



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

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GOVERNOR

REASON FOR THIS TRANSMITTAL

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

October 12, 2012

ALL COUNTY INFORMATION NOTICE NO. 1-39-12

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY INDEPENDENT LIVING PROGRAM MANAGERS  
ALL COUNTY INDEPENDENT LIVING PROGRAM COORDINATORS  
ALL COUNTY PROBATION OFFICERS

SUBJECT: INDEPENDENT LIVING PROGRAM (ILP) SERVICES

REFERENCE: CHAFEE FOSTER CARE INDEPENDENCE ACT OF 1999 SECTION 477(b)(3)(A); CHILD WELFARE POLICY MANUAL SECTION 3.1F-INDEPENDENT LIVING; SENATE BILL (SB) 654; WELFARE AND INSTITUTIONS CODE (W&IC) SECTION 10609.4; MANUAL OF POLICIES AND PROCEDURES (MPP) SECTION 30-503, 30-504, 30-506, 31-236, 31-525; 31-206.37, 31-236(a), 31-510; ALL COUNTY LETTER (ACL) 08-31; AND ALL COUNTY INFORMATION NOTICE (ACIN) 40-98.

The purpose of this ACIN is to remind counties of their responsibilities when providing ILP services to eligible youth.

In 1999, the Chafee Foster Care Independence Act was enacted to support a foster youth's successful transition into adulthood through various services and resources including education, training, employment, and financial support. States have the flexibility in program design and ILP's are encouraged to collaborate with community-based organizations and care providers to assist youth with employment, housing, or other core services.

Consistent with federal mandates, W&IC section 10609.4 authorizes the California Department of Social Services (CDSS) to develop statewide standards to administer and implement ILP. As part of these statewide standards, W&IC section 10609.4 (b)(1)(E) requires the county to provide a written Transitional Independent Living Plan (TILP) to each participant that is based on an assessment of the needs of the youth.

The California MPP Division 30 and 31 regulations provide specific ILP duties and responsibilities for counties when serving ILP-eligible youth. These regulations provide

counties with the flexibility in administering ILP services based on the local needs and availability of services in their respective counties.

**Purpose of ILP Services:**

The intent of ILP is to provide foster youth including non-minor dependents with the program services, activities, and referrals to resources they need in order to be successful in adulthood. The program services and activities to be provided to eligible youth are to be described in the TILP. The MPP section 31-236 and ACL 08-31 provide detailed information on the TILP.

**Counties Service Responsibilities:**

Per MPP section 30-506, each county is responsible for administering an ILP. The core services may be provided through various means and consistent with each youth's goals in their TILP. They may come from a variety of sources such as the county, a contractor, care providers, group homes, Foster Family Agencies (FFA) social workers, Court Appointed Special Advocates, and other organizations that have programs geared toward helping youth gain the skills needed to be successful in adulthood.

Each county child welfare and probation agency must ensure that eligible foster youth are given the opportunity to participate in all available ILP core services, regardless of whether the youth is residing in the county of jurisdiction or in another county.

Per MPP section 31-525 core services Include:

- Education
- Career development
- Health, promotion
- Mentoring
- Daily living skills
- Financial resources
- Employment programs
- Housing information

All eligible youth shall be referred to ILP no later than age 16. Per MPP section 31-525.4, enrollment in ILP cannot be deferred unless: a) the youth refuses to participate or b) the youth cannot benefit from the program's services because of a medical disability, as determined by the youth's physician or mental health provider. In both cases, documentation is required on the TILP and the youth must be reassessed or referred every six months.

**Coordination of Services:**

Youth should be connected to any and all available existing resources, services, or programs that support self-sufficiency and meet the goals of the TILP. Counties may not duplicate or replace services that are available through other agencies and programs. For example, ILP should not provide employment services if the county has an employment career center that is able to assist ILP eligible youth.

The ILP is a voluntary program for eligible youth, so it is not the expectation that all eligible youth will choose to receive their services through participation in the county offered ILP. Some group homes or FFAs have developed their own programs or services to assist transitioning youth. The provisions of these services by the provider should be described in the youth's TILP and the provider asked to sign the TILP to confirm their role and responsibilities in working with the youth. In the periodic progress report, prepared by the FFA or group home, the provision of the TILP services should be described and the county should record the provider-based services in the Child Welfare Services/Case Management System (CWS/CMS) as delivered services. It is important for the placing county to have an agreement in place with the facility that is accepting the placement describing the Independent Living Services that will be provided to the youth that ensure the youth's needs will be met. This can take place through the needs and services plan, the TILP, a placement agreement, or another appropriate document between the Counties.

County social workers and probation officers are encouraged to collaborate with youth, ILP coordinators, care providers, and other service providers to ensure that the development and implementation of TILP goals, services and activities, including transportation needs, are met. With exception of the TILP requirement, counties have flexibility in establishing the referral process to ILP or for Independent Living Services.

**Placement Considerations:**

When placement of a youth 16 and over is being considered, the capacity of the placement to support the TILP goals and support the youth in moving toward responsible adulthood should be considered *prior* to placing the youth. Best practice indicates choosing a family or facility that offers services that are tailored to be the best fit for the youth and considers all (permanency, siblings, ILP, mental health, physical health, education, employment, etc.) of the youth's individual needs *before* securing placement. When a youth is being placed in an FFA or a group home, the appraisal, needs and services plan and subsequent progress reports should include the services to support the youth's need for developing age-appropriate skills to support his or her successful transition into adulthood and be documented in CWS/CMS. When placing an ILP eligible youth out of county, the county of jurisdiction will determine which of the services as described in the TILP will be provided by the placement facility. In some cases, it may be possible that all needed services are provided by the facility and the county of residence will not have a role in delivery of services.

**Coordination across Jurisdictions:**

The availability of core services can vary widely across states and counties, due to the flexibility inherent in ILP policies and practices. County social workers and probation officers should consult with state or local ILP staff when coordinating services. For example, child welfare services staff should coordinate with their county ILP Coordinator to facilitate referrals for services needed in a different county or state to ensure specific programs and services are offered where the youth is placed or lives. This coordination and communication is necessary to ensure the goals specified in the TILP can be achieved.

The MPP section 30-506 specifies timelines for communication between counties when foster youth are placed outside their county of jurisdiction:

- The county of jurisdiction shall notify the county of residence within five working days when the placement of an eligible dependent youth or ward changes to a placement in a different county or otherwise becomes aware that a dependent youth or ward has changed residences. The county of jurisdiction will provide a copy of the youth's completed TILP to the county of residence. After receiving this notice and the completed TILP, the county of residence shall initiate ILP core services within five working days, or as soon as practically possible (MPP 30-506.41).
- The county of residence shall collaborate with the county of last jurisdiction to provide emancipated youth with ILP core services within ten working days from the date of the most recently completed TILP and/or the youth's oral or written request for services, or as soon as practically possible, as documented by the county of residence (MPP 30-506.42).
- The county of residence shall, within 72 hours or sooner if needed, provide referral services to emancipated youth who have an immediate, urgent need for food, shelter, or clothing services (MPP 30-506.43),
- A county shall not deny or delay core services to an eligible youth because the county of jurisdiction has not completed the fiscal and/or administrative process to fund ILP services (MPP 30-506.43).

#### **Financial Responsibility:**

*County of Jurisdiction:* Per MPP section 30-506, the county of jurisdiction is financially responsible for the provisions of ILP services for eligible foster and probation youth. The last County of jurisdiction for the eligible youth (who has left foster care) is financially responsible while that youth resides in California.

*County of Residence:* Per MPP section 30-506, *no core services shall be denied or delayed to an eligible youth because the county of jurisdiction has not completed the fiscal and/or administrative process to fund ILP services.* Counties must, therefore, ensure that youth are given an opportunity to participate in all ILP core services regardless of which county is financially responsible. This also applies to emancipated youth who are awaiting the county of last jurisdiction to complete the fiscal and/or administrative process to fund the ILP services that youth will receive. For example, Los Angeles (LA) County is financially responsible for its dependent youth or ward placed in Sacramento County. Additionally, LA County is responsible for eligible ILP youth who are former dependents or wards of LA County who now reside in Sacramento County.

#### **Out-of-State Placements:**

Per MPP section 31-525, if an ILP eligible youth is to be placed in out-of-home care a TILP detailing the core services needed by the youth is required. Pursuant to the Interstate

Compact on the Placement of Children (ICPC) Regulations 2 and 4, when a child is placed out-of-state pursuant to ICPC, the placement request packet must contain specified information including the child's service case plan and any supplements to that plan. As such, a copy of the TILP must be provided to the receiving state with any out-of-state placement request. The sending state is financially responsible for the identified services for that youth. The sending state continues to be responsible for case planning, which includes a description of the programs and services that will be provided to help the youth, age 16 and over, prepare for the transition from foster care to adulthood. The ICPC allows for youth in extended foster care (age 18 and older) to continue to be served by the receiving state via ICPC when requested by the sending state and with concurrence of the receiving state. However, whether or not the receiving state agrees to continue to provide services to the youth, the sending state continues to be responsible for ensuring the services are provided.

When an eligible former foster youth between the ages of 18 and 21 is eligible for Independent Living services in the state of residence, the state in which the youth currently resides is financially responsible for the Independent Living services if the services are offered by that state. In this case, the ILP Coordinator in the state of residence would coordinate with the state where the youth was previously in foster care in order to facilitate the provisions of the Independent Living skills services. A listing of all county ILP coordinators may be obtained by contacting the ILP Policy Unit via email at [ILPPolicy@dss.ca.gov](mailto:ILPPolicy@dss.ca.gov). For a list of all state ILP coordinators you may visit the National Resource Center for Youth Services website at: <http://www.nrcys.ou.edu/>, or Foster Club of America website: <http://www.fosterclub.com/>.

Counties are encouraged to review MPP Division 30 and 31 regulations to ensure that all eligible foster youth receive ILP services and needed support to become self-sufficient after exiting care.

For questions or further information, please contact the Child and Youth Permanency Branch, Independent Living Program Policy Unit, at (916) 657-1858.

Sincerely,

***Original Document Signed By:***

KAREN B. GUNDERSON, Chief  
Child and Youth Permanency Branch  
Children and Family Services Division