SOLUTIONS

#### THERE IS A NO-CONTACT ORDER BETWEEN THE YOUTH AND THE PARENT

No-contact orders between the youth and the parent make it hard to allow the youth to attend court.

- Authorize by court rule testimony of the child without the parent present, under certain limited circumstances.
  - Ask youth's therapist if it is in the best interest of the youth to exclude a parent from portions of a hearing where a youth is present using a best interest standard. **This may not apply at the adjudicatory hearing.**

❖ **Attorneys must be present and there must be a means of preserving the record.**

#### THE NATURE OF THE TESTIMONY WARRANTS THE CHILD NOT BEING PRESENT

- Excuse the youth from portions of the hearing where testimony may be harmful or the parents are justified in their request for the youth not to hear the testimony.
  - Develop a court rule that sets standards for when the youth can be excluded. Enlist the aid of your local child advocacy center for help with determining the standards.

## ALLOWING YOUTH TO SPEAK TO THE JUDGE PRIVATELY RAISES ETHICAL ISSUES

Ex parte communications with the youth raise due process concerns for the parents.

- The attorneys must be present when the youth speaks to the judge in chambers unless there is agreement by all parties and counsel that the judge may speak with the youth alone.
  - Make a record of all discussions and agreements.
- Do not promise confidentiality to the youth.
  - Establish the ground rules for the conversation with the youth, which includes informing the youth that anything said can be shared with the attorneys.
    - ❖ T.C.A. § 37-1-405 requires the juvenile court to immediately refer all reported cases of brutality, abuse, neglect or child sexual abuse to DCS.

## THE YOUTH'S PREFERENCES ARE NOT ORDERED BY THE COURT

Youth want to be heard and don't expect their wishes to always be followed. Though youth may not agree with the outcome, allowing them to be a part of the process enables the youth to accept and come to terms with a result different from their preferences.

- Prepare and debrief the youth.
  - By local rule, require the GAL to inform the youth of the role of the judge. The GAL should explain the judge will do what he/she determines is in the best interest of the youth. After the hearing, the GAL should assist the youth with processing what happened and ensure the youth understands the court's decision.
- As judge, explain your order to the youth and why the youth's preference cannot be accommodated. Also, explain what would have to happen for the youth's wishes to be fulfilled.

## THE YOUTH DOES NOT WANT TO ATTEND COURT

- Determine why the youth does not want to participate.
  - Eliminate conflicts with something else that is important to the youth, i.e. school, sports, church activities.
  - Assure that the emotional and mental stresses associated with court will be minimized.
  - Ensure the youth understands how important his or her participation in the hearing can be. This must be communicated in a positive manner by both DCS and the GAL.
  
- Youth persists with desire not to attend court.
  - Don't require the child to attend **unless it is a permanency hearing for a child in state custody.**
  - Have youth waive right to attend pursuant to T.R. J. P. 30.
    - ❖ Ensure that youth understands that waiver is only for the present hearing and has the right to attend future hearings.
  - Document in the court order the reason the youth is not present.

TAB 3: INDEPENDENT LIVING GUIDE FOR OLDER YOUTH IN STATE  
CUSTODY

# Tennessee Department of Children's Services

## Interdependent Living Program

Youth who age out of foster care are often left without significant supports and are at risk of achieving much less success than the youth population in general. In recognition of this fact, and to help youth realize their full potential, the Tennessee Department of Children's Services, in conjunction with federal and state funding streams, has established the Interdependent Living Program (IL). This division works with youth age 14-21 to establish community and familial connections and provide a supportive environment to youth in continuing educational and job training pursuits and in accessing transitional living services.

Through the administration of federal funds made available in the **Chafee Foster Care Independence Act of 1999** and **Educational and Training Vouchers** (ETV) portion of the federal IV-E Policy, the Department is given flexibility in helping these youth make the transition from youth into adulthood through the provision of educational monies, job-training and career consultation and ongoing maintenance assistance as they weave their individual paths to adulthood. While Chafee funding streams are available to youth 14-21, ETV funding is limited to those youth 18-21 for the sole purpose of education and job training pursuits.

### **THERE ARE CURRENTLY IL PROGRAM SPECIALISTS IN EACH OF THE REGIONS OF TENNESSEE. THE IL PROGRAM SPECIALIST'S ROLES ARE:**

- to Provide Case Consultation to Youth, DCS Staff and Foster Parents.
- to Provide Independent Living Skills Training to Eligible Youth placed in DCS foster homes.
- to Assist with providing Independent Living Skills Assessments.
- to Maintain Contact and Placement Tracking of Post-Custody Youth in Traditional and Non-Traditional Placements.
- to help facilitate regional and statewide Youth Advisory Councils and Youth Empowerment Activities.
- to Provide Targeted Case Management for Youth in Post-Secondary and Post-Custody status.
- to maintain and update resource listings of the services provided in their region.
- to Collaborate with Community Resources and College Staff to Develop Programs of Support and Mentoring.
- to assist youth with their transitional, educational and career plans.
- to attend Child and Family Team Meetings, and to assist with the development of Independent Living Case Plans.

**IN ADDITION TO INCREASED SUPPORT FROM IL SPECIALISTS ASSIGNED BY REGION, YOUTH WHO ARE ELIGIBLE FOR POST CUSTODY SERVICES ARE ENTITLED TO THE FOLLOWING:**

- Chafee funded independent living services
- Life skills classes
- Uniforms required for work
- Tuition, books and fees
- Expenses incurred by high school seniors
- Transportation assistance such as bus passes or gas monies
- Reasonable expenses for car repair
- Room and board, in most instances
- Good grade incentives
- Funding for start-up costs in establishing living quarters
- Deposits for utilities
- Testing fees (SAT, ACT, etc)
- Interview clothing
- Rental assistance

In order to maintain Post Custody services, the youth must abide by program requirements which are generally limited to refraining from criminal activity and remaining enrolled in educational or job-training programs. For those youth enrolled in educational pursuits, a minimum performance is expected to be maintained in order to receive services.

Additionally, all youth who exit custody at 18 have the ability to take advantage of Post Custody services by contacting the Regional Administrator of their current Region, any time before their 21<sup>st</sup> birthday. All rights and responsibilities are applied to this group as are applied to youth who apply for Post Custody services at the time of their exit from foster care.

# Hints for Interdependent Living/Transition to Adulthood Planning

## **FOR ALL YOUTH AGES 14 – 18 (UP TO AGE 19 IF JJ AND STILL IN STATE CUSTODY):**

- Have the youth (and a knowledgeable caretaker, if possible) take the Ansell Casey Life Skills Assessment (ACLSA) at least annually
- Use Assessment results for completing the IL Plan section of the Permanency Plan (CS 0650, policy 16.51) at least annually
- Receive Life Skills instruction when offered by DCS, provider agencies or other community partners, or within their placements
- Receive IL Wraparound incentives that will support youth in building positive self-esteem, normalize their experience and help them along the road to self-sufficiency

## **FOR YOUTH AT AGE 16:**

- Complete or update IL Plan section of the Permanency Plan
- Begin education/career planning
- If youth has diagnosis of:
  - Mental Retardation, make referrals to the following:
    - Department of Mental Retardation Services (DMRS) through the regional DMRS liaison
    - Vocational Rehabilitation
    - Facilitate an SSI application
  - Other Mental Health diagnoses:
    - Department of Mental Health
    - Mental Health Clinic
    - Vocational Rehabilitation
    - Facilitate an SSI application



# Hints for Interdependent Living/Transition to Adulthood Planning

## FOR YOUTH AT AGE 17:

- FSW should plan a CFTM by age 17.5 years - earlier whenever possible
  - Invite youth, resource parent(s), Post-Custody FSW (as applicable), IL Program Specialist, Transitional Living Program representative and other supportive adults as appropriate
  - Ensure that all appropriate referrals for Mental Health services, Mental Retardation services, Vocational Rehabilitation and Substance Abuse services have been made as applicable, and invite them to the CFTM
    - ⇒ Follow Policy Guidelines in 19.7 and 19.8, as applicable
  - Discuss options for DCS Post-Custody Services and/or Transitional Living Services as applicable (IL Program Specialist should be consulted)
  - Discuss housing plans, living assistance information
  - Discuss education plan and ensure that youth has applied for financial aid (FAFSA, Application for Post-Secondary Funding to access the DCS administered scholarships ) if eligible and appropriate
  - Discuss other pertinent resources, including Families First, Career Center services, DHS services, etc.
  - Address the status of undocumented youth
  - Complete or update the IL section of the Permanency Plan as a **Transitional Plan** and include goals the youth and the team determine, as it relates to these issues
  
- See Essential Documents List (at back of policies #16.51) for materials that should be made available to youth upon transition, such as:
  - Certified Birth Certificate
  - Social Security Card
  - Community Resource Information
  - Assist youth with obtaining a State ID card
  
- Assist youth in reapplying for Tenn Care within 30 days of their 18<sup>th</sup> (or 19<sup>th</sup> if JJ) birthday
  - Ensure that the correct post-custody address and other contact information for the youth is entered in the Exit Survey
  
- Ensure that youth has completed life skills instruction through DCS, provider agencies or other community partners

# Frequently Asked Questions

## **WHO IS ELIGIBLE FOR SERVICES IN POST CUSTODY?**

Any youth, who aged out of foster care at the age of 18, or up to 19, if adjudicated delinquent, who was in an eligible placement at the age of 18 is eligible for support services through voluntary Post Custody. All services provided in Post Custody are voluntary to the young adult being served. The method and array of service eligible to the young adult is dependent upon need. Further guidance to eligible programs and assistance is outlined in DCS Policy 16.52.

## **HOW DO I ACCESS APPROPRIATE FUNDING FOR AN ELIGIBLE YOUTH?**

Determinations about the needed services and supports are made in the context of the youth's child and family team. These decisions are made on an individual basis and are accessed through the Office of Interdependent Living by the youth's case management. Representatives from the IL Office are available for consultation to youth, Family Service Workers, Resource Parents and provider agencies and can discuss the individual aspects of a youth's eligibility.

## **WHO IS ELIGIBLE FOR POST SECONDARY FUNDING?**

Any youth who exited care at the age of 18, or up to age 19 if adjudicated delinquent, is eligible for funding for college or job-training programs. Youth who are otherwise eligible for Chafee funded services are eligible for Education and Training Voucher (ETV) Funding when attending an approved program. Additionally, youth who are ineligible based upon Chafee guidelines may be eligible for funding through the State Funded Scholarship.

Additionally, youth who exit to subsidized guardianship or adoption after the age of 15, or who exit to any form of permanency after the age of 16, are eligible for the same education or job-training funding, if placed in an eligible placement upon exit.

## **WHAT IS THE DIFFERENCE BETWEEN POST CUSTODY AND TRANSITIONAL LIVING?**

The Office of IL offers two forms of support to youth who age out of foster care. The first, traditionally known as Post Custody, is a federally funded program which requires that a youth have a valid educational or job-training plan and comply with Program guidelines. Youth must maintain a minimum grade point average or satisfactory progress in their program of study to retain eligibility.

The Office of IL also recognizes that some youth who age out of foster care are not vested in pursuing a traditional education or job-training plan, but may have need for ongoing support in order to be successful. These youth are typically referred to the Transitional Living Program for support services in the areas of employment, job-training, life skills, money management and ongoing intensive case management through our contracted services. Youth receiving this service meet with a case manager weekly and build skill sets that assist them in success as adults.

## Frequently Asked Questions (cont.)

### **HOW DO I GET MY YOUTH TO GET THE MONEY THEY ARE ENTITLED TO?**

Although services provided to youth and young adults in Tennessee are not an entitlement, they are designed to assist youth in their own quest for increasing self-sufficiency skills and their move toward successful adulthood. Youth and their teams should not view services provided by IL as money but as supports for living interdependently. Once a youth's team has identified a need for a particular service or support, the request should be made to the local IL Specialist. Once eligibility and availability of funding and service provision are verified, the Office of IL will coordinate funding for the service, if warranted.

### **WHO IS RESPONSIBLE FOR THE INTERDEPENDENT LIVING PLAN THAT ALL YOUTH ARE REQUIRED TO HAVE?**

Policy 16.51 states that all youth, age 14 and up, will have an Interdependent Living Plan established concurrently with their Permanency Plan. The Plan is to be developed within the context of the child and family meeting process and should be drafted by the Family Service Worker concurrently with the Plan.

### **WHAT DO I DO FOR YOUTH ON MY CASELOAD WHO HAVE MENTAL HEALTH AND MENTAL RETARDATION ISSUES?**

Policy guidance is provided in Policy 19.7 and 19.8 for transitioning youth with mental retardation or mental health issues. In these policies, workers may find the appropriate procedure for making referrals for adult support. Each Region also has a liaison for these purposes and can be sought for technical assistance and support in accessing these services. IL Specialists are also available to provide guidance and support for teams in making these referrals.

### **WHY DOES MY IL SPECIALIST NOT ATTEND ALL IL MEETINGS?**

IL Specialists are supportive staff who serve to provide technical assistance and guidance on adolescent permanency and transitioning issues. As each Region is assigned limited specialist positions, they may not be available to attend each meeting but are available for consultation and case-specific support when needed. It is important that all cases be discussed with the regional IL Specialist to inform and promote the planning process for these youth as they near adulthood.

# Glossary of Independent Living Terms

**Ansell Casey Life Skills Assessment (ACLSA)** - An online support assessment which requires participation by the youth and the primary caretaker to adequately assess the mastery or remaining necessity of assistance in key domains considered appropriate to adequately maintain as an interdependent adult. The ACLSA is required to be completed prior to the IL Plan for appropriate identification of needs and strengths.

**Budget** – All youth who receive services through Voluntary Post Custody must complete a budget prior to receive Interdependent Living Allowance or Rental Assistance to evidence need

**Direct Pay** – Monthly delivery of the Interdependent Living Allowance is often described Direct Pay. This system requires a phone-n verification by the youth to generate payment and results in a Direct Deposit ACH payment to the youth's bank account.

**Eligibility** – availability of services based upon individual assessments of need, circumstance and participation in program initiatives. Baseline eligibility standards are included in Policy 16.52 and set forth requirements on the basis of the individual services recommended.

**Essential Documents Checklist** – Document executed by the Family Service Worker evidencing the transition of key documents and forms needed to be successful. These documents include Drivers License, Social Security Card, Birth certificate, etc.

**ETV – (Education and Training Vouchers)** – federally funded monies through Chafee Independent Living Funds. These funds require the youth to be in an approved education or job training program and meeting satisfactory completion requirements. Additional requirements include the completion of the FASFA, and application to other available funding sources. Currently, federal guidelines allow for the payment of up to \$5,000.00 per year for costs identified by the school as "cost of attendance."

**Foster Care Placement** – In determining a youth's eligibility for services, the term foster care placement means any foster home, group home or trial home visit. It does not include runaway or detention settings.

**Increasing Self-Sufficiency** – Youth who participate either custodially or post-custodially must show a move toward interdependence by exhibited a level of increasing self-reliance and access of appropriate resources.

## Glossary of Independent Living Terms (cont.)

**Interdependent Living Allowance** – Daily rate, similar to foster care rates, which can be applied to youth participating in Voluntary Post Custody Services. Eligibility includes participation in Post Secondary Education or approved Job Training Plan and compliance with Post Custody requirements. These funds should be supplemental in nature and will decrease as the youth approaches the maximum age. Also, youth who live on campus will be granted a substantially lower rate as housing is included in the cost of attendance.

**Interdependent Living Plan** – Plan established for all youth age 14 and up. The Plan should progress in activities and establishment of goals increasingly through age 17. Beginning May 2008, the IL Plan is included in all Permanency Plans for youth age 14 and up as a mandatory requirement of the system. These Plans will be submitted for judicial review and approval and become a part of the standing Court Order once ratified.

**Juvenile Justice Eligibility** – Eligibility for most delinquent youth is the same as for all other youth. Service eligibility is determined by placement and not by adjudication. The sole exception is that, by federal standard, youth placed in a hardware secure facility (detention or YDC) are ineligible for federally funded services.

**Life Skills Training** – Tutorial services established to help youth learn appropriate living skills considered necessary to maintain as an interdependent adult. These trainings are delivered in a multitude of manners including classroom settings, interactive on-line trainings and one-on-one. Calendars of upcoming classes should be posted on the IL Programs website and are available regionally.

**Rental Assistance** – A one month payment to allow for process of necessary paperwork in the ACH system. Allows the Department to approve living funds one-time only.

**Satisfactory Progress** – Typically referenced in the context of ETV funding. This refers to a minimum of 2.0 in an educational environment or satisfaction of the minimum success standards if involved in a technical program. These standards are established since failing to meet the minimum requirements would endanger successful completion of the program of study.

**State Funded Scholarship** – Funds set aside by the legislature to assist youth in attending a Tennessee higher education institution. These funds are available for all youth leaving the care of DCS, regardless of placement. Currently, the program can apply up to 5,000.00 per student. Requirements include attendance at a Tennessee state school and satisfactory progress in the given program.

## Glossary of Independent Living Terms (cont.)

**Transition Plan** – Plan established within six months of anticipated exit from foster care. Plan requirements include provision for availability of services, necessary tasks and goals to live interdependently and must address housing issues, regardless of the youth's participation in post custodial services.

**Transitional Living** – Youth who are ineligible for traditional Voluntary Post Custody Services are referred to this contracted program through Youth Villages. Youth and young adults in TL can expect weekly case management, support in obtaining and establishing housing, obtaining employment and continued life skills training. The program is shorter in application and more intensive in case management services. Youth cannot receive TL simultaneously with Voluntary Post Custody Services. Referrals are made through the Regional IL Specialist.

**Voluntary Post Custody** – A voluntary agreement between youth who aged out of care, at age 18 in an eligible placement, and DCS to provide ongoing services based upon eligibility and need.

**Voluntary Post Custody Services Agreement** – All youth who receive services beyond the age of 18, including those for whom services are received for the completion of a high school diploma and are eligible for continued foster care support are required to execute this document to evidence their willingness to continue to receive support and involvement from the Department of Children's Services. This document evidences a voluntary agreement and circumvents the Department's inability to exert authority over "adults".

**Wraparound Services** – Closely equivalent to the Regional Flex Fund Accounts. These services are a list, although not inclusive, of services and supports the Department is able to offer to youth in care or aging out of care. The funds are distributed regionally and require justification through the state payment system. Examples of allowable expenses are Drivers Education, Class rings, graduation expenses, etc.



**Administrative Policies and Procedures: 16.51**

**Subject:** Interdependent Living Plan

**Authority:** TCA 37-5-106; Chafee Foster Care Independence Act of 1999

**Standards:** PA-CM 3.02, PA-CM 3.04, PA-CM 4.02-4.03

**Application:** DCS Staff

**Policy Statement:**

Every youth in out-of-home care fourteen (14) years of age or older shall have an Interdependent Living Plan included as part of the Permanency Plan to help prepare youth for a successful transition to adulthood. Any youth in out-of-home care who is age seventeen (17) years and six (6) months or older shall have goals included in the Interdependent Living Plan that address transition to adulthood, and issues related to the risk of emancipating to adulthood from state custody. Young adults receiving DCS Voluntary Post-Custody Services shall have an Interdependent Living Plan developed and updated annually.

**Purpose:**

To establish the procedures for development of the Interdependent Living Plan as an integral section of youths' permanency plans and its integration with existing DCS policies and practice for utilization of the Child and Family Team to guide such planning. The procedures for the development of a separate plan for emancipated adults receiving DCS Voluntary Post-Custody Services shall also be established. To also ensure the inclusion of each youth or young adult's voice, the input of all applicable team members, and necessary assessments in the development of Interdependent Living Plans.

**Procedures:**

|   |   |
|---|---|
| <p><b>A. The Interdependent Living Plan as a Component of the Permanency Plan</b></p> | <ol style="list-style-type: none"> <li>1. The Interdependent Living Plan (ILP) is considered a section of the Permanency Plan for all youth in state custody age fourteen (14) and older; however, this plan is currently a separate document. As such, it is the responsibility of the assigned Family Service Worker (FSW) to develop this plan along with the Permanency Plan, maintaining the same review and update schedule. <u>(See DCS Policy 16.31, Permanency Planning for Children/Youth in DCS custody).</u> Once the Interdependent Living Plan (ILP) is integrated into the permanency plan, the Interdependent Living</li> </ol> |
|---|---|

|  |  |
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|  | <p>sections will also be reviewed and updated with the same frequency as the Permanency Plan.</p> <ol style="list-style-type: none"> <li>2. A typed version of the Interdependent Living Plan must be completed and filed in the case record within 30 days of its development in a Child and Family Team Meeting (CFTM).</li> <li>3. The Interdependent Living Plan is developed as a separate document for all emancipated young adults receiving DCS Voluntary Post-Custody Services. As such, it is the responsibility of the assigned Family Service Worker to develop this plan, and update the plan every six months.</li> <li>4. The Interdependent Living Plan is unique in that a specific emphasis must be paid to the youth or young adult's input and preferences in its development. The integration of goals that project the youth or young adult's increasing ability to manage all aspects of their own lives self-sufficiently, with all available options for the establishment of legal, physical and relational permanency and support, is essential. This work shall be viewed in the context of a life-long process.</li> </ol>  |
| <p><b>B. Interdependent Living Planning – CFTM and the preparation of team members</b></p> | <ol style="list-style-type: none"> <li>1. As a component of the Permanency Plan, the ILP shall be developed in the context of a Child and Family Team Meeting (CFTM) as required by DCS Policy Attachment 31.7, Building, Preparing, and Maintaining Child and Family Teams. The ILP shall be developed as a separate document for all young adults receiving DCS Voluntary Post-Custody Services. As such, it is the responsibility of the assigned FSW to develop this plan, and update the plan on at least every six months.</li> <li>2. As part of the preparation of team members for the CFTM (see CFTM Protocol <a href="http://www.state.tn.us/youth/dcsguide/policies/chap16/ChildandFamilyTeamMeetingProtocol.pdf">http://www.state.tn.us/youth/dcsguide/policies/chap16/ChildandFamilyTeamMeetingProtocol.pdf</a> ) the assigned Family Service Worker shall: a) Ensure that all youth in state custody age fourteen (14) or older complete the necessary life skills assessments. This must occur in advance of plan development, as the results and recommendations generated from the assessments shall guide the creation of measurable goals in the ILP. b) Whenever possible and appropriate, ensure that the youth or young adult's caretaker's or supportive adults complete the necessary life skills assessments. This must occur in advance of plan development, as the results and recommendations generated from the assessments shall guide the creation of measurable goals in the ILP.</li> <li>3. Ensure that all team members expected to participate or provide technical assistance/specialized advisement are given adequate information to review. Such team members may include, but are not limited to, DCS Education Specialists, Interdependent Living Program Specialists, DCS Psychologists, DCS Health Services staff, COE clinicians, provider agency staff, representatives of the community mental health agencies, DMRS and the Office of Vocational</li> </ol> |



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|  | <p>Rehabilitation. The information referenced may include, but is not limited to, medical evaluations, clinical and educational evaluations and assessments, and vocational assessments. This must occur in advance of plan development, as such team members will need sufficient time to review the information, identify resource options and formulate recommendations.</p>  |
| <p><b>C. Interdependent Living Plan Development- Identifying and Addressing Needs and Creating Goals</b></p> | <p>Measurable goals shall be developed in the ILP, commensurate with assessment results and recommendations and the youth or young adult’s developmental capabilities. Such goals shall be developed so as to ensure that youth or young adults directly participate in the tasks necessary to accomplish such goals, and shall address the following:</p> <ol style="list-style-type: none"> <li>1. Increasing the youth or young adult’s ability to identify and develop permanency options and connections to supportive adults, to include building social skills.</li> <li>2. Increasing the youth or young adult’s ability to develop vocational and/or post secondary educational interests and plans. Educational assessments shall be utilized to determine the youth and young adult’s educational and/or vocational interests and level of ability.</li> <li>3. Increasing the youth or young adult’s knowledge about housing options, and issues related to the acquisition and maintenance of independent housing. This shall include, but is not limited to, identifying affordable housing, tenant lease laws and contracts, managing finances as it relates to housing and maintaining a safe and stable home environment.</li> <li>4. Increasing the youth or young adult’s ability to develop economic stability and self-sufficiency. This shall include the identification of available financial resources, the acquisition of job seeking skills and job maintenance, and financial management skills.</li> <li>5. Ensuring the acquisition of an array of life skills, utilizing the results of a life skills assessment to identify strengths and needs and develop the future goals for the youth. Measurable goals related to providing life skill instructional opportunities to the youth or young adult, which clearly identify the parties responsible for delivering and documenting such instruction, shall also be developed.</li> <li>6. Identifying medical, dental and mental health needs and the applicable service providers. Increasing the youth or young adult’s ability to self-monitor in regard to health.</li> <li>7. Increasing the youth or young adult’s ability to identify and utilize available transportation options.</li> </ol> |

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|  | <ol style="list-style-type: none"> <li>8. Increasing the youth or young adult's access to community resources and supports, to include opportunities to participate in religious or spiritual activities, extracurricular activities, and other pursuits essential to normalizing such life experiences for adolescents and young adults.</li> <li>9. Increasing the youth or young adult's ability to self-advocate, to include increasing the youth or young adult's knowledge about legal and other rights. The status of illegal or undocumented youth, with an emphasis on identifying all necessary mechanisms for establishing legal residency, shall also be addressed. (Seek Legal Guidelines for process info).</li> <li>10. Accommodations and modifications for special needs youth or young adults, as they relate to all areas referenced in this policy, shall be determined. This may include the need for specialized assessment tools, or interventions and resources if the standardized or generally available options are not clinically recommended or appropriate.</li> <li>11. The utilization of IL Wraparound funding to help support the goals outlined in the ILP shall be referenced, as applicable. (See DCS Policy <b><u>16.53, Identifying and Accessing Interdependent Living Services</u></b>).</li> </ol> |
| <p><b>D. Interdependent Living Plan Development- Identifying and Addressing Needs and Creating Goals for the Transition to Adulthood</b></p> | <ol style="list-style-type: none"> <li>1. Young adults at risk of emancipating to adulthood from state custody require unique planning and decision-making procedures be applied to meet their needs, as circumstances exist that require permanency plan review, placement stability and discharge planning. This shall be accomplished by the development of a Transition Plan, utilizing the Interdependent Living Plan as its foundation, for every such youth in state custody.</li> <li>2. All procedures associated with the development of the Interdependent Living Plan as outlined in Section C of this policy shall be applied when developing a transition plan. The time frames associated with the development of this plan are outlined in Section A of DCS Policies <b><u>16.54, Provision of Voluntary Post-Custody Services to Young Adults and 20A.4 Continuation of Medical Insurance Coverage</u></b>.</li> <li>3. In addition, the transition plan shall also include, but is not limited to, the following: <ol style="list-style-type: none"> <li>a) Specifics regarding the transfer of all essential documents to the youth. (<u>See Essential Documents List: Transition to Adulthood.</u>)</li> </ol> </li> </ol>   |

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|                              | <ul style="list-style-type: none"> <li>b) The maintenance of health insurance, to include re-application for TennCare. (Refer to <b><u>Protocol for Continuation of TennCare Eligibility for Children Exiting Custody.</u></b>)</li> <li>c) The identification of an appropriate and available housing option. This shall include a careful review of a youth’s current supports; with an emphasis on maintaining placement stability whenever possible (<b><u>See DCS Policy 16.52, Eligibility for Interdependent Living and Voluntary Post-Custody Services Section L.</u></b>) Application for Section 8 housing should be considered as appropriate.</li> <li>d) The assessment of established or potentially available sources of financial assistance, such as Social Security benefits, trust funds, Families First, etc. shall occur. Planning shall occur on the basis of this assessment to ensure that youth transitioning to adulthood access all available financial supports they may be eligible for. The development of a budget with the youth shall occur as part of this planning.</li> <li>e) Utilization of protocols and procedures for establishing adult services for youth with special needs, as applicable. This should include an assessment by the Office of Vocational Rehabilitation.</li> <li>f) Address the status of illegal or undocumented youth, with an emphasis on identifying all necessary mechanisms for establishing legal residency status by the time such youth emancipate to adulthood.</li> <li>g) The establishment of Voluntary Post-Custody Services, as applicable (DCS Policy <b><i>16.53, Provision of Voluntary Post-Custody Services to Young Adults</i></b>).</li> </ul> |
| <b>Forms:</b>                | <b><i>CS- 0650 - Interdependent Living Plan</i></b>  |
| <b>Collateral Documents:</b> | <b><i>IL Wraparound List/Protocol</i></b><br><b><i>Essential Documents List</i></b><br><b><i>Ansell Casey Life Skills Assessment Protocol</i></b><br><b><i>Protocol for Continuation of TennCare Eligibility for Children Exiting Custody</i></b>  |



**Administrative Policies and Procedures: 16.52**

**Subject:** Eligibility for Interdependent Living and Voluntary Post-Custody Services

**Authority:** The John H. Chafee Foster Care Independence Act of 1999; TCA 37-5-106

**Standards:** DCS Practice Model 8-108, PA-CM 8.01, PA-CM 8.05

**Application:** All DCS Employees Working with Interdependent Living Services Youth

**Policy Statement:**

The Tennessee Department of Children's Services (DCS) shall provide Interdependent Living Services to youth in state custody 14 to 18 years of age. Youth adjudicated delinquent and in state custody may receive specified Interdependent Living services up to their 19th birthday, commensurate with their placement status. DCS shall provide Voluntary Post-Custody Services to eligible young adults exiting custody at 18, or up to their 19<sup>th</sup> birthday, and requesting to receive such services from DCS. Voluntary Post-Custody services may be provided up the 21st birthday, and may be extended up to the 23<sup>rd</sup> birthday based on a young adult's status and continued eligibility.

**Purpose:**

Interdependent Living Services are designed to help youth (ages 14 to 18) and young adults (ages 19 to 23, in some cases) develop supportive relationships with adults (facilitate permanency), acquire an array of life skills, encourage the recognition and utilization of community resources, and increase self-esteem and self-empowerment.

This policy hopes to outline eligibility criteria for Interdependent Living Services and Voluntary Post-Custody Services. The provision of Voluntary Post-Custody Services is an extension of Interdependent Living Services, and is designed to expand upon such service options for eligible young adults.

**Procedures:**

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| <p><b>A. Eligibility for Interdependent Living Services</b></p> | <ol style="list-style-type: none"> <li>1. All youth in state custody 14 to 19 years of age are eligible for Interdependent Living Services as outlined in <a href="#">DCS Policy 16.53, Identifying and Accessing Interdependent Living Services</a>. <a href="#">Family Service Workers (FSWs)</a> shall ensure that such services are provided, and documentation of such services in each youth's official record occurs.</li> </ol> |
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|   | <ol style="list-style-type: none"> <li>2. Youth adjudicated delinquent are to be afforded access to the same Interdependent Living Service options, with the following restrictions: Youth placed in secured facilities are not eligible for federal Chafee funds. Such facilities include Youth Development Centers and detention facilities. It is the responsibility of such facilities to provide comparable Interdependent Living Services utilizing the available funding streams and resources.</li> <li>3. Youth categorized as <a href="#">Runaways</a> are eligible for Interdependent Living Services upon return to the care of DCS.</li> <li>4. Youth categorized as <a href="#">Escapees</a> are ineligible for Interdependent Living Services upon return to the care of DCS, when returning to a secure facility.</li> <li>5. Youth receiving Voluntary Post-Custody Services as provided by DCS <a href="#">Policy 16.54, Provisions of Voluntary Post-Custody Services to Young Adults</a>, are eligible for specified Interdependent Living Services as outlined in <a href="#">DCS Policy 16.53, Identifying and Accessing Interdependent Living Services</a>.</li> <li>6. Youth receiving Transitional Living Services as the Voluntary Post-Custody Services option are eligible to receive Interdependent Living Services. However, these services shall be rendered as outlined in the established scope of such specific service options by the provider agency.</li> <li>7. Youth who exited state custody to permanency via adoption or subsidized permanent guardianship at or after age 16 are eligible for specified Interdependent Living Services as outlined in <a href="#">DCS Policy 16.53, Identifying and Accessing Interdependent Living Services</a>.</li> </ol> |
| <p><b>B. Maintenance of Eligibility for Interdependent Living Services</b></p>      | <p>Youth maintain eligibility for Interdependent Living Services, as funded and provided by DCS, until they exit state custody or DCS Voluntary Post-Custody Services. <u>The potential maximum age that a youth receiving DCS Post-Custody Services may receive Interdependent Living Services is up to their 23<sup>rd</sup> birthday.</u></p>  |
| <p><b>C. Eligibility for Voluntary Post-Custody Services as Provided by DCS</b></p> | <ol style="list-style-type: none"> <li>1. Young adults who emancipate to adulthood directly from state custody at or after 18 years of age are eligible for Voluntary Post-Custody Services. Family Service Workers shall ensure that such services are provided, and documentation of such services in each youth's official record occurs.</li> </ol>   |

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|  | <ol style="list-style-type: none"> <li>2. Youth adjudicated delinquent are to be afforded access to the same service options, with the following restrictions: <u>Delinquent youth must have been in a foster care placement during the current custodial episode, prior to attaining 18 years of age.</u> Youth placed in secured facilities upon attaining 18 years of age are not eligible for DCS Voluntary Post-Custody Services. Such facilities include Youth Development Centers and detention facilities. Such youth may be eligible for a limited and specified portion of Voluntary Post-Custody Services as outlined in <u>section E</u> of this policy.</li> <li>3. All young adults served under a DCS post-custody intake as outlined in DCS <a href="#">Policy 16.54, Provisions of Voluntary Post-Custody Services to Young Adults</a>, must have an educational plan or a job-training plan described in the Interdependent Living Plan. Such planning may include high school, GED, vocational/ technical school training, a trade school, apprenticeships or college or university programs.</li> <li>4. There are circumstances when it is acceptable to provide DCS Voluntary Post-Custody Services to otherwise eligible young adults who are not engaged in an educational or job-training program. Such circumstances include young adults waiting to enroll in the next available term or semester for an educational or job-training program, or to transfer to <b>Transitional Living Services</b>. The time frame for such transitions to occur cannot be excessive (a CFTM will be required if time frames exceed 60 days), and the young adult shall be employed during this time frame.</li> <li>5. Young adults receiving <b>DCS Voluntary Post-Custody Services</b> shall work with their Child and Family Team (CFT) to identify a safe and affordable housing option. This may include a foster home, dorm, apartment, or boarding house (formal and informal).</li> <li>6. Youth 16 years of age or older who exit state custody to adoption or subsidized permanent guardianship may be eligible for a limited and specified portion of post-custody services. ( See II Wraparound List/Protocol).</li> <li>7. Youth who are undocumented residents of the United States are not eligible for DCS Voluntary Post-Custody services.</li> </ol> |
| <p><b>D. Maintenance of Eligibility for Voluntary Post-Custody Services as Provided by DCS</b></p> | <ol style="list-style-type: none"> <li>1. Young adults may be eligible to receive DCS Voluntary Post-Custody Services until goals related to educational or job training, and an agreement by the CFT that the young adult is reasonably capable of self-sufficiency, occurs, up to their 21<sup>st</sup> birthday.</li> <li>2. All Chafee funded services and incentives shall end when young adults achieve</li> </ol>  |

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|   | <p>their 21<sup>st</sup> birthday. Young adults receiving Educational and Training vouchers upon achieving their 21<sup>st</sup> birthday may continue to receive certain specific and adjusted Voluntary Post-Custody <a href="#">services potentially up to their 23<sup>rd</sup> birthday</a>. <a href="#">(See DCS Policies 16.54, Provisions of Voluntary Post-Custody Services to Young Adults and 16.56, Interdependent Living Direct Payment Allowance)</a>.</p> <ol style="list-style-type: none"> <li>3. Young adults, in conjunction with their Child and Family Teams, shall determine the scope and appropriateness of service needs within the overall margins of eligibility as defined in this policy. Factors that may jeopardize continued eligibility for DCS Voluntary Post-Custody Services may include young adults: <ol style="list-style-type: none"> <li>a) Consistently refusing to work collaboratively with the Child and Family Team to make progress on mutually agreed upon goals, to include educational objectives and reasonable efforts to increase self-sufficiency.</li> <li>b) Conviction of a felony offense.</li> <li>c) Exhibiting a pattern of behavior that jeopardizes the safety and well being of self or others.</li> <li>d) Establishing legal residence in another state or country.</li> </ol> </li> <li>4. <u>Young adults who marry may only be eligible for limited and specified portions of Voluntary Post-Custody Services as outlined in section E of this policy.</u></li> </ol>                                   |
| <p><b>E. Eligibility for Transitional Living Services</b></p> | <ol style="list-style-type: none"> <li>1. The availability of Voluntary Post-Custody Services may be mitigated by the ability of DCS to support aspects of a young adult’s overall Interdependent Living Plan. Such factors may include the young adult not emancipating to adulthood from state custody, educational status upon emancipating to adulthood (which could affect the ability of DCS to support continued placement via existing funding streams), loss of eligibility for DCS Voluntary Post-Custody Services, or the youth’s age.</li> <li>2. <b>Transitional Living Services are considered a version of Voluntary Post-Custody Services, but may also be offered to some youth in state custody based on the guidelines of specific programs.</b> The establishment of Transitional Living Services through contracted providers may be utilized as Voluntary Post-Custody Service Options. These services are contingent upon the availability of allocated service slots, funding and the continuation of specific grants and/or contracts. The decision to utilize such options shall be made by the young adult and the CFT, with the scope of available services and related goals clearly outlined as a transition plan within the young adult’s Interdependent Living Plan, or an approved Transition Plan as developed by the provider agency.</li> <li>3. Young adults who emancipate to adulthood from state custody at or after their 18<sup>th</sup> birthday are eligible for Transitional Living Services. Service options may be</li> </ol> |

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|  | <p>limited to programs utilizing private funding streams for delinquent youth who attained 18 years of age in a facility placement determined to make them ineligible for DCS Voluntary Post-Custody Services.</p> <p>4. Youth and young adults 17 to 23 years of age released from state custody to permanency, who were in state custody for at least one continuous year starting at age 14 or older, are eligible for Transitional Living Services. Youth in state custody age seventeen (17) or older may receive Transitional Living Services based on the guidelines of specific programs and identified need. <b>Service options may be limited to programs utilizing private funding streams for delinquent youth released from a facility placement determined to make them ineligible for DCS Voluntary Post-Custody Services, or for married young adults.</b></p>  |
| <p><b>F. Maintenance of Eligibility for Transitional Living Services</b></p> | <ol style="list-style-type: none"> <li>1. Youth may continue to receive Transitional Living Services within the guidelines established in the individual provider agency contracts.</li> <li>2. Young adults receiving Transitional Living Services may request DCS Voluntary Post-Custody Services. Approval of such requests shall be based on the young adult's eligibility for these services as outlined in this policy</li> <li>3. Factors that may jeopardize continued eligibility for Transitional Living Services are outlined in the individual provider agency contracts, but may include young adults: <ol style="list-style-type: none"> <li>a) Consistently refusing to make progress on mutually agreed upon goals, to include reasonable efforts to increase self-sufficiency.</li> <li>b) Conviction of a felony offense.</li> <li>c) Exhibiting a pattern of behavior that jeopardizes the safety and well being of self or others.</li> <li>d) Establishing legal residence in another state or country.</li> </ol> </li> <li>4. These services are contingent upon the availability of allocated service slots, funding and the continuation of specific grants and/or contracts.</li> </ol> |
| <p><b>G. Eligibility for Educational and Training Vouchers (ETVs)</b></p>    | <ol style="list-style-type: none"> <li>1. <b>Educational and Training Vouchers (ETV's)</b> shall only be utilized to fund expenses for eligible post-secondary institutions. The DCS Scholarship Administrator can be contacted to verify the eligibility of a chosen program.</li> <li>2. Young adults who emancipate to adulthood directly from state custody at or after 18 years of age are eligible for ETVs.</li> <li>3. Young adults adjudicated delinquent are to be afforded access to the same service options, with the following restrictions: <u>Delinquent youth must have been in a foster care placement during the current custodial episode, prior to attaining their 18th birthday.</u> Youth placed in secured facilities upon attaining their 18<sup>th</sup></li> </ol>   |



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|  | <p>birthday or at the time they exit state custody are not eligible for ETVs. Such facilities include Youth Development Centers and detention facilities.</p> <ol style="list-style-type: none"> <li>4. Youth 16 years of age or older in state custody may be eligible for ETVs. Youth adjudicated delinquent are to be afforded access to the same service options, with the following exception: youth placed in secured facilities are not eligible for ETVs.</li> <li>5. Youth 15 years of age or older who exit state custody to adoption or subsidized permanent guardianship may be eligible for ETVs.</li> <li>6. Youth 16 years of age or older who exit state custody to reunification may be eligible for ETVs</li> <li>7. ETVs may be administered on the behalf of eligible youth and young adults up to their 21<sup>st</sup> birthday. Young adults may maintain eligibility for ETVs up to their 23<sup>rd</sup> birthday under the conditions identified in <a href="#">DCS Policy 16.55, Post Secondary Scholarships: Education and Training Vouchers (ETVs) and State Funded Scholarship (SFS)</a> and section H of this policy.</li> <li>8. Young adults must receive ETV funding assistance before reaching their 21<sup>st</sup> birthday.</li> <li>9. Young adults who are undocumented residents of the United States are not eligible for ETVs once released from state custody.</li> <li>10. Young adults may have personal assets of <u>no more</u> than \$10,000.</li> </ol> |
| <p><b>H. Maintenance of Eligibility for Educational and Training Vouchers (ETVs)</b></p> | <ol style="list-style-type: none"> <li>1. Young adults must maintain enrollment in an eligible post secondary program.</li> <li>2. Young adults must maintain a cumulative Grade Point Average (GPA) of 2.0 or higher per semester in order to maintain eligibility for ETVs. Young adults attending technical job training programs, internships or apprenticeships must maintain a passing outcome for each applicable period of evaluation.</li> <li>3. Where available, it is expected that young adults shall participate in work-study as outlined by the post-secondary education program. Young adults shall be required to have a job if they are not attending school during summer breaks, unless attending summer semester classes full-time.</li> <li>4. Young adults must maintain sufficient enrollment to attain an applicable degree or certification within the guidelines for reasonable program completion, as set forth by the educational institution. A student's decision to apply for, or adjust their schedule to part-time attendance status, can result in forfeiture of otherwise established financial aid awards. Part time attendance requires a written justification and advance approval from the Director of Interdependent Living or designee.</li> </ol> <p><b>Note:</b> This does not apply to Summer Semester attendance, when such</p>   |

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|   | <p>attendance is in addition to an already established full-time academic year's schedule. Students attending school part-time must work at least part time.</p> <ol style="list-style-type: none"> <li>5. Young adults who received ETVs before achieving their 21<sup>st</sup> birthday may continue receiving ETV assistance up to their 23<sup>rd</sup> birthday, if they were making satisfactory progress in their educational or training program at age 21. Young adults, who receive an ETV award at 22 years of age and reach their 23<sup>rd</sup> birthday within the awarded semester or term, are eligible to maintain the award through that semester or term. No subsequent ETV assistance may be awarded.</li> <li>6. Young adults 18 up to their 23<sup>rd</sup> birthday who do not maintain the specified GPA or passing outcome for an applicable semester or evaluation period may be afforded one such probationary term to achieve the necessary outcome to continue receiving ETVs. Young adults may receive ETV funding for this probationary term. Young adults who do not achieve the necessary outcome for the probationary term may not receive ETVs for the following term.</li> <li>7. Young adults receiving ETV assistance for a probationary term require a written justification, which must be placed in the ETV File. The written justification must include the signature of the IL Program Director or designee.</li> <li>8. Young adults 18 through 20 years of age who do not maintain the specified GPA or passing outcome for an applicable probationary term may re-apply for ETVs. Young adults must demonstrate achievement of the necessary passing outcome for one applicable term, utilizing resources other than ETVs, to be considered.<br/><b>Note:</b> Young adults over 21 years of age may not re-apply for ETV assistance following a failed probationary term.</li> <li>9. Factors that may jeopardize continued eligibility for ETVs, in addition to those already specified, may include young adults: <ol style="list-style-type: none"> <li>a) Convicted of a felony offense,</li> <li>b) Exhibiting a pattern of behavior that jeopardizes the safety and well being of self or others,</li> <li>c) Establishing legal residence in another state or country.</li> </ol> </li> </ol> |
| <p><b>I. Eligibility for the State Funded Scholarship</b></p> | <ol style="list-style-type: none"> <li>1. The <b>State Funded Scholarship</b> shall only be utilized to fund expenses for Tennessee state-sponsored post-secondary institutions. The DCS State Funded Scholarship Administrator can be contacted to verify the eligibility of a chosen program.</li> <li>2. Priority for the administration of the State Funded Scholarship shall be given to youth and young adults not otherwise eligible for ETV's.</li> </ol>   |

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|   | <ol style="list-style-type: none"> <li>3. Youth and young adults who exited state custody from Youth Development Centers and detention facilities after the age of 16 are eligible for the State Funded Scholarship.</li> <li>4. In addition, youth and young adults who lose eligibility for ETVs are eligible (<u>to apply for</u>) the State Funded Scholarship.</li> <li>5. Youth and young adults eligible for ETVs are also eligible for the State Funded Scholarship.</li> </ol>   |
| <p><b>J. Maintenance of eligibility for the State Funded Scholarship</b></p>  | <p>The same guidelines for maintenance of eligibility for ETV's shall be applied to the State Funded Scholarship, once administration of the scholarship begins. However, the award may be provided to otherwise eligible applicants starting after 21 years of age, and extended to the 24<sup>th</sup> birthday.</p>  |
| <p><b>K. Eligibility of young adults to enter Voluntary Post Custody Services following a break in involvement with DCS</b></p> | <ol style="list-style-type: none"> <li>1. Young adults determined to be eligible for DCS Voluntary Post-Custody Services as outlined in this policy may return and request such services following a break with DCS. Young adults must request these services before they attain their 21<sup>st</sup> birthday. Young adults 21 up to their 23<sup>rd</sup> birthday may request Transitional Living Services, with an understanding that the options for assistance shall be specifically limited to those not Chafee funded.</li> <li>2. Youth categorized as Runaways or Escapees who attain their 18<sup>th</sup> birthday are eligible for DCS Voluntary Post Custody Services upon return to the care of DCS, consistent with their status as outlined in Section C, Parts 1 and 2 of this policy. This eligibility extends up to their 21<sup>st</sup> birthday.</li> </ol>                   |
| <p><b>L. Eligibility for post-custody Housing and Daily Living Support</b></p>  | <ol style="list-style-type: none"> <li>1. Young adults otherwise eligible for DCS Voluntary Post-Custody Services remain eligible for traditional DCS funded support of a housing placement, as follows: <ol style="list-style-type: none"> <li>a) The young adult may maintain such a supported placement if still in high school until their 19th birthday.</li> <li>b) There must be a reasonable expectation that the young adult shall graduate with a high school diploma within the same academic year the young adult achieves their 19<sup>th</sup> birthday. This must be verified in writing by the young adult's high school guidance office. However, the traditional DCS funded <u>placement support</u> must end when the young adult achieves their 19<sup>th</sup> birthday.</li> <li>c) The supported placement must be in the least restrictive environment</li> </ol> </li> </ol> |

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|   | <p>possible, and the young adult must agree to the placement arrangement.</p> <p>d) It is expected that provider agency contracts shall be adjusted to the lowest level of payment possible. If clinical concerns warrant the possible continuation of a higher level of care and reimbursement, such justification must be submitted in writing for review by the appeals committee for approval. The written justification must be drafted and signed by a licensed clinician, and also include a reasonable plan for the reduction of the advised level of care.</p> <p>2. Young adults who do not qualify for the continuation of traditional DCS funded support of a placement (as defined in this section of the current policy) may receive such support through other resources, to include IL Wraparound funds, or the Interdependent Living Allowance (see Policy 16.56). Young adults in this status and receiving DCS Voluntary Post-Custody Services shall be identified as <u>“Self-Sufficient”</u> as a placement in TNKids.</p> <p>3. The young adult receiving services in a resource home also approved to provide foster care services must agree to the provisions as set forth in Section H of <a href="#">DCS Policy 16.4: Resource Home Approval</a>.</p> <p>4. Concerns regarding placement adjustments for youth still in state custody as they transition to adulthood, as outlined in Section L of this policy, are subject to review per <a href="#">DCS Policy 31.19, Placement Determinations for Children in DCS Custody</a>. The CFT is the mechanism by which such placement decisions are reviewed and determined.</p> |
| <p><b>M. Eligibility for the Interdependent Living Allowance (ILA)</b></p>                | <p>Young adults 18 up to their 23<sup>rd</sup> birthday are eligible to receive the <a href="#">Interdependent Living Allowance (ILA)</a> as outlined in <a href="#">DCS Policy 16.56, Interdependent Living Direct Payment Allowance</a>, based on the following criteria:</p> <ol style="list-style-type: none"> <li>1. The young adult must be receiving DCS Voluntary Post-Custody Services.</li> <li>2. The young adult must be enrolled in an approved post-secondary educational program (refer to Section G of this policy).</li> <li>3. The young adult must not be receiving any other source of funding assistance for housing, to include paid reimbursements to DCS supported placements, IL Wraparound housing support, or financial aid awards that cover room and board for a campus housing arrangement.</li> </ol>   |
| <p><b>N. Maintenance of Eligibility for the Interdependent Living Allowance (ILA)</b></p> | <ol style="list-style-type: none"> <li>1. Young adults must maintain academic eligibility as outlined in Section H of this policy to continue receiving the Interdependent Living Allowance.</li> <li>2. It is the responsibility of the Office of Interdependent Living to confirm this eligibility on a monthly basis, and to make adjustments to the applicable rates (See DCS Policy 16.56, Section B) or administration of the ILA as applicable. It is</li> </ol>  |

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|  | <p>the responsibility of the assigned FSW to effectively communicate the necessary information needed to verify such eligibility to an Interdependent Living Program Specialist; this must occur in advance of the monthly payment confirmations. No payment confirmations shall occur without this verification.</p>   |
| <p><b>O. Due Process for the Appeal of Eligibility-Related Decisions</b></p> | <p>Youth and Young Adults have the right to request a review of decisions made by DCS related to the provision of DCS Voluntary Post-Custody Services; this includes the decision to terminate DCS Voluntary Post-Custody Services. In such cases, the following procedure shall be followed:</p> <ol style="list-style-type: none"> <li>1. The youth or young adult shall submit a written statement (<b>CS-0761, Program Review Request</b>) that outlines the specific reasons they are not in agreement with the decisions made by DCS related to the provision of service. The youth or young adult's request shall be submitted within ten (10) calendar days of (<u>receiving notice of</u>) the decision.</li> <li>2. The Program Review Request shall be reviewed by the applicable RA and the Director of IL Director. This decision is binding, with the final authority held by the Director of IL.</li> </ol>  |
| <p><b>P. Special Circumstances</b></p>                                       | <ol style="list-style-type: none"> <li>1. Youth in TN DCS state custody residing in another state under ICPC are eligible for Interdependent Living Services from TN DCS, as outlined in this policy. It is the responsibility of the FSW, with technical assistance from an Interdependent Living Program Specialist, to develop an ILP that identifies the necessary resources that shall provide such services in the youth's location. However, it becomes the responsibility of the receiving state to provide Chafee-based services post-custody when the youth exits TN state custody consistent with that state's policies and guidelines. TN DCS may provide ETV assistance to youth, contingent upon their eligibility and in coordination with the receiving state.</li> <li>2. Young adults otherwise eligible for DCS voluntary post-custody services and/or ETV assistance remain eligible for these services if they reside in another state for the purpose of attending an approved post-secondary education program, and if they do not establish residence in that state. However, it becomes the responsibility of the receiving state to provide Chafee-based services post-custody if a young adult establishes residence in that state. TN DCS may provide ETV assistance to the young adult, contingent upon their eligibility and in coordination with the receiving state.</li> <li>3. Young adults who emancipated to adulthood from state custody in another state but who currently reside in Tennessee are eligible for Voluntary Post-Custody Services. Provision of service is contingent upon receipt by the DCS Office of Interdependent Living of written verification of this status from the receiving state.</li> </ol> |

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|                              | <p>4. It is necessary that the DCS Office of Interdependent Living receive verification that the young adult is not actively receiving services from the receiving state. It is appropriate for the receiving state to provide ETV assistance to the young adult. Young adults in this category of eligibility are not eligible for the State Funded Scholarship until they establish residence in Tennessee.</p> |
| <b>Forms:</b>                | <p><a href="#"><u>CS-0761 Program Review Request</u></a></p>  |
| <b>Collateral Documents:</b> | <p><a href="#"><u>IL Wraparound List/Protocol</u></a></p>   |



**Administrative Policies and Procedures: 16.53**

**Subject:** Identifying and Accessing Interdependent Living Services

**Authority:** TCA 37-5-106; Chafee Foster Care Independence Act of 1999

**Standards:** DCS Practice Model 8-100, 8-101, 8-102, 8-105, 8-106, 8-104, 8-107. PA-CM 3.04, PA-CM 4.01, PA-CM 5.05

**Application:** All DCS Employees

**Policy Statement:**

Eligible youth and young adults shall receive a full array of developmentally appropriate services to prepare them for Interdependent Living, or to assist with normalizing their life experience. Provision of these services must promote a **Chafee Foster Care Independent Living** goal, to include educational progress, employment, maintenance of physical and mental health care, housing opportunities, the formation of supportive adult relationships, knowledge of, and access to, community resources, the acquisition of skills to increase financial viability, and daily life skills. These benefits are not entitlements, but designed to support assessed needs and concrete goals.

**Purpose:**

To outline necessary procedures for identifying and accessing Interdependent Living Services for eligible youth and young adults.

**Procedures:**

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| <p><b>A. Identifying Needed Interdependent Living Services</b></p> | <ol style="list-style-type: none"> <li>1. Eligible youth and young adults as defined by <a href="#">DCS Policy 16.52, Eligibility for Interdependent Living and Voluntary Post-Custody Services</a>, shall receive an individualized life skills assessment of strengths and needs. The <b>Family Service Worker (FSW)</b> shall administer the assessment in advance of Interdependent Living Plan (ILP) development.</li> <li>2. The FSW is responsible for developing the Interdependent Living Plan as a part of the Permanency Plan as required by <a href="#">DCS Policy 16.51, Interdependent Living Plan</a>. The ILP will be a separate plan for young adults receiving DCS Voluntary Post-Custody Services. The results and recommendations of the individualized life skills assessment shall be used to develop individualized goals.</li> </ol> |
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3. The review and revision of the IL Plan shall occur with the same frequency as the review and revision of the Permanency Plan (See [DCS Policy 16.31 Permanency Planning](#)). The same schedule will be utilized for non-custodial youth receiving DCS Voluntary Post-Custody Services. However, it may be appropriate to administer life skills assessments, and update independent living goals more often if the youth or young adult's circumstances change and the Child and Family Team warrant it.
4. Youth and young adults must be afforded every opportunity to actively participate in identifying their interdependent living needs and associated services, and also in the development of their Interdependent Living Plans. The recommendations made by youth and young adults shall be incorporated to the extent that the Child and Family Team agrees such recommendations to be in the youth or young adult's best interest, comply with applicable policies and statutes, and do not adversely affect the safety or well being of the youth, young adult or others.
5. Youth meeting eligibility as outlined in DCS [Policy 16.52, Eligibility for Interdependent Living and Voluntary Post-Custody Services](#), must receive life skills instruction as a component of Interdependent Living Services. Such instruction shall be offered to young adults receiving DCS Voluntary Post-Custody Services, and encouraged if young adults appear to display problems generalizing life skills instruction received. The scope of such instruction shall be consistent with life skills assessment results and recommendations, and provided in accordance with the youth or young adult's developmental capabilities. Youth who exited state custody to permanency via adoption or subsidized permanent guardianship may be offered such services, but are not required to participate.
6. Life skills instruction may include, but is not limited to, formal classroom instruction, community workshops, school-based programs, and standardized curricula as provided by trained staff and resource parents in the milieu. All eligible youth, and participating young adults, shall receive instruction in the following areas as a minimum requirement:
  - a) Acquisition of safe and affordable housing, and household management;
  - b) Budgeting;
  - c) Building credit;



- d) Consumer competence;
  - e) Nutrition and food preparation;
  - f) Stress management and coping;
  - g) Time management;
  - h) Interpersonal relationships and communication;
  - i) Problem solving and decision making;
  - j) Hygiene, self-care and personal safety;
  - k) Exercising legal rights and responsibilities, such as voting, legal representation, self-advocacy, youth's rights, and youth boards.
  - l) Education on housing issues, to include locating safe and affordable housing options, tenants rights and responsibilities, housing assistance;
  - m) Instruction on education issues, to include assistance with developing an appropriate education plan, completing secondary education and accessing resources for post-secondary educational institutions or vocational programs; and
  - n) Instruction on obtaining and maintaining employment to include the development of good work habits and skills, self-confidence and presentation skills, resume writing, completion of job applications, job seeking skills, and the use of local employment assistance and placement programs.
7. The [DCS Office of Interdependent Living](#) shall serve as a centralized resource to assist Family Service Workers, provider agencies and caretakers by:
- a) Making available life skills assessment tools that shall be utilized by FSW and provider agencies, and facilitating the training needed to utilize such assessment tools. Such assessments shall be individualized to the extent possible;
  - b) Making available life skills curricula for caregivers that can be utilized in the milieu, and facilitating the training caregivers need to deliver such training. Such instruction shall be individualized to the extent possible.
  - c) Identifying community based life skill instructional resources, and maintaining a publicly accessible calendar of such events;
  - d) Coordinating the delivery of life skills workshops, with a focus on providing intensified instruction to youth at risk of emancipating to adulthood from state

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|  | <p>custody; and</p> <p>e) Interdependent Living Program Specialists shall serve the function of supportive advisors to Family Service Workers, provider agencies and caretakers, relaying pertinent skill and content information as it relates to the development of inter-dependent living goals, life skill assessment and life skills instruction</p> <p>8. Youth identified as having special needs shall also benefit from standardized life skill assessment and instructional tools that will also require an individualized approach. Family Service Workers shall consult with clinical professionals to ensure that the appropriate life skills assessments and instructional interventions are utilized. The FSW shall outline goals derived from these assessment results, and the instructional recommendations that proceed from them, in the youth's Interdependent Living Plan.</p> <p>9. Family Service Workers shall document all life skills instruction eligible youth or young adults receive in the Well Being Services area in TNKIDS.</p> <p>10. Contracted transitional living providers shall provide, track and document life skills instruction in accordance with the established contracts.</p> |
| <p><b>B. Responsibilities Related to Accessing Needed Interdependent Living Wraparound Funding</b></p> | <p>1. Interdependent Living Wraparound funding is established as a resource to support the provision of Interdependent Living Services for eligible youth and young adults. These resources are administered as a flexible funding resource to support goals as established in the Interdependent Living Plan <a href="#">DCS Policy 16.51, Interdependent Living Plan</a> , and should be utilized in conjunction with available community resources with a focus on intensifying their use as youth approach adulthood, and diminishing their use as young adults become self-sufficient.</p> <p>2. The established menu of IL Wraparound Services and the eligibility guidelines associated with each are outlined in the IL Wraparound List <a href="#">(Reference IL Wraparound List/Protocol)</a>. These guidelines may experience adjustment based on the identification of overall needs over time, or diminished funds. Youth who exited state custody to permanence via adoption or subsidized permanent guardianship are eligible for a limited portion of these services, as outlined in the IL Wraparound List.</p> <p>3. The Family Service Worker or designated staffs are responsible for identifying</p>      |

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|   | <p>the needed Interdependent Living Services supported by IL Wraparound funding, based on the goals outlined in the youth or young adult's Interdependent Living Plan <a href="#">DCS Policy 16.51, Interdependent Living Plan</a>. The DCS Team Leader shall be responsible for providing initial review and approval for services, as appropriate.</p> <ol style="list-style-type: none"> <li>4. <b>Interdependent Living Program Specialists</b> shall be available to provide training and technical assistance to Regional DCS staff: <ol style="list-style-type: none"> <li>a) To facilitate identification of needed services based on Interdependent Living Plan goals, and</li> <li>b) To facilitate accessing IL Wraparound Services as outlined in this section of the current policy, and also to identify community resources</li> </ol> </li> <li>5. The Regional Fiscal Director shall be responsible for managing the funds and assuring that all purchases are allowable under the established regulations</li> <li>6. The Director of IL or designee shall be responsible for final approval to purchase the identified services.</li> <li>7. A quarterly review of fund expenditures shall be conducted with Regional, Central Office and Funding Unit staff to ensure appropriate usage and determine the need for adjustments.</li> </ol> |
| <p><b>C. How to Access Interdependent Living Wraparound Funding</b></p> | <ol style="list-style-type: none"> <li>1. All IL Wraparound funds shall be accessed through the Regional Funding Unit. The Family Service Worker or designated staff shall use the approved fiscal process to request provision and payment of IL Wraparound services, goods or incentives. It is necessary for the Family Service Worker (FSW) or designated staff to specify the incentive category and item(s) requested.</li> <li>2. Eligible youth or young adults must have an open custodial or post-custody case in TNKIDS in order for IL Wraparound funding to be approved. <p><b>Note:</b> Special provisions will be made available for eligible youth or young adults who achieved permanency through adoption or subsidized permanent guardianship who do not have an active case open with DCS.</p> </li> <li>3. In conjunction with the Interdependent Living Plan and the guidelines for payment, the Team Leader shall provide the initial review and approval of the services. The Funding Unit shall: <ol style="list-style-type: none"> <li>a) Provide an approval request to the IL Director or designee. No payments shall be made unless prior approval and authorization has been obtained</li> </ol> </li> </ol>   |

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|                              | <p>through the Director of IL or designee and the Funding Unit.</p> <p>b) Obtain the appropriate signatures on the <a href="#"><u>Authorization to Vendor</u></a> form. The Funding Unit is responsible for reviewing the applicable terms and obligations with the potential vendor, to include the possible tax status that may be associated with accepting the funds.</p> <p>c) Purchase the service(s);</p> <p>d) Record the date of purchase of the approved services; and</p> <p>e) Maintain a record of the applicable requests, approvals and purchases.</p> |
| <b>Forms:</b>                | <p><a href="#"><u>CS- 0650 – Interdependent Living Plan</u></a></p> <p><a href="#"><u>Authorization To Vendor</u></a></p>   |
| <b>Collateral Documents:</b> | <p><a href="#"><u>Ansell Casey Life Skills Assessment Protocol</u></a></p> <p><a href="#"><u>IL Wraparound List/Protocol</u></a></p>  |



**Administrative Policies and Procedures: 16.54**

**Subject:** Provision of Voluntary Post-Custody Services to Young Adults

**Authority:** The Chafee Foster Care Independence Act of 1999; TCA 37-5-106

**Standards:** DCS Practice Model 8-108, PA-CM 4.01, PA-CM 4.06

**Application:** All DCS Employees with Interdependent Living Services Responsibilities

**Policy Statement:**

The provision of Voluntary Post-Custody Services is an extension of Interdependent Living Services, and is designed to expand upon such service options for young adults who, a) emancipate to adulthood from state custody and, b) are at risk of emancipating to adulthood from state custody, to support permanency options and the acquisition and maintenance of life skills. DCS shall make Voluntary Post Custody Services available to eligible young adults exiting custody at 18, or up to their 19<sup>th</sup> birthday and requesting to receive such services. These services may be provided directly by DCS (heretofore designated as DCS Voluntary Post-Custody Services), or through contracts established with provider agencies. Voluntary Post-Custody Services may include rental assistance, other housing assistance, case management services, financial support for education and/or job training, and other Interdependent Living Services deemed necessary. Further, DCS may provide assistance to young adults requesting reentry for such services. Voluntary Post-Custody Services may be provided up to the 21<sup>st</sup> birthday, and may be extended based on a young adult's continued eligibility. These services and benefits are not entitlements, but designed to support assessed needs and concrete goals.

**Purpose:**

Young adults at risk of emancipating to adulthood from state custody require unique planning and decision-making procedures to meet their needs, as circumstances exist that require permanency plan review, placement stability and discharge planning. This policy establishes procedures and protocols to plan and provide for this transition, and to make Voluntary Post-Custody Services available to eligible youth and young adults.

**Procedures:**

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| <b>A. Process for Young Adults to Exit Care and Immediately Enter Voluntary Post-Custody Services</b> | <ol style="list-style-type: none"> <li>1. An Interdependent Living (IL) Program Specialist, or representative of the Office of Interdependent Living, shall meet with designated regional DCS staff on a monthly basis to identify youth age seventeen (17) or older who are at risk of emancipating to adulthood from state custody. Mutual decisions shall be reached regarding the extent to which staff from the DCS Office of</li> </ol> |
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Interdependent Living shall provide technical assistance (such as information and advisement) as part of the [Child and Family Team Meeting \(CFTM\)](#) preparation, as it applies to this policy, or directly participate in the scheduled CFTM's.

2. DCS Office of Interdependent Living staff shall share the information determined with applicable regional Team Coordinators, Team Leaders and Family Service Workers on a monthly basis. Summary reports shall also be shared with the Regional Administrators monthly.
3. The Team Leader and [Family Service Worker \(FSW\)](#) shall ensure that a Special Called CFTM, as defined by [DCS Policy 31.7, Building Preparing and Maintaining Child and Family Teams](#), is convened at least six (6) months prior to youths' 18<sup>th</sup> birthday, or six (6) months prior to anticipated discharge if youth are delinquent and anticipated to remain in DCS custody past eighteen (18) years of age. In addition, the same procedures shall be applied as appropriate to a Placement Stability CFTM. When there is a post-custody unit or post-custody Family Service Worker available in the region in which a young adult will receive DCS Voluntary Post Custody Services, the CFTM shall consider the appropriateness of transferring a young adult's case upon discharge. This decision shall be included in the IL Plan.
4. It is not necessary that an IL Program Specialist attend every such CFTM, but shall be in attendance when circumstances exist that require additional support as outlined in item 1 of this policy section. The applicable regional and IL Program staff shall make this decision jointly. If it is determined that an IL Program Specialist should attend a CFTM, the Family Service Worker shall provide notice of the CFTM to the Office of Interdependent Living at least ten (10) days in advance utilizing the established protocol (**CS-0746, Meeting Notification**).
5. The Family Service Worker shall develop a transition plan as outlined in DCS Policy [16.51, Interdependent Living Plan](#), utilizing the Interdependent Living Plan section of the youth's permanency plan, in the context of the Child and Family Team Meeting. Goals shall be developed with youth that include the possibility and benefits of receiving Voluntary Post-Custody Services, to include Transitional Living Services if necessary or appropriate.
6. Some youth enter state custody within six months of their likely emancipation to adulthood. It is appropriate under such circumstances for the FSW to

develop the Transition Plan concurrently with the initial permanency plan. All other procedures associated with this process shall be followed.

7. The FSW shall then ensure that a Discharge Planning CFTM as outlined in [DCS Policy 31.7, Building Preparing and Maintaining Child and Family Teams](#), is convened at least thirty (30) calendar days before the youth exits state custody. The youth and Child and Family Team shall review the transition plan, and the FSW shall ensure that all goals are updated as needed to reflect the youth's current needs and decisions. When there is a post-custody unit or post-custody Family Service Worker available in the region in which a young adult will receive DCS Voluntary Post Custody Services, a representative of this unit shall attend the discharge staffing if the youth is accepting DCS Voluntary Post Custody Services. If it is determined that an IL Program Specialist and/or post-custody staff member should attend such a CFTM, the Family Service Worker shall provide notice of the CFTM to the IL Program Specialist and/or post-custody staff member serving the applicable region of commitment at least ten (10) days in advance. (CS-0192, Notice of Staffing).
8. The FSW and the young adult must review **form CS-0488, Rights and Responsibilities to Receive DCS Voluntary Post-Custody Services** during the Discharge Planning CFTM. The form must be completed and signed to begin the process of the post custody intake, and filed in the youth's case record.
9. The Regional Administrator or designee and the Interdependent Living Director or designee shall review and approve the services and entry into **DCS Voluntary Post Custody Services**. This shall be accomplished by the Family Service Worker ensuring that **form CS-0489, Justification for Providing Services to Persons Over Eighteen** is completed and all applicable signatures procured following case review. The DCS **Office of Interdependent Living** must receive and approve provision of services from custody to post-custody status. This form must be filed in the youth's case record.
10. Upon exit from custody, the FSW must complete all applicable areas of the exit survey in TN Kids, update the Family Functional Assessment and close the custodial episode. The FSW and Team Leader shall open a post custody intake in TN Kids within ten (10) days of case closure.
11. The FSW and Team Leader shall also ensure that all other areas in TNKIDS are closed or adjusted as applicable, (i.e. placement status), to avoid the duplication of services. No services shall be provided by DCS until the custody

episode is closed and a post-custody episode is opened.

12. If a decision was made to transfer a case to a post-custody unit or post-custody FSW, all procedures for transferring a case shall be followed. The case shall be transferred within ten (10) calendar days of case closure.
13. If a young adult's request is to not enter DCS Voluntary Post-Custody Services, the FSW shall ensure that form **CS-0759 Refusal of DCS Post Voluntary Custody Services Notification – Youth Leaving Custody** is completed and all applicable signatures procured. However, every effort must be made to encourage youth to consider the available service options.
14. All youth participating in transition meetings, as described in this policy, shall receive a standard packet of information that youth can reference to facilitate this decision. This packet must include a description of voluntary service options and community resources available in the area the youth plans to reside in following discharge. The Interdependent Living Program Specialist shall make this packet available. The FSW shall ensure that the transition plan is updated to include this information.
15. The FSW shall ensure that the transition of young adults with special needs is addressed according to the applicable DCS policies: [19.7, Transitioning DCS youth Into Adult Behavioral Mental Health Services](#) and [19.8 Transitioning Youth Into the Division of Mental Retardation Services](#), and the goals established in the Interdependent Living Plan (see number 3 of this section and [DCS Policy 16.51 Interdependent Living Plan](#)).

**B. Process for Young Adults to Exit Care and Receive Transitional Living Services**

1. The same process of transition planning and case closure shall be utilized when contracted [Transitional Living Services](#) are warranted as the Voluntary Post-Custody Services option. However, a DCS post-custody intake in TNKIDS may not be necessary depending upon the specific Transitional Living service being provided; In many instances, the Transitional Living Service provider shall assume full responsibility for all aspects of service provision, post-custody. The determination regarding the need for a DCS post-custody intake will be made as part of the youth's specific transition plan.
2. The procedures for making referrals to such Transitional Living service providers are available through the DCS Office of Interdependent Living, and can be procured from the Interdependent Living Program Specialists.



**C. Process for Young adults to Enter Post Custody Services Following a Break in Involvement with the DCS**

1. At any point between emancipating from state custody and turning 21 years old, a young adult may return to DCS and request to receive voluntary post custody services.
2. A young adult may return to any DCS field office and request services. Young adults may be served in the community where they live without having to return to the community where they exited custody. In these cases, the applicable DCS regions are encouraged to communicate extensively to ensure that young adults are served appropriately.
3. The young adult shall complete form **CS-0778, Application for Post-Custody Services** and submit this information to the designated regional staff.
4. The designated regional staff, in tandem with the Office of Interdependent Living, shall review the young adult's application and case record in order to determine service eligibility (DCS Policy [16.52 Eligibility for Interdependent Living and Voluntary Post Custody Services](#)). This review may initiate a referral to Transitional Living Services (Section D).
5. The decision to provide a young adult with DCS Voluntary Post Custody Services in this situation must be recommended by the Child and Family Team Meeting and planning process. All aspects of this process must be followed as outlined in this policy. However, because planning and approval are for the purpose of returning a young adult to receive services and not for discharge, the CFTM must be convened within ten (10) days of the young adult's request for Voluntary Post-Custody Services.
6. If it is clear that a young adult can benefit from DCS assistance, and he or she is willing to sign form **CS-0488, Rights and Responsibilities to Receive DCS Voluntary Post-Custody Services** and participate in developing a post-custody plan, the case manager and supervisor shall open a post custody intake. All procedures applicable to the approval of a DCS Voluntary Post-Custody case intake must be applied. (See sect. A of this policy) The post-custody intake shall be opened within ten (10) days.
7. There are times when an otherwise eligible young adult returning to request services may be homeless, or experiencing other circumstances that constitute a risk to the young adult's safety or well being. When such circumstances are assessed to exist, it is acceptable to request an emergency review and approval of services by the RA and the IL Director or designee to facilitate provision of needed funding until the outlined process can be followed.

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| <p><b>D. Process for Young Adults to Receive Transitional Living Services Following a Break in Involvement with the Department</b></p> | <ol style="list-style-type: none"> <li>1. Transitional Living Services are considered a version of Voluntary Post-Custody Services. The establishment of Transitional Living Services through contracted providers may be utilized as voluntary post-custody service options. The decision to utilize such options will be made by the young adult and the Child and Family Team.</li> <li>2. The same process of transition planning and service provision shall be utilized for Transitional Living eligible young adults who return to request services following a break in involvement with DCS. (See Sect. B of this policy). However, the added component of referral to a Transitional Living service provider must be considered and may not require a DCS post-custody intake.</li> <li>3. The procedures for making referrals to Transitional Living service providers are available through the DCS Office of Interdependent Living, and can be procured from the Interdependent Living Program Specialists.</li> </ol>  |
| <p><b>E. Case Management Services</b></p>  | <ol style="list-style-type: none"> <li>1. Young adults receiving DCS Voluntary Post-Custody Service are entitled to case management services, and such services shall be provided by the assigned Family Service Worker.</li> <li>2. Interdependent Living Program Specialists shall serve the function of supportive advisors, relaying pertinent skill and content information. It is appropriate for the Interdependent Living Program Specialists to serve in a centralized monitoring function for young adults receiving DCS Voluntary Post-Custody Services who are attending post-secondary educational programs, and for such youth receiving the Interdependent Living Allowance.</li> <li>3. The assigned FSW shall assist young adults in assessing strengths and needs, identifying resources, navigating educational systems, accessing health care, budgeting and developing healthy relationships.</li> <li>4. The assigned FSW shall assist young adults with developing the capacity to financially self-support, but to also access financial support via the appropriate DCS and community resources when needed. Additionally, it is appropriate to assist young adults in accessing IL Wraparound funding through the Regional Funding Units to support goals established in the young adult's Independent Living Plan.</li> <li>5. Contact with a young adult in DCS voluntary post custody service should meet his or her needs. Face-to-face contact is required every other month, and it is the responsibility of the assigned FSW to provide this. There should also be monthly telephone or e-mail contact by the assigned FSW. The FSW shall make at least one home visit to the young adult's residence upon receipt of the case. The assigned FSW shall also make at least one home visit to the young adult's residence whenever the young adult establishes a</li> </ol> |

different residence. As a young adult enters a new job, job-training program, college etc., it may be necessary for contact to increase until the young adult is established.

**Note: An exception is allowable when a young adult receiving DCS Voluntary Post Custody Services resides in another state solely for the purpose of attending a post-secondary educational program, but maintains Tennessee residency ([Policy 16.52: Eligibility for Interdependent Living and Voluntary Post-Custody Services, Section P, 2](#)). In such cases, the assigned FSW is required to make monthly phone contact with the young adult. The FSW is also required to make face-to-face contact at the young adult's residence on occasions when the young adult returns to Tennessee, such as during school breaks.**

6. Young adults should also have an adult resource that can serve as support in emergency and non-emergency situations. The FSW shall monitor such mentoring relationships, and provide advisement to young adults should concerns arise.
7. All interactions with young adults must be documented in TN KIDS. Monthly entries must be entered into TN KIDS referencing all case management face-to-face and telephone contacts.
8. DCS shall continue to assist the young adult in DCS Voluntary Post-Custody Services by coordinating access to health care and dental services through public health insurance, employment or college health insurance options as available. Young adults should be counseled to continue to use the custodial guidelines for dental screens and regular medical check-ups to monitor their health and well being. It is the responsibility of DCS to assist a young adult with any necessary healthcare advocacy. (Refer to [Protocol for Continuation of TennCare Eligibility for Children Exiting Custody](#).)
9. Services provided to young adults must support the goals outlined in the Interdependent Living Plan (see [DCS Policy 16.51, Interdependent Living Plan](#)), and form **CS-0489, Justification for Providing Services to Persons Over Eighteen**.
10. The assigned FSW shall also assist young adults with family concerns and facilitate contact with siblings still in state custody.
11. The Family Service Worker is responsible for filing the applicable forms and

collateral documents in the young adult's case file.

12. Young adults receiving certain Transitional Living services may receive all case management from the service provider, depending on the scope of service and eligibility.

**F. Termination of Voluntary Post-Custody Services**

1. There are circumstances that may warrant the termination of DCS Voluntary Post-Custody Services. Such circumstances include, but are not limited to:
  - a. The young adult has successfully completed the goals outlined on the Interdependent Living Plan, to include completion of the identified educational or vocational program.
  - b. The young adult not maintaining one or more criteria of eligibility. (See DCS Policy [16.52, Eligibility for Interdependent Living and Voluntary Post-Custody Services](#), for details)
  - c. The young adult is convicted of a felony and/or any crimes against a person.
  - d. The young adult not making contact with DCS or a service provider in excess of sixty (60) consecutive days.
2. The Family Service Worker shall make efforts to contact the young adult if the issue is one of no contact. There shall be, at a minimum, one attempt at a face-to-face contact and one phone contact within a 60 day period.
3. If efforts to contact the young adult are not successful, the young adult shall be notified in writing that DCS plans on terminating Voluntary Post-Custody Services **CS-0760 Notice of Denial, Termination or Change in DCS Post Voluntary Custody or Scholarship Services**. The specific reasons shall be clearly outlined in this correspondence. If termination is considered due to lack of contact, the notification shall be made via certified letter with a response requested within ten (ten) calendar days. **CS-0761 Program Review Request** shall be included with this correspondence. This notification shall also be documented in a case recording.
4. The young adult shall have the opportunity to participate in a Child and Family Team Meeting. This CFTM shall be convened within ten (10) calendar days of the termination notification. The FSW or service provider shall develop a Transition Plan that identifies supports and services available in the young adult's community that may be accessed following discharge, or the availability

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|  | <p>of service options such as Transitional Living. In some instances, provider contracts require that their program's staff develop the Transitional Plan, with input from the young adult and the Child and Family Team. A discharge date shall be determined at this CFTM, and included in the Transition Plan.</p> <p>5. The FSW shall complete form CS-505 DCS Voluntary Post-Custody Discharge Summary and close the TNKids post-custody intake.</p>   |
| <p><b>G. Due Process for the Appeal of Service-Related Decisions</b></p> | <p>Youth and Young Adults have the right to appeal decisions made by DCS related to the provision of voluntary post custody services; this includes the decision to terminate voluntary post-custody services. In such cases, the following procedure shall be followed (See <a href="#">DCS Policy 16.52, Eligibility for Interdependent Living and Voluntary Post-Custody Services</a>, sect. O for details)</p>  |
| <p><b>H. Services to Young Adults with Special Needs</b></p>             | <p>The FSW shall follow the transition planning procedures for youth determined to have special needs as outlined in sect. A of this policy. It is essential that the established protocols related to the establishment of appropriate adult services be followed, based on the youth's identified disability: See DCS Policies <a href="#">19.7, Transitioning DCS Youth Into Adult Behavioral Mental Health Services</a> and <a href="#">19.8, Transitioning Youth Into The Division of Mental retardation Services</a>. The procedures established for identifying appropriate transitional goals and resources for young adults with special needs, as outlined in DCS Policy 16.51 shall be followed.</p>                                     |
| <p><b>Forms:</b></p>   | <p><a href="#">CS- 0650 - Interdependent Living Plan</a><br/> <a href="#">CS- 0488 – Rights and Responsibilities to Receive DCS Post Custody Services</a><br/> <a href="#">CS- 0489 - Justification for Providing Services to Persons Over 18</a><br/> <a href="#">CS-0759- Refusal of Post Custody Services Notification-Youth Leaving Custody</a><br/> <a href="#">CS- 0778- Application for Post Custody Services</a><br/> <a href="#">CS-505 DCS Voluntary Post-Custody Discharge Summary</a><br/> <a href="#">CS-0760-Notice of Denial, Termination, Termination or Change in DCS Post Voluntary Custody or Scholarship Services</a><br/> <a href="#">CS-0761-Program Review Request</a><br/> <a href="#">CS-0746 Meeting Notification</a></p> |
| <p><b>Collateral Documents:</b></p>                                      | <p><a href="#">Essential Documents List</a><br/> <a href="#">Protocol for Continuation of TennCare Eligibility for Children Exiting Custody</a></p>   |



**Administrative Policies and Procedures: 16.55**

**Subject:** Post Secondary Scholarships: Educational and Training Vouchers (ETV's) and State Funded Scholarship (SFS)

**Authority:** TCA 37-5-106; Chafee Foster Care Independence Act of 1999, Higher Education Act of 1965

**Standards:** PA-CM-7.01

**Application:** All DCS Employees with Interdependent Living Services Responsibilities

**Policy Statement:**

DCS shall provide assistance through Chafee Educational and Training Vouchers (ETV's) toward the cost of attendance, as defined by the Higher Education Act of 1965. DCS shall also provide assistance through the State Funded Scholarship to eligible youth and young adults. This financial aid support shall complement state, federal, and privately endowed scholarships and grants.

**Purpose:**

The purpose of these payments is to assist, motivate and enable young adults to meet and complete their post-secondary educational goals. This policy outlines the procedures for assisting eligible youth and young adults with identifying appropriate post-secondary programs; application and re-application procedures; and scholarship monitoring.

**Procedures:**

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| <p><b>A. Identifying Post-Secondary Educational Options</b></p> | <ol style="list-style-type: none"> <li>1. It is recommended that youth and young adults receive assistance from supportive adults in preparation for submitting applications for <b>Educational and Training Vouchers (ETVs)</b> and/or the <b>State Funded Scholarship</b>. Supportive adults include, but are not limited to, resource parents, birth parents, relatives, mentors, teachers, and DCS staff. <b>Family Service Workers (FSWs)</b> shall provide this assistance for youth and young adults in state custody or DCS Voluntary Post-Custody Services status. Assistance shall be rendered to help youth and young adults:             <ol style="list-style-type: none"> <li>a. Receive recommendations regarding the youth's post secondary educational options from high school guidance counselors, when applicable, to</li> </ol> </li> </ol> |
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|                                     | <p>ensure the appropriateness and feasibility of program choices;</p> <ul style="list-style-type: none"> <li>b. Obtain information about specific post secondary educational institutions that the youth may be interested in, and review such information with the youth to facilitate an informed decision;</li> <li>c. Visit the post secondary programs in advance of enrollment;</li> <li>d. Apply for federal and state financial aid awards by completing the Free Application for Federal Student Aid (FAFSA) annually. Also, to identify and apply for privately endowed grants and scholarships and to</li> <li>e. Determine the youth’s eligibility for Vocational Rehabilitation services and the related post secondary assistance.</li> </ul> <p>2. Regional Interdependent Living (IL) Program Specialists and Education Specialists are available to provide technical assistance to FSWs and other supportive adults, and to support the completion of the tasks as outlined.</p>   |
| <p><b>B. Service Provisions</b></p> | <p>The <a href="#">DCS Office of Interdependent Living</a> maintains oversight of the DCS sponsored scholarships. The following services are available to eligible young adults who are pursuing their post-secondary education:</p> <ul style="list-style-type: none"> <li>1. ETV assistance is available to assist young adults with the cost of attendance as specified by the post-secondary education programs they attend. State Funded Scholarship awards are based on the needs of the student.</li> <li>2. All ETV and State Funded Scholarship awards are subject to variances based on the number of young adults who are eligible and apply, and the amount of assistance available.</li> <li>3. Other costs associated with educational program enrollment, or for assessed needs related to attendance at such programs, may be accessible for eligible youth through regional IL Wraparound Funds as outlined in <a href="#">DCS Policy 16.53 Identifying and Accessing Interdependent Living Services</a>.</li> <li>4. ETVs may be used to assist young adults with payment for room and board. Room and Board is defined as: <ul style="list-style-type: none"> <li>a. <u>Room</u>: an apartment occupied by the youth, residing with a Resource Parent, residing in a college dorm or sorority house, an independent living residence, group home or other eligible independent living facility.</li> <li>b. <u>Board</u>: meals, utilities, transportation and clothing, necessary to attain self-</li> </ul> </li> </ul> |

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|   | <p>sufficiency and promote interdependence.</p> <p>c. Young adults who are first year students and are attending a four-year university program shall be required to live in campus-sponsored housing. Others shall be required to live in campus sponsored housing if available. Exceptions shall require review by the Director of IL or designee, and a written justification.</p>  |
| <p><b>C. Application Procedures for ETVs and/or State Funded Scholarships</b></p> | <ol style="list-style-type: none"><li>1. Applications for ETV's and State Funded Scholarships are accepted at the beginning of each academic year, and for subsequent semesters or terms of enrollment. Applications for technical programs, others that may have variable enrollment periods, or for students starting an academic program at the second semester or during a summer semester shall be reviewed on a case-by-case basis.</li><li>2. <u>All</u> youth or young adults who wish to apply for these funds must meet eligibility criteria as outlined in <a href="#">DCS Policy 16.52, Eligibility for Interdependent Living and Voluntary Post-Custody Services</a>, and shall:<ol style="list-style-type: none"><li>a) Complete an application, <b>form, CS-0599, Application for Post Secondary Funding</b>,</li><li>b) Complete and sign three (3) copies of <b>form CS-0668 Authorization for Release of Information</b> that will enable the FSW, IL Program Specialist and/or the Scholarship Coordinator to obtain financial information from the school's financial aid office as well as schedules, attendance records and grades. This will enable the amount of the grant award to be determined and also provide some oversight and support to the youth or young adult during transition and adjustment to the post-secondary educational experience.</li></ol></li><li>3. In addition to the forms listed above, the following must be included with initial applications:<ol style="list-style-type: none"><li>a. Acceptance letter from the post-secondary educational or vocational training program</li><li>b. Copy of a High School Diploma or GED</li><li>c. Copy of ACT or SAT scores, if applying to a program that requires them</li><li>d. Copy of the FAFSA Student Aid Report applicable to the financial aid year</li><li>e. A written statement from the young adult requesting funding.</li></ol></li></ol> |



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|  | <ol style="list-style-type: none"> <li>4. Returning students shall include the following with each application: <ol style="list-style-type: none"> <li>a. Copy of the FAFSA Student Aid Report applicable to the financial aid year</li> <li>b. Grade or progress report for the previous semester or term</li> </ol> </li> <li>5. Any application that does not have completed information regarding financial resources and need shall be held until the additional information is obtained. No award letter can be sent to the educational program until this information is complete.</li> <li>6. Youth or young adults who achieved permanence through Subsidized Permanent Guardianship shall submit the applicable verification in addition to the items requested in Section C of this policy.</li> <li>7. Young adults who achieved permanence through adoption shall also submit a copy of the adoption decree with the application packet, in addition to the items requested in Section C of this policy.</li> <li>8. Applications for ETVs and State Funded Scholarships, and all supporting documents, shall be submitted to the Scholarship Coordinator <u>no later than July 15th</u> of the calendar year the youth plans to attend school.</li> <li>9. Subsequent applications must be submitted as follows: <ol style="list-style-type: none"> <li>a. Application deadline for spring semester is November 15.</li> <li>b. Application deadline for summer school is April 15.</li> <li>c. At least forty-five (45) calendar days before the applicable term begins for vocational or technical programs that have variable start dates</li> <li>d. In special circumstances, applications may be accepted at a later date at the discretion of the Director of Interdependent Living. The circumstances related to late application shall be explained in the designated area of the application.</li> </ol> </li> <li>10. <b>Interdependent Living Program Specialists</b> may assist DCS custodial youth, or young adults receiving DCS Voluntary Post-Custody Services, with the application process. However, it is ultimately the responsibility of the applicant to ensure that the application is completed in its entirety, includes all applicable signatures and additional items, and is submitted by the applicable deadline.</li> </ol> |
| <p><b>D. ETV and State Funded Scholarship Award Procedures</b></p> | <ol style="list-style-type: none"> <li>1. Once the <b>DCS Scholarship Administrator</b> receives the application and all necessary verifications outlined in section C of this policy: <ol style="list-style-type: none"> <li>a. A letter that contains the award amounts and billing instructions shall be sent</li> </ol> </li> </ol>  |

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|  | <p>to the post-secondary institution, and a copy sent to the student and if applicable, the FSW.</p> <p>b. The post secondary program shall work with the DCS Scholarship Coordinator to establish the final grant award</p> <p>c. The bills (invoices) shall be sent directly to the <a href="#">DCS Office of Interdependent Living</a>.</p> <p>d. The Director of IL shall review and approve all invoices, and the DCS Scholarship Coordinator shall process the invoices to ensure payment to the educational program.</p>   |
| <p><b>E. Monitoring ETVs and State Funded Scholarships</b></p> | <ol style="list-style-type: none"> <li>1. The DCS Scholarship Administrator is responsible for reviewing the ETV and State Funded Scholarship applications, processing payments, and monitoring the initial and on-going eligibility of scholarship applicants.</li> <li>2. The DCS Scholarship Administrator shall monitor the initial and on-going eligibility of scholarship applicants, with assistance from Interdependent Living Program Specialists and assigned FSWs (when applicable).</li> <li>3. The DCS Scholarship Administrator shall maintain a file for each ETV and/or State Funded Scholarship applicant that contains, as a minimum, the items required for application and on-going verification of eligibility as stated in this policy (<b>ETV and State Funded Scholarship File Index</b>).</li> </ol> |
| <p><b>Forms:</b></p>   | <p><a href="#"><u>CS-0599 Application for Post Secondary Funding</u></a></p> <p><a href="#"><u>CS-0668 Authorization for Release of Information</u></a></p>   |
| <p><b>Collateral documents:</b></p>                            | <p><a href="#"><u>ETV and State Funded Scholarship File Index</u></a></p>   |



**Administrative Policies and Procedures: 16.56**

**Subject:** Interdependent Living Direct Payment Allowance

**Authority:** TCA 37-5-106

**Standards:** DCS Practice Model 8-104, PA-CM 7.01

**Application:** DCS Staff Working with Interdependent Living Services and Young adults in Voluntary Post-Custody Status

**Policy Statement:**

DCS shall establish a direct-pay process to provide a living allowance to eligible young adults.

**Purpose:**

The purpose of the direct payment process is to assist eligible young adults as they gain self-sufficiency, and to promote a successful transition to adulthood. Young adults shall have the ability to readily access funds, and utilize financial management skills.

**Procedures:**

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| <p><b>A. Guidelines for Interdependent Living Allowance (ILA)</b></p> | <ol style="list-style-type: none"> <li>1. Direct payment allowances for post custody youth are referred to as the <b>Interdependent Living Allowance (ILA)</b>.</li> <li>2. All eligible youth must attend a training course coordinated by <b>Interdependent Living Program Specialists</b>, and comply with all additional requirements in preparation for utilizing the ILA system as outlined in this policy.</li> <li>3. Any change in the ILA amount, to include termination of the ILA, shall require notification of the young adult affected via <b>CS-0760 Notice of Denial, Termination or Change in DCS Voluntary Post Custody or Scholarship Services</b> at least ten (10) calendar days before the anticipated change. The young adult affected shall also have the opportunity to review this decision in the context of a Child and Family Team meeting. Young adults may request a Program Review to adjust or terminate the ILA by following the procedures</li> </ol> |
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outlined in Section O (Due Process for the Appeal of Eligibility-Related Decisions) of Policy 16.52: Eligibility for Interdependent Living and Voluntary Post-Custody Services) utilizing **CS-0761 Program Review Request**.

**B. Interdependent Living Allowance (ILA) Rates**

1. Interdependent Living Allowance (ILA) payments shall be determined based on a per diem. This is in accordance with the guidelines established by the **DCS Office of Interdependent Living** and Fiscal staff.
2. The payment amount shall be determined by a mutual agreement (contract) between the young adult and the DCS Office of Interdependent Living. Although rates have been established based on certain criteria, DCS reserves the ability to administer these rates per applicant based on an assessment of actual need. The ILA rate shall be the established amount.
3. **Regular Rate: \$16.12/day**  

The regular rate is available for eligible youth who do not have documented special needs and have not reached the age for the graduated rate to begin. A youth may continue to receive this rate after their 21<sup>st</sup> birthday, but The IL Director or designee must approve this by providing a written justification.
4. **Special Circumstances Rate: \$19.35/day**
  - a. The special circumstance rate is available for eligible young adults with unique needs, as determined by the DCS Office of Interdependent Living. Young adults with dependents who are physically and legally in their custody are also eligible for this rate. The IL Director or designee must approve this rate by providing a written justification.
  - b. The **Family Service Worker (FSW)** must provide supporting documentation about any special circumstances. This must be done before the rate can be determined and established within the contract.
5. **Graduated Rate: \$8.06/day**
  - a. It is reasonable to work with young adults to gradually assume more financial responsibility as they reach the end of DCS Voluntary Post-Custody Services eligibility and approach self-sufficiency.
  - b. The Graduated Rate is designed to prepare young adults (21 to 23<sup>rd</sup> birthday) for this transition. Application for the graduated rate will be done through an assessment of the young adult's financial need. The assessment shall include, but is not limited to, verification of employment and the

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|  | <p>development of a budget to identify other financial resources that might be available to the young adult.</p> <p>c. The Graduated Rate may also be applied in circumstances where the young adult is assessed to possess sufficient income and support from other resources. The assessment shall include, but is not limited to, verification of employment and the development of a budget to identify other financial resources that might be available to the young adult.</p>   |
| <p><b>C. Establishing the Interdependent Living Allowance Contract and Payment Arrangement</b></p> | <ol style="list-style-type: none"> <li>1. Following completion of a training course coordinated by an Interdependent Living Program Specialist, the young adult must complete and provide a <b>Substitute W-9 form</b>. This form shall be made available to the young adult by the Interdependent Living Program Specialist following the training.<br/><b>Important:</b> The address for the youth should reflect their permanent living address because this is where all of the financial information will be mailed.</li> <li>2. All young adults must also complete Form <b>FA-0825, ACH-Automated Clearinghouse Credits</b>. This form shall be made available to the young adult by the Interdependent Living Program Specialist following the training, and must be submitted with a VOIDED check or a VOIDED savings deposit slip. The ACH provides direct deposit information and will allow DCS to directly deposit the ILA into the youth's bank account. The ACH will require an ABA number that is the same as the routing number (the first set of numbers found on the bottom of personal checks). <b>Please note:</b> If the youth banks with a Credit Union, the Credit Union will need to fill out the ABA number.</li> <li>3. The young adult shall provide the necessary forms and collateral items to the Interdependent Living Program Specialist who conducted their training. The ILPS shall be responsible for forwarding all items necessary for opening an ILA contract to the ILA Coordinator at the DCS Office of Interdependent Living.</li> <li>4. The young adult must establish two bank accounts: a checking or savings account that will accept the ILA as a direct deposit, and a "Tax Savings Account."</li> <li>5. <b>The Interdependent Living Allowance payment that youth will receive from DCS is taxable income.</b> It is recommended that young adults establish a method to deposit 10% of every ILA payment into the "<u>Tax Savings Account</u>".</li> <li>6. <b>ALL young adults shall be instructed not to use the funds in the tax savings account.</b> This savings account is to protect the young adults and</li> </ol> |

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|  | <p>assist in making quarterly Estimated Tax Payments on these earnings utilizing <b>IRS Form 1040-ES</b>. The young adults are expected to pay these taxes via these vouchers (removed during training). Vouchers are sent in each quarter along with the money that has been set-aside in the youth's "tax" savings account. The dates that young adults are expected to send in the voucher and payment is attached to the vouchers. It is the responsibility of the young adult to make these payments.</p> <p>7. The direct deposit shall begin approximately thirty (30) days after the <b>Substitute W-9 form</b>, ACH form and collateral information are submitted.</p> <p>8. All eligible young adults receiving the ILA must complete IRS form 1040, Individual Tax Return annually. This is the responsibility of the young adult.</p>   |
| <p><b>D. Updating the Interdependent Living Allowance (ILA) Contract and Payment Arrangement</b></p> | <p>1. Young adults must complete and submit a Substitute W-9 when he/she moves to a residence different from that initially identified when the ILA contract was established.</p> <p>2. Young adults must complete and submit an ACH Clearinghouse form, and submit a voided check or savings deposit slip, whenever he/she closes the bank account that receives the ILA direct deposit, and opens another account that will receive the ILA direct deposit.</p> <p>3. The young adult must immediately supply notification under the following circumstances:</p> <ul style="list-style-type: none"> <li>a. He/She closes the bank account that receives the ILA direct deposit.</li> <li>b. He/She experiences overdraft charges on the bank account that receives the ILA direct deposit, or</li> <li>c. The bank closes the account that receives the ILA direct deposit for any reason.</li> </ul> <p>4. The young adult must contact the Interdependent Living Program Specialist monitoring his/her ILA eligibility to provide all of the above information and documents, as applicable.</p> |
| <p><b>E. ChiPFinS Contract</b></p>   | <p>1. When a young adult eligible for the ILA has a resource home contract open, the current placement contract must be terminated in ChiPFinS, and the placement closed in TNKids, before an ILA contract can be established. <b>This also applies to open placement contracts with provider agencies.</b></p> <p>2. A representative of the DCS Office of Interdependent Living shall contact staff</p>   |

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|                                     | <p>from the Regional <b>Placement Service Division (PSD)</b> regarding the need for contract closure. The regional staff must provide notification to the resource parent that the current contract is ending and, to prevent overpayment of services and ensure that all previous contracts are terminated. <b>This also applies to open placement contracts with provider agencies.</b></p> <ol style="list-style-type: none"> <li>3. Once the ILA contract is established in ChiPFins, the young adult shall receive instructions about how to access the ChiPFins' phone in system including the call-in phone number, child ID number and the Personal Identification Number (PIN), in the mail. When young adults call in, they must have: <ol style="list-style-type: none"> <li>a. The PIN,</li> <li>b. The Child Identification Number,</li> <li>c. The Social Security Number, and</li> <li>d. The specific range of dates for the payment period for which they are calling.</li> <li>e. The calendars that designate the Independent Living Allowance call-in dates are available on the DCS Intranet (through <a href="#">Interdependent Living Phone In Calendars</a> in the <u>Internet</u> column), and in the "For Youth" section of the Independent Living Website.</li> </ol> </li> <li>4. The young adult must call in one (1) time per month and must do so promptly on the designated dates.</li> <li>5. Every ILA payment must be confirmed by the cut off dates in the ChiPFinS phone system every month, in order for the youth to receive payments when due. The designated staff in the DCS Office of Interdependent Living shall confirm these contracts monthly.</li> </ol> |
| <p><b>Forms:</b></p>                | <p><a href="#"><u>CS- 0760 Notice of Denial, Termination or Change in DCS Voluntary Post Custody or Scholarship Services</u></a></p> <p><a href="#"><u>CS-0761 Program Review Request</u></a></p> <p><a href="#"><u>CS-0762 Interdependent Living Allowance Agreement</u></a></p>  |
| <p><b>Collateral Documents:</b></p> | <p>None</p>  |

## TAB 4: CHILD DEVELOPMENT



# Child Development Chart

## Normal Developmental Behaviors

|                     | <b>Cognitive</b>   | <b>Psychological</b>  | <b>Motor</b>   | <b>Moral</b>               | <b>Sexual</b>                                     |
|---------------------|--|---|--|----------------------------|---|
| <b>0-6 Months</b>   | Recognition of mother; no concept of past or future; reaches for familiar people or toys   | Attachment to mother/ caretaker; totally dependent; totally trusting; learns intimacy.  | Sucking; hands clenched/ grip; neck muscles develop; pulls at clothing; laughs/ coos.  | None.                      | Erections possible; both sexes can be stimulated. |
| <b>6-12 Months</b>  | Objects can be held in memory; learns through routines and rewards; recognizes name; says two to three words besides “mama” and “dada”; imitates familiar words.   | Separation from mother; begins to develop a sense of self; learns to get needs met; trusts adults; stretches arms to be picked up; likes to look at self in mirror. | Rolls over; stands with support; creeps/crawls; walks with help; rolls a ball in imitation of adult; pulls self to standing position and stands unaided; transfers object from one hand to the other; drops and picks up toy; feeds self cracker; holds cup with two hands; drinks with assistance; holds out arms and legs while being dressed. | None.                      | Generalized genital play.                         |
| <b>12-18 Months</b> | Experiments with physical environment; understands the word “no”; comes when called to; recognizes words as symbols for objects (cat —meows); uses 10 to 20 words, including names; combines two words such as “daddy bye-bye”; waves good-bye and plays | Early social development; egocentric; accepts limits; develops self-esteem (love from family); plays by self.   | Creeps up stairs; gets to standing position alone; walks alone; walks backward; picks up toys from floor without falling; pulls and pushes toys; seats self in child-size chair; moves to music; turns pages two or three at a time; scribbles; turns knobs; paints with whole   | Fear of authority figures. | Continued generalized genital play.               |

|                             | <b>Cognitive</b>   | <b>Psychological</b>   | <b>Motor</b>   | <b>Moral</b>                                   | <b>Sexual</b>  |
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| <b>12-18 Months (cont.)</b> | pat-a-cake; makes the sounds of familiar animals; gives a toy when asked; uses words such as “more” to make wants known; points to his or her toes, eyes, and nose; brings objects from another room when asked.   |  | arm movement; shifts hands; makes strokes; uses spoon with little spilling; drinks from cup with one hand unassisted; chews food; unzips large zipper; indicates toilet needs; removes shoes, socks, pants, sweater  |  |  |
| <b>18-36 Months</b>         | Can conduct experiments inside head but limited to experience; rapid language growth; copies adult chores in play; carries on conversation with self and dolls; asks “what’s that?” and “where’s my...?”; knows 300 words at 2, 900 words at 3; understand a lot more than what they can say; gives first name; holds up fingers to tell age; combines nouns and verbs “mommy go”; refers to self as “me” rather than by name; Egocentric: assumes you know what he/she knows; likes to hear same story repeated; may say “no” when means “yes.”<br><br>Cannot incorporate a doll to represent themselves, but can use other objects in play that represent real life. | Autonomy struggles; learns system of meeting needs; seeks adult approval; social development increases; points to things he or she wants; joins in play with other children; shares toys; takes turns with assistance; separation anxiety common (look for lack of separation anxiety in children who have endured trauma) | Can run, throw ball, kick ball, jump; goes up stairs with one hand held by adult; turns single pages; snips with scissors; holds crayon with thumb and fingers (not fist) but may ignore adults as they draw since they must concentrate; uses one hand consistently in most activities; rolls, pounds, squeezes, and pulls clay; uses spoon with little spilling; gets drink from fountain or faucet independently; opens door by turning handle; takes off and puts on coat with assistance; washes and dries hands with assistance. | Knowledge of preferences of authority figures. | Continued generalized genital play; early sex-role development; interested in potty behavior; touches and rubs own genitals, disinhibited – no sense of privacy; role playing to understand what adults are doing, such as playing doctor. |

|                      | <b>Cognitive</b>   | <b>Psychological</b>   | <b>Motor</b>   | <b>Moral</b>  | <b>Sexual</b>  |
|----------------------|--|--|--|---|--|
| <b>3-5<br/>Years</b> | <p>WIDE RANGE OF LANGUAGE SKILLS AT THIS AGE.</p> <p>Can conduct experiments inside head; cannot sequence; understands some abstract concepts: colors, numbers (but this DOES NOT mean they can tell you “how many times” – they can count tangible objects in a room, like chairs, crayons, etc.), knows shapes, time (NOT clock time but days, before/after, “naptime,” “bedtime”); understands family relations (baby/parent); can tell a story; has a sentence length of 4 to 5 words; has a vocabulary of nearly 1000 words; names at least one color; understands “tonight,” “summer,” “lunchtime,” “yesterday”; knows his or her last name, name of street on which he or she lives and several nursery rhymes; uses past tense correctly; can speak of imaginary conditions “I hope”; understands basic concept of right and wrong – punishment centered; at 4 can typically grasp truth</p> | <p>Can cooperate; cannot separate fantasy from reality; has nightmares; models on same-sexed parent; experiences and copes with feelings (sad, jealous, embarrassed) but they are all or nothing, meaning a child can be angry at their parent one minute but once the parent apologizes feeling shift and all is good again; plays and interacts with other children; dramatic play is closer to reality, with attention paid to detail, time, and space; plays dress-up; Symbolic representation of self begins (can now use a doll or picture to represent themselves).</p> | <p>Swings/climbs; uses small scissors; jumps in place; walks on tiptoes; balances on one foot; rides a tricycle; begins to skip; dances; bathes and dresses; runs around obstacles; walks on a line; pushes, pulls, steers wheeled toys; uses slide independently; throws ball overhead; catches a bounced ball; skates; jumps rope; pastes and glues appropriately; skips on alternating feet; buttons and unbuttons large buttons; washes hands independently; blows nose when reminded; uses toilet independently; drawing improves and by 4 will trace and draw stick figures.</p> | <p>Self-esteem dependent on authority figures; follows peers’ fads; negotiates to get needs met. Rules very important. Protective of parents.</p> | <p>Generalized genital play (rubbing genitals until raw is <i>not normal</i>); masturbation to orgasm in females is possible; early experimentation; watches/asks about body functions; private parts and funny but also serious; gender identity established.</p> |

|                          | <b>Cognitive</b>  | <b>Psychological</b>   | <b>Motor</b>   | <b>Moral</b>  | <b>Sexual</b>   |
|--------------------------|---|--|--|---|---|
| <b>3-5 Years (cont.)</b> | vs. lie, but may confuse the difference between a lie and a mistake.  |  |  |   |   |
| <b>6-9 Years</b>         | Can think using symbols; can recognize differences; makes comparisons; can take another's perspective; defines objects by their use; knows spatial relationships like "on top," "behind," "far," and "near"; knows address; identifies penny, nickel, dime; knows common opposites like "big/little"; asks questions for information; distinguishes left from right; able to separate fantasy from reality; improved sequencing of events. By 8, should be able to read a face clock. | Early close peer relationships; presence of well-developed defenses; develops identity outside family (school, friends); has likes and dislikes (food, friends, games); chooses own friends; plays simple table games; plays competitive games; engages in cooperative play with other children involving group decisions, role assignments, fair play. Egocentrism crumbles – suddenly question how others think of them. | Is increasing small muscle motor skills; cuts foods with a knife; laces shoes; dresses self completely; ties bow; brushes independently; crosses streets safely. | Has a conscience; refinements in moral development.   | Defenses reduce experimentation, but some continues. Play house ,wedding, family role play games.   |
| <b>10-15 Years</b>       | Can engage in inductive and deductive logic; neurons are present; understands hypothetical situations; conflicts with parents increase.   | Increased autonomy struggles; increased focus on identity; focus on peer relationships; rebellious; often moody; romantic feelings; struggle with sense of identity; feels awkward or strange about his or her body; worries about being normal; frequently changing relationships.  | Greater body competence (e.g., physical coordination); manual dexterity; growth patterns vary.   | Moral development is legalistic; recognition of principles (e.g., justice); selection of role models. | Puberty; sex organs mature; males ejaculate and have wet dreams; both sexes able to masturbate to orgasm with fantasies; girls develop physically sooner than boys; may display shyness, blushing, and modesty. |

|                        | <b>Cognitive</b>   | <b>Psychological</b>   | <b>Motor</b>   | <b>Moral</b>  | <b>Sexual</b>  |
|------------------------|--|--|--|---|--|
| <b>16-21<br/>Years</b> | Uses formal logic (e.g., opposes racism); debates and can change sides of debate; understands probabilities; uses more flexible abstract thinking; examination of inner experiences; conflict with parents begins to decrease. | Interest in relationships; solidifies personal identity; becomes goal directed; sometimes rebellious; increased concern for others; increased concern for future; places more importance on his or her role in life. | Heightened physical power, strength, and coordination. | Identifies with moral principles, rules, and limit testing; experimentation with sex and drugs; examination of inner experiences. | Feelings of love and passion; development of more serious relationships; sense of sexual identity established <sup>1</sup> ; increased capacity for tender and sensual love. |

*Chart adapted from Katie Thompson, Elon College student intern, NC Guardian ad Litem Program. Sources include: "Infant and Toddler Development," Dr. Maureen Vandermaas-Peeler, Elon College; "Child Development," Ray Newnam, Ph.D.; "LD In Depth," LD OnLine, [www.ldonline.org](http://www.ldonline.org); "Growing Up," Pasternak and Kroth; "Your Child's Growth: Developmental Milestones," American Academy of Pediatrics, [www.aap.org](http://www.aap.org); and "Normal Adolescent Development," American Academy of Child and Adolescent Psychiatry, [www.aacap.org](http://www.aacap.org).*

## TAB 5: CHILD WITNESS TIPS

# 9 Things to Remember

## **1. LISTEN**

to the child's language.  
Try to make your language fit his or hers.

## **2. KEEP IN MIND**

that experience shapes language use and understanding. That means that each child is unique.

## **3. REMEMBER**

that language is acquired gradually, and in uneven steps.

## **4. BE ALERT**

to the fact that young children both use and interpret language very literally.

## **5. DON'T TAKE FOR GRANTED**

that you know what the child means, or that the child knows what you mean.

## **6. SPEAK CLEARLY; SLOW DOWN**

Children need more time to process than adults do; your way of speaking may be unfamiliar.

## **7. SILENCE IS OKAY.**

Wait quietly after you've asked a question. Try 10 seconds. You may get information you would have missed.

## **8. AFTER A QUESTION, ASK YOURSELF:**

"Is this a response I'm hearing, or an answer?"

## **9. IN GENERAL,**

keep whatever you ask or say,

***SHORT AND SIMPLE.***

# Checklist for Interviewing/Questioning Children

Developed by Anne Graffam Walker, Ph.D., Forensic Linguist

## **FRAMING THE EVENT**

1. Did I tell the child my name and what my job is -- in non-technical words?
2. Did I help the child become familiar with the surroundings of the interview?
3. Did I tell the child the purpose of our talk, and why it is important, and what will happen afterward?
4. Did I give the child a chance to ask me questions about this talk? Did I try to establish a common vocabulary for the things we talk about?
5. Was I listening to the kind of words and sentences that the child used?

## **USING CLEAR LANGUAGE**

1. Did I use easy words instead of hard ones? (Do I know what a "hard" word is?)
2. Did I avoid legal words and phrases?
3. Did I use words that mean one thing in everyday life, but another thing in law (such as "court"?)
4. Did I assume that because a child uses a word, he or she understands the concept it represents?
5. Was I as redundant as possible? That is, did I use specific names and places instead of pronouns (like "he" and "we") and vague referents (like "it", "that", and "there")?



# Checklist for Interviewing/Questioning Children (cont.)

## **ASKING THE QUESTION**

1. Did I keep my questions and sentences simple? Did I try for one main (new) thought per utterance?
2. Did I avoid asking "DUR-X" questions? [Questions that begin, "Do you remember", followed by one or more full propositions. Ex. with propositions underlined: Do you remember telling me that somebody hurt you?]
3. When I shifted topics, and when I moved from the present to the past or vice versa, did I alert the child that I was going to do so?
4. Did I give the child the necessary help in organizing his or her story?
5. Did I avoid asking the child about abstract concepts, such as, "What is the difference between truth and lies?" Did I choose instead to give the child everyday, concrete examples and let him or her demonstrate, rather than articulate knowledge of truth and lies, right and wrong?
6. Did I use as few negatives as possible in the questions I asked?

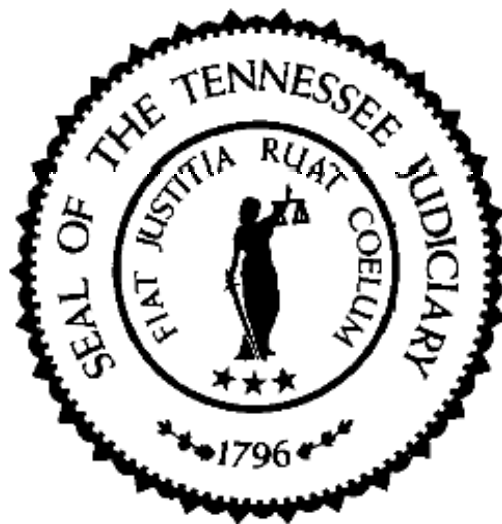
# Checklist for Interviewing/Questioning Children (cont.)

## **LISTENING TO THE ANSWERS**

1. Were the child's RESPONSES to my questions, ANSWERS to my questions? Am I sure?
2. If the child's answers were inconsistent, did I ask myself if:
  - a. I had looked first at the language of the question, or the child's response, to find a possible reason for inconsistency?
  - b. I, or someone else, had asked the same question repeatedly?
  - c. I had changed the wording of a question I had asked before?
  - d. I was forgetting that children can be very literal in their interpretation of language?
  - e. The child's processing of language might not be as mature as mine?

## **GLOBAL CHECKS**

1. Did I stay in the child's world by framing my questions in terms of the child's experience?
2. Did I take the child's understanding of language for granted?
3. Was I listening to my OW N language, my OWN questions?
4. [If applicable] Did I ask myself before I began: Am I gathering information, doing therapy, or perhaps conducting an interrogation?



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