

5101:2-42-19

Requirements for the provision of independent living services to youth in custody.

(A) Independent living services ~~are to~~shall be provided to each youth in the custody of a public children services agency (PCSA) or private child placing agency (PCPA) as developmentally appropriate, no later than the age of fourteen for normalcy and practical skills ~~who has attained the age of fourteen~~ to prepare them for the transition from agency custody to self-sufficiency.

(B) The PCSA or PCPA is to provide and explain the JFS 01677 "Foster Youth Rights Handbook" pursuant to paragraph (A) of this rule and paragraph (O) in rule 5101:2-42-90 of the Administrative Code.

~~(B)~~(C) If a PCSA or PCPA is providing independent living services to an eligible unmarried minor female who is pregnant or has a child and is part of an "Ohio Works First" (OWF) assistance group, the PCSA or PCPA is to ~~shall~~ inform the local county department of job and family services (CDJFS) of the PCSA or PCPA's involvement with the family in order to ensure coordination of services.

~~(C)~~(D) The PCSA or PCPA is to ~~shall~~ conduct a life skills assessment on each youth in agency custody; no later than ~~who has reached~~ age fourteen. The assessment is is to ~~shall~~ be completed no later than sixty days after the youth's fourteenth birthday or sixty days after the youth enters agency custody, if the youth is fourteen or older. A life skills assessment is to ~~shall~~ establish the need for independent living services identified in paragraph ~~(E)~~(D) of this rule. The life skills assessment is to ~~shall~~ be completed with documented input from the youth, the youth's caregiver, and the youth's caseworker. ~~case manager~~.

~~(D)~~(E) The PCSA or PCPA is to ~~shall~~ determine which independent living services are ~~and are not~~ applicable, or not needed based on the assessment referenced in paragraph (D) ~~required by paragraph (C)~~ of this rule and may ~~shall~~ include, but not be limited to the following:

(1) Academic support, ~~including:~~

~~(a) Academic counseling.~~

~~(b) Preparation for a GED.~~

~~(c) Assistance in applying for or studying for a GED exam.~~

~~(d) Tutoring.~~

~~(e) Help with homework.~~

~~(f) Study skills training.~~

~~(g) Literacy training.~~

~~(h) Help accessing educational resources.~~

(2) Post secondary educational support, including:

~~(a) Classes for test preparation.~~

~~(b) Counseling about college.~~

~~(c) Information about financial aid and scholarships.~~

~~(d) Help completing college or loan applications.~~

~~(e) Tutoring while in college.~~

(3) Career preparation, including:

~~(a) Vocational and career assessment, career exploration and planning, guidance in setting and assessing vocational and career interests and skills and help in matching interests and abilities with vocational goals.~~

~~(b) Job seeking and job placement support, identifying potential employers, writing resumes, completing job applications, developing interview skills, job shadowing, receiving job referrals, using career resource libraries, understanding employee benefits coverage, and securing work permits.~~

~~(c) Retention support and job coaching.~~

~~(d) Learning how to work with employers and other employees.~~

~~(e) Understanding workplace values such as timeliness and appearance.~~

~~(f) Understanding authority and customer relationships.~~

(4) Employment programs or vocational training, including:

~~(a) Participation in an apprenticeship, internship, or summer employment program.~~

~~(b) Participation in vocational or trade programs and the receipt of training in occupational classes for such skills as cosmetology, auto mechanics,~~

~~building trades, nursing, computer science, and other current or emerging employment sectors.~~

(5) Budget and financial management, ~~including:~~

- ~~(a) Living within a budget.~~
- ~~(b) Opening and using a checking or savings account.~~
- ~~(c) Balancing a checkbook.~~
- ~~(d) Developing consumer awareness and smart shopping skills.~~
- ~~(e) Accessing information about credit, loans and taxes.~~
- ~~(f) Filling out tax forms.~~

(6) Housing, education and home management training, ~~including:~~

- ~~(a) Assistance or training in locating and maintaining housing, filling out a rental application and acquiring a lease, handling security deposits and utilities, understanding practice for keeping a healthy and safe home, understanding tenants rights and responsibilities, and handling landlord complaints.~~
- ~~(b) Lessons in food preparation, laundry, housekeeping, living cooperatively, meal planning, grocery shopping, basic maintenance and repairs, and driving instruction.~~

(7) Health education and risk prevention, ~~including:~~

- ~~(a) Hygiene, nutrition, fitness and exercise, and first aid information.~~
- ~~(b) Medical and dental care benefits, health care resources and insurance, prenatal care and maintaining personal medical records.~~
- ~~(c) Sex education, abstinence education, and HIV prevention, education and information about sexual development and sexuality, pregnancy prevention and family planning and sexually transmitted diseases and AIDS; substance abuse prevention and intervention, including education and information about the effects and consequences of substance use (alcohol, drugs, tobacco) and substance avoidance and intervention.~~

(8) Family support and healthy relationship and marriage education including education and information about safe and stable families, healthy marriages,

spousal communication, parenting, responsible fatherhood, childcare skills, teen parenting and domestic and family violence prevention.

- (9) Mentoring including being matched with a screened and trained adult for a one-on-one relationship that involves the two meeting on a regular basis. Mentoring can be short-term, but may also support the development of a long-term relationship.
- (10) Supervision services for a youth placed in a supervised independent living arrangement including a youth who is living independently under a supervised arrangement paid for or provided by the county agency.
- (11) Room and board financial assistance for rent, deposits, utilities, and other household start-up expenses in accordance with all of the following: ~~The PCSA may only use up to thirty per cent of the Chafee federal independent living allocation for room and board pursuant to rule 5101:9-6-35 of the Administrative Code. The PCSA or PCPA shall not use the Chafee allocation or TANF independent living funds for room and board pursuant to rules 5101:9-6-35 and 5101:9-6-08.6 of the Administrative Code for:~~
- (a) The PCSA may only use up to thirty per cent of the Chafee federal independent living allocation for room and board pursuant to rule 5101:9-6-35 of the Administrative Code which may include, but is not limited, to assistance with rent and initial rental deposit pursuant to 42U.S.C. 677,(2018).
- (b) The PCSA is not to use the Chafee allocation or TANF independent living funds for room and board pursuant to rules 5101:9-6-35 and 5101:9-6-08.6 of the Administrative Code for youth under the age of eighteen and young adults that have reached their twenty-first birthday.
- ~~(a) Youth under the age of eighteen.~~
- ~~(b) Young adults that have reached their twenty first birthday.~~
- (12) Financial assistance including direct cash assistance, or other payments made or provided by the county agency to help the youth gain independence.

~~(E)(F) To help the youth achieve self-sufficiency, the PCSA or PCPA is to develop an independent living plan in Ohio statewide automated child welfare information system (Ohio SACWIS) in accordance with all of the following: The PCSA or PCPA shall develop an independent living plan in SACWIS within thirty days of the completion of the assessment required by paragraph (C) of this rule, to help the youth achieve self-sufficiency. The plan shall be based upon the assessment, the~~

~~developmental age of the child and include input from the youth, the youth's case manager, the caregiver, and significant others in the youth's life. The independent living plan shall document the strengths, limitations, and resources of the youth and outline the services to be provided. A copy of the plan and any subsequent updates shall be provided to the youth and caregiver within thirty days of the development of the plan or the update as applicable.~~

- (1) Complete within thirty days of the completion of the assessment outlined in paragraph (D) of this rule.
- (2) Be based upon the assessment and the developmental age of the youth.
- (3) Be youth driven and include input from the youth's caseworker, the resource caregiver, and two adult supporters as identified in rule 5101:2-38-05 of the Administrative Code.
- (4) Document the strengths, limitations, and resources of the youth and outline the services to be provided.
- (5) Update the plan with any changes of the youth's strengths, limitations, or goals.
- (6) Provide a copy of the plan and any subsequent updated plans to the youth and resource caregiver within thirty days of the development or update.

~~(F)~~(G) The PCSA or PCPA ~~is to~~shall include in the independent living plan the contact information containing the names, addresses and phone numbers of significant others, such as ~~former foster~~ current or former resource caregivers, two adult supporters, parents, friends, mentors, child's attorney, guardian ad litem (GAL) or court appointed special advocates (CASA) and extended family members as provided by the youth. The PCSA or PCPA ~~is to~~shall use this information to work with the youth to develop and achieve meaningful, permanent connections with at least one caring adult.

~~(G)~~(H) The PCSA or PCPA ~~is to update the family~~shall amend the case plan and submit it to the court within seven days following the completion of the initial independent living plan pursuant to rules 5101:2-38-05 and 5101:2-38-07 of the Administrative Code.

~~(H)~~(I) The PCSA or PCPA ~~is to complete a readiness review in Ohio SACWIS of the independent living plan~~ shall review the independent living plan with the youth and ~~substitute~~ resource caregiver at least every ~~one hundred eighty~~ninety days until the agency's custody is terminated. Each review ~~is to~~shall include:

- (1) Progress on current independent living goals and the opportunity to add new independent living goals, as necessary.

- (2) Review of youth's contacts including the development of meaningful, permanent connections.
- (3) Details regarding youth's access to and participation in age or developmentally appropriate activities, positive youth development and experiential learning similar to non-custodial youth.
- ~~(J)~~(J) The PCSA or PCPA ~~is to~~shall provide independent living services training opportunities to caregivers caring for adolescents.
- ~~(K)~~(K) For each ~~youth~~child in the custody of the PCSA or PCPA ~~no later than~~who has attained the age of fourteen, the PCSA or PCPA ~~is to~~shall request a credit report from each of the three major credit reporting agencies (CRA) each year until the ~~youth~~child is discharged from substitute care. This may be completed simultaneously or separately throughout the year.
- (1) A request ~~is to~~shall be submitted to at least one CRA by the first semi-annual review (SAR) held after the ~~youth~~child attains the age of fourteen.
- (2) The PCSA or PCPA is to ensure each youth receives a copy and is provided interpretation of their consumer credit report annually until emancipation.~~The PCSA or PCPA shall ensure each child in agency custody who has attained the age of fourteen or older until emancipation, annually receives all copies of their consumer credit report. The PCSA or PCPA shall assist the youth in interpreting the credit reports.~~
- (3) The PCSA or PCPA ~~is to~~shall assist youth in the resolution of any inaccuracies reported on any of the credit reports by working with the Ohio attorney general's office.
- ~~(L)~~(L) A PCSA or PCPA is to~~shall~~ ensure the following information is entered into Ohio SACWIS~~statewide automated child welfare information system (SACWIS) and a PCPA shall ensure that the information is documented in the case record each work day or as information becomes available~~ in accordance with rule 5101:2-33-70 of the Administrative Code:
- (1) All services provided to youth as indicated in paragraph ~~(E)~~(D) of this rule.
- (2) Youth characteristics including:
- (a) Current and historical school information and education~~Education~~ levels.
- (b) Tribal membership.

(c) Delinquency adjudication.

(d) Special education.

(e) Current and historical medical conditions, medications and medical provider information. ~~Medical conditions.~~

(3) Basic demographics of the youth including:

(a) Gender.

(b) Race.

(c) Ethnicity.

~~(L)~~(M) The PCSA or PCPA is to shall enter in Ohio SACWIS and the PCPA shall document in the case record the date the independent living assessment and the independent living plan were completed. All readiness review dates of the independent living plan are to shall be entered in Ohio SACWIS, in accordance with rule 5101:2-33-70 of the Administrative Code. The PCPA shall document all review dates in the case record.

(N) The PCSA or PCPA is to assist the youth in completing the national youth in transition database (NYTD) survey in accordance with 45 C.F.R. 1356.82 (a)(2)(2008). The PCSA may utilize independent living allocation to provide youth with incentives to complete the survey.

~~(M)~~(O) The At least one hundred eighty days prior to the youth's eighteenth birthday, the PCSA or PCPA is to shall provide the youth information on final transition planning and post emancipation services in accordance with rule 5101:2-42-19.2 of the Administrative Code and eligibility criteria to enroll in bridges in accordance with Chapter 5101:2-50 of the Administrative Code.

(1) ~~At least one hundred eighty days prior to the youth's eighteenth birthday, the PCSA or PCPA shall determine if one of the following eligibility criteria can be met for the youth to be enrolled in the bridges program upon the youth emancipating from care. The PCSA or PCPA is to document efforts in the readiness review to assist youth with meeting eligibility for bridges as outlined in rule 5101: 2-50-02 of the Administrative Code.~~

~~(a) Youth is completing secondary education or a program leading to an equivalent credential.~~

~~(b) Youth is enrolled in an institution that provides post-secondary or vocation education.~~

~~(c) Youth is participating in a program or activity designed to remove barriers to employment.~~

~~(d) Youth is employed for at least eighty hours per month.~~

~~(e) Youth is incapable of doing any of the activities described in paragraphs (M)(1)(a) to (M)(1)(d) of this rule due to a medical condition, and incapacity is supported by regular documentation from a qualified practitioner.~~

(2) At least ninety days prior to the youth's emancipation, if it is determined the youth is interested, ~~and meets at least one of the eligibility criteria described in paragraphs (M)(1)(a) to (M)(1)(e) of this rule,~~ the PCSA or PCPA ~~is to~~ shall:

(a) Refer the youth to the bridges program.

(b) Assign the bridges representative to the ongoing case within Ohio SACWIS.

(c) Introduce the youth to the bridges representative.

(d) Collaborate with the bridges representative until the youth reaches emancipation and custody has been terminated.

(3) At least fourteen days prior to the youth's emancipation, the PCSA or PCPA ~~is to~~ shall ensure the youth has all documentation required to enroll in the bridges program.

(P) If the youth is expected to remain in care after their eighteenth birthday, documentation is to be added to the readiness review at least ninety days prior to their eighteenth birthday to include information regarding the anticipated emancipation date. The PCSA or PCPA is to continue to document ongoing discussions regarding the final transition plan and emancipation date within the readiness review until the final transition plan, referenced in paragraph (Q) of this rule, is created.

~~(N)(Q)~~ (Q) At least ninety days prior to the youth's emancipation from the agency's custody, the PCSA or PCPA ~~is to~~ shall work with the youth to develop a final transition plan. ~~The plan shall be youth-driven and as detailed as the youth chooses. The PCSA shall complete the plan in SACWIS. For youth who have been referred to the bridges program, the final transition plan shall be shared with the bridges representative. The plan shall include information regarding:~~

(1) The final transition plan is to be:

(a) Youth driven.

(b) Reviewed with the youth during monthly visits pursuant to rule 5101:2-42-65 of the Administrative Code until youth emancipates from agency's custody.

(c) Entered into Ohio SACWIS.

(d) Shared with the bridges representative for youth that have been referred to the bridges program.

(e) Provided to youth.

(2) The final transition plan is to address the following:

(a) The youth's option to receive young adult services identified in rule 5101:2-42-19.2 of the Administrative Code.

(b) Health care including:

(i) Information regarding Medicaid eligibility for former foster youth until the age of twenty-six. The PCSA or PCPA is to submit the ODM 01958 "Referral for Medicaid Continuing Eligibility Review" to the county in which the youth will reside upon emancipation. It is to be explained to the youth that Medicaid is to be renewed annually in the county they reside.

(ii) Health care power of attorney.

(iii) Youth's option to execute power of attorney.

(iv) Establish ongoing services with medical and behavioral health providers where the youth will reside upon emancipation.

(c) Employment services.

(d) Secondary and post-secondary education and training.

(e) Obtaining and paying for safe and stable housing where the young adult will reside upon emancipation.

(f) Budgeting for necessary living expenses.

(g) Obtaining a credit report.

(h) Registering for selective service.

- (i) Information on obtaining a driver's license.
 - (j) Information on any existing court fees associated with the youth's name prior to emancipation.
 - (k) Information on any existing benefits the youth receives, such as but not limited to social security benefits. If necessary, the PCSA or PCPA review with the youth instructions on how to apply for continuation of those benefits.
- ~~(1) The youth's option to receive post-emancipation services identified in rule 5101:2-42-19.2 of the Administrative Code, provided or arranged by the PCSA or PCPA from which the youth emancipated.~~
- ~~(2) Health care including:~~
- ~~(a) Health insurance.~~
 - ~~(b) Health care power of attorney.~~
 - ~~(c) Youth's option to execute power of attorney.~~
- ~~(3) Employment services.~~
- ~~(4) Secondary and post-secondary education and training.~~
- ~~(5) Obtaining and paying for housing.~~
- ~~(6) Budgeting for necessary living expenses.~~
- ~~(7) Obtaining a credit report.~~
- ~~(8) Registering for selective service.~~
- ~~(9) Information on obtaining a driver's license.~~
- ~~(10) Information on any existing court fees associated with the youth's name prior to emancipation.~~
- ~~(11) Information on any existing benefits the youth receives, such as but not limited to social security benefits. If necessary, the PCSA or PCPA shall review with the youth instructions on how to apply for continuation of those benefits.~~

~~(O)~~(R) Prior to the youth's emancipation from the agency's custody, the PCSA or PCPA is to secure and provide to the youth the following documents:~~shall coordinate with the following agencies, to obtain necessary documents:~~

- (1) ~~The department of health, office of vital statistics, to ensure the youth~~ An obtains an original birth certificate.
- (2) An original social security card.~~The social security administration, to ensure the youth obtains an original social security card.~~
- (3) A current state identification card or driver's license.~~The bureau of motor vehicles, to ensure the youth obtains a current state identification card and information on obtaining a driver's license.~~

~~(P)~~(S) The PCSA or PCPA is to~~shall~~ provide a copy of the final transition plan to the youth when custody is terminated due to reaching the age of emancipation, along with the following:

- (1) A copy of the youth's health and education records.
- (2) A letter verifying that the youth emancipated from agency custody.

~~(Q)~~(T) The PCSA or PCPA is to~~shall~~ document in Ohio SACWIS the date the agency provided the information in paragraphs (B), (F), (K), (O) and (Q) to (S) of this rule ~~(E), (M) and (N) to (P) of this rule. The PCPA shall document the information in the case record.~~

Effective:

Five Year Review (FYR) Dates: 11/27/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5153.166, 5103.03, 5101.141
Rule Amplifies: 5101.141, 5103.03, 5153.16
Prior Effective Dates: 10/01/1989, 01/01/1991, 10/01/1997, 11/12/2002,
10/09/2006, 10/01/2009, 12/15/2010, 05/10/2014,
07/15/2015, 12/11/2017, 03/01/2019, 04/04/2022