



# Independent Living Policy Reform

Building upon the recent developments in the state foster care (HB 214, SB 163), adoption (HB 7) and health care systems (HB 119) for foster youth, the Ohio Association of Child Caring Agencies (OACCA) and several other organizations are leading an initiative to craft policy recommendations on the topic of improving services and expanding opportunities to foster youth so that they become productive and responsible adults. Our goal is to present comprehensive and well-researched policy recommendations to the Ohio General Assembly, Ohio Governor, and state executive agencies in early 2009.

These reform efforts were initiated in 2007 by youth and advocates from the Foster Care Alumni of America and from the county and state youth advisory boards. These individuals communicated to OACCA that there are many barriers and obstacles that prevent foster youth from becoming independent and successful adults. OACCA worked with these youth and advocates to hold four legislative forums around the state last summer to gather input and share information about independent living policy concerns. Topics included: access to college and post-secondary education, access to driver's education and driver's licenses, access to affordable and safe housing, access to workforce training, access to and expansion of Medicaid health coverage, and increasing the availability of peer mentoring services. Over 100 forum participants expressed their views on these issues during presentations and by answering written questions presented at the forum. This report summarizes the participants' views and our discussions on these issue areas.

Beginning on October 15, 2008, OACCA will facilitate a series of inclusive stakeholder meetings to craft specific policy recommendations for the Ohio General Assembly and other state agencies to act on in 2009. We will also identify non-legislative or federal-level solutions to pursue as well. If you would like to participate in these stakeholder meetings, contact Mark Mecum at [mmecum@oacca.org](mailto:mmecum@oacca.org) or 614-461-0014.

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# Higher Education

A solid education is critical for a young person's ability to become an independent adult, regardless if they were in foster care or not. Education increases a young person's ability to earn money, afford basic needs, and succeed in life. Unfortunately, studies show that 50-55% of former foster youth did not complete their high school education.<sup>1</sup>

Even though approximately 70% of foster youth desire to attend college<sup>2</sup>, these youth lack financial and familial support to take the first step toward applying and enrolling in a college or adult career center. Many youth and their caregivers lack basic information about college that specifically addresses their life circumstances and unique support needs. Even for the emancipated foster youth that do attend college in Ohio, there are many barriers that prevent them from succeeding academically and actually completing their academic program. Primarily, youth lack year-round housing and other basic needs. Colleges must permit access to year-round on-campus housing for these youth. For campuses without dormitories, youth need assistance in finding stable, safe, affordable housing, transportation, and food services.

Forum participants indicated that, if given the option between attending a four year college and attending a one or two year adult career center, youth would be just as likely to attend an adult career center as a four year college. Responding to the aspirations of this at-risk population of emancipated foster youth, several states (not including Ohio) have established higher education assistance programs. These programs have successfully provided transition age youth with the tools needed to succeed in life after foster care. In fact, over 30 states now have policies that provide state-funded scholarships, grants, or tuition waivers to foster youth who are making the transition from foster care to higher education.<sup>3</sup>

Forum participants were made aware of higher education assistance program features, and recommended the following:

- **Expenses Covered:** tuition, campus room and board, required text books, mandatory fees, student health insurance, institution tutoring services. These fee waivers should only apply to required university, college, and/or program courses in the student's major/minor/program area(s). Assistance shall cover no more than 4 academic years of education within a 5 year time period.
- **Youth Eligibility:** available to all Ohio youth age 16-26 that were in foster care (state custody) for an aggregate period of at least 24 months beyond the age of 12. This group does not exclude those youth who were reunited with their families or adopted. Youth's application must be certified by the institution's financial aid office to prove financial need. The youth must also complete a FAFSA application and apply for other scholarships or grants.
- **Eligible Schools:** all state public institutions of higher education, including universities and adult career centers.
- **Student Status:** part-time and full-time student status should be permitted.
- **Funding:** the institution should be required to absorb the reduction in tuition-related revenues. Youth must also contribute financially each year, either in payment to the university (perhaps \$500) or through work-study programs.

## Working with Schools

Many colleges, higher education professional organizations, and advocates recognize (willingly or by legal mandate) the need for innovative and effective approaches to support youth from foster care. California, Washington, Georgia, Vermont, and Virginia have formed planning coalitions that include college and university staff, child welfare agencies, and external advocacy organizations. These groups focus on comprehensive strategies to address the challenges youth from foster care face in college. Although their support models may differ, they have a common focus on the systematic delivery of institutional and community-based supports that recognize the unique needs of these young adults.<sup>4</sup>

California has enacted the *Higher Education Outreach and Assistance Act for Emancipated Foster Youth*. The law requires their colleges and community colleges to provide outreach and assistance to foster youth to encourage their enrollment, assist such youth with housing issues, provide technical assistance to campuses, and track retention rates of youth from care.

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<sup>1</sup> Cook, R. 1991; Courtney, M. , & Piliavian, I., 1998; Reilly, T., 2003.

<sup>2</sup> Martin, J. "Foster Youth desire college, study shows, but face roadblocks learning". Washington University in Saint Louis. 2003.  
<http://mednews.wustl.edu/tips/page/normal/452.html>

<sup>3</sup> The National Child Welfare Resource Center for Youth Development. 2006. "State by State Fact Pages. [http://www.nrcys.ou.edu/vd/state\\_pages.html](http://www.nrcys.ou.edu/vd/state_pages.html)

<sup>4</sup> "Supporting Success: Improving Higher Education Outcomes for Students From Foster Care." Casey Family Programs. 2008.  
[www.casey.org/Resources/Publications/HigherEdFramework.htm](http://www.casey.org/Resources/Publications/HigherEdFramework.htm).

## **Higher Education Support Law Variations in Other States**

### **Residency**

- a. Must be a resident of the state (WV, OK, ME, AK, UT, NC)

### **State Custody**

- a. Must have been in state custody for aggregate period of not less than 24 months (UT)
- b. Must have graduated from high school or passed the GED while in the custody of the state (WV, TX, ME, KS)
- c. Must have resided in a foster home in the state on or after your 18<sup>th</sup> birthday (KS, CT, KY, MD, NC)
- d. Must have been in foster care or residential care on or after your 18<sup>th</sup> birthday (TX), or on or after your 16<sup>th</sup> birthday (AK)
- e. Must have been, within the past three years, in the custody of the state for any nine of the twenty-four months after the your 16<sup>th</sup> birthday and before the your 18<sup>th</sup> birthday (OK)
- f. Must have been in the care and custody of state for nine months or more following your 16<sup>th</sup> birthday (NJ)
- g. Must have resided in an independent living arrangement or transitional living program (KY, NJ)
- h. Must have had a permanency goal of long-term foster care while in custody and for whom custody was not terminated as a result of adoption (UT)
- i. Must have been in foster care or residential care for at least one year prior to receiving the waiver (WV)
- j. Must have been in the legal custody of the state for a total of 12 months between the ages of 16 and 21 (OR)

### **Adoption**

- a. Must have resided in a foster home in the state on your 14<sup>th</sup> birthday and were adopted out after the your 14<sup>th</sup> birthday (TX, MD)
- b. Must have been adopted from foster care placement after age 12 (NC)
- c. Must have been adopted from foster care placement on or after your 16<sup>th</sup> birthday (KS)
- d. The student's family receives state-funded adoption assistance (KY)

### **Student Status**

- a. Must enroll as a candidate for degree full-time (AK, CT, NJ) or at least part-time (KY, UT)
- b. Can enroll as a graduate student (TX)
- c. Can enroll as a summer school student (off-quarter) (UT)

### **School Types**

- a. Must enroll at a public institution of higher education (could include only 4 year universities (AK), or 4 year universities and 1-2 year vocational schools (OK, WV, ME, KS, KY, NJ, MD, NC)
- b. Must enroll at a public institution of higher education or a private institution, but scholarships awarded to students who attend private institutions will not exceed the amount of tuition and all fees levied by public institutions (OR)

### **Enrollment**

- a. Must enroll to the institution no more than four years after the date of graduation from high school (KY)
- b. Must enroll to the institution not later than the third anniversary of the date the student was discharged from foster or residential care, the date the student graduated from high school or received a GED, whichever date is earliest (TX, OR, OK), or the student's 21<sup>st</sup> birthday (TX, MD)

### **Application for Tuition Waiver**

- a. Must initially apply for the waiver between the ages of 16 and 23 (NJ)
- b. Must initially apply for the waiver between the ages of 17 and 22 (UT)
- c. Must initially apply for the waiver within two years of obtaining high school diploma or GED (WV)
- d. Is certified by the financial aid officer at the higher education institution as needing the tuition waiver (AK, UT)
- e. Must complete a FAFSA and apply for other scholarships/grants (WV, ME, AK, CT, KY, NJ, UT)

### **Limitations**

- a. Only 5 tuition waivers offered per year (AK)
- b. Only 30 tuition waivers offered per year (ME)
- c. Must contribute \$500.00 of educational costs per year (CT)
- d. Must maintain good academic standing (WV, KS, OK, AK, CT, KY, NJ, UT)

### **Length**

- a. Eligible to receive for no more than four years of undergraduate study (WV, OR, AK, NC)
- b. Eligible to receive until the student completes their course of study or turns 23 (KS, CT)
- c. Eligible to receive for a period of 5 years after first admittance if satisfactory progress is achieved or maintained (ME, KY, NJ)
- d. Eligible to receive for not more than nine semesters or the equivalent number of quarters (UT)
- e. Eligible until the first of the following occur: the date the foster care recipient is awarded a bachelor's degree or five years after first enrolling as a candidate for an associate's or bachelor's degree (MD)

- f. Eligible up to age of 26 of completion or the requirements for a bachelor's degree, whichever comes first (OK, NC)

#### **Expenses Covered**

- a. Tuition (ME, AK)
- b. Tuition and mandatory fees (WV, OR, KY, NJ)
- c. Mandatory charges for registration, tuition and mandatory fees (MD)
- d. Tuition, fees, room and board, books, tutoring and health insurance (CT)
- e. Tuition, technical equipment and course required fees and books for courses necessary to satisfy requirements of educational program; room and board (KS)

#### **Funding**

- a. Tuition waivers covered by an increase in funding to the institutions from state's general fund (UT, KY, NJ, MD)
- b. State postsecondary educational institutions will absorb the reduction in tuition revenues as a result of the tuition waiver program and shall not request additional general funds appropriations (This is in Maine where there is a limit of 30 tuition waivers per year).

#### **Other Variations**

- a. Alaska instituted the Higher Education Savings Program for Children: person eligible to participate if the person was committed to the custody of the department, was placed in out-of-home care for not less than two years, and is a resident of the state; donors identified to contribute to the savings account on behalf of the youth
- b. For Connecticut's assistance, youth must agree to continue to receive services from the state JFS

## **Transportation**

In Ohio, foster youth face many barriers in obtaining driver's education, a driver's license, and auto insurance, which cause some foster youth to lack a means of transportation. Forum participants identified that youth rarely have an adult willing to accept liability on their behalf on their driver's license or auto insurance application and that youth lack financial assistance to cover expenses related to obtaining a driver's license.

Forum participants were made available of options in other states regarding these transportation issues for foster youth and recommended that the following:

- **Driver's Education:** The state should cover the full cost of driver's education for youth in foster care. TANF funds can be used to pay for all or most of this cost.
- **Liability:** the state should create a form that authorizes, but not requires, custodial agencies of foster youth to sign driver's license applications without assuming liability. The state would assume the liability and would have sovereign immunity. The custodial agency may also have the option of permitting the youth's foster parent to sign the application.
- **Insurance:** The state should consider creating a process that permits custodial agencies and or foster parents to sign auto insurance applications for youth, without accepting liability. The insurance coverage could be added to the foster parent's premium and reimbursed through the state. ODJFS should develop a group insurance program for foster youth in collaboration with an interested insurance company. ODJFS should also subsidize the cost of the auto insurance for youth.
- **Eligibility:** Custodial agencies should develop their own set of eligibility guidelines that youth must meet in order to be eligible to apply for a driver's license. Criminal records, academic performance, and a personal statement that demonstrates the transportation need and that satisfactory progress has been made toward the youth's emancipation plan. Youth should be required to provide proof of their financial responsibility (either proof of insurance or proof of sufficient amounts of cash to cover potential liability. For youth in *temporary* custody, parental permission is required.
- **Financial Assistance:** The state should provide assistance up to \$500 toward the purchase of an automobile, if the youth can match that \$500. The state should also provide assistance toward vehicle repairs.

### ***Driver's License and Insurance Law Variations in Other States***

#### **Driver's License Application Requirements for Foster Youth in State Custody under Age 18**

- b. Proof of passage of a driver's education class (SD)
- c. Proof of acceptable school performance (SD)
- d. Proof of auto insurance coverage (WI, SD)
- e. Statement from case worker attesting to youth's responsibility (SD)
- f. Statement from youth attesting to their own behavior, reasons for needing a driver's license (SD)

- g. Proof of youth's financial responsibility (proof of insurance or proof of sufficient cash to cover potential liability) (OK)
- h. Must be making satisfactory progress toward completion of case plan (GA)
- i. If youth is in temporary custody, must have written permission from birth parent(s) to operate a motorized vehicle (GA)
- j. Youth must purchase vehicle (WI)
- k. Authorized adult signature (see below)

**Person Who May Sign the Youth's Driver's License Application**

- a. Director of County/State Children's Services (HI, AR, SD)
- b. Authorized employee of the Department (CPS workers, probation officer, etc.) (FL, CA, HI, AR, TX)
- c. Foster parent (FL, OK, GA, AR, IN, NC, NM, SC)

**Liability**

- a. Foster parents and county and state employees do not accept liability – the state accepts liability, however it is immune from prosecution (FL, OK, CA, HI, AR)
- b. Foster parent willingly accepts liability and is responsible for insurance coverage (GA, IN, NC, NM, SC, MT, ND)

**Financial Assistance**

- a. Payment of Driver's Education classes (GA, NC, NJ, SC), or a portion of Driver's Education classes (CT, DC, MN)
  - b. Payment for the cost of obtaining a driver's license (OK, NC, SC)
  - c. Payment toward auto insurance (NC), specifically for youth ages 18 to 21 (OK)
  - d. Payment of auto insurance if foster family cannot afford it on behalf of foster youth (AR)
  - e. Payment of up to \$500 toward purchase of car for youth ages 18 to 21 if they have a matching amount (OK)
- Assistance with vehicle repairs when car is in youth's name (SC)

## Housing

Often, youth preparing to age out of the foster care system face homelessness and critical housing needs upon their discharge. In fact, studies show that anywhere from 12% to 36% of young people transitioning out of the system experience homelessness.<sup>5</sup> Many youth age out of foster care without solid housing plans, resources, or familial supports, which, makes it challenging for these young adults to build successful lives. A few states address this need by establishing housing assistance programs. These programs have begun to successfully provide transition age youth with the tools needed to succeed in life after foster care.

**Family Unification Program**

Beginning in 2000, a great funding resource called Family Unification Program (FUP) was made available to Ohio. FUP, which is part of the U.S. Department of Housing and Urban Development (HUD), provides Housing Choice Vouchers to youth aging out of the foster care system and to families involved with the child welfare system. Specifically, FUP provides housing assistance and aftercare services to young people between the ages of 18 and 21 that have left the foster care system at age 16 or older. FUP is a collaboration between the child welfare systems, housing authorities and/or community based agencies to implement the use of time-limited (18 months) Section 8 vouchers for youth aging out of the foster care system. This voucher allows the participant (individual or family) to rent a home in the community from any landlord. Participants pay between 30% and 40% of their monthly-adjusted income towards rent with the balance paid by HUD.

As of 2005, only 16 states are currently using FUP or priority Section 8 housing vouchers for youth aging out.<sup>6</sup> Public housing authorities (PHA) in Ohio are not actively seeking these vouchers, though some PHAs have in the past. A PHA is the decision-making body that would have to elect to implement this program in their county. Forum participants expressed the need for Ohio to participate *fully* in this federal program and use the funds to assist Ohio foster youth aging out of care.

**Working with Schools**

Housing assistance for former foster youth attending institutions of higher education is crucial. There are several examples in other states of how state law can mandate universities to meet the housing challenges of former foster youth. Forum participants agreed

<sup>5</sup> [Cook, 1991; Courtney & Pilivian, 1998; Reilly, 2003](#).

<sup>6</sup> Torrico, Roxana. Child Welfare League of American Independent Living Coordinator Questionnaire Results. 2004. <http://www.cwla.org/programs/housing/housingreport.pdf>

that public institutions of higher education should be required to meet a minimum standard of assistance to these youth, which should include:

- **Review On-Campus Housing Policies:** schools must determine if there are year-round affordable on-campus options for youth. Affordable on-campus housing must be made available for youth during the off-quarter time periods and the youth must be made aware of these available options. For schools without on-campus housing, other accommodations should be made available to the youth.
- **Technical Assistance:** the Ohio Board of Regents should be make available technical assistance to all public institutions of higher education to meet the proposed requirements of state law. The Board should provide advice to schools on ways in which to improve the delivery of services to the former foster youth. The Board should also be required to track the retention rates of students who voluntarily disclose to the school their status as an emancipated former foster youth.
- **Youth Eligibility:** this school housing assistance should be made available to all Ohio youth at the institution up to age 26 that were in foster care (state custody) for an aggregate period of at least 24 months beyond the age of 12. This group does not exclude those youth who were reunited with their families or adopted.

## Workforce

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The inescapable conclusion from a number of recent studies is that youth aging out of foster care are underemployed.<sup>7</sup> A consequence of this is that thousands of former foster care system *stay* in the welfare system as adults. The state and public and private agencies should do everything they can to prepare foster youth for the workforce.

According to the Finance Project, 12 to 18 months after leaving foster care, 40% of youth are unemployed. In state-specific analyses in Illinois, California, South Carolina, and Wisconsin, the proportion of unemployed former foster youth ranged from 14 to 30%. Their mean earnings were below the poverty level and significantly less than other young people their ages. Perhaps the most striking finding from this body of research is that young people in foster care who have worked before their eighteenth birthdays are four times more likely to graduate from high school than foster youth who have not; they are also more likely to work after emancipation. Therefore, former foster youth who fare best in the employment market once they are on their own are those who have gained significant job experience while they were in foster care.

- **Ohio should increase and improve access to workforce development opportunities for current and former foster youth.**

## Healthcare

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Federal Medicaid law includes options that a state may implement regarding eligibility for Medicaid health coverage. One option, included in the Chafee Foster Care Independence Act of 1999, permits a state to cover independent foster youth until their 21<sup>st</sup> birthday under its Medicaid program. As part of HB 119, the Ohio biennial budget bill, Medicaid health coverage was expanded to foster youth until their 21<sup>st</sup> birthday. Previously, Ohio chose to cover foster youth only through age 18. Ohio is one of fourteen states that have elected to do this.

However, many former foster youth are not covered by this Medicaid expansion. In Ohio, former foster youth who do not age out of the foster care system and/or who are adopted are not eligible for the same Medicaid health coverage as foster children who do age out. Ohio should step up, without federal financial support, to provide Medicaid coverage to *former* foster youth who do not meet current Medicaid eligibility.

- **Further Extend Medicaid:** Ohio should extend Medicaid health coverage to former foster children, age 18-21, that were in foster care in Ohio for at least an aggregate period of 24 months beyond the age of 12. This group includes those youth who were reunited with their families or adopted.

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<sup>7</sup> Goerge, R.M. et al., *Employment Outcomes for Youth Aging Out of Foster Care* (Chicago: Chapin Hall Center for Children, 2002), available at <http://aspe.hhs.gov/hsp/fostercare--agingout02/>; Courtney, Piliavin, Grogan-Kaylor, and Nesmith, *op. cit.*; Dworsky, A. and Courtney, M.E., *Self-Sufficiency of Former Foster Youth in Wisconsin: Analysis of Unemployment Insurance Wage Data and Public Assistance Data* (Madison, Wisc.: University of Wisconsin, 2000), <http://aspe.hhs.gov/hsp/fostercare-agingout02/>; McMillen, J.C. and Tucker, J., "The Status of Older Adolescents at Exit from Out-of-Home Care," *Child Welfare* 78 (3): 339-60 (1999).

## Mentoring

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Every young person in the foster care system is impacted by the loss of relationships and connections, which are essential in promoting the health and positive development of a young person. A lack of supports and social networks places young people in the foster care system at a further disadvantage than their peers. It has been found that youth in mentoring programs are likely to have fewer absences from school, better attitudes towards school, fewer incidents of violence, less drug and alcohol use, more positive social attitudes, and improved relationships. Many young people transition out of the foster care system without solid connections and familial supports, making it challenging, at best, to build successful lives. In an effort to create a healthy support network, it is critical that current and former foster youth connect with a peer who can recognize their strengths, talents, and potential while giving them an “experienced” helping hand into their future.<sup>8</sup>

- **State Financial Support:** Ohio should provide grant funding to agencies to provide peer-mentoring services to transition-age youth in foster care, or former foster youth up to age 25.

## Who Are “Transition Age Youth”?

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Generally, transition age youth are youth that are ages 16-25 that are, or previously were, in the state child welfare or juvenile justice system. They are removed from the custody of their birth parents due to abuse, neglect, or for some other reason, such as the death of a parent or child behavioral problems.

While in state custody, transition age youth are typically placed in:

- Foster care homes
- Kinship care homes (with a relative or family friend)
- Residential treatment centers (to receive behavioral health services)
- Department of Youth Services facilities

### Outcomes

Transition age youth in foster care and those aging out of foster care are vulnerable to negative outcomes and often ultimately return to the care of the state as adults, either through the public welfare, criminal justice, or other support systems. Studies show that outcomes for these youth are far worse than outcomes for youth in the general population, in which many youth can rely on assistance from their families for financial and emotional supports.

According to the Congressional Research Service, on average, parents give their youth (in the general population) an estimated \$38,000 — or about \$2,200 a year — between the ages of 18 and 34 to supplement wages, pay for college tuition, and help with housing costs, among other types of financial assistance. Parents also allow their adult children to live with them and provide their children with non-material assistance, such as help with obtaining a driver’s license, guidance on applying to college, advice on finances and establishing a new household, and connections to other caring adults in their communities. However, **for older foster youth and those who have already aged out of care, this assistance is usually not in place.** Spending years in foster care may inherently cause instability because of multiple out-of-home placements, school transfers, and the challenge in maintaining relationships with friends, parents, and other kin. Youth often experience further instability if they cannot afford to live on their own or are unable to live with relatives or friends upon emancipation. In most states, youth may not remain in foster care beyond age 18, a time when most young people explore educational and career options.

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<sup>8</sup> CWLA – Ensuring Healthy Connections for Young People in Foster Care through Peer Mentoring – National Foster Youth Advisory Council

## Key Statistics

- Nationally, over 26,000 youth emancipate from the foster care system at age 18 each year.<sup>9</sup>
- In Ohio, 1,300 foster youth emancipate from the foster care system at age 18 each year.<sup>10</sup>
- 33% of transition age youth had household incomes at or below the poverty level, which is three times the national poverty rate.<sup>11</sup>
- 22% of transition age youth experienced homelessness after leaving foster care.<sup>12</sup>
- 54% of transition age youth had clinical levels of at least one mental health problem, such as depression, social phobia, panic syndrome, post-traumatic stress disorder, or drug dependence, and 20% had *three or more* mental health problems.<sup>13</sup>
- Over 33% of transition age youth receive neither a high school diploma nor a GED, compared to fewer than 10% of their same-age peers (who had never been in the foster care system).<sup>14</sup>
- 28% of transition age youth have been arrested.<sup>15</sup>

## Overview of Existing Independent Living Services

The federal government, states, counties, and private agencies provide a wide array of transitional living services to disadvantaged youth that are transitioning into adulthood. The following includes the services provided specifically to foster youth – and foster care alumni – in Ohio.

### Independent Living Services Provided by Private Agencies

In Ohio, dozens of private not-for-profit and for-profit agencies provide independent living services to transition age youth. Private agencies may contract with public children service agencies (PCSAs) and the Ohio Department of Youth Services to provide a wide array of services, including:

- Supervised apartment living for transition age youth that allows them to live on their own in a program setting that guides and supports them as they grow toward independence.
- Twenty-four hour crisis counseling and guidance for the youth
- Support for accessing higher education
- Employment training, including interviewing, job applications, resume building, locating jobs, and career goal setting
- Meal and menu preparation and grocery shopping
- Financial management and banking
- Support for accessing quality rented apartments
- Support for accessing public transportation or buying an automobile
- Healthy living skills and exercise

### Independent Living Services Provided by Public Agencies

Public Child Services Agencies (PCSAs) in all 88 counties provide independent living services to transitional age youth in their custody, or youth that were previously in custody. PCSAs evaluate the need for, and make available, life-skill services to youth in agency custody who have attained the age of 16 in order to prepare them for transition from agency custody to independence. Independent Living (IL) services may also be provided to a youth under age 16 when the agency deems it appropriate. When determining the appropriateness of IL services for youth under 16 years of age, agencies consider the likelihood that the youth will remain in agency custody until their 18th birthday.

<sup>9</sup> Congressional Research Service. "Youth Transitioning From Foster Care: Background, Federal Programs, and Issues for Congress." Adrienne L. Fernandes. May 2008 <http://www.oacca.org/documents/crsTransitioningYouth2008.pdf>

<sup>10</sup> PCSAO 2007-2008 Factbook. [http://www.pcsao.org/factbook2007\\_2008.htm](http://www.pcsao.org/factbook2007_2008.htm)

<sup>11</sup> Casey Family Programs – The Northwest Foster Care Alumni Study (2003). <http://www.casey.org/Resources/Publications/NorthwestAlumniStudy.htm>

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Mark E. Courtney & Amy Dworsky, Chapin Hall Discussion Paper, Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 19. <http://wprp.ucop.edu/documents/PMSC08MAR2007.PDF>

<sup>15</sup> Ibid.

When requested, PCSAs provide services and support to young adults who are not yet 21 years old, and are former foster care recipients who emancipated from the agency's custody due to reaching age 18. The agency evaluates the current needs of the young adult to determine the range of services to be provided, and provides these services and support to complement the young adult's own efforts at achieving self-sufficiency. Based on federal guidelines, services are required to be provided until the young person's 21st birthday.

The structure of individual IL programs is not prescribed by ODJFS so there is diversity among the 88 counties with regard to the actual components of IL programs. If a PCSA is providing services to a young adult between the ages of 18 and 21, the PCSA explores and coordinates the services with other community resources. Based on an individual life-skills assessment of each youth in care, and an individual evaluation of an emancipated young adult, agencies are required to provide services such as, but not limited to, those listed below:

- Outreach, individual and group counseling
- Education and vocational training (i.e., preparation for a General Equivalency Diploma [GED], or for higher education, job readiness, job search assistance and placement programs)
- Counseling and instruction in basic living skills, parenting, health care
- Access to community resources and transportation
- Counseling and training on such subjects as self-esteem and self confidence, interpersonal and social skills training and development
- Matching each youth with an adult who can serve as an advocate, resource, and mentor in daily living skills
- Culture and gender specific activities
- School dropout prevention programs

An agency may use up to 30% of its federal IL allocation for room and board for the emancipated youth up to age 21. "Room and board" assistance may include assistance with rent, initial rent deposit, utilities or utility deposits.

Agencies that provide aftercare services use various methods to reach clients, such as public assistance programs, foster parents, and group homes. ODJFS encourages agencies to develop and participate in community organizing efforts and ongoing support networks for youth leaving substitute care. The need for inter-system collaboration is greatly encouraged, and a cross-systems approach is promoted across the state. ODJFS collaborates with other state agencies, as well as local public and private child and family serving groups that have successful programs which can serve the youth population.

A Statewide Independent Living Planning Workgroup, made up of representatives from mental health, MRDD, education, health, job training, specialized advocacy groups and child welfare agencies has been working together since the initiation of the Chafee Foster Care Independence Program (CFCIP) in 1999. This group has worked together to develop a state plan for the provision of services, OAC rules to govern agency practice and minimum standards, the development of practice standards, focus groups with youth, and the development of youth leaders and a Youth Advisory Board. This group is also using the results of a needs assessment and program/cost evaluation completed in February 2000 to develop outcome measures to be implemented statewide. The PCSAO has also developed IL standards that are widely used by the PCSAs.

*Source: Child and Family Services Review Statewide Assessment. Ohio Department of Job and Family Services. April 2002.*

## **Federal Independent Living Laws and Programs**

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### **Chafee Foster Care Independence Act of 1999**

The Chafee Foster Care Independence Program expanded eligibility for independent living services to youth and doubled the funding available to states to provide these services. The CFCIP offers assistance to help current and former foster youth achieve self-sufficiency. Funding is offered to states that submit a plan to assist youth. Under this program, states can use federal funding and matching state dollars to provide support for youth transitioning from foster care to independent living.

**Program Overview:** Expands eligibility for independent living services to youth ages 18-21. It provides \$140 million in annual funding to states for providing independent living services programs. States are required to contribute 20 percent in matching funds. Many

states and localities choose to supplement CFCIP funds with their own dollars, or private funds. To receive funds, states must provide written transitional independent living plans based on the needs of each youth. Gives states flexibility to decide what services they will provide with the funds they receive.

*Source: National Association of Counties – 2007-2008 Presidential Initiative*

### **Education and Training Voucher (ETV) Program**

The Promoting Safe and Stable Families Amendments Act of 2001 added the Education and Training Voucher (ETV) Program to the Chafee Foster Care Independence Program. The Program provides vouchers of up to \$5,000 per year to youth who have aged out of foster care or were adopted from foster care at age 16 or older to be applied to an institution of Higher Education as defined by the Higher Education Act of 1965. Youth participating in the program at the age of 21 may continue to participate until they reach the age of 23 as long as they are enrolled in a qualifying program.

*Source: Child Welfare League of America – Promoting Safe and Stable Families (PSSF) Program*

### **Family Unification Program (FUP)**

The federal Family Unification Program (FUP) is the only national housing program designed to prevent children from entering foster care unnecessarily as a result of their family's housing problems. It is also available to families to reunite them with children who are otherwise unable to leave foster care as a consequence of their parents' inability to obtain safe, decent housing. Since the award of the initial vouchers in 1992, FUP has grown to a total of over 39,000 vouchers. In 2000, the program was extended to provide time-limited housing choice vouchers to youth aging out of the foster care system. FUP is administered by HUD's Office of Public and Indian Housing.

*Source: Child Welfare League of America – Family Unification Program FAQ*

### **Runaway and Homeless Youth Act of 1974**

The Runaway and Homeless Youth Act establishes and authorizes funding for a set of programs targeted to young people in runaway and homeless situations and the network of community-based, faith-based, and public organizations supporting them. RHYA establishes three service programs and a set of support activities.

The Runaway and Homeless Youth Programs are comprised of 3 components: Basic Centers, Transitional Living and Street Outreach.

- The Basic Center Program, which provides financial assistance to meet the immediate needs of runaway and homeless youth and their families, including emergency shelter, reunification when possible, food, clothing, counseling and facilitating access to health care;
- The Transitional Living Program which supports projects that provide long-term residential services to homeless youth ages 16 to 21 for up to 18 months; and
- The Street Outreach Program, which provides funds to private and nonprofit agencies performing outreach efforts designed to move youth off the streets.

*Source: National Alliance to End Homelessness – Runaway and Homeless Youth Act, Center for Law and Social Policy – Leave No Youth Behind: Opportunities for Congress to Reach Disconnected Youth*

### **McKinney-Vento Homeless Assistance Act of 1987**

The McKinney-Vento program is designed to address the problems that homeless children and youth have faced in enrolling, attending, and succeeding in school. Under this program, State educational agencies (SEAs) must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youth. Homeless children and youth should have access to the educational and other services that they need to enable them to meet the same challenging State student academic achievement standards to which all students are held. In addition, homeless students may not be separated from the mainstream school environment. States and districts are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth.

*Source: United States Department of Education—Education for Homeless Children and Youth Program*

Funds under this program may be used for the following:

- To provide activities for, and services to, homeless children, including preschool-aged homeless children, and youths that enable such children and youths to enroll in, attend, and succeed in school, or, if appropriate, in preschool programs.
- To establish or designate an Office of Coordinator for Education of Homeless Children and Youths in the State educational agency.
- To develop and implement professional development programs for school personnel to heighten their awareness of, and capacity to respond to, specific problems in the education of homeless children and youths.

*Source: United States Department of Education – Part C—Homeless Education*

### **The Adoption and Safe Families Act of 1997**

The Adoption and Safe Families Act of 1997 (ASFA, P.L. 105-89) amended the Social Security Act at Section 475(5), which required that all young people in foster care have a permanency plan. ASFA established that, in addition to reunification, adoption, placement with a relative, and legal guardianship, “another planned permanent living arrangement” (APPLA) is specified as a permanency option, and may include independent living. While the CFCIP is intended to expand independent living services for older youth in foster care, Section 477 of the act encourages states to continue their efforts to achieve permanency for a young person, including by specifying that states should continue to locate and achieve placement in adoptive families for older youth in care.

*Source: Congressional Research Service – CRS Report for Congress – Youth Transitioning from Foster Care: Background, Federal Programs, and Issues for Congress*

### **College Cost Reduction and Access Act of 2007**

As of July 2009, the College Cost Reduction Act (P.L. 110-84) will allow certain youth who have been in foster care to claim independent status when applying for federal financial aid. The act amended the definition of “independent student” in the Higher Education Act to include any child “who is an orphan, in foster care, or a ward of the court at any time when the individual is 13 years of age or older” and “is an emancipated minor or is in legal guardianship as determined by a court of competent jurisdiction in the individual’s state of legal residence.” The act does not specify the length of time that the child must have been in foster care or the reason for exiting care, to be eligible to claim independent status. The law first becomes effective for the 2009 to 2010 school year.

*Source: Congressional Research Service – CRS Report for Congress – Youth Transitioning from Foster Care: Background, Federal Programs, and Issues for Congress*

### **Workforce Investment Act (WIA) of 1998**

The Workforce Investment Act (WIA) authorizes job training programs to unemployed and underemployed individuals through the Department of Labor (DOL). Two of these programs — Youth Activities and Job Corps — provide job training and related services to targeted low-income vulnerable populations, including foster youth. The WIA Youth Activities program focuses on preventative strategies to help in-school youth stay in school and receive occupational skills, as well as on providing training and supportive services, such as assistance with child care, for out-of-school youth. Job Corps is an educational and vocational training program that helps students learn a trade, complete their GED, and secure employment. To be eligible, foster youth must meet age and income criteria as defined under the act. Young people currently or formerly in foster care may participate in Youth Activities if they are ages 14 to 21, and in Job Corps if they are ages 16 to 24 (20% of participants must be ages 22 to 24).

WIA also authorizes funding for pilot programs in states. The DOL Employment and Training Administration awards grants to states (five in 2005) to design and implement programs to improve self sufficiency, education attainment, and employment skills of youth aging out of foster care. (See Issue: Workforce on page 17 for more information).

*Source: Congressional Research Service – CRS Report for Congress – Youth Transitioning from Foster Care: Background, Federal Programs, and Issues for Congress*

### **Fostering Connections to Success and Increasing Adoptions Act of 2008**

This landmark legislation was passed by Congress in September 2008 and has not come into effect yet. The act authorizes the following:

- It allows states to provide care and support to youth in foster care until the age of 19, 20, or 21 provided that the youth is either 1) completing high school or an equivalency program; 2) enrolled in post-secondary or vocational school; 3) participating in a program or activity designed to promote, or remove barriers to, employment; 4) employed for at least 80 hours per month; or 5) incapable of doing any of these activities due to a medical condition. The protections and requirements currently in place for younger children in foster care would continue to apply for youth ages 18-21. Youth ages 18-21 could be placed in a supervised setting in which they are living independently, as well as in a foster or group home. States could also extend adoption assistance and/or guardianship payments on behalf of youth ages 19, 20, or 21.
- It requires child welfare agencies to help youth make the transition to adulthood by requiring, during the 90-day period immediately before a youth exits from care at 18, 19, 20, or 21 that the child's caseworker, and other representatives as appropriate, helps the child develop a personal transition plan.
- It makes children 16 and older adopted (or who leave to legal guardianship with a relative) from foster care eligible for independent living services and for education and training vouchers (ETV).
- It gives states the option to use federal Title IV-E funds for kinship guardianship payments for children raised by relative caregivers who care for them in foster care and are committed to caring for them permanently when they leave foster care.
- By "de-linking" a child's eligibility for federal adoption assistance payments from outdated AFDC income requirements, the act increases the number of children with special needs who can be adopted with federal support. The act also renews the Adoption Incentive Grant Program for an additional five years.
- It expands the availability of federal Title IV-E training dollars to cover training of staff not only in public agencies but in private child welfare agencies as well as court personnel, attorneys, guardian ad litem, and court appointed special advocates. Title IV-E training dollars could also be used to train prospective relative guardians in addition to foster and adoptive parents. Funding for this new training is phased in over 5 years.

## Additional Resources

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1. "Chapter 12 Summary: Family Support During the Transition to Adulthood"  
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Edited by Richard A. Settersten and Frank Furstenberg, 2005
2. "Youth Transitioning From Foster Care: Background, Federal Programs, and Issues for Congress"  
*Congressional Research Service*, May 2008  
[www.oacca.org/documents/crsTransitioningYouth2008.pdf](http://www.oacca.org/documents/crsTransitioningYouth2008.pdf)
3. "Youth Aging Out of Foster Care: Identifying Strategies and Best Practices, 2007-2008 Presidential Directive"  
*National Association of Counties*, February 2008  
[www.oacca.org/documents/countyassocreportonILservices.pdf](http://www.oacca.org/documents/countyassocreportonILservices.pdf)
4. "Connected by 25 Youth Transitions Resource Center."  
*The Finance Project*  
[www.financeproject.org/index.cfm?page=32](http://www.financeproject.org/index.cfm?page=32)
5. "Connected By 25: A Plan for Investing in Successful Futures for Foster Youth."  
*The Finance Project*  
[www.financeproject.org/Publications/foster%20care%20final1.pdf](http://www.financeproject.org/Publications/foster%20care%20final1.pdf)
6. "Connected by 25: Improving the Life Chances of the Country's Most Vulnerable 14-24 Year Olds"  
*Stanford University*. Michael Wald and Tia Martinez. William and Flora Hewlett Foundation Working Paper  
November, 2003  
[www.billwilsoncenter.org/Downloads/pdfs/FinalVersionofDisconnectedYouthPaper.pdf](http://www.billwilsoncenter.org/Downloads/pdfs/FinalVersionofDisconnectedYouthPaper.pdf)
7. "It's My Life: A Framework for Youth Transitioning from Foster Care to Successful Adulthood"  
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8. "Coming of Age: Employment Outcomes for Youth Who Age Out of Foster Care Through Their Middle Twenties"  
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9. "Programs and Resources for Youth Aging Out of Foster Care"  
Child Welfare League of America  
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[www.caseylifeskills.org](http://www.caseylifeskills.org).
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Child Welfare Project: Independent Living for Foster Youth. National Council of State Legislatures.  
<https://www.ncsl.org/programs/cyf/ILFY.htm>

#### **WORKFORCE DEVELOPMENT**

19. "Connected by 25: Financing Workforce Development Programs for Youth Transitioning Out of Foster Care"  
*The Finance Project*

#### **HEALTH COVERAGE**

20. "Improving Access to Health Coverage for Transitional Youth"  
*National Academy for State Health Policy*  
 July 2008  
[www.nashp.org/Files/transitional\\_youth.pdf](http://www.nashp.org/Files/transitional_youth.pdf)

#### **MENTAL HEALTH**

21. "Facts on Transitional Services for Youth With Mental Illnesses"  
 The Bazelon Center for Mental Health Law, August, 2004  
[www.bazelon.org/issues/children/factsheets/transition.htm#\\_edn1](http://www.bazelon.org/issues/children/factsheets/transition.htm#_edn1)
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