



March 29, 2022

Family, Children and Adult Services Manual Transmittal Letter No. 492

To: All Family, Children and Adult Services Manual Holders
From: Matt Damschroder, Director
Subject: **Amendments to the Independent Living Services Rules 5101:2-42-19 and 5101:2-42-19.2**

This letter transmits amendments to Ohio Administrative Code (OAC) rules that govern Independent Living Services programs. The amendments are being made to comply with the Commonsense Initiative and the Lieutenant Governor’s Office requiring the Ohio Department of Job and Family Services to update outdated modes of communication in OAC.

The following is a brief explanation of the changes:

OAC 5101:2-42-19 entitled “**Requirements for the Provision of Independent Living Services to Youth in Custody**” rule provides guidance to agencies who serves youth ages 14 year of age and older on the procedures necessary to prepare them to leave agency custody to self-sufficiency. This rule has been amended to update outdated modes of communication by removing the word written and require the independent living plans to be developed in SACWIS.

OAC 5101:2-42-19.2 entitled “**Requirements for the Provision of Independent Living Services to Young Adults Who Have Emancipated**” rule provides guidance to agencies who provides services and supports to young adults who have emancipated from agency custody due to reaching the age of eighteen. This rule has been amended to update outdated modes of communication by removing the word written and require the independent living plans and contact information to be developed in SACWIS. There were also minor amendments made in the rule to correct grammatical errors.

INSTRUCTIONS:

The following chart shows what materials should be inserted into the Family, Children and Adult Services Manual (FCASM)

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Social Service	5101:2-42-19	5101:2-42-19
	5101:2-42-19.2	5101:2-42-19.2
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5101:2-42-19

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

- (A) Independent living services shall be provided to each youth in the custody of a public children services agency (PCSA) or private child placing agency (PCPA) who has attained the age of fourteen to prepare them for the transition from agency custody to self-sufficiency.
- (B) If a PCSA 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 shall inform the local county department of job and family services (CDJFS) of the PCSA's involvement with the family in order to ensure coordination of services.
- (C) The PCSA or PCPA shall conduct a life skills assessment on each youth in agency custody, who has reached age fourteen. The assessment 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 shall establish the need for independent living services identified in paragraph (D) of this rule. The life skills assessment shall be completed with documented input from the youth, the youth's caregiver, and the youth's case manager.
- (D) The PCSA or PCPA shall determine which independent living services are and are not applicable, based on the assessment required by paragraph (C) of this rule and 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 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. 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) Youth under the age of eighteen.
 - (b) Young adults that have reached their twenty first birthday.
- (E) The PCSA or PCPA shall develop an ~~written~~ 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.
- (F) The PCSA or PCPA shall include in the independent living plan the contact information containing the names, addresses and phone numbers of significant others, such as former foster 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 shall use this information to work with the youth to develop and achieve meaningful, permanent connections with at least one caring adult.
- (G) The PCSA or PCPA 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) The PCSA or PCPA shall review the independent living plan with the youth and substitute caregiver at least every ninety days until the agency's custody is terminated. Each review 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.
- (I) The PCSA or PCPA shall provide independent living services training opportunities to caregivers caring for adolescents.
- (J) For each child in the custody of the PCSA or PCPA who has attained the age of fourteen, the PCSA or PCPA shall request a credit report from each of the three major credit reporting agencies (CRA) each year until the child is discharged from substitute care. This may be completed simultaneously or separately throughout the year.
- (1) A request shall be submitted to at least one CRA by the first semi-annual review (SAR) held after the child attains the age of fourteen.
 - (2) 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 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.
- (K) A PCSA shall ensure the following information is entered into 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 (D) of this rule.
 - (2) Youth characteristics including:
 - (a) Education levels.
 - (b) Tribal membership.
 - (c) Delinquency adjudication.

(d) Special education.

(e) Medical conditions.

(3) Basic demographics of the youth including:

(a) Gender.

(b) Race.

(c) Ethnicity.

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

(M) The PCSA or PCPA shall provide the youth information on 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.

(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), the PCSA or PCPA shall:
 - (a) Refer the youth to the bridges program.
 - (b) Assign the bridges representative to the ongoing case within 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 shall ensure the youth has all documentation required to enroll in the bridges program.
- (N) At least ninety days prior to the youth's emancipation from the agency's custody, the PCSA or PCPA 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 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) Prior to the youth's emancipation from the agency's custody, the PCSA or PCPA shall coordinate with the following agencies, to obtain necessary documents:
- (1) The department of health, office of vital statistics, to ensure the youth obtains an original birth certificate.
 - (2) The social security administration, to ensure the youth obtains an original social security card.
 - (3) The bureau of motor vehicles, to ensure the youth obtains a current state identification card and information on obtaining a driver's license.
- (P) The PCSA or PCPA 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) The PCSA shall document in SACWIS the date the agency provided the information in paragraphs (E), (M) and (N) to (P) of this rule. The PCPA shall document the information in the case record.

Effective: 4/4/2022

Five Year Review (FYR) Dates: 3/1/2024

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5101:2-42-19.2 **Requirements for provision of independent living services to young adults who have emancipated.**

- (A) Each public children services agency (PCSA) shall, when requested, provide services and support to former foster care recipients, who emancipated from agency custody due to attaining eighteen years of age. A PCSA shall evaluate the strengths and needs of the young adult to determine the services to be offered. The services and supports are to complement the young adult's own efforts to achieve self-sufficiency and to assure that the program participant recognizes and accepts their personal responsibility for preparing for and then making the transition from adolescence to adulthood. The services and supports shall be available until the young adult's twenty-first birthday.
- (B) Before a PCSA provides services to a young adult between the ages of eighteen and twenty-one, the PCSA shall explore and coordinate services with other community resources. The PCSA shall coordinate with ODJFS programs and other community resources including, but not limited to the following:
- (1) Bridges.
 - (2) Comprehensive case management and employment program (CCMEP).
 - (3) Other local community resources.
- (C) Based on the evaluation required by paragraph (A) of this rule, the PCSA and the young adult shall develop a mutually agreed ~~on written~~ upon plan in SACWIS for the provision of services. The plan shall clearly outline the responsibilities of the young adult and the PCSA. ~~The written~~ A copy of the plan shall be signed by the young adult and a representative of the agency.
- (D) The PCSA shall include or update contact information in the ~~written~~ plan in SACWIS on any of the youth's connections with significant others, such as former foster parents, friends, mentors and extended family members. The contact information shall include names, addresses and phone numbers, whenever known and shall be documented in the state automated child welfare information system (SACWIS).
- (E) The PCSA shall make available the following independent living services to young adults aged eighteen to twenty-one including, but not limited to:
- (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) ~~Youths~~Youth's participation in an apprenticeship, internship, or summer employment program.
- (b) ~~Youths~~Youth's 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/ 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 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 and basic maintenance and repairs and driving instructions.

(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) Mentoring including matched with a screened and trained adult for a one-on-one relationship involving the two meeting on a regular basis. Mentoring can be short-term, but may also support the development of a long-term relationship:
 - (9) Supervision services for a young adult living in a supervised independent living arrangement including a young adult living independently under a supervised arrangement that is paid for or provided by the county agency. A young adult in supervised independent living is not supervised twenty-four hours a day by an adult and often is provided with increased responsibilities, such as paying bills, assuming leases, and working with a landlord, while under the supervision of an adult.
 - (10) Room and board financial assistance including room and board financial assistance that is a payment paid for or provided by the county agency for room and board, rent deposits, utilities, and other household start-up expenses.
 - (11) Education financial assistance including educational financial assistance that is a payment paid for or provided by the county agency for education or training, allowances to purchase textbooks, uniforms, computers, and other educational supplies; tuition assistance; scholarships; payment for educational preparation and support services, and payment for GED and other educational tests. The financial assistance also includes vouchers for tuition or vocational education or tuition waiver programs paid for or provided by the county agency.
 - (12) Other financial assistance including financial assistance for any other payments made or provided by the county agency to help the youth live independently.
- (F) The PCSA may only use up to thirty per cent of its Chafee federal independent living allocation for room and board pursuant to rule 5101:9-6-35 of the Administrative Code for eighteen to twenty-one year old youth who emancipated. Bridges participants receiving Title IV-E maintenance are not eligible for the Chafee room and board allocation. Room and board may include but is not limited to:
- (1) Assistance with rent.
 - (2) Initial rent deposit.
 - (3) Utilities.
 - (4) Utility deposits.

- (G) Under no circumstances shall the PCSA use any of its independent living allocation for room and board for youth under the age of eighteen or past the young adult's twenty-first birthday.
- (H) PCSAs shall report applicable independent living services information for young adults as required in rule 5101:2-33-70 of the Administrative Code, according to the statewide automated child welfare information system (SACWIS) reporting requirements.
- (I) The PCSA shall provide a copy of the agency's grievance policy as required by rule 5101:2-33-20 of the Administrative Code to each young adult requesting independent living services from the agency.
- (J) The PCSA shall ensure that youth who have reached age nineteen or twenty-one are participating in state and federal studies in accordance with the Ohio department of job and family services (ODJFS). The PCSA shall inform the youth:
 - (1) How to access the survey.
 - (2) The benefits of participating in the survey include:
 - (a) Increase youth financial self-sufficiency.
 - (b) Improve youth educational, academic or vocational attainment.
 - (c) Increase youth connections with adults.
 - (d) Reduce homelessness among youth.
 - (e) Reduce high-risk behavior among youth.
 - (f) Improve youth access to health insurance.
 - (3) They may be eligible for an incentive once they complete the survey.

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