ALABAMA DEPARTMENT OF HUMAN RESOURCES SOCIAL SERVICES DIVISION ADMINISTRATIVE CODE

CHAPTER 660-5-48
SMOOTH TRANSITIONS INTO ADULTHOOD

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660-5-48-.01 Legal Authority.

This policy has been developed to comply with the following "operating principles" or "standards" of the R.C. Consent Decree and it also addresses specific provisions of the Consolidated Omnibus Reconciliation Act 1985 (COBRA, P. L. 99-272) and the Foster Care Independence Act of 1999 (Chaffee Act, P. L. 106-169) which amends Part E of Title IV of the Social Security Act.

(1) VIII 57. The "system of care" shall promote smooth transitions for class members to adult service systems and/or independent living when class members "age out" of the system. The individualized service plans of class members who are expected to "age out" of the system shall provide for such transitions.

Author: Jerome Webb
Statutory Authority: Consolidate Omnibus Reconciliation Act of 1985 (COBRA, P. L. 99-272); Foster Care Independence Act of 1999 (Chafee Act, P. L. 106-169); R.C. v Hornsby, No 88-H-1170-N, Consent Decree (M.D. Ala. Approved December 18, 1991).
History: New Rule: Filed April 4, 2002; effective May 9, 2002.
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660-5-48-.02 Purpose.

This policy provides guidelines and procedures related to the development of systematic, comprehensive plans to facilitate smooth transitions into adulthood for all youth who will age out of the system of care. Some youth may transition to the Adult Protective Services System while others will transition to independent living to become self-sufficient. The Independent

Living Program's purpose is to provide guidelines on service delivery to meet the goal of self-sufficiency for those youth who are expected to transition to independent living.
Author: Jerome Webb
Statutory Authority: Consolidate Omnibus Reconciliation Act of 1985 (COBRA, P. L. 99-272); Foster Care Independence Act of 1999 (Chafee Act, P. L. 106-169); R.C. v Hornsby, No 88-H-1170-N, Consent Decree (M.D. Ala. Approved December 18, 1991).
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660-5-48-.03 Transitional Planning.

(1) Appropriate transitional planning shall occur for all youth by using the individualized service planning process to develop and implement a systematic, comprehensive plan to prepare youth for the transition into adulthood. The individualized service plan (ISP) serves as the youth's transitional plan and shall identify the specific steps and services designed to facilitate this transition.

(a) Level of Functioning Assessment. All youth's current level of functioning as it relates to life skills development shall be assessed as soon as the need is indicated, but no later than the fourteenth (14th) birthday.

1. The assessment may be a formal or informal one, and shall determine current level of functioning; how that current level of functioning can be improved; what the associated needs are; and, the skills that can be developed or enhanced to facilitate maximum functioning as an adult, and to become a stable, gainfully employed adult whenever possible.

(b) Goals and steps to address needs identified during the assessment process shall be included in all Individualized Service Plans no later than the youth's fourteenth (14th) birthday.
Author: Jerome Webb
Statutory Authority: Consolidate Omnibus Reconciliation Act of 1985 (COBRA, P. L. 99-272); Foster Care Independence Act of 1999 (Chafee Act, P. L. 106-169); R.C. v Hornsby, No 88-H-1170-N, Consent Decree (M.D. Ala. Approved December 18, 1991).
History: New Rule: Filed April 4, 2002; effective May 9, 2002.
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660-5-48-.04 Program Development.

(1) Program Components shall include:

(a) **Control over their future,** by involving the youth in an Individualized Service Plan. Their involvement in planning steps and goals to be achieved will help to assess and identify skill they need for life. Through the provision of such services as life skill development groups and youth advisory councils each individual has the opportunity to meet and learn from others while developing social skills. They are then empowered to directly participate in helping to designing activities that will help prepare them for self-sufficiency.

(b) **Competency** includes the educational attainment and life skills development that are provided through Independent Living Services

(c) **Permanency** includes helping the youth develop a network of reliable and responsible individuals who instill the youth with a sense of continuity and belonging and will serve as resources for assistance with problems encountered in the future.

(d) **Usefulness** can be fostered in youth by allowing them to provide services that benefit others while providing them opportunities to practice skills, gain valuable experience and develop relationships within the community. County Departments shall develop partnerships to promote volunteer and employment opportunities for youth in their community.

(2) Provision of Independent Living Services.

(a) Independent Living Services shall occur concurrently with continued effort to achieve permanency. Independent Living Services shall be directed toward achieving the following outcomes:

1. Improved attainment of education and employment; and

2. Avoidance of dependency, homelessness, non-martial childbirth, incarceration, and other high-risk behaviors.

(b) Placement Resources. Transitioning from the dependence of childhood to living independently as an adult is a process requiring a decrease in adult supervision. Two types of resources that may assist in this transition are:

1. Transitional living which is an alternative living arrangement that provides foster youth (ages 17 through 20) with opportunities to practice independent living skills in a variety of on-campus settings with decreasing degrees of care and supervision; and

2. Independent Living which is an alternative living arrangement whereby the youth lives in community based housing rather than in a foster home or on a group home

campus. Ideally, this allows the youth the opportunity to continue the decreased care and supervision so that the youth will ultimately be responsible for their own care and will ultimately be prepared to live on their own in the same location when DHR no longer holds custody.

3. Placement Criteria. The youth must be between the ages of seventeen and twenty-one years of age before transitional or independent living can be considered. The court must approve the change in placement when transitional or independent living is determined appropriate; or if there is no court involvement, the parent/legal custodian must consent to the placement unless the youth is 19 years of age. Additional criteria is to be considered by the Individualized Services Planning Team to assess the potential success of the placements

4. Individualized Service Planning Requirement. Decisions and plans for living will be made by the Individual Service Planning (ISP) Team. Prior to foster youth moving into any licensed or approved transitional or independent living setting the team will assess the plan and give approval to implementing the plan. If a youth living arrangements are in need of a change or change due to an emergency, the ISP team shall meet within 72 hours to review the need for the change and to review and revise the youth's plan.

Author: Jerome Webb
Statutory Authority: Consolidate Omnibus Reconciliation Act of 1985 (COBRA, P. L. 99-272); Foster Care Independence Act of 1999 (Chafee Act, P. L. 106-169); R.C. v Hornsby, No 88-H-1170-N, Consent Decree (M.D. Ala. Approved December 18, 1991).
History: **New Rule:** Filed July 8, 2002; effective August 12, 2002.

660-5-48-.05 Discharge From The System Of Care.

(1) Discharge from the system of care occurs at the point in time when youth are no longer in DHR care, custody/planning responsibility, or supervision, and it also encompasses situations where youth age out of the system of care.

(a) Aging out of the system of care occurs on a youth's nineteenth (19th) or twenty first (21st) birthday.

1. All youth, without exception, age out of the System of Care on their twenty first (21st) birthday.

(b) Discharge planning shall begin no later than twelve (12) months prior to the anticipated date that youth will be discharged from the system of care.

(c) All youth shall receive post foster care supervision services for a minimum of six (6) months after the date they move into their anticipated permanent living arrangement.

1. Post foster care supervision services shall be terminated when discharge from the system of care is appropriate; youth are transitioned to DHR's Adult Protective Services program; or youth have reached age twenty-one (21).

Author: Jerome Webb
Statutory Authority: R.C. v Fuller, No 88-H-1170-N, Consent Decree (M.D. Ala. Approved December 18, 1991).
History: Proposed permanent rule effective May 9, 2002. **Amended:** Filed July 8, 2002; effective August 12, 2002.

660-5-48-.06 Re-Entering The System After The Eighteenth Birthday.

(1) Youth, ages 18 to 20, who have previously resided in DHR foster care may request re-entry into the system following discharge if they are living in a situation where there is an identifiable risk of harm that would typically result in the provision of child welfare services if they were under age nineteen (19).

(2) A youth's re-entry into foster care may be authorized through DHR's resumption of legal custody if the case remained open on the court's administrative docket, or it may be authorized through completion of an Agreement for Foster Care.
Author: Jerome Webb
Statutory Authority: R.C. v Fuller, No 88-H-1170-N, Consent Decree (M.D. Ala. Approved December 18, 1991).
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