

AB 12 IMPLEMENTATION:

RECOMMENDATIONS RELATED TO THP-PLUS FOSTER CARE

Draft as of 4/18/11

Implementation of California legislation AB 12 promises to bring change to the ways older youth in foster care are cared for and supported by the child welfare system, especially as they navigate the transition from adolescence to adulthood. AB 12 extends the length of time for which a youth may stay in foster care by giving foster youth the option to remain in care past their 18th birthday. With much research documenting great economic and housing instability, low levels of education, and overall poor welfare among emancipated foster youth who have left or leave care at age 18¹, these changes help to address the daunting challenges facing many emancipated foster youth today.

AB 12 creates a new placement option known as THP-Plus Foster Care. THP-Plus Foster Care means “a placement that offers supervised housing opportunities and supportive services to eligible nonminor dependents.”² According to AB 12, THP-Plus Foster Care is a “placement of nonminor dependents, and shall offer the same housing models and supportive services as are available through the standard THP-Plus program available for emancipated foster youths.”³

The John Burton Foundation recommends that THP-Plus Foster Care placements, like all foster care placements for nonminor dependents, be grounded in the core values of AB 12, which emphasize the voice of young adults; assistance and partnering; love and belonging; the unique needs of youth; maintaining eligibility; and supporting development. These values are outlined below.⁴

Voice of Young Adults: The voices of young adults truly matter.

- AB 12 promotes youth-driven practice.
- Practice must recognize that youth over the age of 18 are legal adults.

Assistance and Partnering: Young people often need active assistance – and real partnerships – to reinforce and support learning as they transition into adulthood.

- Practice should be based on support, not supervision.

¹ Barth, R. P. (1990). On their own: The experiences of youth after foster care. *Child and Adolescent Social Work Journal*, 7(5), 419-440.

Cook, R. J. (1994). Are we helping foster care youth prepare for their future? *Children and Youth Services Review*, 16(3-4), 213-229.

Courtney, M. E., Piliavin, I., Grogan-Kaylor, A., & Nesmith, A. (2001). Foster youth transitions to adulthood: A longitudinal view of youth leaving care. *Child Welfare Journal*, 80(6), 685-717.

² Welf. & Inst. Code § 11400 (x)

³ Welf. & Inst. Code § 11403.2 (a)(3)

⁴ AB 12 core values were developed by the AB 12 Steering Committee and other stakeholders

- Practice must redefine the relationships that all practitioners have with youth and young adults (social workers, probation officers, attorneys, judges, care providers, etc.).

Love and Belonging: Everyone – no matter how old – needs someone to belong to and call their own.

- Practice should continue to promote permanency and permanent connections for youth and young adults throughout the period they are involved in the child welfare system. Permanency efforts must begin when a youth enters care, and be sustained.

Unique Needs: Every young adult is unique.

Eligibility is Maintained: Young adults should have access to every available service.

Development is Supported: Challenges, pitfalls and experimentation are part of the process of becoming an adult.

- It is not about compliance, but about planning for success.
- Practice should facilitate steadily increasing levels of responsibility and independence.
- Young adults must have room to make mistakes.
- Young adults must be provided reasonable accountability for their mistakes, but not ‘zero tolerance.’

RECOMMENDATIONS

The John Burton Foundation has developed a list of recommended provisions to be included in the THP-Plus Foster Care ACL and regulations developed by CDSS. These provisions are organized into the following areas: Program Components and Administration and Oversight. Additional recommendations will be developed on the topics of the THP-Plus Foster Care approval standards and the THP-Plus Foster Care Rate Structure.

I. THP-PLUS FOSTER CARE PROGRAM COMPONENTS

A. Program Purpose

1. **THP-Plus Foster Care ACLs and program regulations should include the following THP-Plus Foster Care program purpose:**

The purpose of THP-Plus Foster Care is to:

- a. Assist THP-Plus Foster Care participants in securing and maintaining appropriate, stable housing

- b. Promote permanent connections and family engagement to build and maintain healthy, sustainable family relationships
- c. Improve THP-Plus Foster Care participants' ability to secure and maintain meaningful employment
- d. Promote educational achievement, advancement and/or vocational training
- e. Assist THP-Plus Foster Care participants in gaining the skills to access critical community services and establish essential community connections for meeting personal needs; and
- f. Assist THP-Plus Foster Care participants by providing incremental responsibilities to enable them to gain the necessary lifeskills to successfully live independently

B. Program Elements

THP-Plus Foster Care ACLs and program regulations should emphasize the following program elements:

1. THP-Plus Foster Care programs must treat participants as adults.

- a. Program regulations should reflect the fact that THP-Plus Foster Care participants are adults with legal rights and responsibilities, and that THP-Plus Foster Care is a voluntary placement.
- b. In an effort to support participants' development and independence, THP-Plus Foster Care providers should be able to collect rent, provide youth with a monthly stipend for the youth to manage themselves, and utilize natural consequences to hold youth accountable for meeting participation requirements. "Zero tolerance" is not an appropriate service approach to transition age youth.
- c. THP-Plus Foster Care participants may be allowed to live with a roommate who is not in THP-Plus Foster Care if deemed appropriate by and at the discretion of the THP-Plus Foster Care provider and the county agency. These "non-participant roommates" may include, but are not limited to, a former foster youth in the standard THP-Plus program, the participant's co-parent, or a participant's sibling. Non-participant roommates will not receive housing subsidies or services through the THP-Plus Foster Care program.
- d. In order to enable providers to perform a background check on the participant's roommates if there is a safety concern, checks should be allowed but not required.

2. **THP-Plus Foster Care programs should work in partnership with the county social services or probation agency to assist youth in maintaining eligibility.** Providers should receive a copy of the mutual agreement and the Transitional Independent Living case plan outlining the rights and responsibilities of the youth and the agency when a youth is living in its THP-Plus program.

Providers will play an important role in supporting youth in meeting one of the participation requirements for extended foster care:

- Completing high school or equivalent program (i.e. GED); OR
 - Enrolled in college, community college or a vocational education program; OR
 - Participating in a program designed to remove barriers to employment; OR
 - Employed at least 80 hours a month; OR
 - Unable to do one of the above requirements because of a medical condition.⁵
3. Through ongoing case management activities, the THP-Plus Foster Care provider will have the most intimate knowledge of and ability to support a participant's ongoing eligibility. If a participant is not fulfilling the program or participation requirements, a meeting should be held between the provider, the county social worker, and the youth to try to solve the problem
 4. **THP-Plus Foster Care providers and the county social service or probation agency should coordinate service provision and referrals:** The partnership between the provider and the county should also include the coordination of responsibility for providing ILP services to avoid duplication of services and maximize available resources. If a participant is terminated from a particular THP-Plus Foster Care program, the provider should work closely with the county agency to determine another placement option for the youth. Notice should be sent to the youth and to the county agency, as well as any other relevant people supporting the participant's goals. All placement changes should also be documented in the participant's TILP.
 5. **The county social services or probation agency should be responsible for ensuring that THP-Plus Foster Care placements are available to serve participants with a wide range of service needs, including parenting youth and youth with high level mental health needs:** In most cases, THP-Plus Foster Care will serve as the placement with the highest level of case management and support for youth with high level service needs. The intake and assessment process should be used to determine the appropriate type and level of services needed by the participant, and to build in community supports and referrals as

⁵ Welf. & Inst. Code § 11403(b) (effective January 1, 2012).

necessary. The program shall provide or link participants to regular mental health support that is community-based and that includes case management and skills development. Providers will also be responsible for assisting parenting participants in learning to provide care and supervision for their child(ren). It may be appropriate for certain providers to specialize in serving sub-populations, such as parents or youth with high level mental health needs. Small counties may benefit from developing a regional approach to ensure that an appropriate placement is available to meet participants' specific needs.

6. **THP-Plus Foster Care regulations should build in program flexibility:** THP-Plus Foster Care placements should be flexible to meet the unique needs of each nonminor dependent. An application and interview process will be appropriate in many cases to determine if the placement is the right fit, and to identify the most suitable housing model.
7. **THP-Plus Foster Care placements should be accessible to the participant's community:** Participants shall be afforded the opportunity to be housed in their identified community; accessible to transportation, employment, school/educational opportunities, family, friends and necessary community services.
8. **THP-Plus Foster Care placements should support permanent connections, supports and relationships:** THP-Plus Foster Care shall identify and link participants to essential community supports, services, resources and relationships outside the child welfare system that can be sustained when the youth exits the program. These supports may include the host family model within the THP-Plus Foster Care program.
9. **THP-Plus Foster Care should include a planned transition from the placement:** THP-Plus Foster Care shall incrementally increase the responsibilities of the youth to promote a smooth transition out of the program. Programs will provide a graduated decrease of support so there is not an unbearable loss of services. Planned transitions may include alternative placements for nonminor dependents such as relative caregivers or the SILP, or discharge from foster care. Participants may also move between THP-Plus Foster Care placements, such as moving between an apartment and a host family setting. Participants may also be allowed to "transition in place" by taking over responsibility for the housing unit when THP-Plus Foster Care subsidy and support services end.
10. **Each participant should complete a lifeskills assessment upon program entrance:** THP-Plus Foster Care participants shall be assisted in completing a comprehensive Ansell-Casey lifeskills assessment or other approved assessment, and in developing their own, independent transitional plan. The THP-Plus Foster Care program shall have the capacity to assist participants in developing lifeskills in seven life domains: a) planning and organization; b) educational advancement; c) employment and career; d) community supports; e) personal living; f) personal finances and savings; and g) health and safety.

11. **THP-Plus Foster Care programs should use a team decision model:** Each THP-Plus Foster Care participant shall be encouraged to establish a transitional living or similar community based support team, and the program shall utilize a team-driven service delivery model.
12. **All THP-Plus Foster Care programs should emphasize case management:** Each THP-Plus Foster Care program shall be appropriately staffed to ensure proper case management and crisis assistance, as well as one-on-one lifeskills training, coaching, support, and guidance. THP-Plus Foster Care case managers should be required to visit participants a minimum of twice per month, and as often as needed. All visits should be documented. Periodic reports should be given to the county placing worker so that the provider's perspective can be included in the six month court report. A recommendation for a case management ratio will be provided with the forthcoming recommendations related to the THP-Plus Foster Care rate structure.
13. **THP-Plus Foster Care programs should assist participants in ensuring their health and safety:** The program shall assist youth in ensuring their own health and safety by: a) assisting youth in obtaining housing and furnishings which are in very good/excellent condition, safe and sanitary; b) providing instructions to participants on accessing health care and 24/7 emergency assistance; and assisting participants in securing medical, mental health or substance abuse services as needed.
14. **THP-Plus Foster Care programs should emphasize strengths-based service delivery:** The program shall encourage and promote healthy behavior. Service delivery shall be strengths-based and solution-focused. Emphasis shall be placed on preserving THP-Plus Foster Care participants in the program and teaching problem-solving skills. Natural consequences should be allowed rather than "top down" rules and enforcement, to promote personal responsibility.
15. **THP-Plus Foster Care programs should be governed by California fair housing law:** As with the THP-Plus program for former foster youth, THP-Plus Foster Care programs should follow all relevant housing laws.

II. THP-PLUS FOSTER CARE ADMINISTRATION AND OVERSIGHT

A. THP-Plus Foster Care County Plan

AB 12 requires three specific elements in the new county plan: (1) how the county will provide for the THP-Plus Foster Care population; (2) assurances that at least 30% of the placements will be set aside for the non-dependent THP-Plus population; and (3) a contingency plan for how THP-Plus placements will be reallocated in the event that there is not sufficient demand in

either the THP-Plus-Foster Care Program or the THP-Plus programs to fill the beds allocated for these populations.⁶

1. **The deadline for the THP-Plus/THP-Plus Foster Care Interim County Plan for FY 2011-12 should be September 1, 2011.** Counties should be notified of this deadline by June 1, 2011. Plan approval should be received by counties by December 1, 2011. This timeline will allow counties sufficient time to develop a plan for THP-Plus and THP-Plus Foster Care, and for CDSS to review and approve plans.

B. Data Collection Requirements

1. **THP-Plus Foster Care providers should be required to report on participant data on a periodic basis through the THP-Plus Participant Tracking System.**

Data collection and evaluation is essential to ensure the ongoing management and improvement of the new THP-Plus Foster Care placement. Currently, data for minor dependents are collected through the Child Welfare Services/Case Management System (CWS/CMS) managed by the Center for Social Services Research at UC Berkeley. Although the system will be modified as a result of AB 12, it is anticipated that any changes will be incremental and limited. Therefore, reliance on systems external to CWS/CMS will be an important component of data collection and evaluation.

The THP-Plus participant tracking system has been used since 2008 to collect data on THP-Plus participants throughout the state. Modifying the system to collect data on THP-Plus Foster Care participants would provide an efficient and cost-effective approach to ongoing evaluation and improvement.

C. Placement Approval Standards and County Oversight

As with the standard THP-Plus program, THP-Plus Foster Care placements will be approved by the county social services agency. Under AB 12, the approved THP-Plus Foster Care provider is then responsible for certifying the specific placement site or housing unit.⁷

The John Burton Foundation is convening a working group to create a set of recommended approval standards for THP-Plus Foster Care. The workgroup will examine existing THPP and THP-Plus certification standards in the context of AB 12.

III. THP-PLUS FOSTER CARE RATE STRUCTURE

⁶Welf. & Inst. Code § 11403.2(d)(2)

⁷Welf. & Inst. Code § 11403.2(a)(4)(c)

AB 12 requires the development of a new rate for THP-Plus Foster Care. A rate structure proposal is currently in development. CDSS is also in the process of determining the intersection between the federal IV-E entitlement and the state allocation process.

ABOUT THE JOHN BURTON FOUNDATION STAKEHOLDER INPUT PROCESS

The John Burton Foundation was one of the organizational sponsors of AB 12, and has provided more than 300 hours of training, technical assistance, and advocacy on behalf of the THP-Plus program since 2006 through the THP-Plus Statewide Implementation Project. The development of the THP-Plus Foster Care recommendations is based on the following components:

- Surveys of current and former THP-Plus participants and THP-Plus providers. Surveys were returned from 397 participants and 50 providers. The John Burton Foundation would like to acknowledge Jim Roberts of Family Care Network, Inc. for significant contributions to THP-Plus Foster Care program components. A county survey is currently being administered, and results will be incorporated into future recommendations.
- Structured interviews, focus groups and meetings with the CWDA THP-Plus Committee, the THP-Plus Provider Committee, advocates, youth, and other THP-Plus stakeholders.
- Data from the THP-Plus participant tracking system and the knowledge gained by providing training and technical assistance for five years through the THP-Plus Statewide Implementation Project.