

	GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL			
	Chapter:	(13) Independent Living Program	Effective Date:	December 2014
	Policy Title:	Eligibility and Enrollment		
	Policy Number:	13.1	Previous Policy #:	1012.1

CODES/REFERENCES

- O.C.G.A. § 15-11-2 Juvenile Code Definitions
- O.C.G.A. § 15-11-231 Permanency Planning Report
- O.C.G.A. § 49-5-7 Development and Administration of Public Child Welfare and Youth Services
- ✓ O.C.G.A. § 50-36-1 Verification of Lawful Presence within the United States
- John H. Chafee Foster Care Independence Program (Foster Care Independence Act of 1999 (P.L. 106-169))
- Title 45 of the Code of Federal Regulations § 205.10

REQUIREMENTS

The Division of Family and Children Services (DFCS) shall:

1. ~~Deem youth ages 14-21 eligible for the Independent Living Program~~ (ILP) when the following criteria are met:
 - a. The youth has been adjudicated as dependent or as a child in need of services (CHINS) by a Georgia Juvenile Court; and
 - b. The youth is or was in foster care for at least six months¹ prior to reaching the age of 18;
 - disrim-* c. Youth 18-21 is a citizen or a permanent legal resident of the United States and a legal resident of Georgia.

NOTE: If the youth is not a citizen or permanent legal resident of the United States by their 18th birthday, they are no longer eligible for ILP services. However, eligibility may be reassessed when the youth obtains a legal immigration status, such as Special Immigrant Juvenile Status (SIJS) (see Practice Guidance: Special Immigrant Juvenile Status (SIJS)).
- 3/1* 2. Determine a youth's ILP eligibility within five business days of:
 - a. The youth in foster care turning age 14;
 - b. The youth entering foster care between ages 14-17;
 - c. The youth at age 18 consenting to receive foster care assistance in the EYSS program or between 18-21 if the requesting youth previously opted out of EYSS;
 - d. A youth 18-21 previously in foster care requesting ILP services (Post Foster Care) and is not currently receiving EYSS.
- 9/1* 3. Re-assess ILP eligibility for youth that were initially deemed ineligible for ILP services within six months of the determination.
4. Enroll eligible youth into ILP within 15 calendar days of the youth meeting the eligibility

¹ The six months is a noncontiguous time. For example: the youth was in care for 3 months when he was 5 and then for 2 months at age 9 and finally for 1 month at age 14. This youth would meet the six-month requirement. All eligible youth must be in care at some point on or after their 14th birthday. A youth could accumulate the six months prior to 14 years old and be eligible for some after care services.

criteria.

- a. The Independent Living Specialist (ILS) shall review the youth's Georgia SHINES case record within 15 calendar days of being assigned as a secondary worker in Georgia SHINES.
- b. The ILS shall verify the youth has completed Independent Living Orientation and that a Written Transitional Living Plan has been completed and services initiated related to the goals outlined in the WTLP within 90 calendar days of the youth's enrollment for ILP services.

5. Provide all ILP eligible youth and their parent/caregiver with general information on rights to a fair hearing under the Independent Living Program.

PROCEDURES

Eligibility Determination and Enrollment Procedures for Youth Currently in Foster Care or Participating in the EYSS Program

The Social Services Case Manager (SSCM) will:

1. **Within five business days** of a youth in foster care turning 14, youth between the ages of 14-17 entering foster care, or a youth ages 18-21 consenting to participate in the EYSS program, determine the youth's eligibility for the Independent Living Program by:
 - a. Establishing that the youth was adjudicated as dependent or as a CHINS prior to turning age 18;
 - b. Establishing that the youth was in foster care for at least 6 months prior to turning 18; and
 - c. Confirming that youth 18-21 is a citizen or a permanent legal resident of the United States, or has obtained a legal documented immigration status, such as Special Immigrant Juvenile Status.

NOTE: If youth 14-17 are initially deemed ineligible due to length of time in foster care, eligibility must be reviewed again within 6 months of the youth entering foster care.

2. **Within 15 calendar days** of determining that a youth is eligible for ILP:
 - a. Complete the referral for Independent Living Program services and orientation, and submit it to the Independent Living Specialist (ILS);

NOTE: A new referral for ILP is not required for youth who consented to participate in the EYSS program upon turning 18 if he or she was previously participating in ILP.

 - i. Request the Social Services Supervisor (SSS) to assign the ILS as a secondary worker in Georgia SHINES;
 - ii. Generate and complete the Youth Detail page in Georgia SHINES with the following information:
 1. Tribe Status
 2. Adjudicated Dependent or CHINS
 3. Placement Information
 4. Permanency Plan
 5. Educational Information
 6. Health Information
 7. Employment Information (if applicable)
 - b. Provide the youth, parent/caregiver, and foster parent with the Georgia Independent Living Program Notice of the Right to a Fair Hearing and document the notification of the right to a Fair Hearing in Georgia SHINES within 72 hours (see policy 13.11

- Independent Living Program: Post Foster Care Resources).
3. Schedule and ensure the youth attends an ILP Orientation within **90 calendar days** of meeting eligibility requirements for ILP services.

Within 30 calendar days of the youth entering foster care or consenting to participate in the EYSS program the Social Services Supervisor (SSS) will:

1. Confirm the youth meets eligibility requirements and that a referral to the ILS has been completed (if necessary for youth participating in EYSS);
2. Assign the ILS as a secondary worker in Georgia SHINES; and
3. Confirm the Youth Detail page has been completed.

Independent Living Specialist Responsibilities

1. **Within 15 calendar days** of being assigned in Georgia SHINES as the secondary worker, the ILS will review the Georgia SHINES case record information concerning the youth's:
 - a. Legal status
 - b. Permanency plan
 - c. Placement information
 - d. Education information
 - e. Health detail
 - f. Employment information (if applicable)
2. **Within 90 calendar days** of the youth's enrollment for ILP services **the ILS will**:
 - a. Verify the youth is scheduled for or has attended an ILP Orientation session;
 - b. Verify the Written Transitional Living Plan (WTLP) has been created with the youth; and
 - c. Verify that the youth is receiving services related to the goals outlined in the WTLP.

Eligibility and Enrollment Procedures for Youth Not in Foster Care or Participating in the EYSS Program

Youth age 18-21 previously in foster care, or youth who have opted out of the EYSS program may be eligible ILP services. When a youth not in foster care or participating in the EYSS program requests ILP services the SSCM or ILS will:

1. Determine if the youth meets ILP eligibility criteria **within five business days** of the youth's request for ILP services by assessing the youth's:
 - a. Current contact information
 - b. Current and prior legal status
 - c. Citizenship status
 - d. Dependency and/or CHINS information including:
 - i. Name and date of birth
 - ii. County that held legal custody
 - iii. Georgia SHINES case record information (permanency plan, services provided, case outcome, etc.)
 - iv. Number of months in foster care
2. If eligible, document the specific ILP services the youth will be provided in the Written Transitional Living Plan (WTLP) (see policy 13.3 Independent Living Program: Written Transitional Living Plan and 13.11 Independent Living Program: Post Foster Care).

PRACTICE GUIDANCE

Fair Hearings

A fair hearing request may be completed by an individual, their representative or community based care provider when DFCS takes any action that affects participation in a federally funded service (Titles IV-E or IV-B under the Social Security Act). The fair hearing request may be based on the denial of assistance, delay in acting on a request for assistance or a reduction or termination of services provided (see policy 13.11 Independent Living Program: Post Foster Care Services).

Independent Living Program Services for Ages 14-21

ILP services are flexible and individualized to the needs of each youth based on their Written Transitional Living Plan. Services include life skills workshops in a myriad of topics that address the development of skills and behaviors needed to support a successful transition to adulthood. Services may include financial assistance with secondary and post-secondary expenses such as high school graduation fees and college tuition; opportunities for socialization; and advocacy and support to assist the youth with establishing and pursuing personal goals. ILP placement and support services are also provided through RBWO providers who have specialized placement services through Independent Living and Transitional Living Programs (see policy 16.3 Room, Board and Watchful Oversight: RBWO Placement Referral or 16.8 Room, Board and Watchful Oversight: RBWO Minimum Standards).

Incarcerated Youth

Youth that are incarcerated in juvenile detention facilities or county jails may still be eligible for ILP Services. For example, educational assistance that may help facilitate the completion of a General Education Diploma (GED) could be provided to the youth while he or she is incarcerated. To assist youth in continuing to work towards independence and the completion of the goals outlined in their WTLP, the SSCM should determine the services offered by the county jail or juvenile detention facility. If a youth is incarcerated in a county jail, the SSCM should contact the jail or the county sheriff's office. If a youth is incarcerated in a juvenile detention facility, the SSCM should contact the facility or the Georgia Department of Juvenile Justice (DJJ). These facilities often have a counselor or case manager assigned to the youth; and collaboration with these individuals can assist in developing the appropriate plan for the youth while they are detained. The WTLP should be amended to reflect the available services that the youth can participate in and the responsible parties for implementation and monitoring the plan while the youth is incarcerated.

Independent Living Specialist (ILS) and Social Services Case Manager (SSCM) Partnership

Critical to the youth's success in creating, achieving and sustaining a successful transition to adulthood is the ongoing coordination of services and collaboration between the SSCM and the ILS. At the point ILP eligibility is established this partnership immediately becomes critical. The initiation of the Casey Life Skills Assessment and the creation of the Written Transitional Living Plan will be the foundation for the youth as they begin their transition from an in-home to an out- of-home placement as well as toward adulthood. While the ILS and the SSCM each have a different role in the youth's life, both roles are critical to achieving successful outcomes.

By collaborating at the beginning of the youth's eligibility for ILP services the SSCM and the

ILS are better able to assist the youth with information specific to their individual needs. In addition, the SSCM, ILS and the youth can work together to develop the goals a youth wants to achieve and work to identify what services are available in the community when the transition out of foster care back home or into adulthood occurs. For many youth who enter foster care this collaborative relationship helps to set up a foundational support system of appropriate and supportive individuals for the youth that he or she can reach out to in times of distress. This framework of support also provides the youth with an example of how to communicate effectively to achieve a common goal and can lead to the development of other supportive and nurturing relationships within the youth's circle of family and friends who can continue to provide ongoing support through adulthood.

Interstate Compact for the Placement of Children (ICPC) Youth Eligibility

Youth under the age of 18 who currently are, or were formerly adjudicated as deprived or dependent by another state, who have either relocated or been placed in the state of Georgia through the Interstate Compact for the Placement of Children (ICPC) are the financial responsibility of the state from which they were adjudicated. The adjudicating state is responsible for funding independent living services, case planning, and any other financial assistance payments for the youth. Coordination of services for ICPC youth must be done through the state ICPC office.

Special Immigrant Juvenile Status (SIJS)

The Georgia Security and Immigration Compliance Act (GSICA) provides regulations concerning immigrants in Georgia who do not have a lawful US immigration status. It is unlawful for the Division of Family and Children Services to provide federal, state, or local benefits to undocumented immigrants and these regulations can directly affect youth that are discharged from foster care. In order to ensure that a youth exiting from foster care has availability to benefits as they transition into adulthood, any youth that enters foster care without lawful US immigration status should begin the application process for a lawful US immigration status, such as the Special Immigrant Juvenile Status (SIJS) immediately upon entering foster care. The SIJS application and approval process may take up to two years to finalize and SIJS must be attained prior to a youth's 18th birthday to be eligible for continuing benefits. *

Youth Ages 18-21

Youth ages 18–21 that consent to continue to receive foster care assistance up to age 21, in the Extended Youth Support Services (EYSS) program may remain eligible to receive ILP services. When a youth reaches the age of 18 he or she may elect to remain in a foster care setting without interruption, and continue to receive independent living services if eligibility criteria was previously met. Those youth between the ages of 18-21 who have elected to exit foster care may request to return and participate in the EYSS program within six months, if the youth meets the basic months of exit but prior to age 21. Any requests beyond the six-month period for EYSS are subject to DFCS approval. Upon returning to the EYSS program eligibility criteria then they may receive ILP Services immediately. Youth between the ages of 18-21 who are not participating in the EYSS program may also be eligible for certain independent living program services, such as financial or educational supports.

FORMS AND TOOLS

Department of Juvenile Justice
Georgia Independent Living Program Notice of the Right to a Fair Hearing
United States Citizenship and Immigration Services