Transition Age Youth Services for Tribal Youth
Who are Transition Age Youth?

- Youth ages 14 to 21 who are likely to remain in foster care until age 18 or older.
- Youth can be under the jurisdiction of a county dependency or delinquency court or a tribe.

What is the purpose of transition age youth services?

- Help youth and young adults make the transition to self-sufficiency and establish and maintain permanent connections to supportive adults.
Tribal Youth vs. Non-Native Youth

Goal for non-native youth is independence; to have the ability to care for themselves and function as a contributing member of society.

Goal for tribal youth may be interdependence with other members of the tribe; to learn and assume their role and responsibilities within the tribe.

- Tribal/county collaboration is needed to ensure that services are tailored to the needs of tribal youth.
• Transition age tribal youth fall into one of the following categories:
  • Youth is under county juvenile court jurisdiction
  • Youth is under tribal jurisdiction subsequent to a transfer from a county juvenile court
  • Youth is placed out of home by a tribe which maintains ongoing care and responsibility for the youth.

• The overwhelming majority of tribal youth in California are under county jurisdiction.

• In CY 2015, 15 tribal youth in California were transferred to out-of-state tribal jurisdiction but none to in-state tribal jurisdiction. There is only one open case in California with a youth who transferred from county to tribal jurisdiction (in 2002).

• The state does not have access to information on how many tribal youth are placed out of home within a tribe with no county involvement.
Most of the services are mandated and funded by a combination of federal Title IV-E, state and county funding and are only available to youth under county jurisdiction.

The exception is programs funded by the Chafee Foster Care Independence Program.

What about Title IV-E tribes?

Tribes with a Title IV-E agreement with the state or federal government must provide transition age youth services to youth under age 18 and have the option to extend foster care and services to youth over age 18 with federal financial participation.
PL 113-183 and SB 794 require that:

- Youth age 14 and older shall be involved in the development of their case plan.

- Case planning team – youth may choose up to two people to participate in the development of their case plan.
  - Cannot include the caseworker or foster parent
  - Agency can reject someone that they do not believe would act in the youth’s best interest.
  - Ideally a family member and/or tribal representative would participate to help ensure that the case plan involves culturally appropriate services for the youth.
Foster Care Rights

Youth ages 14 and above shall receive a document listing their rights as foster youth at least once every six months.

Rights should be explained to the youth in an age and developmentally appropriate manner at least once every six months.
Credit Reports

• Counties must make credit report inquiries for all foster youth age 14 up to the age of 18 from all three major credit reporting agencies (Equifax, Experian & Trans Union).

• If a youth has a credit history, the county must request a copy of the credit report.

• These youth receive assistance in interpreting and clearing up any inaccuracies in their credit reports.

• Counties shall inform NMDs of the importance of obtaining credit reports and assist them in this process and in resolving any inaccuracies.
For every youth between the ages of 15 ½ and 16, the case worker must work with the youth to develop a TILP.

A TILP describes:

- Youth’s current level of functioning
- Youth’s goals with regards to successfully emancipating from the system
- Youth’s progress made towards achieving their previous TILP goals (if applicable)
- Programs and services needed
- The individuals assisting the youth in completing their goals
A nationally-recognized or departmentally-approved assessment tool is to be used to evaluate the youth’s functioning and current needs.

The TILP is incorporated into the case plan.

The TILP shall be reviewed, updated and signed by the case worker and youth every six months.
TILP Services

1. Educational attainment – high school/GED, college, vocational school.

2. Employment assistance – participation in employment and training services.

3. Financial and other management skills including: budgeting money, landlord/tenant issues, self-advocacy skills, and credit concerns.

4. Preventative health activities including: substance abuse prevention, smoking avoidance, nutrition and pregnancy and STI prevention.

5. Mental health counseling (if needed).

TILP Services (cont.)

7. Knowledge of how to acquire and receipt of important documents including, but not limited to, a certified birth certificate, social security card, California driver’s license or ID card, school records, medical records and proof of citizenship.

*The social worker shall assist the youth in getting any documents identified in the TILP necessary to complete the TILP goals within the first six months of the youth’s 16th year or as soon as reasonably possible thereafter.

8. An emancipation savings account will be opened for the youth. Youth can retain up to $10,000 in cash savings. Withdrawals require case worker approval in writing and must be used for purposes directly related to the TILP goals.

Most of these services are provided through the Independent Living Program.
Independent Living Program (ILP)

- Originally established in 1986 with the Title IV-E Independent Living Initiative. Permanently authorized in 1993 with the Omnibus Budget Reconciliation Act.

- Replaced by the Chafee Foster Care Independence Program (CFCIP) created in 1999.

- California receives an annual allocation based on the number of foster youth in the state. The state allocates the funds among counties.

- Goal is to assist current and former foster youth ages 16-21 in gaining the knowledge and skills needed to successfully navigate adult independence. This goal may look different for tribal youth living as members of a tribe.
ILP (cont.)

Who is eligible?

- Youth who are/were a dependent or ward in foster care at any time between their 16\textsuperscript{th} and 19\textsuperscript{th} birthdays.
- Youth who are/were under tribal court jurisdiction after transfer from a county dependency court.
- Youth who were placed in out-of-home care by a tribal governing entity with the tribal body organization maintaining ongoing responsibility for the youth’s care.
- Youth who are former dependents or wards who entered into a Kin-GAP guardianship at any age and received at least one Kin-GAP payment after the age of 16.
- Youth who are former dependents in a non-related legal guardianship established after age 8 and are receiving permanent placement services.
County ILPs must serve tribal youth from federally recognized tribes regardless of whether they are under county or tribal jurisdiction.

Youth under tribal jurisdiction can participate in an ILP where they live.

Documentation – a tribal court order or tribal council resolution stating the youth has been removed from the home of their parent or guardian and placed in out-of-home care with the tribe maintaining custody and care responsibility for the youth. Other forms of documentation provided by the tribe can be evaluated on a case-by-case basis.
What are the benefits and services that the ILP provides?

Youth are provided with knowledge and skill building, including but not limited to, the following areas:

- Daily living skills
- Money management and budgeting
- Decision making
- Safety
- Educational resources
- Access to financial aid for college or vocational schools
- Career development
- Employment
- Medical and mental health care
- Housing referrals
ILP (cont.)

• Counties can spend up to 30% of their ILP allocation on the room and board needs of former foster youth up to the age of 21. This can include rental deposits, utility and other household start-up costs and food expenses.

• **Emancipated Youth Stipend**
  - Counties are required to fund a stipend program for NMDs or emancipated youth, ages 18-21. As a result of realignment, this stipend is all county funding.
  - Counties can choose to serve only youth under their jurisdiction with these funds or can choose to serve out-of-county and youth under tribal jurisdiction too.
Chafee Education and Training Vouchers (ETVs)

- ETVs provide up to $5000 per year to eligible youth.
- Capped allocation so not every eligible youth who applies gets a grant.
- To be eligible for a Chafee ETV in California, a student must be/have been:
  - A dependent or ward who is/was in foster care at some time between the ages of 16-18 and;
  - Under the age of 22 as of July 1st of the award year.
Free Application for Federal Student Aid
https://fafsa.ed.gov/

California Chafee Federal Grant Application
https://www.chafee.csac.ca.gov/default.aspx

Foster Youth Services at the California Department of Education
http://www.cde.ca.gov/ls/pf/fy/
90 Day Transition Plan

- Within the 90 days prior to a youth planning to emancipate from the foster care system at age 18 or older, a meeting is held to develop a transition plan for the youth.

- Plan is separate from the TILP.

- Youth are eligible if they are:
  - Receiving foster care maintenance payments
  - Receiving benefits or services through the ILP

- The purpose of the 90 Day Transition Plan is to assist the youth in creating a plan for successful independent living with tangible steps for the youth to access supports and services to fulfill the goals of the plan.

- Youth can invite support persons to participate in the development of the plan along with the case worker.
90 Day Transition Plan (cont.)

Plan needs to include, but is not limited to:

- Housing options
- Educational plans and supports
- Workforce supports and employment services
- Mentors and other support persons
- Health services, including sexual health services and resources
- Health insurance
- Information on the option to designate someone to make health care decisions for the youth if they are unable to do so.
- Option to execute a health care power of attorney, health care proxy or other similar document recognized under State or Tribal law (should provide a sample form).
Enacted in 2010 and went into effect on January 1, 2012.

AB 12 established the following:

• After 18 program (Extended Foster Care) – allows eligible foster youth to remain in or re-enter foster care up to age 21. These youth are referred to as Non-Minor Dependents (NMDs).
• Extended benefits for eligible Kin-GAP, AAP and NRLG recipients.
Eligibility for extended foster care (EFC)

- Youth must have a court order for foster care placement in effect on their 18th birthday.
- Youth must be under county jurisdiction. Tribes with a Title IV-E agreement have the ability to create their own EFC programs.
- Youth can be in foster care through Child Welfare or Probation.
- Youth can be on runaway status on their 18th birthday and still qualify if otherwise eligible.
- Youth who are in juvenile hall on their 18th birthday but meet the eligibility criteria are program eligible but not eligible for federal financial participation.
Participation Criteria

1. Working toward completion of high school or equivalent program (e.g. GED)
2. Enrolled in a college/university, community college or vocational education program
3. Employed at least 80 hours a month
4. Participating in a program designed to assist in gaining employment
5. Unable to do one of the above requirements because of a medical condition
Youth are ineligible if the youth is:

• Married or gets married
• In or joins the military
• Incarcerated
• In a NRLG through a **probate** court
AB 12 (cont.)

PROCESS
• NMDs must sign the Mutual Agreement for Extended Foster Care (SOC 162) after turning 18 and no longer than six months after reaching 18.
• Youth is automatically continued in foster care at age 18 unless the youth decides to emancipate.
• Court hearings continue to be held every six months however NMDs’ status as adults is recognized.

RE-ENTRY
Youth can leave foster care and re-enter up to the age of 21.
To re-enter, youth needs to:
  ❖ Notify the county child welfare or probation department.
  ❖ Complete the Voluntary Re-Entry Agreement (SOC 163)
  ❖ SW or PO has 15 days to set court hearing and hearing has to be held within 15 days of being set.
  ❖ SW or PO has 30 days to find a placement for the youth.
Placement Options

- **Kinship home, licensed foster home, certified FFA foster home, or home of a guardian.**

- **Group home** – up until age 19 and after age 19 only if the youth has a medical condition pursuant to participation criteria #5 and the placement serves as a short-term transition to an appropriate system of care.

- **Transitional Housing Program plus Foster Care (THP+FC)** – housing program with various models that provide supportive services.

- **Supervised Independent Living Placement (SILP)** – youth can live on their own or with a supportive adult and receive their payment directly. Includes college dormitories.
Tribal SILPs

• SILP units on or near tribal lands where the tribe is the approving agency.

• Tribes have independent authority to approve a SILP using their own socially and culturally appropriate standards pursuant to ICWA.

• Tribes can choose to use the SILP Inspection Checklist (SOC 157 B) and adapt it to their standards.

• ACIN I-86-o8 provides further information on tribally approved homes.
Placements for Tribal Youth Ages 18-21

- Kinship: 6
- Foster home: 2
- FFA foster home: 4
- Court specified home: 3
- Group home: 2
- Guardianship with dependency: 1
- Guardianship: 15
- Transitional housing: 13
- SILP: 52
- Runaway: 2
- Other: 15

Series
Placement Types for Tribal Youth Ages 14-17
ICWA and the After 18 program

- When a tribal youth extends in foster care after 18, their ICWA designation remains in effect (W&IC 224.1 (b)).
- Purpose is to encourage continued ties to the youth’s tribal community.
- ICWA standards will continue to apply and the county and tribe should continue to collaborate to ensure the youth remains involved in the tribe and receives culturally appropriate services.
- ICWA designation will still apply if the youth leaves foster care and later re-enters.
- Tribal NMDs can choose to no longer be considered defined as an “Indian child” (W&IC 224.1 (b)). This will not effect their enrollment status in the tribe.
AFDC-FC Eligibility and funding issues for tribal youth:

- NMDs may retain up to $10,000 in resources and still qualify for AFDC-FC payments.
- Tribal per capita distributions can affect this. Funds such as gaming or trust funds that become available to tribal youth when they turn 18 or when they meet certain criteria, such as graduation from high school, can create a situation where a youth does not qualify for AFDC-FC.
- Some payments are excluded or exempt from consideration as income. Must be reviewed on a case-by-case basis.
- See ACL 13-91 for more information.
Extended Benefits

• Youth whose Kin-GAP or AAP agreement was signed after the youth’s 16th birthday are eligible to receive foster care payments until age 21 (extended benefits).

• Exception: youth who have a documented disability can receive extended benefits to age 21 regardless of the age they were when the agreement was signed.

• Youth in a non-related legal guardianship (NRLG) in juvenile court or a Kin-GAP guardianship with a fictive kin are eligible for extended benefits to age 21 no matter what age the youth was when the guardianship was established.

• Youth in a Kin-GAP guardianship established before the youth turned 16 or a NRLG established in probate court are eligible to continue receiving foster care payments until they finish high school or turn 19, whichever comes sooner.
Re-Entry under AB 787 and AB 2454

Youth age 18-21 who are eligible for benefits to age 21 in a Kin-GAP or NRLG or who were adopted can re-enter foster care under the following circumstances:

- The guardian or adoptive parent dies (AB 787).
- The guardian or adoptive parent is no longer supporting the youth and is no longer receiving foster care payments or AAP (AB 2454).
After-Care

W&IC sections 391, 452 and 607.3 require that the county agency provide information and documents to youth when they exit foster care. Some examples are:

- Birth certificate
- Social security card
- Health and Education summary
- Assistance in completing a Medi-Cal application

Foster Care Verifications

The Foster Care Ombudsman’s Office will provide written verification that a youth was in foster care for former foster youth.

The FCO can be reached at: (877) 846-1602
THP-Plus – an after-care housing program for youth who were in foster care at age 18 or older.

- For youth ages 18-24
- Youth can stay up to 24 months cumulatively
- Counties can opt to extend it to age 25 and 36 cumulative months for youth who are making substantial progress toward completion of a post-secondary degree or vocational program.
- Housing providers also offer services to help the youth progress toward independence.
- THP-Plus is a not a licensed program. Counties certify providers. Realigned program. Counties not required to offer it.
- Youth can participate in a THP-Plus program in any county if the program accepts them.
Medi-Cal to 26 program

- Eligibility criteria:
  - Youth was in foster care in any state at age 18 or older.
  - Youth is younger than age 26.
  - Youth lives in California.
- Provides no-cost, full-scope Medi-Cal.
- No income or assets test.
- Continuous coverage – does not require a new application each year.
- Youth can choose fee-for-service or managed care Medi-Cal.
- Includes EPSDT coverage – provides mental health care until age 21.
- Youth currently enrolled automatically when they exit foster care. Youth who exited in prior years should contact their local county social services/human services office.
Contact Information

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