

Steve Sisolak  
Governor



Richard Whitley, MS  
Director

# DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES  
*Helping people. It's who we are and what we do.*



Cindy Pitlock, DNP  
Administrator

MTL # 0801 – 02182022  
02182022

TO: Timothy Burch, Administrator – Clark County Department of Family Services  
Karla Delgado, Interim Deputy Administrator – Community Services – DCFS  
Betsey Crumrine, Social Services Manager V – DCFS – District Offices  
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Amber Howell, Director – Washoe County Human Services Agency

FROM: Dr. Domonique Rice, Deputy Administrator, Division of Child and Family Services

## POLICY DISTRIBUTION

Enclosed find the following policy for distribution to all applicable staff within your organization:

### 0801 Youth Independent Living Program: Ages 14 Through 17

This policy is/was effective: 2/18/2022

- This policy is new. Please review the policy in its entirety
- This policy replaces the following policy(s): MTL # \_\_\_\_\_ - \_\_\_\_\_ Policy Name: \_\_\_\_\_
- This policy has been revised. Please see below for the type of revision:
- This is a significant policy revision. Please review this policy in its entirety.
  - This is a minor policy revision: (List page number & summary of change): Located on page 7 section Developing the Independent Living Transitional Plan (ILTP)
    - Included IV-E eligibility information for FFSPA
    - Specifically, to include “the plan must be develop or revised in consultation with the child, and the child may choose not more than two persons, who are not the caseworker or foster caregiver to participate in the planning process
    - Included language stating the agency may reject the individual selected by the child with good cause, and if a conflict should arise the issues must be staffed and documented.
    - Included an individual selected by the child may be designated to be the child’s advisor/advocate with respect to the reasonable and prudent parent standards.
  - A policy form has been revised: (List form, page number and summary of change):

## NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **ALL STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address:  
<http://dcfs.nv.gov/Policies> Please check the table of contents on this page for the link to the chapter you are

interested in.

CC:

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## 801 Youth Independent Living Program: Ages 14 Through 17

### Policy Approval Clearance Record

<input checked="" type="checkbox"/> Statewide Policy <input type="checkbox"/> Administrative Policy <input type="checkbox"/> DCFS Rural Region Policy	<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Modified Policy <input checked="" type="checkbox"/> This policy supersedes: 0801 Youth Independent Living Program, MTL# 0801-09272016
Policy Effective:	02/18/2022
Attorney General Representative Review:	07/22/2020
DCFS Deputy Administrator Approval	01/18/2022
DMG Original Approval	09/18/2015
DMG Approved Revisions	02/18/2022

### STATEMENT OF PURPOSE

**Policy Statement and Purpose:** Child welfare agencies have the responsibility to provide foster youth the opportunity to learn the necessary skill sets to allow them to develop into productive and self-sufficient adults prior to leaving foster care. For youth ages 14 through 17, the Independent Living Program (ILP) regularly assesses youth capacity to make appropriate decisions, to form and maintain meaningful connections with supportive adults, and to develop the foundational knowledge and skills that are required to successfully navigate adulthood independently.

Using a Positive Youth Development framework, youth are the architects of their own Independent Living Plans designed to monitor the development of these skills and are supported by a secondary Independent Living (IL) worker role in achieving their IL Transitional Plan goals. Youth who participate in the IL program will be offered the opportunity to: complete their high school education; engage in career exploration, vocational training, job placement and retention training; and to be provided training and opportunities to practice daily living skills such as financial literacy or driving instruction. Program participants can expect to receive substance abuse prevention, pregnancy prevention and smoking avoidance programming, and other assistance managing their personal health. They may participate in religious, cultural and developmentally appropriate activities that reflect what peers in intact families may experience and supported in their pursuit of post-secondary education and training. The IL program seeks to connect youth who have experienced foster care at 14 or older with supportive, caring adults to form meaningful relationships that will outlast the youth's time in foster care, and to support youth who have left foster care at age 18 in their efforts to achieve self-sufficiency through taking increased personal responsibility for the management of their lives as they transition to adulthood.

This policy provides guidance to Nevada's Child Welfare Agencies regarding required IL case management responsibilities for youth in foster care ages 14 through 17. These requirements are consistent with Federal and State laws, and other existing Statewide Child Welfare Policies.

### AUTHORITY

**Federal:** [8 USC §§ 1101-1178](#); [8 CFR 204](#); [42 USC § 675](#); [42 USC § 677](#); [42 USC § 1396](#); [45 CFR 1356](#); [Foster Care Independence Act of 1999](#); [Fostering Connections to Success and Increasing Adoptions Act of 2008](#); [Child and Family Services Improvement and Innovation Act](#); [Preventing Sex Trafficking and Strengthening Families Act](#); [Justice for Victims of Trafficking Act of 2015](#); [The Family First Prevention Services Act within Division E, Title VII of the Bipartisan Budget Act of 2018](#)

**NAC:** [NAC 432](#); [NAC 432B.400](#); [NAC 432B.410](#)  
**NRS:** [NRS 422.2717](#); [NRS 432.032](#); [NRS 432.033](#); [NRS 432.0395](#); [NRS 432.520](#); [NRS 432.525](#);  
[NRS 432.530](#); [NRS 432.535](#); [NRS 432.540](#); [NRS 432.545](#); [NRS 432.548](#); [NRS 432.550](#); [NRS 432B.174](#);  
**Other:** [Administration for Children and Families, Log No: ACYF-CB-IM-19-03](#); [79<sup>th</sup> Nevada Legislative Session, Assembly Bill 142](#); [80<sup>th</sup> Nevada Legislative Session, Assembly Bill 176 & Senate Bill 368](#)

## **DEFINITIONS**

For the purposes of this policy, the terms “child” and “youth” may be used interchangeably.

**Agency which Provides Child Welfare Services:** In a county whose population is less than 100,000, the agency is a local office of the Division of Child and Family Services; or in a county whose population is 100,000 or more, the agency of the county, which provides or arranges for necessary child welfare services. May also be referred to as “Agency” or “Child Welfare Agency”.

**Chafee Program:** Abbreviated title for the John H. Chafee Foster Care Program for Successful Transition to Adulthood, the federal foundation of the statewide independent living program. The Chafee Foster Care Independent Living Program assists states and localities in establishing and carrying out programs designed to assist foster youth likely to remain in foster care. Services are available to youth who are 14 or older while currently in foster care and to former foster care youth who aged-out of the foster care system at age 18. Services are also available to youth who were adopted or obtained a guardianship on or after their 16th birthday. Young people who meet the above criteria and have aged-out may continue receiving services until age 21.

**Commercial Sex Act:** The giving or receiving of anything of value (money, drugs, shelter, food, clothes, etc.) to any person in exchange for a sex act (as defined in the federal Tracking Victims Protection Act).

**Dual Custody Youth:** Youth who are simultaneously in the custody of a Child Welfare Agency, as well as wards of the Juvenile Justice System. May be referred to as “Cross over youth (COY)”. (Division of Child and Family Services – Youth Parole Bureau).

**Education and Training Voucher (ETV):** Part of the Chafee Program, ETV provides up to \$5,000 per year of flexible funds to eligible youth who are participating in post-secondary education or training, for a maximum of 5 years or 10 semesters. Eligibility for this national benefit terminates at age 26.

**Grievance:** An official record of complaint over a child's perceived violation of their rights, including those pursuant to NRS 432.525; NRS 432.530; and NRS 432.535. May be provided to any actor within the child welfare system, a member of a juvenile court with jurisdiction over the child, or the child's attorney.

**Independent Living Meeting:** For youth age 14 and above, a meeting that reviews the assessment of youth IL skills and needs, documents the programs and services provided by a Child Welfare Agency to meet these needs, and sets and reviews youth progress toward transitional plan goals. On at least an annual basis, the IL meeting will contain a review of the youth's credit reports, reassess the youth's IL skills and needs, update transition goals and the current programs and services in place based on the youth's progress toward these goals. Whenever possible, youth should lead their own IL meetings, and are encouraged to involve two supportive adults who are not the caseworker, IL Worker or foster parent in the development of their transitional plans.

**Independent Living (IL) Services:** Services including assessment and referral to appropriate services designed to teach basic life skills and provide opportunities to: enhance a youth's capacity to make appropriate decisions; form meaningful connections with supportive adults; participate in religious, cultural and developmentally appropriate activities that reflect what peers

in intact families may experience; and to participate in employment and post-secondary education and training.

**Independent Living Transitional Plan (ILTP):** The document used to identify both long-term goals and short-term objectives and correlated services to prepare the youth for adulthood, which is completed annually or more frequently. When completed after age 17.5, it is also the written plan that addresses both the federal requirements for transition planning 90 days prior to a youth leaving foster care, along with addressing the goals required by State law for youth who choose to remain under Court Jurisdiction at age 18.

**Independent Living (IL) Worker:** The Child Welfare Agency caseworker or contracted Agency coordinating required case management activities for the IL Program. May provide services to the youth directly, or coordinate referral with other service providers in the youth's community.

**Missing Child:** A person under the age of 18 years who has run away or is otherwise missing from the lawful care, custody and control of a parent or guardian ([NRS 432.150\(4\)](#)).

**Normalcy for Foster Youth Account:** A dedicated account that may accept donations or State General Fund revenue to allow youth in foster care to participate in extracurricular, cultural or personal enrichment activities ([NRS 432B.174](#)).

**Permanency Goal:** The hierarchy of permanency goal options that ensure legal and emotional permanency for a child, which are in descending order of priority: 1) Reunification; 2) Adoption; 3) Legal Guardianship; 4) Permanent placement with a fit and willing relative; and 5) Other Planned Permanent Living Arrangement (OPPLA). Selection of this goal requires that the child be at least sixteen (16) years old and compelling reasons be documented to the court explaining why permanency goals 1-4 are not an option.

**Post-Secondary Education:** Education taking place following graduation from high school or attainment of equivalent education. Term includes participation at community colleges, liberal arts colleges, universities, vocational schools, trade schools, formal apprenticeships, institutes of technology, or professional school or credentialing institutions. May also include college or university level courses completed concurrently with a youth's secondary education.

**Runaway:** A child whose whereabouts are currently unknown and who is believed to have left his or her placement voluntarily.

**Siblings:** Are children who have one or more parents in common either biologically, through adoption, or through the marriage of their parents, and with whom the child lived before his or her foster care placement, or with who the child would be expected to live if the child were not in foster care.

**Sex Trafficking:** The recruitment, harboring, transportation, provision, obtaining, patronizing or soliciting of a person for the purpose of a commercial sex act. The commercial sexual exploitation of a child (CSEC), also referred to as child sex trafficking, is defined by federal law as a form of child sexual abuse, and involves the recruitment, harboring, transporting, provision or obtaining of a person under 18 years of age for a commercial sex act (i.e., when something of value is given to or received by any person). Force, fraud or coercion are not necessary for child sex trafficking. CSEC includes child prostitution, child pornography, trafficking of children for sexual purposes, child sex tourism, and forced marriage (Victims of Trafficking and Violence Protection Act).

**State:** An alternate word for the Division of Child and Family Services (DCFS) or Family Programs Office (FPO).

**Supervisor/Manager:** Staff with direct oversight over case-carrying child welfare staff, specialized support staff, or their supervisors.

## **STANDARDS/PROCEDURES**

### **Training**

#### **Initial Training Requirements:**

1. All IL Workers and Supervisors/Managers are subject to the training requirements listed in [Statewide Policy 1402: Training Policy](#), and are encouraged to develop a training plan timely upon hire to ensure these are completed within prescribed deadlines.
2. All IL Workers and Supervisors/Managers are required to complete the following trainings within their first year of assignment to the IL Program:
  - a. Nevada Independent Living Program Training (please contact the Independent Living Program Specialist at [il@dcfs.nv.gov](mailto:il@dcfs.nv.gov) to schedule).
  - b. Motivational Interviewing.
  - c. Positive Youth Development.

#### **Ongoing Training Requirements:**

1. All IL Workers and Supervisors/Managers are subject to the ongoing training requirements set forth in [Statewide Policy 1402: Training Policy](#).
2. To advance from journey level IL Worker to the Supervisor/Manager level, it is recommended that staff complete the following trainings:
  - a. National Youth in Transition Database (NYTD) training (please contact the Independent Living Program Specialist at [il@dcfs.nv.gov](mailto:il@dcfs.nv.gov) to schedule).
  - b. JBS International CQI Training Academy: Foundations of Continuous Quality Improvement (available on the [Child Welfare Collaborative](#) Website).
  - c. Child and Family Services Review (CFSR) Reviewer training, at the discretion of your jurisdictional Continuous Quality Improvement staff.

### **Youth Eligibility for Independent Living**

1. All youth in the custody of a child welfare agency who are over age 14 are eligible for participation in the IL Program until the date they reunify with their caregivers or emancipate from foster care, regardless of their state of origin.
2. Youth who left foster care after age 18 but are under age 21, and all youth who exit foster care after the age of 16 and do not reunify with their parents, are eligible for referral to IL Services under the Chafee program; this includes adoption and guardianship. This also includes such benefits as participation in the ETV program (if exiting care over age 16) and Medicaid coverage (if exiting care after age 18), under Nevada's Aged-Out Medicaid program.
3. Youth who are/were in the custody of a Nevada child welfare agency at age 14 or older may be eligible for the Nevada System of Higher Education's Foster Youth Fee Waiver, which covers the majority of the course enrollment fees (i.e. the cost of enrolling in classes) for eligible students. The fee waiver can be utilized at any of the seven (7) public degree-granting colleges or universities in Nevada, statewide. Youth who are currently, or who were formerly, involved in the foster care system anywhere nationally may be eligible for support at their campus, regardless of fee waiver eligibility, and should speak to the Foster Youth Fee Waiver representative for their college/university about potential resources. More information about the NSHE Foster Youth Success Initiative, including Foster Youth Fee Waiver eligibility requirements, the contact information for the NSHE Foster Youth Ambassador, and the foster youth-focused representatives at each college/university can be found here: <https://nshe.nevada.edu/initiatives/foster-youth/>. Ensure youth on your IL case load receive information regarding their exit from foster care at case closure (i.e., court order, Aged-Out Letter, etc.).

4. All youth over age 14 who are residing in Nevada and have lived foster care experience are eligible to participate in [Nevada LIFE](#) (Leaders In Future Excellence) – Nevada’s self-governing statewide youth advisory board.

### **Referral of Youth to the Independent Living Program (ILP)**

1. Youth who are in foster care and reach the age of 14 must be assigned to the ILP within forty-five (45) days of their birthday.
2. When a youth is older than 14 when entering the custody of a child welfare agency, they must be assigned to the ILP within forty-five (45) days of entry into foster care.
3. On a monthly basis, the IL Supervisor/Manager must compile a list of all youth who:
  - a. Attained the age of 14 while in the custody of the child welfare agency; and
  - b. Entered child welfare custody over the age of 14;
  - c. Are currently requiring IL services pursuant to [Statewide Policy 0201: Intra-State Courtesy Supervision](#); and who,
  - d. Are currently residing in Nevada per an ICPC Agreement and are over the age of 14.
4. Based on the time frames for each youth as detailed above, the IL Supervisor/Manager must refer this list of youth to the ILP in UNITY via the IL Referral Maintenance page, IL112.

### **Intake & Assessment**

**Accommodations or Exceptions to the ILP:** There are very rare circumstances when a youth may be unable to participate in IL services without reasonable accommodation of a youth’s individual needs; these circumstances may be temporary or ongoing. There must be proper explanation and documentation in the youth’s file and in UNITY, and the exception or adjustment to services to meet the developmentally or emotional needs must be approved by an IL Supervisor/Manager. Such circumstances include, but are not limited to:

1. The youth has significant medical problems or a severe developmental disability that cannot be reasonably accommodated to the point where the youth can meaningfully participate in the ILP. Youth should be reassessed as needed for capacity to participate in the ILP and the results of this assessment recorded in UNITY.
  - a. This does not include the youth who can still utilize IL services if accommodations can be made. For example, the IL worker can help provide a youth with skill building, finding appropriate adult connections, participating in developmentally appropriate activities, housing options for their specific needs, etc.).
2. The youth has significant behavioral or mental health concerns which hinder the youth’s ability to actively participate in the ILP. The IL Worker will make efforts to engage the youth as appropriate to their needs and assess what services can be provided. The IL Worker and/or caseworker should continue to engage the youth in program participation on going based on internal Agency policy and procedures and documenting efforts to engage in UNITY.
3. The youth is a missing child as defined in [NRS 432.150](#). The IL Worker should partner with the caseworker and other staff in locating the youth and documenting efforts in UNITY. (Refer also to [Statewide Policy 0210: Reporting, Locating and Responding to Missing Children](#)).
4. The youth is refusing to participate in the ILP. The IL Worker and/or caseworker should consider using motivational interviewing skills to continue to engage the youth in program participation on going based on internal Agency policy and procedures and documenting efforts to engage in UNITY.

### **The First Meeting:**

1. IL Workers are encouraged to check their referrals daily to ensure youth are contacted within ten (10) days of referral to schedule a face-to-face meeting with the youth, their caregiver, and any supportive adults the youth wishes to include.
2. At the first meeting, the IL Worker will explain the ILP, answer any questions the youth or their CFT may have, and provide a copy of the Foster Care Bill of Rights (refer to attachment FPO 0801B -Foster Care Bill of Rights) and Sibling Bill of Rights to the youth.
3. The IL Worker will answer any questions the youth or their CFT has regarding their rights, and ensure the youth is familiar with the child welfare agency's grievance procedure.
4. The IL Worker will explain that since the youth is over 14 and has foster care experience, they are invited to participate in two different levels of self-governing youth advisory boards: one at their local level, and the Statewide youth advisory board, Nevada LIFE. IL Workers will explain the role of the youth advisory board and share any information or promotional materials that may be available.

### **Assessing Youth IL Needs**

Assessing youth needs is both an initial and ongoing process, using both formal tools and informal means. In order to effectively assess a youth's IL needs, an IL Worker must encourage the youth to take an ownership of their own ILTP as they are the expert in their goals for adulthood, and their current capacity to achieve them.

1. Developmentally appropriate assessments must be conducted within forty-five (45) days of the youth's assignment to their IL Worker.
2. The State requires the completion of the Casey Life Skills (CLS) Assessment to inform the ILTP. It is available online here: [https://caseylifeskills.secure.force.com/clsa\\_homepage](https://caseylifeskills.secure.force.com/clsa_homepage). The IL Worker may be required to complete additional assessments at the discretion of their child welfare agency. A copy of these assessments should remain in the youth's file.
3. The CLS must be completed independently by the youth if able, and also, whenever possible, by their caretaker or other adults important to the youth. Each child welfare agency has its own unique organizational ID so that IL Supervisors/Managers may assign IL Workers their own account for use on the CLS website linked above. If a youth is unable to complete the CLS independently, please staff with your IL Supervisor.
4. Through engaged discussions with the youth, the IL Worker should informally assess for special considerations that should be incorporated throughout the youth's ILTP and their time in the ILP. These may include (but are not limited to) if the youth:
  - a. Is a person with a substance use disorder;
  - b. Identifies as a member of the LGBT+ community;
  - c. Is a CSEC survivor or at risk of becoming a victim of sex trafficking;
  - d. Is involved with the Juvenile Justice system or is a Dual Custody youth;
  - e. Identifies as a potential member of any Tribe;
  - f. Is part of an ICPC Agreement (either incoming to Nevada or being placed in another state);
  - g. Is pregnant, parenting, or about to become a father
  - h. Is a Special Immigrant Juvenile (DACA applicant or undocumented eligible youth);
  - i. Identifies with a culture that is not dominant in their placement community;
  - j. Experiences a disabling condition; or
  - k. Practices a religion or feels connected to a particular faith.
5. The results of the assessments for special considerations should be reflected on the youth's ILTP. If the youth is comfortable with the inclusion of goal-setting around these areas, special case planning considerations can also be included on the ILTP as specific goals, and



discussed with the rest of the CFT so that they may team in supporting the youth toward achievement of these goals.

6. A youth may not be comfortable including these special considerations on their ILTP as formal goals. In these cases, the special consideration should be case noted in UNITY, and a discussion had with the youth about how to best share this special consideration with their CFT. The ILP offers broad ability to tailor programming based on the needs of the youth, and IL. In every case, a youth with special considerations should lead the discussion of the ILP response to these considerations.
7. Youth must be re-assessed annually before the completion of their ILTP, which should be adapted based on the results of this, or any other formal or informal assessments.
8. If the youth's circumstances, goals, or skill levels change significantly, the IL Worker should reassess the youth, facilitate an IL Meeting if appropriate, and update the ILTP. This may occur more frequently than the annual requirement and should be reviewed as a matter of professional course by IL Supervisors.

### **Developing the Independent Living Transitional Plan (ILTP)**

The ILTP is developed in addition to a youth's family case plan and permanency plan and is submitted to court and attached to Intra-State Courtesy ILP and outgoing ICPC requests.

1. The plan must be developed or revised in consultation with the child; the child may, at their option, choose not more than two (2) persons, who are not the caseworker or foster caregiver, to participate in the planning process.
  - a. The agency may reject an individual selected by the child if the agency has good cause to believe the individual would not act in the best interests of the child.
    - i. If a conflict occurs the issue must be staffed with a supervisor for conflict resolution and the agency must document the reasons for rejecting the selected individual.
  - b. If necessary, an individual selected by the child may be designated to be the child's advisor/advocate with respect to the reasonable and prudent parent standards.
2. Whenever possible, the youth should lead the development of their own ILTP based on the requirements below, with the support and direction of their IL Worker.
3. The ILTP must be individualized with the youth based on the results of the Casey Life Skills Assessment and any other assessments, any special considerations facing the youth, and the youth's individual areas of strength and personal growth.
4. The ILTP must be developed within 30 days of completing the Casey Life Skills Assessment.
5. The ILTP directs goal setting in preparation for transition to adulthood in the areas of: achieving permanency; education; employment; parenting; health management; money management; housing; life skills development; family and community connections; leadership development; developmentally-appropriate enrichment and normalcy activities, and obtainment of personal documents. Whenever possible, ILTP goals should mirror those in the youth's family case plan and permanency plan.
6. Goals should be SMART (Refer also to Statewide Policy 0205: Caseworker Contact with Children, Parents and Caregivers):
  - a. **Specific:** The youth, IL Worker and CFT should have a clear idea of what the goal is.
  - b. **Measurable:** Everyone should know when the goal has been achieved, or what progress the youth has made toward the goal.
  - c. **Achievable:** The youth should reasonably be able to achieve the goal within 1 year.
  - d. **Realistic:** The youth's areas of strength, existing skills and areas for personal growth should be used to inform a feasible goal.

- e. **Time-Limited:** All goals should be able to be completed before the update of the youth's ILTP in the next year.
7. Prior to signing their ILTP, youth should be provided a copy of their rights and an opportunity to ask any questions surrounding their rights in care, and a child welfare agency's grievance process. A youth's signature on their ILTP indicates that they have been provided and understand their rights.
8. If a youth is unable to sign their ILTP or other documentation due to a limiting condition, the following members of the CFT should be asked to sign on behalf of the youth to indicate the documents were completed with the input and wishes of the youth:
  - a. A youth's Power of Attorney, if one has been appointed;
  - b. A supportive adult of the youth's choosing who will assist in the case plan goals;
  - c. The youth's Attorney;
  - d. The youth's Guardian ad Litem/CASA.

The signatory will write "for" on the youth's signature line, print their name and relationship to the youth, and sign on this line to indicate the youth's acceptance of the document.

### **ILP Case Management**

ILP case management activities may be continuous even after the child welfare case is closed. The IL worker assists the youth with the implementation of the ILTP through monitoring, performing case coordination, service referral, and facilitating the youth's participation in ILP activities.

The purposes of case management are to:

- a. Participate in CFT meetings with youth, and encourage the participation of supportive adults in the youth's life;
- b. Track progress toward goals and offer direct guidance, assistance and referrals to services when needed;
- c. Ensure that developmentally appropriate assessments are completed on at least an annual basis;
- d. Initiate IL planning team meetings for initial planning and when the ILTP requires goal revision or modification (at least annually)
- e. Provide or ensure referral to structured programming and skill-building activities, and facilitate youth participation in semi-structured and youth-directed activities to support their development of the skills required for successful transition to adulthood;
- f. Assure that youth are participating in age or developmentally appropriate activities that are generally accepted as suitable for children of the same chronological age or level of maturity ([Refer to Statewide Policy 1011: Reasonable and Prudent Parent Standard/Normalcy](#));
- g. Assist the youth in finding appropriate adult permanent connections within their social circle and the larger community;
- h. Assist the youth in participating in age and developmentally appropriate activities that approximate the experiences of their peers who do not have experience in foster care;
- i. Document all youth's IL activities, youth progress notes, IL worker contacts, and programming and services delivered in UNITY within 5 business days ([Refer to Statewide Policy 0205: Case Worker Contact](#));
- j. Ensure that if a youth has run away and/or has identified themselves as being a victim of CSEC or at risk of CSEC, the youth's primary caseworker is informed as soon as possible. ([Refer to Statewide Policy 0214: Commercial Sexual Exploitation of Children \(CSEC\)](#) and [Statewide Policy 0210 Reporting, Locating and Responding to Missing Children](#));
- k. Ensure that the most recent ILTP and any other supporting documentation indicated are prepared and submitted to the court to demonstrate services that are being

provided and the preparation process that is in place to assist the youth's successful transition into adulthood;

- l. Provide a copy of any credit report (without cost) to every youth in foster care over age 14 annually until they exit foster care, and assist in resolving credit reporting issues;
- m. Coordinate with other actors in the youth's life to collaboratively address progress goals (this may include those in the Juvenile Justice system, public or private education system, medical or mental health treatment providers, and other child welfare agency staff).
- n. If a youth is experiencing a medical, mental or behavioral health concern, ensure that the youth is aware of their treatment plan, and their medical rights surrounding their treatment. Assess their ability to independently care for their health conditions. ([Refer to Statewide Policy 0205: Case Worker Contact](#); and [Statewide Policy 0209: Psychiatric Care and Treatment](#)).
- o. Engage the youth in sharing with their child and family team if it appears the youth's current behavior may pose a risk to the continued safety of themselves and/or others, and support the youth in accessing services to remain safe and stable.
- p. Ensure that all required activities surrounding a youth's transition from foster care to adulthood are completed timely. (Please see Statewide Policy 802: Youth Independent Living Program: Ages 17 and Older for more information).

### **Special Case Management Circumstances Requiring Additional Actions**

#### **Special Immigrant Juveniles**

For youth who are in foster care and:

- a. Are under age 21;
- b. Unmarried;
- c. Who will not reunify with either parent, nor return to their nation of citizenship before leaving foster care at 18 or older; and
- d. Who are not a citizen of the United States protected by any other immigration status.

The child welfare agency will work with the youth and their legal counsel to petition for a change of status to a SIJ on behalf of the youth, if it is found that the youth meets the eligibility criteria as defined in the [USCIS Policy Manual, Volume 6, Part J, Chapter 2\(A\)](#). Without this change of status, youth who age-out of foster care may be subject to legal action up to and including removal proceedings from the United States.

1. The Agency will assess for SIJ eligibility as soon as possible upon a child's entry into care. The IL Worker will participate in this assessment with the child welfare agency if a youth is over age 14 and will assist with the timely processing of applications with the United States Customs and Immigration (USCIS) as needed. This process includes:
  - a. The requirement to request the Court make the factual findings necessary to enable a child to apply for status as a SIJ at a 432B hearing prior to age-out.
  - b. The USCIS Policy Manual, Volume 6, Part J-Special Immigrant Juveniles as located online at: <https://www.uscis.gov/policymanual/HTML/PolicyManual-Volume6-PartJ.html>.
  - c. Form I-360, Petition for Amerasian, Widow(er) or Special Immigrant. (Available online here: <https://www.uscis.gov/i-360>).
  - d. Form I-485, Application to Register Permanent Residence or Adjust Status. (Available online here: <https://www.uscis.gov/i-485>).
  - e. Form I-765, Application for Employment Authorization. (Available online here: <https://www.uscis.gov/i-765>).
  - f. Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative. (Available online here: <https://www.uscis.gov/g-28>).
  - g. Form G-1145, E-Notification of Application/Petition Acceptance. (Available online here: <https://www.uscis.gov/g-1145>).

All USCIS forms may be filed concurrently with the supporting documentation and appropriate filing fees included. Youth over age 14 should be provided copies of all USCIS documentation about their SIJ status applications.

### **Youth with A Compromised Credit Report**

1. On a monthly basis, the Independent Living Program Specialist (ILPS) or designee will upload youth credit files into UNITY. Youth credit files will contain reports from the three national credit reporting agencies: TransUnion, Equifax and Experian.
2. The ILPS or designee will email jurisdictional IL Supervisors once the monthly reports have been uploaded into UNITY.
3. IL Workers will check UNITY monthly to review all uploaded credit reports for their child welfare jurisdiction. The IL Worker will identify youth on their caseload with an uploaded credit report completed that month and assist the youth in interpreting and resolving any inaccuracies found on their reports.
4. If there is any evidence that there has been misuse of the youth's information and someone has committed fraud/identity theft, each jurisdiction must report this to the Attorney General's Office. The Attorney General's Office requests that child welfare agencies obtain a police report number prior to filing a Request for Investigation with their office. The IL Worker will contact their local law enforcement agency's non-emergency line to file a report.
5. After obtaining a police report number, the IL Worker will complete the "Request for Investigation" form to file a report with the Attorney General's Office, so that they may investigate and assist in removing any erroneous information from the youth's credit report(s). Please refer to Attachment FPO0801C: Request for Investigation.
6. Submit the form and supporting documentation required to the Investigative Assistant via fax to 775-486-0660. The occurrence should be documented in UNITY, including additional follow up or correspondence with the Attorney General's Office or credit issuing agency.

### **Youth Involved in the Juvenile Justice System/Dual Custody Youth**

Foster youth who are involved in Juvenile Justice or who are Dual Custody Youth due to placement in a foster care setting are entitled to the same IL programming and services as any other youth in care. IL Workers are encouraged to work collaboratively with the youth's supervising Officer and the Child Welfare Agency of jurisdiction to ensure the youth receives programming, services, and that case plan goals are aligned between agencies to support the youth's success.

### **Youth Remaining in Foster Care After Age 17**

Youth remaining in foster care after age 17 and through to the attainment of adulthood have additional transition planning and case closure needs, above what is required for youth leaving foster care between ages 14 and 17. Please refer to Statewide Policy 802: Youth Independent Living Program, Ages 17 and Over for additional IL Program requirements for youth remaining in foster care after age 17.

## **JURISDICTIONAL ACTION**

### **Child Welfare Agency Responsibilities**

1. An agency which provides child welfare services is responsible for enforcing the adherence of this policy by their workforce.

2. An agency which provides child welfare services is responsible for providing each new staff person with an orientation to the ILP and their position.
3. An agency which provides child welfare services is responsible for ensuring the participation and performance of their workforce in any Federal or State requests for program data, training, continuous quality improvement activities, and/or participation in state planning efforts relative to the ILP.

### **IL Supervisor/Manager Responsibilities**

1. The supervisors of those staff engaged in the ILP, and the managers of those supervisors are responsible for monitoring and enforcing the adherence of this policy by their direct and indirect reports through:
  - a. Ongoing daily monitoring of IL programming, staff and youth clients.
  - b. Conducting routine supervision activities designed to monitor staff performance to policy requirements, to coach staff in support of their ongoing professional development, to monitor youth outcomes, and to provide timely information and support to IL Workers experiencing difficulties in a particular case circumstance.
  - c. Conducting routine continuous quality improvement activities designed to improve programmatic performance and services to youth.

### **FAMILY PROGRAMS OFFICE RESPONSIBILITIES**

1. The Family Programs Office is responsible for oversight and adherence to federal and state law, regulation, administrative or court ruling(s).
2. The Family Programs Office is responsible for training and providing technical assistance to IL staff as required by state law or regulation.
3. The Family Programs Office is responsible for providing information relative for federal and state plan compliance with providing outcome data to support continuous quality improvement activities designed to improve the quality of programming and services offered to youth.

### **POLICY CROSS REFERENCE**

**Policies:** [0201 Intra-State Courtesy Supervision](#)  
[0204 Permanency and Case Planning](#)  
[0205 Case Worker Contact](#)  
[0210 Reporting, Locating and Responding to Missing Children](#)  
[0213 Visitation Policy](#)  
[0214 Commercial Sexual Exploitation of Children \(CSEC\)](#)  
[0701 ICPC](#)  
0802 Youth Independent Living Program: Ages 17 and Over  
[1011 Reasonable and Prudent Parent Standard/Normalcy](#)  
[1402 Training Policy](#)

**History and Updates:** This policy was effective 10/01/2015. It was rewritten and updated 9/16/2016 and 11/16/2020.

### **ATTACHMENTS**

FPO 0801A – Youth Independent Living Transitional Plan  
FPO 0801B – Foster Care Bill of Rights  
FPO 0801C – Request for Investigation