

DSS Policy and Procedure Guide

Division 03: Child Welfare

Chapter 05: Placement

Item 028: Placement of Non-Minor Dependents (Including SILP and THP+FC)

Suggested changes send to: [DSS PSOA](#) Mailbox

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References: [Assembly Bill\(AB\) 12](#); [Fostering Connections to Success and Increasing Adoptions Act of 2008](#); California Department of Social Services (CDSS) [Extended Foster Care website](#) page; DSS [NMD Desk Guide](#); Federal Child Welfare Policy [Manual Regarding SILPs](#); PPG [03-04-030](#); [RFA Written Directives](#); [ACL 12-44](#)

Revisions in Red

Replaces Issue: **August 30, 2016**

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Preamble

Child Welfare Policy and Procedure Guides are meant to be used as tools to relay best practice and staff expectations. It is understood that specific case scenarios may not always align themselves with the stated practices and that at all times what is of paramount importance is the Safety and Well-being of the children we are charged to protect.

Policy

Pursuant to Assembly Bill (AB) 12 Foster Care may be extended for young adults up to age 21 who meet the federal participation criteria for continued eligibility for Extended Foster Care (EFC) after age 18 as Non-Minor Dependents (NMDs). Department of Social Services (DSS) Child Welfare Social Workers (SWs) shall assist NMDs in the identification of the most appropriate and least restrictive placement options, based on the NMDs' developmental needs and readiness for independence.

Purpose

To inform Child Welfare staff of the available placement options for NMDs.

Introduction

AB 12 was signed into law on October 4, 2011. AB 12 established the EFC Program. This program allows foster youth to remain in foster care, under court jurisdiction beyond age 18 up to age 21 as NMDs.

Placement options available for NMDs through EFC include:

- **Resource Family**
- **Short Term Residential Facility**
- Transitional Housing Placement Plus-Foster Care (THP+FC) is available for NMDs ages 18 to age 21.
- Supervised Independent Living Placement (SILP) is available for NMDs ages 18-21.

For NMDs with a child, the assigned SW should assess for eligibility of an infant supplement.

As NMDs are adults, it is expected that NMDs will be provided placements that are the least restrictive and encourage as much independence as possible, based on the NMDs' developmental needs and readiness for independence. The decisions regarding continuation of current placements or moves to new placements shall be made in consultation with the NMDs. For SILPs, an [assessment of readiness](#) will be part of the decision making and selection of placement. The case plan shall consider the full range of placement options which includes the new placement options, THP+FC and SILP.

Placement Forms

The placement agreements for NMDs are:

- ([SOC 152](#)) Placement Agency – THP-Plus-FC Provider Agreement
- ([SOC 153](#)) Placement Agency – FFA Agreement
- ([SOC 154B](#)) Agency - Group Home Agreement
- ([SOC 156A](#)) Agency – Foster Parents Placement Agreement
- ([SOC 157A](#)) SILP Approval and Placement Agreement
- ([SOC 157B](#)) SILP Inspection: Checklist of Facility Health and Safety Standards

Procedure

Resource Family Homes

NMDs may remain in their current placement without requiring a new placement agreement. If NMDs move to another **approved** home, a pre-placement appraisal must be conducted and a new placement agreement form must be signed.

Shared Living Agreement

When the foster youth approaches age 18 and wants to remain in the same placement, the caregiver and the young adult may want to work on an agreement that will help to define these different roles as caregiver and young adult. See *Guidelines for Shared Living Agreement (SLA) Between Caregiver and Non-Minor Dependent (NMD)* in [ACL 11-77](#). The [Shared Living Agreement](#), form CWS 0033, is located in DSS Net.

NMDs Sharing Rooms with Minors

NMDs who remain in the same placement may continue sharing a room with a minor in the home. *For NMDs who change placements, the NMD may share a room with a minor at the discretion of the case managers for both parties.* Situations which may be appropriate for the NMDs to share a room with a minor would be if the minor was a sibling, or other relative, or if there is not a large age gap between the two. In a situation where a NMD and a minor are sharing rooms, it is important that both parties are comfortable with the living arrangements.

Placement of NMDs When Re-Entering EFC

For information on Re-entry, see PPG 03-05-026, *Re-Entry Into Extended Foster Care (EFC)*.

Short Term Residential Facilities

Continuing a group home placement for NMDs may only be considered if the placement allows the NMD to finish high school. This only applies to group home placements that began prior to the youth's 18th birthday.

After graduation from high school or upon the youth's 18th birthday, whichever is first, placement in a group home is prohibited *unless* the NMD meets the participation condition of having a medical condition and group home placement is a short-term transition period to a less restrictive and more family-like setting or discharge to the appropriate system of care for adults. The disability must be documented on the [SOC 161](#), *Six-Month Certification Of Extended Foster Care Participation*.

Each NMD's situation will vary. As such, the assigned SW shall discuss with their supervisor the determination of the appropriate length of the transition period to the appropriate system of care, such as regional centers.

SILP (Supervised Independent Living Placement)

A SILP is *the least restrictive placement option*. A SILP is a placement approved and supervised by the assigned SW for that NMD only and in which the NMD is living independently, can be their own payee and is not receiving provider based supportive services. See [ACL 11-77](#).

SILP is intended to provide young adults with the opportunity for highly independent living experiences while receiving financial support along with the safety net of a case manager to provide support and services for problems that arise.

SILP placements are for NMDs who are **developmentally ready to live independently or in a less restrictive environment** (such as renting a room) **with less intensive services from a case manager or caregiver**. There is no caregiver or provider to assist the NMDs as with other placement types; therefore, it is important to ensure the NMDs are ready for this type of placement.

SILP placements can include:

- Apartments (alone or with roommates)
- Single Room Occupancies (may have shared bathrooms and/or kitchens)
- Renting a room (including from a former caregiver)
- Dorms/university housing
 - For NMDs who are living in a dorm during the school year, need to find alternative housing during official school breaks, and all other placement options have been exhausted, the NMD may be placed with the parent or legal guardian if a Program Manager (PM) approves.
- Substance abuse or mental health facility if the NMD is living in the treatment facility voluntarily.

The NMDs are responsible for finding their own SILP units.

Although the DSS does not “find” the SILP, it must be approved by the DSS. Approving a SILP is a two part process consisting of assessing the NMD’s readiness for a SILP and approving the physical unit.

While residing in the SILP the NMDs are required to continue monthly face to face meetings with their assigned SW.

Placement in a SILP must be specified in the NMDs’ case plan as described in [W&IC section 11400\(w\)](#).

Assessing Readiness for a SILP

SWs shall use the same [readiness assessment](#) tool as that used for the Transitional Independent Living Plan (TILP) to determine whether or not the NMD:

- Has knowledge of financial skills and is developmentally ready (both mentally and emotionally) to handle daily tasks on their own such as grocery shopping, preparing meals, budgeting, managing money, paying bills, etc.
- Has the ability to handle independence, including things such as, waking up in time for school or work, stress/anger management and basic knowledge of preparing his/her meals.
- As a best practice, the NMD should have a financial plan to meet his/her living expenses while living in SILP including sufficient funds to pay for rent, food, transportation, clothing, and other essential expenses.

Indicators that NMDs are not ready for a SILP placement may include, but are not limited to:

- Rent and utilities exceed income;
- Unstable income;
- No knowledge of how to count money, budget, or pay bills; or
- Unable to care for self without assistance due to a serious medical or mental health condition.

The assigned SW may want to contact ILP to see if the NMD has completed any classes as part of the assessment.

The assessment is not to be used to permanently deny a SILP placement, but as an opportunity to work with the NMD to determine the most appropriate placement.

If the assessment clearly indicates that the NMD has significant needs in specific areas before being ready for a SILP, those areas should be identified in the TILP.

The assigned SW shall clearly explain why the NMD is not ready for a SILP in a manner that NMD can understand and outline the steps NMD needs to take to become ready for a SILP.

The reason for not approving the SILP placement should be documented on the assessment and attached to the “Approval and Placement Agreement” form ([SOC 157A](#)).

Approving a SILP Unit - Assigned Social Worker (SW) Responsibilities

The “SILP Inspection: Checklist of Facility Health and Safety Standards” ([SOC 157B](#)) is required to be completed during a walkthrough of the site with the NMD and prior to approving a SILP unit.

The SILP needs to meet basic health and safety standards.

The [SOC 157B](#) inspection is to ensure that SILP units have basic amenities such as running water, heat, electricity, fire escapes and that it is free from hazards such as exposed electrical wires, black mold and insect or rodent infestations.

College dorms, or other designated university housing, are not required to be pre-approved by the county as they are already approved by the post secondary institution for safety standards.

Minor issues that can be repaired by the landlord, or may seem undesirable (but not a safety hazard) are not reasons to disapprove a site.

If the SILP is denied, a copy of the SILP Inspection checklist shall be provided to NMD to help with the search for the next SILP unit.

In situations in which a NMD changes SILPs, NMDs shall be allowed to live in an unapproved SILP temporarily while awaiting approval of the new SILP. However, the new SILP site must be inspected and approved by the SW prior to authorization of payment. While initially a ten-day grace period was allowed, the Federal government has since clarified that no grace period can be allowed. The assigned SW shall explain this limitation to the NMD.

The assigned SW shall submit the SILP Approval and Placement form ([SOC 157A](#)) with the attached [SOC 157B](#) to the assigned Supervising Office Assistant (SOA) to authorize payment and designate a payee. SILPs receive the basic foster care rate and may, with SWS approval, receive a clothing allowance. NMDs in a SILP are not eligible for a Supplemental Care Increment (SCI).

The assigned staff shall create the SILP facility in CWS/CMS and create the [SOC 158A](#). The assigned SW shall complete the [SOC 157A](#), *Supervised Independent Living Placement (SILP) Approval and Placement Agreement* and the [SOC 157B](#), *SILP Inspection: Checklist Of Facility Health And Safety Standards* and route the forms to the [CWS After 18](#) Inbox.

The NMD may be the payee but the NMD has the option to request that the check be paid to a third party, such as a landlord.

A copy of [SOC 157B](#) shall be kept in the NMD's case file and a copy shall also be provided to the NMD.

A re-assessment of the SILP unit must be conducted annually to ensure no significant damage has occurred to the residence that compromises the safety of the unit.

Tribal SILPs

For SILP units that are on or near a reservation, for which the tribe is the approving agency, the tribe has the independent authority to approve a SILP using their own socially and culturally appropriate standards pursuant to the [Indian Child Welfare Act, 25 United States Code section 1931](#), which

provides that tribally approved homes are deemed equivalent to approval by a state. This applies only to federally recognized tribes.

SILP Grievance Procedures

In a situation when the NMD disagrees with the outcome of the [readiness assessment](#) for a SILP, lack of approval for a SILP unit, or has a conflict with the assigned SW that cannot be resolved between the two of them, the NMD should be advised that they have the right to a grievance process.

If the NMD requests a grievance, the assigned SW will schedule a Grievance Panel, which consists of two SWSs, the assigned SW, the NMD, and any support people the NMD wishes to invite. The Independent Living Program (ILP) will also be invited to attend, and if they are unable to attend staff will email any information they have regarding the NMD to the assigned SW.

The NMD does have the right to go before the court and ask for another [readiness assessment](#) without utilizing the grievance process first.

The NMDs can also report issues or concerns to the Foster Care Ombudsman's Office at 1-877-846-1602 or through the website at: <http://www.fosteryouthhelp.ca.gov/>.

Transitional Housing Placement-Plus-Foster Care (THP+ FC)

THP+FC is a transitional housing placement option for NMDs from age 18 up to age 21. It is a provider based, supervised housing and supportive services program that includes regular contact with a provider case manager. THP+FC providers must be **approved** by the CDSS Licensing Divisions and county certified. *THP+FC offers more frequent and intensive services for NMDs than other placement options* based on a Transitional Independent Living Plan (TILP) to assist the NMD work toward becoming better prepared for successful transition into independent adulthood and self-sufficiency.

NOTE: THP+FC provider contacts do not substitute the monthly contacts required by the assigned DSS SW.

The NMD transitions to independent adulthood through education and employment training opportunities while maintaining a safety net of support and experiencing independence in a secure and supervised living environment.

When the assigned SW and NMD believe the NMD may benefit from a THP+FC placement, the assigned SW shall email the ILP via the "[CWS ILP](#)" mailbox, requesting a THP+FC application.

ILP staff will schedule a meeting with NMD and also invite the assigned SW in order to review the THP+FC program, the THP+FC application and Confidentiality forms.

If needed, the ILP SW will help the NMD complete the forms. Concurrently, the assigned SW will complete the Pre-Placement Appraisal and the Dangerous Propensities forms. Once all forms are

completed, they are sent to ILP. ILP staff shall forward the completed forms to the THP+FC provider(s), who will contact the NMD to schedule an Intake appointment.

When housing is located and the NMD signs the lease, the THP+FC provider will email the assigned DSS SW, [ILP](#), and [CWS FPR Support](#) of the new placement with the following information regarding the NMD:

- “Request to Create a THP+FC Home” will be in the subject line.
- Name
- Date of birth
- Address of placement and date placed
- Telephone number
- Social Security Number
- California Driver’s License or Identification number
- Ethnicity
- Whether or not the NMD is a parent
 - If yes, is/are the child(ren) placed with the NMD?
 - If yes, the name(s) of the child(ren) placed with the NMD.

Resource Family (formerly Foster Parent Resources) Support will create a New Placement Home. Once **support staff** has created the New Placement Home they will alert **the Resource Family unit, who** shall complete the [SOC 152, Placement Agency – THP-Plus-FC Provider Agreement](#), and send a copy to the THP+FC provider and the assigned DSS SW.

Emergency Placements

Emergency placements may be necessary for NMDs. Until regulations for EFC are developed, MPP section 31-410 regarding temporary placements applies to NMDs in need of emergency placement. However, **short term residential facilities** will still follow under the limitations described in [WI&C section 16501.1\(d\)](#).

Social Worker Contact with NMDs

Federal requirements for case manager supervision of children in foster care require that a majority (51 percent) of monthly contacts be in the residence of the child. At this time, the federal guidance requires that the same visitation requirements be applied to NMDs. However, Fresno County policy

(see [PPG 03-01-001](#), *Mandatory Face-to-Face Contacts/Documentation Timeframes*) is that monthly contacts for all children and NMDs will occur in the placement home. Exceptions can be made for special circumstances with Supervisor approval.

For those NMDs placed in SILPs, there may be situations in which NMDs do not want their roommates to know their foster care status. The assigned SW should make efforts to respect NMDs' privacy by being flexible, to the extent possible, to avoid having visits scheduled when roommates are at home if NMDs do not want their foster care status revealed.

Wraparound Services

For NMDs and **resource** families, the Wraparound process can continue to be accessed at any time until reaching the maximum age of EFC. To be eligible the NMDs must continue to meet eligibility requirements described under the Program Participation Criteria as outlined in [ACL 11-69](#) and at risk of placement in a **short term residential facility**, or they are currently placed in a **short term residential facility** and will be transitioned to a lower level of care within the next three months.

Participation in Wraparound is completely voluntary for NMDs, and they may terminate Wraparound services at any time.

Reporting Suspected Abuse or Neglect of NMDs

The DSS shall assess for a Child Welfare SW response to an allegation that a NMD is endangered by abuse, neglect, or exploitation by **an** approved caregiver in order to determine if the placement is safe and appropriate.

The suspected abuse by **an** approved caregiver shall be cross reported to the appropriate approval agency.

If it is suspected that a NMD who is living in a SILP is being abused by a roommate, this should be reported to local law enforcement. This would not be reported to adult protective services as they do not serve this population of adults.

Documentation

The assigned SW and ILP SW will document their interactions with NMDs in CWS/CMS in accordance with [PPG 03-01-001](#), *Mandatory Face-to-Face Contacts/Documentation Timeframes*.

The ILP SW will also document their interactions in the Efforts to Outcome (ETO) database.