

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



September 11, 2002

**ALL-COUNTY INFORMATION NOTICE NO. I-61-02**

TO: ALL COUNTY WELFARE DIRECTORS  
ALL ILP COORDINATORS  
ALL COUNTY PROBATION OFFICERS  
ALL COUNTY FISCAL OFFICERS  
ALL FOSTER FAMILY AGENCIES  
ALL GROUP HOME PROVIDERS  
CALIFORNIA STATE FOSTER PARENT ASSOCIATION  
ALL REGIONAL MANAGERS, CCL

**REASON FOR THIS TRANSMITTAL**

- ☐ State Law Changes
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☒ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: **INDEPENDENT LIVING PROGRAM**

REFERENCES: ALL COUNTY LETTER NO. 00-84  
ALL COUNTY LETTER NO. 02-45  
COUNTY FISCAL LETTER NO. 02/03-1

Many counties and foster/probation youth advocates have requested clarification regarding county responsibilities to provide consistent Independent Living Program (ILP) core services and to utilize the Transitional Independent Living Plan (TILP) to manage and ensure effective service delivery when a youth is placed out of county. This notice is meant to address these issues and provide the requested clarifications.

**California Department of Social Services Responsibilities**

The California Department of Social Services (CDSS) annually allocates Title IV-E dollars to individual counties to provide life skills education and services to foster/probation youth aged 16 or older. The CDSS allows counties the option of either operating their own ILP, contracting for the services, or both.

**County/Contractor Responsibilities***Out of County Placements*

There are many complexities encountered when youth are placed in a different county. In order to make the process less complex and duplicative, counties should determine what ILP services are available in other counties throughout the State.

Specifically, counties should develop and implement a process for ensuring that the ILP services identified in the TILP are provided by receiving counties. Similarly, counties should reach agreements related to equitable payment for services when a youth is placed in a different county. Currently, ILP allocations to counties are based primarily on the number of eligible youth in the county of jurisdiction, regardless of where services are rendered.

**Therefore, the county of jurisdiction assumes financial responsibility for services.**

Counties may refer to All County Letter (ACL) No. 00-84, Applying Non-Specific John H. Chafee Foster Care Independence Program Amendments to the Independent Living Program that provides detailed information related to allowable expenditures. The Emancipated Youth Stipend is also a payment option available to counties for the special needs of emancipated foster youth. Please refer to ACL No. 00-84 for specific information.

The allocation methodology for ILP has changed for Fiscal Year (FY) 02/03. Please refer to the County Fiscal Letter No. 02/03-1, Planning Allocation FY 2002/03 ILP.

### *The Transitional Independent Living Plan*

For each eligible foster/probation youth in placement by the age of 16, the county social worker and the youth shall collaborate on a TILP. The TILP is the case plan document developed in collaboration with the ILP Strategic Planning Group, the County Welfare Directors Association and the California Youth Connection and mandated by statute that describes the emancipation preparation services that have been/will be provided to the youth, the course youth will take to better prepare for emancipation and the youth's emancipation readiness (Welfare & Institutions Code 366.3(e) (8) and Manual of Policies & Procedures (MPP) 31-002 (i) (1) (A) and 31-525). In accordance with Title IV-E of the Social Security Act, Section 477(b)(3)(H) "Adolescents participating in the program participate directly in designing their own program activities that prepare them for independent living and the adolescents are required to accept personal responsibility for living up to their part of the program." The TILP must be revisited (at least) every six months with the youth to ensure accurate reflection of status and to re-evaluate projected goals. The TILP can be found in the case plan drop down window on Child Welfare Services/Case Management System (CWS/CMS).

Consistent with the federal requirement that a determination be made at each permanency hearing regarding services needed for youth 16 years old and older to assist the youth to make the transition from foster care to independent living, the TILP is to be included with the documents presented to the court. The quality of the information contained in the TILP is a central factor in determining youth core services. Therefore, it is recommended that a standardized assessment tool such as the Ansell-Casey Life Skills Assessment be used prior to preparing the TILP to ensure that youth needs are adequately assessed.

One section in the TILP tracks foster/probation youth savings accounts. Assembly Bill 1261 (Chaptered 686, Statutes of 2001) has increased the savings account limit from \$5,000 to \$10,000 regardless of the age of the child or whether or not the child is participating in ILP. This change allows youth to be more prepared financially for emancipation. Enclosed you will find a copy of the recent ACL No. 02-45 **MODIFICATIONS TO THE AID TO FAMILIES**

**WITH DEPENDENT CHILDREN-FOSTER CARE PROGRAM (AFDC-FC)**, that provides information regarding the TILP and the savings accounts of foster/probation children.

As a part of the Child Welfare System Compliance review process, the Children's Services Operations Bureau reviews family reunification and permanent placement services case records to determine compliance with federal and state ILP regulatory requirements. The TILP must describe the programs and services, including employment that will help the youth prepare for the transition from foster care to independent living (MPP Section 31-525.1).

*Provision of ILP Services*

Once the appropriate ILP services are identified and documented in the TILP, which is part of the youth's individual case plan, the county social worker needs to coordinate efforts with the careprovider(s) to ensure implementation of the goals of the TILP. For example, in support of the case plan, the county social worker and careprovider(s) would work together to ensure the availability of transportation to ILP classes and services. Also, ILP services are protected personal rights under MPP 31-445.3, and as such, the county social worker should inform the careprovider that he/she may not prohibit a youth from attending ILP classes and other ILP activities as a form of discipline.

For questions or comments regarding the information contained in this All County Information Notice, please contact Sonya St. Mary, ILP Policy Manager at (916) 445-2776. For assistance accessing the TILP on CWS/CMS contact the county CWS/CMS System Support Consultants listed under "County Contact List" at: <http://www.hwcws.cahwnet.gov/>.

Sincerely,

SYLVIA PIZZINI  
Deputy Director  
Children and Family Services Division

Enclosures

**DEPARTMENT OF SOCIAL SERVICES**

December 19, 2000

ALL COUNTY LETTER NO. 00-84

**TO:** COUNTY WELFARE DIRECTORS  
CHIEF PROBATION OFFICERS  
COUNTY FISCAL OFFICERS  
COUNTY INDEPENDENT LIVING PROGRAM COORDINATORS

**REASON FOR THIS TRANSMITTAL**

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

**SUBJECT:** APPLYING NON-SPECIFIC JOHN H. CHAFEE FOSTER CARE  
INDEPENDENCE PROGRAM AMENDMENTS TO THE INDEPENDENT  
LIVING PROGRAM

**ALLOWABLE EXPENDITURES FOR EMANCIPATED YOUTH STIPENDS**

The purpose of this All County Letter is twofold. First, it explains how certain non-specific John H. Chafee Foster Care Independence Program federal amendments to 42 United States Code Section 677 et seq. apply to the California Independent Living Program. Second, it identifies allowable costs that counties may pay from the Emancipated Youth Stipends.

**I. HOW CERTAIN NON-SPECIFIC CHAFEE BILL AMENDMENTS APPLY TO ILP**

The Chafee Bill, that became effective on December 14, 1999, includes several specific amendments that changed ILP requirements nationwide. However, some of the Chafee Bill amendments were written in such a way to purposely allow states individual flexibility to determine age eligibility for ILP services and to implement programs designed to help current and former foster youth make the transition from foster care to self-sufficiency. The Department, in consultation with the County Welfare Directors Association, has developed the following policy interpretations to ensure consistent statewide application of the non-specific federal amendments to California's ILP.

**A. Must a Youth Remain in Foster Care Until Age 18 to be Eligible for ILP?**

The phrase "children who are likely to remain in foster care until 18 years of age" does not mandate that the youth must be in foster care on their 18<sup>th</sup> birthday to be eligible for ILP services. In California, eligible youth for ILP are between 16-21 years of age and are either currently in foster care or were in foster care on or after their 16<sup>th</sup> birthday.

Additionally, in the spirit of the Chafee Bill, counties are encouraged to extend ILP services to foster youth younger than 16 years of age and who are likely to remain in foster care until 18 years of age. An example of a program currently being offered to foster youth several years before high school graduation is Los Angeles County's Early Start to Emancipation Preparation. The Los Angeles County Department of Children and Family Services contracts with the California Community College Foundation to provide Early Start to Emancipation Preparation services to foster youth as young as 14 years of age. For these younger foster youth the Early Start to Emancipation Preparation program functions as a stepping stone to ILP.

### **B. When Does ILP Eligibility for Youth Expire?**

Eligibility for ILP services exists to the day prior to the youth's 21<sup>st</sup> birthday.

### **C. The 30 Percent Housing Allocation**

A county may spend less than but cannot exceed more than 30 percent of the sum total of their federal and State General Fund Extended ILP allocation for the room and board needs of emancipated youth from their county who are at least 18 years of age and up to the day prior to their 21<sup>st</sup> birthday. Room and board for former foster youth under the age of 18 is not allowed.

Allowable expenditures for the 30 percent housing allocation may include but not be limited to the following:

- Food purchases.
- Payment of rental deposits and/or utility deposits.
- Payment of rent and/or utility bills.
- Emergency assistance - the determination of which is a county's interpretation.

Furthermore, no county may claim reimbursement from the 30 percent housing allocation prior to December 14, 1999, as there was no federal authorization prior to that date.

## **II. EMANCIPATED YOUTH STIPENDS**

County Fiscal Letter No. 00/01-09, dated July 11, 2000, was sent to all County Welfare Directors and County Fiscal Officers informing them of their county's Emancipated Youth Stipend allocation for Fiscal Year 2000-01. Emancipated Youth Stipends are to be used to administer the special needs of emancipated foster youth. The \$3.5 million for Emancipated Youth Stipends for Fiscal Year 2000-01 is 100 percent State General Fund and requires no county match. Any Emancipated Youth Stipend expenditures that are in excess of a county's Emancipated Youth Stipend allocation will be a county-only cost.

The following are the seven expenditure categories of allowable costs that may be paid at county discretion from the Emancipated Youth Stipends. The California Department of Social Services understands that it is impossible to identify every possible cost. There may be costs that may have been inadvertently omitted or emergency costs that can occur due to some unforeseen situation. Therefore, each county is empowered to determine whether to claim reimbursement from this allocation. A county must justify in writing why they are submitting a claim for an item not included in one of the seven categories listed below.

**Category 1. Transportation Costs**

- Public or private transportation may be used.
- When using public transportation: Reimbursement will be at the actual cost with a receipt.
- When using private transportation: Reimbursement will not exceed \$.31 per mile.
- Public parking will be reimbursed at the actual cost with a receipt or \$2.00 per day without a receipt.
- The cost of driving lessons for the emancipated youth.
- The cost of car insurance for the emancipated youth.

The following are allowable roundtrip destinations:

- The youth's school.
- The youth's child(ren)'s childcare, preschool or school.
- Religious services or related activities
- Attending court proceedings.
- Medical appointments for the youth and/or their child(ren).
- Sibling(s) visitation.
- Work and/or work related training.
- ILP-sponsored events and classes.

**Category 2. Work Required Costs**

- Training.
- Clothing and/or uniforms.
- Tools.
- Professional/union dues.
- Costs incurred due to the job/interview process.
- Vocational/educational assessments.

**Category 3. Contracted Services Costs** - examples of which include:

- Educational planning.
- Job preparation.
- Career assessment and development.
- Personal awareness.
- Life skills training.
- Financial aid workshops.
- Computer classes.

**Category 4. Health Services Costs**

- Non-Medi-Cal funded physical and/or mental health medical treatment needs of the emancipated youth that are beyond the financial means of the emancipated youth.
- The cost of tuition for classes, activities, or services on or related to:
  - a) Nutrition.
  - b) Family planning.
  - c) Parenting skills.
  - d) Sexuality and sexual behavior.
  - e) Drug/alcohol use.
  - f) Prenatal drug/alcohol exposure.
  - g) Home health and safety management.
  - h) First aid.
  - i) Cardiopulmonary resuscitation (CPR).
  - j) Eating disorders.
  - k) Hygiene and personal care.

**Category 5. Costs Related to the Child(ren) of the Emancipated Youth**

- Non-Medi-Cal funded costs physical and/or mental health medical treatment needs of the child(ren) that are beyond the financial means of the emancipated youth.
- Food.
- Clothing.
- Bedding.
- Diapers.
- Childcare, preschool and/or school.
- Infant furniture such as a high chair, car seat, crib, bed and stroller.

**Category 6. Housing Assistance Costs**

- Food.
- Rent and/or utility deposits.
- Rent and/or utility charges.
- Moving expenses.
- Furniture and/or household items.
- Costs incurred through roommate network agencies.

**Category 7. Emancipated Youth Aftercare Costs**

- Educational assistance.
- Educational counseling.
- Crisis counseling.
- Job placement and retention training.
- Vocational training.
- Legal assistance.

Page Five

If you have any questions regarding this All County Letter please contact Sonya St. Mary, Manager, Placement Resources Unit at (916) 445-7001.

Sincerely,

SYLVIA PIZZINI  
Deputy Director  
Children and Family Services Division

c: California Welfare Directors Association  
California Alliance of Child and Family Services  
California Youth Connection  
Residential Care Providers Association in Los Angeles County  
Foster Care Alliance  
African-American Foster Parent and Group Home Association  
Care Homes of Los Angeles County  
Pat Pianko, Region IX, Department of Health and Human Services



**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



June 25, 2002

ALL COUNTY LETTER NO. 02-45

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL JUVENILE COURT JUDGES  
ALL COUNTY COUNSELS

**REASON FOR THIS TRANSMITTAL**

- ☐ State Law Change  
☐ Federal Law or Regulation  
Change  
☐ Court Order  
☐ Clarification Requested by  
One or More Counties  
☒ Initiated by CDSS

SUBJECT: **MODIFICATIONS TO THE AID TO FAMILIES WITH DEPENDENT  
CHILDREN-FOSTER CARE PROGRAM (AFDC-FC)**

SUPERCEDES: ALL COUNTY LETTER 02-29

Recently, the California Department of Social Services (CDSS) submitted an updated Title IV-E State Plan to the U.S. Department of Health and Human Services (DHHS) for approval. During the review process, DHHS identified three areas which required further instructions/clarification from CDSS to the counties.

**\$10,000 Property Limit**

42 United States Code 672 (a) provides that each child in foster care can have up to \$10,000 in property regardless of age or participation in the Independent Living Program (ILP). Accordingly, for State and federal AFDC-FC, any child may now retain up to \$10,000 in property. For purposes of determining whether the child would have been eligible for AFDC in the petition month as required by Eligibility and Assistance Standards (EAS) Manual 45-202.33, the family may also have up to \$10,000 in property and still qualify for AFDC. The \$10,000 is in addition to the \$1,500 vehicle limit. This increased property limit is effective December 14, 1999.

**Transitional Independent Living Plans (TILP)**

42 United States Code 675(5)(C) provides, "procedural safeguards will be applied ... to assure each child in foster care ... of a permanency hearing to be held, in a family or juvenile court ... no later than 12 months after the date the child is considered to have entered foster care... and not less frequently than every 12 months thereafter... which hearing shall determine...in the case of a child who has attained age 16, the services needed to assist the child to make the transition from foster care to independent living..."

This section of federal statute requires that the court consider services available and necessary for the child to transition to adulthood. In accordance with Manual of Policy and Procedures (MPP), Division 31, Sections 31-525.1 through .5, the county social worker must develop a TILP for each eligible youth in placement by the age of 16. Once the appropriate ILP services have been identified, participation in ILP must become part of a youth's individual needs and services plan and incorporated into the child case plan

pursuant to MPP, Section 31-206.37. Pursuant to Welfare and Institutions Code, Section 366.22, the court shall review and consider the social worker's report/case plan and recommendations at each permanency review hearing when making its determination on whether to return the child to their parent or guardian. Accordingly, counties are reminded to include the TILP in the child's case plan when submitting these documents to the court so that it may consider these services at each permanency planning hearing.

### **Termination of Parental Rights**

DHHS has asked the CDSS to clarify how counties determine when to file a termination of parental rights for a child in foster care.

45 Code of Federal Regulations (CFR) 1356.20(i)(1) provides, "...the State must file a petition to terminate the parental rights (TPR) of a parent(s):

- (i) Whose child has been in foster care under the responsibility of the State for 15 of the most recent 22 months. The petition must be filed by the end of the child's fifteenth month in foster care."

The county must calculate the 15 of 22 months period from the "date the child entered foster care" as defined in Welfare and Institutions Code, Section 361.5(a). For children with multiple foster care placement episodes within the 22 month period, the county must use a cumulative method of calculating 15 months in foster care. However, the 15 month period cannot include trial home visits or runaway episodes.

TPRs need not be filed in the following circumstances [from 45 CFR 1356.21(i)(2)]:

- The child is being cared for by a relative;
- The county has documented a compelling reason for determining that filing a petition for TPR is not in the best interest of the child. Compelling reasons include, but are not limited to: adoption is not an appropriate permanent plan for the child; no grounds to file a TPR exist; the child is an unaccompanied refugee minor; there are foreign policy reasons that would preclude a TPR; or the county has NOT provided reasonable services to reunify the child.

If you have any questions about filing a TPR petition, please contact the Permanency Policy Bureau at (916) 322-4228. If you have questions about eligibility for AFDC-FC benefits or TILPs, please contact the Funding and Transitional Youth Programs Bureau at (916) 324-5809.

Sincerely,

**ORIGINAL SIGNED BY**

SYLVIA PIZZINI  
Deputy Director  
Children and Family Services Division

c: CWDA

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



July 18, 2002

COUNTY FISCAL LETTER (CFL) NO. 02/03-01

TO: COUNTY WELFARE DIRECTORS  
COUNTY WELFARE FISCAL OFFICERS  
CHIEF PROBATION OFFICERS  
INDEPENDENT LIVING PROGRAM COORDINATORS

SUBJECT: PLANNING ALLOCATION FISCAL YEAR (FY) 2002/03 INDEPENDENT  
LIVING PROGRAM (ILP)

Contingent upon approval of the State Budget, the amounts identified on the enclosed attachment are your planning allocations for the ILP. It is anticipated that a total of \$41,265,000 in Federal and State funds will be made available upon approval of the FY 2002/03 Budget Act.

As outlined in the John H. Chafee Foster Care Independence Program, funding is provided for services to foster care adolescents and emancipated youth aged 16 up to 21. In addition, counties have the option to provide ILP Services to youth aged 14 through 15. The services provided or arranged by the county welfare department should facilitate the transition of Foster Care children to emancipated lifestyles enabling the youth to become independent. Counties can utilize all funds provided in this allocation without match at the local level. However, counties are encouraged to continue to use any funds previously contributed as in-kind match to expand available services to youth.

As in prior years, there will be a \$200,000 holdback for the Department of Social Services (CDSS) to contract with the California Youth Connection. These funds are used to promote collaborative needs assessments, program planning, implementation and evaluation, and the use of college and county resources for individual services for foster youth.

The attached displays the planning allocation distribution of \$41,065,000 in federal and state funds. To ensure adequate administrative funding for ILP youth placed outside county of jurisdiction, CDSS, in agreement with the California Welfare Directors Association has distributed funds using the following methodology:

- No county shall receive less than their FY 2000/01 Final ILP allocation.
- The guaranteed minimum allocation has been increased to \$40,000.

- The remaining funds were distributed based on each county's percent to the statewide total after combining placement data (extracted from Child Welfare Services/Case Management System for March 2002); and a monthly average of Medi-Cal Eligibility Data Systems aged 18 up to 21 (Former Foster Youth Aid code 4M from April 2001 through March 2002).

The administrative costs of ILP are limited to 20 percent of the allocation as reflected in the attachment. The cost of personnel to provide ILP services should be claimed to Program Code (PC) 184 and ILP administrative/case management to PC 182.

Costs claimed in excess of each county allocation will be shifted to county only share using State Use Only Code 810. During the closeout process all shifts will be adjusted subject to the appropriate 20 percent for administrative costs and 80 percent for services.

Questions regarding this allocation should be directed to your county analyst in the County Financial Analysis Bureau at (916) 657-3806. Other questions related to the ILP program should be addressed to the Foster Care Services Bureau at (916) 445-7001.

**Original Signed by Douglas Park**

DOUGLAS D. PARK, Chief  
Financial Planning Branch

Attachments

c: CWDA

**FY 2002/03 Independent Living Program (ILP)  
Planning Allocation**

<b>County</b>	<b>Total FY 02/03 ILP Planning Alloc. w/\$40,000 Min. Floor</b>	<b>Administration Only Code 182 20%</b>	<b>Services Only Code 184 80%</b>
Alameda	\$1,969,780	\$393,956	\$1,575,824
Alpine	\$40,000	\$8,000	\$32,000
Amador	\$40,058	\$8,012	\$32,046
Butte	\$419,648	\$83,930	\$335,719
Calaveras	\$59,651	\$11,930	\$47,721
Colusa	\$40,041	\$8,008	\$32,033
Contra Costa	\$946,990	\$189,398	\$757,592
Del Norte	\$71,278	\$14,256	\$57,023
El Dorado	\$129,820	\$25,964	\$103,856
Fresno	\$1,024,443	\$204,889	\$819,555
Glenn	\$56,517	\$11,303	\$45,214
Humboldt	\$219,044	\$43,809	\$175,235
Imperial	\$221,009	\$44,202	\$176,807
Inyo	\$40,058	\$8,012	\$32,046
Kern	\$727,436	\$145,487	\$581,949
Kings	\$112,047	\$22,409	\$89,638
Lake	\$98,578	\$19,716	\$78,862
Lassen	\$105,601	\$21,120	\$84,481
Los Angeles	\$16,667,059	\$3,333,412	\$13,333,648
Madera	\$135,219	\$27,044	\$108,175
Marin	\$197,610	\$39,522	\$158,088
Mariposa	\$46,990	\$9,398	\$37,592
Mendocino	\$159,152	\$31,830	\$127,321
Merced	\$304,550	\$60,910	\$243,640
Modoc	\$40,158	\$8,032	\$32,127
Mono	\$40,006	\$8,001	\$32,005
Monterey	\$306,702	\$61,340	\$245,361
Napa	\$113,959	\$22,792	\$91,167
Nevada	\$79,362	\$15,872	\$63,489
Orange	\$1,339,229	\$267,846	\$1,071,383
Placer	\$248,852	\$49,770	\$199,081
Plumas	\$44,127	\$8,825	\$35,301
Riverside	\$1,750,298	\$350,060	\$1,400,238
Sacramento	\$1,718,435	\$343,687	\$1,374,748
San Benito	\$53,977	\$10,795	\$43,182
San Bernardino	\$2,238,133	\$447,627	\$1,790,506
San Diego	\$1,845,565	\$369,113	\$1,476,452
San Francisco	\$1,216,549	\$243,310	\$973,239
San Joaquin	\$806,609	\$161,322	\$645,287
San Luis Obispo	\$293,983	\$58,797	\$235,186
San Mateo	\$389,016	\$77,803	\$311,213
Santa Barbara	\$277,268	\$55,454	\$221,814
Santa Clara	\$1,079,138	\$215,828	\$863,310
Santa Cruz	\$163,612	\$32,722	\$130,889
Shasta	\$215,806	\$43,161	\$172,644
Sierra	\$40,016	\$8,003	\$32,013
Siskiyou	\$125,675	\$25,135	\$100,540
Solano	\$372,257	\$74,451	\$297,806
Sonoma	\$273,883	\$54,777	\$219,107
Stanislaus	\$369,921	\$73,984	\$295,937
Sutter	\$98,607	\$19,721	\$78,886
Tehama	\$126,138	\$25,228	\$100,911
Trinity	\$48,643	\$9,729	\$38,915
Tulare	\$750,166	\$150,033	\$600,133
Tuolumne	\$43,983	\$8,797	\$35,187
Ventura	\$387,762	\$77,552	\$310,209
Yolo	\$167,073	\$33,415	\$133,658
Yuba	\$167,514	\$33,503	\$134,011
<b>Total</b>	<b>\$41,065,000</b>	<b>\$8,213,000</b>	<b>\$32,852,000</b>