



2011 Annual Training Conference



What's Next: Transition Planning for APPLA





2011 Annual Training Conference



Irvin Minten, Polk County Child Welfare, DHS

Irvin Minten has 22 years experience in Child Welfare. Over the years, Irvin has worked as a caseworker in both permanency and CPS, as a Family to Family Coordinator, as a Child Welfare Supervisor for five-plus years, and an Assistant Administrator in the Office of Safety and Permanency in Central Office for 3 years. For the past two years, Irvin has been supervising CPS and Permanency staff at Polk Child Welfare.

Rosemary Iavenditti, Independent Living Program Coordinator, DHS

Rosemary has worked for the Department of Human Services, Child Welfare for over 19 years. Rosemary has been with the Independent Living Program (ILP) in various capacities since 1993. She was selected as the Program Coordinator in April 2001. Rosemary is a member of the National Independent Living Association (NELA), Oregon Foster Youth Connection (OFYC), and the Oregon Workforce Investment Board's Youth and Education Sub-Committee. Rosemary has conducted transition planning training across Oregon and at national ILP conferences. Rosemary brings with her a passion for positive youth development and a goal that every youth in foster care will leave the system fully prepared to face the challenges of adulthood. She has expertise in Independent Living Program policy, federal regulations, and providing independent living services to youth in the child welfare system.

Jennifer Goff, CRB Field Staff

Jennifer Goff is the Citizen Review Board (CRB) Field Manager for Baker, Crook, Deschutes, Grant, Harney, Jefferson, and Malheur counties; Ms. Goff began working for the Oregon Judicial Department in February 2001 and joined the staff of the CRB in November 2003. Her background includes pioneering the 22nd Judicial District Adult Drug Court and the Crook County Integrated Treatment Court. Prior to her work with the Judicial Department, Ms. Goff served as a juvenile court counselor at the Crook County Juvenile Department and as a case manager in a residential treatment program for adolescent girls. She holds a degree from Willamette University in Salem, Oregon. Ms. Goff makes her home in beautiful Central Oregon where she enjoys many outdoor activities with her husband and bouncing black Labrador retriever, Gracie Mae the Wonder Dog. Her experience being placed in foster care as an infant and eventually being adopted at the age of eight (8) fuels Ms. Goff's enthusiasm for the work of the CRB in ensuring that every child has a safe and permanent home.

Another Planned Permanent Living Arrangement



Goals of Training

- What is permanency
- Why limiting our APPLA Plans is important
- APPLA Rule
- What you should see in 333 Narrative specific to documentation



What is Permanency?

- Part of Community
- Sense of Belonging
- Lasting
- Stable
- Bond and Committed
- Love
- Place for Holidays
- Family
- Basic Human Need
- Lifelong quest – Never too Old!!!



Why is this Important?

- ASFA
- CFSR - 2007
- Program Improvement Plan



Why the APPLA Rule was Developed

- EVERY child needs and deserves a safe, nurturing, and permanent home and the children who do best are connected to a loving and caring adult.
- APPLA is the least permanent of all the permanency plans and must be used only when the other plans have been ruled out.



Current Data

- APPLA Plans in the 10 - 33% range
- Reduction in APPLA Plans last 5 years!
– Still a lot of work to do though!!
- Over last 4 years, fewer children are entering APPLA Plans each month!



Permanency Plans

- Plans:
 - Reunification
 - Adoption
 - Guardianship
 - APPLA



Appropriate Times to Consider APPLA

- Are there Compelling Reasons which Rule out More Preferred Permanency Plans?
 - Tribal consideration
 - Lasting relationship
 - Child 14 and up refuses adoption
- Best interest of child



2 Types of APPLA Plans

1. APPLA – Permanent foster care
 - Consider only when foster parent is committed to long term care, support and well being and placement is NOT likely to disrupt unless a more permanent plan can established.



2nd Type of APPLA Plan

Perm. Connections & Support

1. Youth is receiving Independent Living subsidy from DHS; and
2. Focused on education, training, health & treatment & maintaining supportive adult relationships, who will support long term; or
3. Youth in psychiatric placement & will not be discharged while DHS has custody.

APPLA Consideration Process

- Step 1: Must have a team meeting



- APPLA decision must be a team decision & discuss more preferred options & commitment.

Team Considerations

- Higher level of permanency – Compelling reasons why not
- Needs of the child
- Long term commitment and caring
- Family considerations



Approval Process for APPLA

- Step 2: Caseworker requests review by the Permanency Committee.
 - All parties and all other important to youth invited to committee.
 - Foster parent discusses how can meet long term needs of youth & caseworker discusses compelling reasons, relatives, ect.



Process for Approval of APPLA Plan (Cont)

- Step 3: If Permanency Committee approves APPLA Plan CW Program Manager makes final decision.
- Step 4: Within 30 days after PM approval, caseworker must schedule a Permanency Hearing before court.



Update of Case Plan, 333

- Step 5: Documentation – how got there
- Should be in 333 Narrative under “Primary Permanency Plan.”
- Why APPLA is most appropriate, compelling reasons, etc.
- How youth’s attachments, relationships and connections are being maintained.
- Services which will help support more preferred plan.



Monitoring APPLA Plan

- Monthly F2F contact continues, unless exception granted.
- Annual efforts to identify, contact, and place with maternal and paternal relatives.
- Ensure youth in needed services, which will support more preferred plan.
- Continue to examine whether APPLA is most appropriate plan – much of this should be done in monthly F2F contacts.

APPLA Reviews

- CRB or Court reviews every 6 months.
 - In preparation for review, caseworker must consider input from youth's team and meet with child and foster parent.
 - Talk about efforts to engage relatives, efforts to achieve higher level permanency, services, etc.
 - Document why plan is least restrictive and why a higher level of perm can't be achieved.

Where to Go from Here?

- **Gotta Believe!**
- **Must engage, educate and listen to youth!**
- **Utilize family connections, relatives and others – changes in relative search rule helps!**
- **Team effort – CW needs help of CASA, family, youth, foster parents, attorneys....**



- Continued process of re-evaluation
- Permanency Roundtables
- The work must be done. If are not seeing documentation of sur should be told that!





DHS Youth Transition Planning & the Independent Living Program (ILP)

By Rosemary Iavenditti, ILP Coordinator



Transition Facts

When youth leave the foster care system **unprepared** for adulthood, research shows that they have **HIGHER RATES** of

- Homelessness & Poverty**
- Lower Educational Levels**
- Delinquent or criminal behavior**
- Pregnancy outside of marriage**
- Target of crime and physical assaults.**

State Policy/Laws

DHS Youth Transitions Policy I-B.2.3.5:

- (1) The Department must initiate the development of the comprehensive transition plan for a:
- (a) *Child* 16 years of age or older and in *substitute care* or a *young adult*;
 - (b) *Child* 14 years of age or older with an APPLA; or
 - (c) *Former foster child* who requests services as described in Child Welfare Policy, I-B.2.3.1, "Family Support Services."



State Policy/Laws



ORS 419B.343 (3):

Any Time after a child attains 14 years of age, if the department determines that it is appropriate, but in no case later than **the date the child attains 16 years of age**, the department shall ensure that the case planning addresses the child's **needs and goals for a successful transition to independent living** including...

Transition Planning

- Education
- Employment
- Housing
- Health (mental & physical)
- Community Connections & Supportive Relationships



The court will determine if

- The transition plan is adequate to ensure the child's successful transition to independent living,
- The department has offered appropriate services pursuant to the plan,
- The department has involved the youth in the development of the plan





Assessment



T1 – Transition Readiness Index (CF69)

- An **inventory of assets** that are beneficial to a young person as they transition out of foster care.
- A method to measure a youth's readiness and progress in preparation for transition.

Ansell-Casey Life Skills Assessment (ACLSA)

www.caseylifeskills.org

The ILP Desk has Resources for you:

- FYI3 Planner (organizer for foster youth)
- The New Making It on Your Own.
- Ready, Set, Fly! (booklet for foster parents)
- Teenage Human Body Operator's Manual
- I Can Do It! Micropedia of Living on Your Own



Transitioning planning takes preparation and time...

- T1 (Transition Readiness Index)
- YDM (Youth Decision Meeting)
- T2 (Comprehensive Transition Plan)

Importance of Engaging Youth in the Planning Process

- @ **Hands-on** opportunity for youth to **practice** life skills,
- @ Youth gain a sense that **they** have control over their future,
- @ Youth take responsibility for completing their plan and accomplishing goals.



T2 & Youth Decision Meeting Benefits:

- @ Allows youth to voice wants/needs and take ownership of plan/goals set.
- @ Brings together those who are supports for the youth.
- @ Allows everyone to leave with the same plan – youth, worker, foster parent, ILP provider, and other important people in the youth's life.

Supportive Adults

 A central photograph of a woman with dark hair and sunglasses, wearing a black top, making a peace sign with her hands. She is smiling.

DHS Caseworker

Foster Parent(s)

ILP Provider

CRB/CASA

Peers

Attorney

ASPIRE Mentor

Family Members

Community (school, clubs, church...)

Comprehensive Transition Plan

T2 – Comprehensive Transition Plan (CF69A)

- A template to assist in the creation of a comprehensive transition plan.
- Flexible, allowing for incorporation of other plans for the youth while minimizing duplication.



Housing, Community Relations, and Money Management

Skill Area: Housing

Learning Goal 2: Knows how to search for an apartment or other housing option.

Expectations (Objectives):
At the end of the session, the youth will be able to:

- Define the terms most commonly used in a housing search (e.g., lease, sublet, studio, security deposit, no-pet, tenant, landlord).
- Interpret information contained in housing advertisements.
- Describe how to most effectively search for housing (e.g., word-of-mouth, advertisements, bulletin board ads, drive around neighborhood, Internet, realtor).
- Identify resources available to help with housing search (e.g., local housing authority).
- Create a list of housing needs (e.g., close to bus line, on first floor, pets allowed).
- Compare two or more housing choices based on location, conditions, costs, safety, accessibility to transportation, job, school, etc.

Action Plan

The actions you take to reach your goals should be clear so you know exactly what to do. Identify who will do what to help reach the goals - yourself, staff, and others.

What activities or services will be done?	Who is responsible for doing it?	When will it be accomplished?
Reading My Dew Place I Can Do It! p. 15-16		
What Do These Abbreviations Mean? Making It On Your Own p. 19		
Lesson #8 Ready, Set, Fly! A Parent's Guide to Teaching Life Skills		

Optional Signatures	Date
Youth: _____	_____
Caregiver: _____	_____
Life Skills Instructor: _____	_____

Benchmark Review

- Six months prior to a child's 18th birthday, the caseworker must convene a meeting for the purpose of a benchmark review of the CTP.
- DHS workers must invite the child, child's parent or legal guardian, substitute caregiver, ILP provider, CASA, child's attorney, service providers, and others the child determines are important to the meeting.

Benchmark Review

Determinations made prior to age of 18:

- Persons with decision-making authority for education services
- Sustainable housing (including college breaks, etc)
- Persons who will provide supportive relationships
- Identification of community resources

Benchmark Review

- Plan for employment / academic / or vocational education
- Person with decision-making authority for health/ mental health services & providers
- Plan to meet life skill development needs by age 18

Requirements at Independence

At least 60 days prior to the date the Department requests to be relieved of legal custody, the caseworker must inform child or young adult of:

- Date, time, location of hearing
- His/her right to attend hearing/importance of
- His/her right to request assistance with transportation

Requirements at Independence

Provide the child with the following written records:

- Information concerning child/young adult's case
- Health & education records
- Birth certificate (original)
- Official proof of citizenship or residency
- Social security card (original)
- Driver's license or other form of state identification
- Where applicable, death certificate of parents; and
- Written verification of placement in substitute care between ages of 14 to 18

Requirements at Independence

*At least 60 days prior to the date the Department requests to be relieved of legal custody, they must:

Inform child or young adult of:

- Date, time, location of hearing (if a hearing is held)
- His/her right to attend hearing/importance of
- His/her right to request assistance with transportation

The court will also determine:



That the youth is not likely to become **homeless** due to dismissing DHS care and custody per SB 1034.



12 Comprehensive Transition Plan

Youth name: _____ Case no. and PIC: _____

Housing
 Current living situation (estimated date of independence, resources, concerns, risks, obstacles): _____

Plan to housing upon discharge (Where/with whom will you live? Transition to adult foster care?):
 Consider when youth is within six months of ending care: _____

Future plans/goals for housing (long range goals after discharge or emancipation - rent apartment, own a home, live in a dorm, shared housing; live with relatives?): _____

Short term goals (To help achieve long term goals/plans)	Steps and services (To help achieve the short term goals and services to be offered)	Progress (Rating scale below)
_____	_____	_____
_____	_____	_____
_____	_____	_____

Youth's Initials:

Rating scale: (1) = Positive progress, (2) = No change, (-) = Regression, (3) = Accomplished, (4) = Not attempted
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When DHS dismisses custody

- Explain to youth & their families that ILP can continue once custody dismissed
- Assist those youth who want to remain in ILP to transition to voluntary services when at all possible
- Notify ILP when there is case closure

Independent Living Program Mission

To empower, encourage and allow youth to move into adulthood with the knowledge and skills to become responsible and contributing members of their community.

Policy regarding ILP

- **Policy I-B.2.3.5,**
- Youth Transitions:
Requires that youth are referred for contracted ILP services at age 16. However, youth as young as age 14, may be referred for ILP Life Skills training.



Effective **9/1/09** ILP Skill Building Criteria

Eligibility:

- Age 14 or older & in substitute care (DHS or tribal) **OR**
- As a former foster youth, was **dismissed from care at age 16 or older** with 180 days of foster care placement services after age 14

Services:

- Daily Living Skills
- Educational Assistance



DHS Independent Living Program

The ILP array of services includes the following:

- Daily Living Skills Training (YILP)
- ILP Discretionary Funds
- Education & Training Vouchers

Housing Stipends

- Subsidy Program (SIND)
- Chafee Housing (ILPC)



ILP Discretionary Funds

ILP discretionary funds are:

Flexible

Support the youth's goals

Accessed using the CF78



DHS
Division of Youth Services
Youth Transition Funds Request

Check one of the following: ILP discretionary Subsidy Chafee Housing
 ETV Housingone-time payment

Youth's name: _____ Case number: _____

Discretionary / emergency expenditures

• Housing start-up (bedding, towels, kitchen utensils, food staples, etc.)	\$ _____
• Special equipment (books, uniforms, etc.)	\$ _____
• Transportation (bus fees, bicycle, driver's education course, etc.)	\$ _____
• One-time move-in fees (rent deposits, cleaning, utility security)	\$ _____
• Education costs (GED fees, application fees, sports fees, etc.)	\$ _____
• Tutor (private and institutional) (i.e., Sykes Learning Center)	\$ _____
• Books or school supplies	\$ _____
• Tuition/fees	\$ _____
• Other (identify): _____	\$ _____
TOTAL:	\$ _____

Note: Approved expenditures do not include items such as televisions, VCRs, stereos, pagers and any other articles that do not have a direct bearing on achieving the youth's goals as set forth in his/her comprehensive transition plan. A comprehensive transition plan must be completed (CF 65a or b, also known as 472).

Transition goal area (check all that apply): Education Employment
 Housing Health
 Community connections/positive relationships
 Transportation Life skills

Provide a description of what the funds are to be used for and how they will assist the youth's plan for independence:

Other resources employed: Foster family ILP donations Other DHS funds
 Financial aid Work Force Investment Act Foster parent association or group

Payment request for: Direct payment to youth Reimbursement to foster parent
 Payment to vendor/school (if other than youth, list vendor name or number: _____)

Mailing address: where payment is to be sent. A payment payable to the youth must be mailed to the branch or ILP office.

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Education & Training Grant (ETG)

Provides up to \$4,000 per academic year for cost of attendance:

- Tuition, Fees, Books, Supplies
- Room & Board
- Personal Expenses
- Travel/Transportation





How to Access Funds:

- **Chafee Grant Fund:**

www.osac.state.or.us/chafeeETV.html

- Vouchers – available through your DHS District. Use form CF78 to access. May only access once per year, then youth must submit grant application.



ILP Housing Programs

- Works in conjunction with ILP skill building to help youth become more self-sufficient adults.
- Provides a real-life, hands-on opportunity to practice daily living skills.
- Acceptance into these programs is a privilege, **not a right**.
- Requires documentation of income and expenses.
- Allows youth to experience consequences of decisions.



More Resources for Your Youth

- CW Procedure Manual, Chap. IV, Sect. 29
- Self Sufficiency for OHP
- Self Sufficiency for food stamps/WIC
- Public Health Department
- Mental Health Clinics
- Vocational Rehabilitation
- Family Planning Clinics
- ILP until age 21 (voluntary services)



ILP Desk Staff

- Rosemary Iavenditti – 503-945-5688
- Carrie VanDijk – 503-945-5807
- Sandy Raschko – 503-945-6612
- Hayley Smith – 503-945-6619
- Alex T. Sims – 503-945-5684

Call us with any questions!



*"In the final analysis it is not what you do for your children,
but what you have taught them to do for themselves
that will make them successful human beings."*

Ann Landers

*"Celebrate what you want
to see more of."*

Tom Peters



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Transition Planning for
APPLA Youth

What's Next?

Jennifer M. A. Goff
Citizen Review Board Field Manager

Now what?



THE FINDING:

DHS has made diligent efforts to place the child with a relative or a person who has a caregiver relationship.

DETERMINE:

- Whether the child is placed with a relative or person with a caregiver relationship.
- If not, what efforts were made?



DETERMINE:



- Whether the child has siblings who are in need of placement or continuation in substitute care. If so, what efforts have been made to place the siblings together?



DETERMINE:

- Efforts DHS has made to identify and locate paternal and maternal relatives, including those living outside the United States.



DETERMINE:

- Efforts to identify cultural and tribal leaders to assist in the search for relatives and persons with a caregiver relationship.



DETERMINE



- Efforts DHS has made to address barriers to placement with relatives or persons with a caregiver relationship.

THE FINDING:

DHS has ensured that appropriate services are in place to safeguard the child's safety, health, and well-being.

DETERMINE WHETHER:

➤ A Youth Decision Meeting occurred and DHS has provided adequate information to the child.



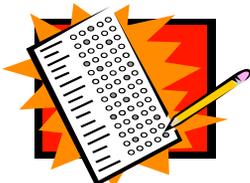
DETERMINE WHETHER:

➤ Referrals to the Independent Living Program (ILP) have been made.



DETERMINE WHETHER:

➤ An assessment was completed, a Comprehensive Transition Plan has been developed, and appropriate services are in place.



THE FINDING:

DHS made reasonable efforts in accordance with the case plan to place the child in a timely manner, and complete the steps necessary to finalize the permanent placement, including an interstate placement if appropriate.

DETERMINE:



➤ If adequate independent living services have been provided.

DETERMINE:

➤ The status of the transition plan for a developmentally delayed child.



DETERMINE:

➤ Attempts DHS has made to reconnect the child with extended family.



DETERMINE:

➤ If significant relationships have been developed for the child.



THE FINDING:

DHS is in compliance with the case plan and court orders.



DETERMINE:

- If DHS is in compliance with policies and laws applicable to the case plan.
- You may wish to consider the following policies: Another Planned Permanent Living Arrangement (I-E.3.6.3) and Youth Transitions (I-B.2.3.5).



THE FINDING:

The permanency plan is the most appropriate plan for the child.

DETERMINE:

- Have each of the more preferred permanency plans been considered?
- Can a higher degree of permanency be achieved?



Policy Title:	Youth Transitions – OAR		
Policy Number:	I-B.2.3.5 413-030-0400 thru 0460		Effective Date: 11-03-2009

Approved By: *on file*

Date Approved:

[Policy](#)

[Forms, etc.](#)

[Definitions](#)

[References](#)

[Contact](#)

[History](#)

Reference(s):

- Section 477, Title IV-E of the Social Security Act
- Public Law 106-169, Foster Care Independence Act of 1999, Title I
- 45 CFR Parts 1355, 1356, and 1357
- ORS 418.475

Form(s) that apply:

- None referenced.

Rules:

413-030-0400

Purpose

The purpose of these rules, OAR 413-030-0400 to 413-030-0460, is to describe the responsibilities of the Department for comprehensive transition planning with and providing services to a *child* or *young adult* to:

- (1) Obtain personal and emotional support and promote healthy relationships that can be maintained into adulthood;
- (2) Develop the personal life management skills necessary to function independently;
- (3) Receive education, training, and services necessary to lead to employment;
- (4) Attain academic or vocational education and prepare for post-secondary education or training;
- (5) Gain experience in taking responsibility and exercising decision-making control; and
- (6) Transition to living independently.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 418.475, 419B.343, 419B.476(3)

413-030-0405

Definitions

The following definitions apply to these rules (OAR 413-030-0400 to 413-030-0460):

- (1) "APPLA" means Another Planned Permanent Living Arrangement, a *permanency plan* for a stable secure living arrangement for a *child* that includes building relationships with significant people in the child's life that may continue after *substitute care*. APPLA is the least preferred *permanency plan* of the four *permanency plan* options for a *child* and is appropriate only in very limited circumstances.
 - (a) "Planned" means the arrangement is intended, designed, and deliberate.
 - (b) "Permanent" means enduring and stable.
- (2) "Case plan" means a written, goal oriented, time limited individualized plan for the *child* and the child's family, developed by the Department and the parents or legal guardians, to achieve the child's safety, permanency, and well being.
- (3) "Chafee housing" means a payment to assist in covering the costs of room and board made to an eligible individual between 18 and 20 years of age who was discharged from the care and custody of the Department or one of the federally recognized tribes on or after reaching 18 years of age.
- (4) "Child" means a person under 18 years of age.
- (5) "Department" means the Department of Human Services, Child Welfare.
- (6) "Former foster child" means a person under 21 years of age who was in *substitute care* at or after 16 years of age, including *substitute care* provided by federally recognized tribes, and had been in substitute care for at least 180 cumulative days after 14 years of age.
- (7) "GED" means a General Educational Development certificate issued pursuant to ORS 326.550.
- (8) "Independent living housing subsidy" means a payment to assist in covering the cost of room, board, or other monthly expenses made to an eligible individual who is in the care and custody of the Department and living independently.
- (9) "Legal custody" means a legal relationship between a person, agency, or institution and a *child* that imposes on the person, agency, or institution the duties and authority of the child's legal custodian.
- (10) "Legal guardian" means a person or agency that has the duties and authority of a *parent* with *legal custody* to make decisions concerning a *child*, including but not limited to the following:
 - (a) Authorize surgery and other extraordinary treatment for the *child*;

- (b) Authorize the *child* to enlist in the armed forces of the United States;
 - (c) Consent to the adoption of the *child*; and
 - (d) Make other decisions of substantial legal significance concerning the *child*, but a guardian is not a conservator of the child's property or estate.
- (11) "Parent" means the biological or adoptive mother or the legal father of the *child*. A legal father is a man who has adopted the *child* or whose paternity has been established or declared under ORS 109.070, ORS 416.400 to 416.465, or by a juvenile court. In cases involving an Indian *child* under the Indian Child Welfare Act (ICWA), a legal father includes a man who is a father under applicable tribal law. "Parent" also includes a putative father who has demonstrated a direct and significant commitment to the *child* by assuming or attempting to assume responsibilities normally associated with parenthood unless a court finds that the putative father is not the legal father.
- (12) "Permanency plan" means a written course of action for achieving safe and lasting family resources for the *child* through the parents, relatives, or others who may assume legal responsibility for the *child* during the child's remaining years of dependency and be accessible and supportive to the *child* when the *child* is 18 years of age or older.
- (13) "Registered domestic partner" means an individual joined in a civil contract entered into in person between two individuals of the same sex who are at least 18 years of age, who are otherwise capable and at least one of whom is a resident of Oregon.
- (14) "Sibling" means one of two or more children or young adults related:
- (a) By blood or adoption through a common legal *parent*;
 - (b) Through the marriage of the children's or young adults' legal or biological parents; or
 - (c) Through a legal or biological *parent* who is the *registered domestic partner* of the child's legal or biological parent.
- (15) "Substitute care" means the out-of-home placement of a *child* or *young adult* who is in the legal or physical custody of the Department.
- (16) "Young adult" means a person 18 to 20 years of age who remains in the care and custody of the Department, and lives in *substitute care* or lives independently through the Department's Independent Living Subsidy Program.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-030-0410

Eligibility for Youth Transition Services

A *child* or *young adult* must meet the following eligibility criteria for youth transition services, however a *child* or *young adult* enrolled in an Oregon youth transition service prior to September 1, 2009 is eligible to continue to receive that service until the *child* or *young adult* has achieved independence, reaches 21 years of age, or otherwise is no longer eligible for the

specific service.

(1) Life skills training.

- (a) A *child* 14 years of age or older who is in *substitute care* through the Department or one of the nine federally recognized Oregon tribes; or
- (b) A *former foster child*.

(2) Independent living housing subsidy.

- (a) The *child* or *young adult* must:
 - (A) Be 16 years of age or older;
 - (B) Be in the care and custody of the Department;
 - (C) Be engaged in 40 hours of productive time per week, including a combined total of 25 hours or more of work and education activities;
 - (D) Have had at least one prior *substitute care* placement; and
 - (E) Have the approval of the court to participate in the *independent living housing subsidy* service.
- (b) If a high school diploma has not been achieved, the *child* or *young adult* must be working actively to achieve a high school diploma or GED.
- (c) The *child* or *young adult* must be enrolled concurrently in skill building services.
- (d) The *child* or *young adult* may not live with any of his or her parents.

(3) Chafee housing.

- (a) To be eligible for *Chafee housing* an individual must meet all of the following requirements:
 - (A) Be 18 years of age or older but not yet 21 years of age;
 - (B) Have been discharged from the care and custody of the Department or one of the federally recognized tribes on or after reaching 18 years of age;
 - (C) Be engaged in 40 hours of productive time per week, including a combined total of 25 hours or more of work and education activities; and
 - (D) Have at least four hours of paid employment per week.
- (b) If a high school diploma has not been achieved, the individual must be working actively to achieve a high school diploma or GED.
- (c) The individual must be enrolled in skill building services.

- (d) The individual may not live with any of his or her parents.
- (e) The individual may not be eligible for *Chafee housing* when receiving an education and training grant.

(4) Education and training grant.

- (a) To be eligible for an education and training grant the *child* or *young adult* must:
 - (A) Be 14 years of age or older and currently in *substitute care* through the Department or one of the federally recognized tribes; or
 - (B) Have been dismissed from *substitute care* after reaching 16 years of age and had 180 or more cumulative days of *substitute care*.
- (b) The *child* or *young adult* initially must receive the grant prior to reaching 21 years of age.
- (c) If the *child* or *young adult* is receiving the grant upon reaching 21 years of age, he or she may continue to receive the grant until he or she reaches 23 years of age.
- (d) The *child* or *young adult* may not be eligible for an education and training grant when receiving *Chafee housing*.

(5) Youth Transition Discretionary Funds. A *child* or *young adult* must be eligible for and receiving skill building services as a prerequisite to eligibility for discretionary fund resources.

- (6) Services that may be utilized in the transition to independent living, as appropriate and available, when the *child* or *young adult* meets all other eligibility requirements, include but are not limited to:
- (a) Flex funds as described in Child Welfare Policy I-E.5.4, "Flex Fund";
 - (b) Payments made for special or extraordinary needs as described in Child Welfare Policy I-E.5.4, "Payments for Special and/or Extraordinary Needs" OAR 413-090-0300 to 413-090-0380;
 - (c) Housekeeping services as described in Child Welfare Policy I-C.1, "Housekeeping Services" OAR 413-050-0000 to 413-050-0050;
 - (d) Supportive or remedial day care as described in Child Welfare Policy I-C.3.1, "Supportive and Remedial Day Care" OAR 413-050-0200 to 413-050-0280;
 - (e) Other resources provided through the Department of Human Services such as Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families program benefits, vocational rehabilitation, teen pregnancy prevention, Seniors and People with Disabilities Division Developmental Disability services; and
 - (f) Other state or community health care programs.

Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 418.005

413-030-0430
Youth Transition Services Array

The range of services available through the Department to an eligible *child* or *young adult* transitioning to independent living includes:

- (1) Skill building services, which may include the following:
 - (a) Instruction in basic living skills such as money management, home management, consumer skills, legal issues, parenting, health care, access to community resources, employment readiness, transportation, educational assistance, and housing options;
 - (b) Educational and vocational training support such as high school diploma or GED preparation, post-secondary education and academic support, job readiness, and job search assistance and placement programs;
 - (c) Training, workshops and conferences, individual and group skills building for improved self-esteem and self-confidence, and interpersonal and social skills training and development; and
 - (d) Development of community networks and supports to transition successfully to adulthood.
- (2) The *independent living housing subsidy*.
- (3) *Chafee housing*.
- (4) Education and training grants to provide assistance with the costs of a post-secondary education or training program.
- (5) Youth Transition discretionary funds to provide limited financial assistance in meeting the transition to adulthood.

Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 418.005

413-030-0445
Development of the Comprehensive Transition Plan

- (1) Development of the comprehensive transition plan. The Department must initiate the development of the comprehensive transition plan for a --
 - (a) *Child* 16 years of age or older and in *substitute care* or a *young adult*;
 - (b) *Child* 14 years of age or older with an APPLA; or
 - (c) *Former foster child* who requests services as described in Child Welfare Policy, I-B.2.3.1, "Family Support Services" OAR 413-030-0000 to 413-030-0030 and would benefit from a comprehensive transition plan.

- (2) The Department must ensure the comprehensive transition plan includes --
 - (a) The completion of a life skills assessment, which includes:
 - (A) Assessment of the skills and readiness of the *child* or *young adult* through interviews with substitute caregiver, *parent* or *legal guardian*, and any other significant adult; and
 - (B) Completion of a written independent living assessment in the format required by the Department.
 - (b) The written life skills assessment must include a description of:
 - (A) The strengths of the *child* or *young adult*; and
 - (B) His or her need for ongoing skill development in the following ability areas:
 - (i) Interaction with and connection to adults who can assist in the transition to independent living;
 - (ii) Transition successfully to independent living;
 - (iii) Engagement in educational and vocational interests;
 - (iv) Management of his or her physical and mental health; and
 - (v) Achievement of residential stability.
- (3) After completing the activities in section (2) of this rule, the Department must convene a planning meeting to develop the comprehensive transition plan. The Department must:
 - (a) Ensure the *child* or *young adult* plays a central role in planning for and participating in the meeting, when developmentally appropriate; and
 - (b) Involve the *child* or *young adult* in determining who may participate in the planning meeting which may include a *parent* or *legal guardian*, substitute caregiver, other adult important to the *child* or *young adult*, service providers, a court appointed special advocate, representative of a tribe, or the attorney for the *child* or *young adult*.
- (4) The comprehensive transition plan must identify goals and services in each of the following domains:
 - (a) Education;
 - (b) Employment;
 - (c) Health;
 - (d) Housing;

- (e) Life skills;
 - (f) Supportive relationships and community connections; and
 - (g) Transportation.
- (5) The *child* age 14 or older, *young adult*, or *former foster child* must agree to the comprehensive transition plan and the plan is signed by each person who participated in the planning meeting.
- (6) A Department supervisor must review and acknowledge the completion of the comprehensive transition plan in the Department's information system.
- (7) When a *child* is placed in another state through the Interstate Compact on the Placement of Children (ICPC), and the Department is unable to complete the comprehensive transition planning process as described in this rule, the Department remains responsible for working with the receiving state and with the *child* in developing a comprehensive transition plan.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.343, 419B.476

413-030-0449

Review of the Comprehensive Transition Plan

- (1) The caseworker must monitor the implementation of the comprehensive transition plan and make reasonable efforts to ensure timely and appropriate services identified in the comprehensive transition plan are made available.
- (2) The caseworker is responsible for regular review of the goals and services of the comprehensive transition plan during the following contacts:
- (a) Regular 30-day, face-to-face contacts as required under Child Welfare Policy I-B.1, "Monitoring Child Safety" OAR 413-080-0040 to 413-080-0067; and
 - (b) The 90 day *case plan* review required under Child Welfare Policy I-B.3.1, "Developing and Managing the Case Plan" OAR 413-040-0016.
- (3) Subsequent to the review of the comprehensive transition plan under subsection (2)(b) of this rule, the caseworker must document in the Department's information system:
- (a) The progress in achieving the comprehensive transition plan goals;
 - (b) Any barriers and plans to address the barriers;
 - (c) Any changes in the comprehensive transition plan; and
 - (d) Notification to service providers of changes to the comprehensive transition plan.
- (4) The supervisor must review and approve the documentation of the comprehensive transition plan review as a part of the required *case plan* review.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.343, 419B.476

413-030-0454

Benchmark Review of the Comprehensive Transition Plan

- (1) For a *child* with a comprehensive transition plan the caseworker must convene a meeting for the purpose of a benchmark review of the comprehensive transition plan six months prior to the *child* reaching 18 years of age.
 - (a) The meeting must include the *child*, unless the *child* developmentally is unable to participate, and may include a *parent* or *legal guardian* of the *child*, substitute caregiver, court appointed special advocate, the attorney for the *child*, service providers, and others the *child* determines are important to the meeting.
 - (b) The *child* plays a central role in the meeting appropriate with his or her developmental ability.
 - (c) At the meeting, the following are determined:
 - (A) Agreement on the person with decision-making authority for education services for the *child* after the *child* reaches 18 years of age;
 - (B) Arrangement of sustainable housing, including periods of time the *child* or *young adult* may be on break from college or other residential academic or vocational program after the *child* reaches 18 years of age;
 - (C) Identification of persons who may provide supportive relationships to the *child* after the *child* reaches 18 years of age;
 - (D) Identification of community resources available for the special or unique needs of the *child* after the *child* reaches 18 years of age;
 - (E) A plan for the employment, continued academic or vocational education, or specialized training of the *child* after the *child* reaches 18 years of age;
 - (F) Agreement on the person with decision-making authority for health and mental health services for the *child* and identification of health, mental health, and dental providers for the *child* after the *child* reaches 18 years of age; and
 - (G) The plan to meet life skill development needs of the *child* by the time the *child* reaches 18 years of age.
 - (d) The caseworker must document the determinations made under subsection (1)(c) of this rule and the documentation must be signed by the *child*, when developmentally able to do so, and the caseworker, and may be signed by other persons attending the meeting.
- (2) The caseworker's supervisor must review and acknowledge the completion of the benchmark review of the comprehensive transition plan in the Department's information system.
- (3) The caseworker must provide a copy of the comprehensive transition plan, including the

documentation of the determinations made during the benchmark review of the comprehensive transition plan, to the court at the next scheduled permanency hearing.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 419B.343, 419B.476

413-030-0460

Requirements at Independence

- (1) At least 60 days prior to the date on which the Department is requesting relief of *legal custody* of a *child* or *young adult* reaching independence, the Department must inform the *child* or *young adult* of:
 - (a) The date, time, and location of the hearing;
 - (b) The right to attend the hearing, and the importance of attending; and
 - (c) The right to request assistance with transportation to and from the hearing.
- (2) When the court relieves the Department of the custody of the *child* or *young adult* reaching independence, the Department must provide the *child* or *young adult* with the following written records:
 - (a) Unless the release is prohibited by law or the law requires the *child* or *young adult* to make a specific request for the records under ORS 432.420, and ORS 109.425 to 109.507, information concerning the case of the *child* or *young adult*, including family and placement history, location and status of each *sibling*, and contact information the *child* or *young adult* may use to seek additional information about his or her case or family history.
 - (b) Health and education records, including:
 - (A) Health and immunization records; and
 - (B) Educational summary and records.
 - (c) A copy of each of the following, and documentation that each has been provided to the *child* or *young adult* in official form:
 - (A) The birth certificate of the *child* or *young adult*;
 - (B) Official proof of the citizenship or residence status of the *child* or *young adult* in a form acceptable to an employer required to verify immigration status;
 - (C) The social security card, or a copy of the original, of the *child* or *young adult*;
 - (D) A driver's license or another form of state identification, or a copy of the original, of the *child* or *young adult*;
 - (E) Where applicable, a death certificate of a *parent* of the *child* or *young adult*; and

- (F) Written verification of placement in *substitute care* through the Department or one of the federally recognized tribes of the *child* or *young adult* when 14 years of age or older and 18 years of age and younger.
- (3) When the Department is unable to provide the documentation and information described in section (2) of this rule prior to the court order by which the Department is relieved of *legal custody* of the *child* or *young adult*, the Department must prepare the written records and either deliver them to the *child* or *young adult* or, when the whereabouts of the *child* or *young adult* are unknown, retain the records in the case file of the *child* or *young adult* until requested by the *child* or *young adult*.
Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 418.005

Contact(s):

- **Name:** CAF Reception; **Phone:** 503-945-5600

Policy History

- 01/22/02
- 05/06/02
- 09/01/09 thru 12/28/09

Policy Title:	Another Planned Permanent Living Arrangement – OAR			
Policy Number:	I-E.3.6.3 413-070-0520 thru 0565		Effective Date:	12-29-10

Approved By: *on file*

Date Approved: 12-22-10

Policy	Procedures	Forms, etc.	Definitions	References	Contact	History
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Reference(s):

- Title IV-E Indian Child Welfare Act
- Refugee Act of 1980
- PL 105-89, Adoption and Safe Families Act (ASFA)
- PL 110-351 Fostering Connections to Success and Increasing Adoptions Acts of 2008
- 45 CFR Parts 1355, 1356 and 1357, 1/25/2000
- Child Welfare Policy I-A.4.5, Rights of Relatives
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a45.pdf
- Child Welfare Policy I-B.2.3.5, Youth Transitions
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf
- Child Welfare Policy I-E.1.1, Search for and Engagement of Relatives
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e11.pdf
- Child Welfare Policy I-E.2.1, Placement of Indian Children
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e21.pdf
- Child Welfare Policy I-E.2.2 Placement of Refugee Children
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e22.pdf

Form(s) that apply:

- CF 1014, Permanent Foster Care Placement Agreement
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1014.doc

Rules:

413-070-0520

Purpose

The purpose of these rules (OAR 413-070-0520 to 413-070-0565) is to describe the responsibilities of the Department in case planning and the appropriate use of APPLA as a *permanency plan* for a *child* or *young adult*.

413-070-0524

Definitions

The following definitions apply to these rules, OAR 413-070-0520 to 413-070-0565:

- (1) "APPLA" means Another Planned Permanent Living Arrangement, a *permanency plan* for a stable secure living arrangement for a *child* or *young adult* that includes building relationships with significant people in the child's life that may continue after *substitute care*. APPLA is the least preferred *permanency plan* of the four *permanency plan* options for a *child* or *young adult* and is appropriate only in very limited circumstances.
 - (a) "Planned" means the arrangement is intended, designed, and deliberate.
 - (b) "Permanent" means enduring and stable.
- (2) "Caregiver relationship" means a relationship between a person and a *child* or *young adult* that meets the requirements of all of the following subsections:
 - (a) The relationship has existed for the 12 months immediately preceding the initiation of a dependency proceeding, for at least six months during a dependency proceeding, or for half of the child's life if the *child* is less than six months of age. A caregiver relationship does not include a relationship between a *child* or *young adult* and a person who is an unrelated *foster parent* of the *child* or *young adult* unless the relationship continued for a period of at least 12 consecutive months.
 - (b) The person had physical custody of the *child* or *young adult* or resided in the same household as the *child* and provided the *child* or *young adult* on a daily basis with the love, nurturing, and other necessities required to meet the psychological and physical needs of the *child* or *young adult*.
 - (c) The *child* or *young adult* depended on the relationship to meet the needs of the *child* or *young adult*.
- (3) "Child" means a person under 18 years of age.
- (4) "Department" means the Department of Human Services, Child Welfare.
- (5) "Foster parent" means a person who operates a home that has been approved by the Department to provide care for unrelated children or young adults who are placed in the home by the Department.
- (6) "Independent living housing subsidy" means a payment to assist in covering the cost of room, board, or other monthly expenses made to an eligible individual who is in the care and custody of the Department and living independently.

- (7) "Indian child" means any unmarried person who is under age 18 and is either:
- (a) A member of an Indian tribe; or
 - (b) Eligible for membership in an Indian tribe and the biological child of a member of an Indian tribe.
- (8) "Parent" means the biological or adoptive mother or the legal father of the *child*. A legal father is a man who has adopted the *child* or whose paternity has been established or declared under ORS 109.070, ORS 416.400 to 416.465, or by a juvenile court. In cases involving an *Indian child* under the Indian Child Welfare Act (ICWA), a legal father includes a man who is a father under applicable tribal law. "Parent" also includes a putative father who has demonstrated a direct and significant commitment to the *child* by assuming or attempting to assume responsibilities normally associated with parenthood unless a court finds that the putative father is not the legal father.
- (9) "Permanency committee" means a group of individuals who are responsible for making a recommendation regarding a *permanency plan* or a potential permanency resource when the *child* or *young adult* likely is not returning to his or her *parent*.
- (10) "Permanency plan" means a written course of action for achieving safe and lasting family resources for the *child*. Although the plan may change as more information becomes available, the goal is to develop safe and permanent family resources with the parents, relatives, or other people who will assume legal responsibility for the *child* during the remaining years of dependency and be accessible and supportive to the *child* in adulthood.
- (11) "Permanent foster care" means the out of home placement of a *child* in which there is a long-term foster care agreement between each *substitute caregiver* and the Department approved by the juvenile court under which the *substitute caregiver* commits to raise a *child* in *substitute care* until the age of majority and be accessible to and supportive of the *child* into adulthood, until the court determines that APPLA - permanent foster care is no longer the appropriate *permanency plan* for the *child*.
- (12) "Relative caregiver" means a person who operates a Department approved home providing care for a related *child* or *young adult* placed into the home by the Department.
- (13) "Substitute care" means the out-of-home placement of a *child* who is in the legal or physical custody and care of the Department.
- (14) "Substitute caregiver" means a *relative caregiver*, *foster parent*, or provider authorized to provide care to a *child* or *young adult* in the legal or physical custody of the Department.
- (15) "Young adult" means a person 18 to 20 years of age who remains in the care and custody of the Department, and lives in *substitute care* or lives independently through the Department's Independent Living Subsidy Program.

Stat. Auth.: ORS 418.005, 418.945

Stats Implemented: ORS 418.005, 418.925, 419A.004

413-070-0532

Types of APPLA

The caseworker considers one of the following types of APPLA when considering APPLA as a *permanency plan* for a *child* or *young adult*:

- (1) APPLA - *permanent foster care*. An APPLA - *permanent foster care* is a plan in which the *child* or *young adult* remains in a *substitute care* placement with a *substitute caregiver* who has:
 - (a) Committed to the care and well-being of the *child* or *young adult*; and
 - (b) Entered into a *permanent foster care* agreement.
- (2) APPLA - permanent connections and support. An APPLA - permanent connections and support plan is a plan in which:
 - (a) A *child* or *young adult* is in *substitute care* living with a *substitute caregiver* or living independently and receiving an *independent living housing subsidy* and the plan focus is not only on the child's or young adult's educational, vocational, health, and treatment needs, but also on the needs of the *child* or *young adult* to develop or maintain relationships with adults, including relatives and persons with a *caregiver relationship*, who can play a significant role in the child's or young adult's life after the *child* or *young adult* leaves *substitute care*; or
 - (b) A *child* or *young adult* is in a psychiatric residential facility, Developmental Disabilities placement, or residential treatment facility and is not going to be discharged from the facility while the Department maintains legal custody of the *child* or *young adult*.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 418.005, 419A.004

413-070-0536

Consideration of APPLA as a Permanency Plan

- (1) The Department may consider APPLA as a *permanency plan* for a *child* or *young adult* only if the Department has determined that there is a compelling reason that it is not in the best interests of the *child* to implement one of the following preferred permanency plans, listed in order of preference:
 - (a) Placement with a *parent*;

- (b) Placement in an adoptive home which includes permanent placement with a fit and willing relative through the adoption; or
 - (c) Placement with a legal guardian which includes permanent placement with a fit and willing relative as a guardian.
- (2) Prior to consideration of a *foster parent* as the APPLA resource, the caseworker and the caseworker's supervisor have complied with the requirements of both of the following subsections:
- (a) Reviewed the Department's diligent efforts to identify, contact, and place a *child* or *young adult* with relatives and to place siblings together as required under Child Welfare Policy I-E.1.1, "Search for and Engagement of a Child's Relatives", OAR 413-070-0060 to 413-070-0087.
 - (b) Confirmed there are no current Department actions to identify or assess a child's or young adult's relative who has either expressed an interest in and needs to be or currently is being assessed as a permanency resource.
- (3) The Department must base consideration of each *permanency plan* on the individual safety, permanency, and well-being needs of a *child* or *young adult*. A child's age or disability is never a disqualifier for a more preferred *permanency plan*.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 109.328, 418.005

413-070-0540

Determination of APPLA as a Child's or Young Adult's Permanency Plan

- (1) When the Department is considering a change in a *child* or young adult's *permanency plan*, the Department makes the determination pursuant to Child Welfare Policy I-E.3.6, "Legal Permanency, Concurrent Planning, and Use of Permanency Committee", OAR 413-070-0500 to 413-070-0519.
- (2) Prior to the *permanency committee*, when APPLA - *permanent foster care* is being considered as the most appropriate *permanency plan* for a *child* or *young adult*, the caseworker must:
- (a) Meet with the *substitute caregiver* to --
 - (A) Assess interest in and commitment to a *permanent foster care* agreement with each *substitute caregiver* as long as APPLA - *permanent foster care* is the *permanency plan* for the *child* or *young adult*; and
 - (B) Review the requirements, responsibilities, and approval process for the *permanent foster care* agreement with each *substitute caregiver*.

- (b) Meet with the *child* or *young adult*, as developmentally appropriate, to assess interest in APPLA - *permanent foster care* as the *permanency plan*.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 418.005, 418.937, 418.941, 419A.004

413-070-0550

Approval and Implementation of an APPLA Permanency Plan

- (1) The *permanency committee* must consider the best interests of the *child* or *young adult* under consideration and consider each of the following factors when making a recommendation regarding APPLA:
 - (a) How an APPLA *permanency plan* meets safety, permanency, and well-being needs of the *child* or *young adult*, and is in the best interests of the *child* or *young adult*.
 - (b) Whether the Department has provided the *child* or *young adult*, and the *child* or *young adult's* parents, an opportunity to identify available permanency resources.
 - (c) The parents' acceptance of APPLA as a *permanency plan* and their desire for continued contact with the *child* or *young adult*.
 - (d) Whether the *child* or *young adult's substitute caregiver* is able to meet the *child* or *young adult's* needs pursuant to OAR 413-070-0640 in Child Welfare Policy I-E.3.1, "Placement Matching".
 - (e) Consideration of each of the more preferred permanency plans described in OAR 413-070-0536(1) and identification of the compelling reasons why return home, adoption, or guardianship cannot be achieved.
 - (f) When the *child* or *young adult* has siblings, the sufficiency of the plan for continued contact unless such contact is not in the best interests of the *child* or *young adult* and each sibling.
- (2) After completing the review under section (1) of this rule, the *permanency committee* considers all of the information, deliberates, and, when committee members agree, makes a recommendation to the Child Welfare Program Manager or designee.
- (3) When the *permanency committee* cannot reach agreement, each *permanency committee* member makes his or her respective recommendations known to the committee facilitator.
- (4) The Child Welfare Program Manager, or designee who makes the decision on behalf of the Department, must consider all of the following when making the decision:
 - (a) The considerations in section (1) of this rule.

- (b) The information presented to the *permanency committee*.
 - (c) The recommendation of the *permanency committee*.
- (5) Within 30 days of the Department's decision to approve an APPLA *permanency plan* under OAR 413-070-0519, the caseworker must request a permanency hearing before the court. At the court hearing, the caseworker must:
- (a) Recommend that the court issue an order approving the APPLA plan;
 - (b) Set forth the compelling reasons why it would not be in the best interests of the *child* or *young adult* to return home, be placed for adoption, or be placed with a guardian;
 - (c) Set forth a timetable for the *child* or young adult's placement in another planned permanent living arrangement;
 - (d) Set forth the reasonable services the Department may offer each *parent* to meet the best interests of the *child* or *young adult* until a more preferred *permanency plan* is achieved, the *child* reaches the age of majority, reaches independence, or the juvenile court relieves the Department of *legal custody* of the *child* or *young adult*; and
 - (e) Set forth the type and amount of parent-child and child-sibling contact and involvement until a more preferred *permanency plan* is achieved, the *child* reaches age of majority, reaches independence, or the juvenile court relieves the Department of *legal custody* of the *child* or *young adult*.
- (6) When the court previously has ordered or the Department recommends that no contact be allowed between *parent* and *child*, or *child* and sibling, the caseworker must request that the court issue a standing protective order, including the reasons why no contact is allowed.
- (7) When the APPLA plan does not receive Department approval, within 30 days the caseworker must:
- (a) Inform the *child* or *young adult*, the child's or young adult's substitute caregivers, the child's or young adult's parents, the child's or young adult's attorney, the child's court appointed special advocate, and other persons with significant involvement in the child's or young adult's life; and
 - (b) Consult with the child's team to reconsider the child's or young adult's other permanency options.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 418.005, 419A.004

413-070-0551

Contents of an APPLA Case Plan

- (1) When requesting the change to a *permanency plan* of APPLA to the court, the caseworker must document how the Department plans to address each subsection of this section in the *child* or young adult's *case plan*. The *case plan* must include the following information:
 - (a) Family composition, which includes the identifying information of each *parent* (unless parental rights have been terminated), *legal guardian*, and sibling.
 - (b) Except when parental rights have been terminated, safety threats identified in a CPS assessment under Child Welfare Policy I-AB.4, "CPS Assessment", OAR 413-015-0400 to 413-015-0485.
 - (c) Except when parental rights have been terminated, the ongoing safety plan as described in Child Welfare Policy I-AB.4, "CPS Assessment" OAR 413-015-0400 to 413-015-0485 and recorded in the Department's information system.
 - (d) A description of how the Department determined the APPLA is the most appropriate *permanency plan* for the *child* or *young adult*, and each *compelling reason* why the more preferred *permanency plan* options were not selected for the *child* or *young adult*.
 - (e) A description of how the *child* or young adult's attachments and relationships with each *parent*, sibling, other family member, advocate, *substitute caregiver*, and other person who provides continuity, belonging, stability, support, nurturing, and caring relationships and cultural connections for the *child* may be developed while the *child* is in *substitute care* and maintained when the *child* reaches the age of majority or the juvenile court relieves the Department of *legal custody* of the *child* or *young adult*. When appropriate, the description may include the following:
 - (A) A description of how each *parent* and sibling of the *child* or *young adult* may participate actively in the life of the *child* or *young adult*.
 - (B) For each existing relationship the *child* or *young adult* has with a permanent adult caregiver or adult parental figure who is capable of sustaining a significant relationship with the *child* or *young adult*, a description of how the relationship may be maintained.
 - (C) A description of how relationships with relatives and other persons involved in the *child* or young adult's life may be developed and maintained.
 - (D) Current placement information including the location of the *child* or *young adult* when the *substitute caregiver* authorizes release of the address, except when doing so would jeopardize the safety of the *child*.

- (E) The *child* or young adult's record of visits with his or her parents or siblings.
 - (f) When applicable, a description of the plan to transition a developmentally delayed *child* to an appropriate program for adults who are developmentally delayed.
 - (g) The comprehensive transition plan required by Child Welfare Policy I-B.2.3.5, "Youth Transitions", OAR 413-030-0400 to 413-030-0460 for any *child* 14 years of age or older and services that prepare the *child* or *young adult* to transition to adulthood.
 - (h) A description of the reasonable efforts made by the Department to put the services and structures described in this rule in place to meet the needs of the *child* or *young adult* and to enhance the stability of the child's living arrangement when the *child* or *young adult* is not living with a specified adult.
 - (i) A description of the services the Department must provide to ensure the emotional, medical, educational, cultural, and physical needs of the *child* or *young adult* are being met, including:
 - (A) The *child* or young adult's health information, which documents the *child* or young adult's specialized medical, dental, and mental health services; and
 - (B) The *child* or young adult's education services, including the school or educational placement history of the *child* or *young adult*, high school credits earned for a *child* over 14 years of age or a *young adult*, and any special educational needs.
 - (j) The services required to prepare the *child* or *young adult* to live in the least restrictive setting possible at the most appropriate time.
 - (k) The services that may make it possible to achieve a more preferred *permanency plan* listed in OAR 413-070-0536(1) for the *child* or *young adult*.
 - (l) The services the Department may continue to make available to the *child* or young adult's parents, upon request, that continue to be in the best interests of the *child* or *young adult*.
- (2) Except when parental rights have been terminated or the Department is unable to obtain the signature of the *parent* or legal guardian, the case plan must include the signature of the caseworker, the supervisor, and each *parent* or legal guardian as described in Child Welfare Policy I-B.3.1, "Developing and Managing the Case Plan", OAR 413-040-0000 to 413-040-0032.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 418.005, 419A.004

413-070-0552

Ongoing Department Responsibilities When APPLA is the Child's or Young Adult's Permanency Plan

- (1) When APPLA is the court approved *permanency plan* for a *child* or *young adult* in the Department's legal custody, the *child* or young adult's caseworker must:
 - (a) Discuss the *child* or young adult's needs with the *substitute caregiver* and the *child* or *young adult* during face to face and other contacts, and routinely discuss needs, benefits, barriers, and solutions towards achieving a more preferred permanency option;
 - (b) Have contact with the *child* or *young adult*, with the *substitute caregiver*, and monitor *child* or *young adult* safety as described in Child Welfare Policy I-B.1, "Monitoring Child Safety", OAR 413-080-0040 to 413-080-0067;
 - (c) Provide timely assessment and services for identified needs of the *child* or *young adult*, the *child* or young adult's *substitute caregiver*, or the *child* or young adult's parents;
 - (d) As soon as possible after the *child* reaches 14 years of age initiate comprehensive transition planning as described in Child Welfare Policy I-B.2.3.5, "Youth Transitions", OAR 413-030-0400 to 413-030-0460;
 - (e) Ensure an annual review of Department efforts to identify and contact a *child* or young adult's relatives and efforts to place with or develop and maintain a *child* or young adult's connection and support with relatives is completed;
 - (f) Monitor the case plan and complete the required case plan reviews; and
 - (g) Submit to the court and to the citizen review board the case plan updates required in Child Welfare Policy I-I.2, "Narrative Recording", and, when the APPLA plan is APPLA - *permanent foster care*, submit a copy of the *permanent foster care* agreement.
- (2) In addition to the requirements of section (1) of this rule, when the *child* or *young adult* has an approved APPLA - *permanent foster care* plan:
 - (a) The Department must continue to assess requirements for certification of a foster home pursuant to Child Welfare Policy II-B.1.1, "Department Responsibilities for Certification and Supervision of Relative Caregivers, Foster Parents, and Pre-Adoptive Parents", OAR 413-200-0270 to 413-200-0296; and
 - (b) The *substitute caregiver* must--
 - (A) Maintain a current Certificate of Approval and follow the requirements of the Department pursuant to Child Welfare Policy II-B.1, "Certification

Standards for Foster Parents, Relative Caregivers, and Pre-Adoptive Parents", OAR 413-200-0301 to 413-200-0396;

- (B) Follow the requirements of the Department regarding a *child* or young adult's education, medical care, mental health care, and other services requested by the Department to meet the needs of the *child* or *young adult*;
- (C) Maintain residence in the state of Oregon unless the ICPC referral has been submitted to the receiving state and approval to move has been obtained from the Department and the court prior to the move outside of Oregon; and
- (D) Maintain residence in the ICPC approved state if the *substitute caregiver* lives in another state.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 418.005, 419A.004

413-070-0556

APPLA Permanency Plan Reviews

- (1) The caseworker must review the APPLA case plan at least every six months and the review must occur prior to a review by the court or citizen review board as required by ORS 419B.470 and 419A.106(1) respectively.
 - (a) The review must take place in a face-to-face meeting with the *child* or *young adult*, and may include members of the team of the *child* or *young adult*.
 - (A) When appropriate, the meeting may include a *parent* or legal guardian, unless the *parent* or legal guardian is not available for the review. When a *parent* or legal guardian is unavailable, the caseworker must document the reason the *parent* or legal guardian was unavailable and the efforts made to involve the *parent* or legal guardian.
 - (B) During the meeting the caseworker must consider input received from the *child* or *young adult*, other participants in the meeting, and other information received from service providers, substitute caregivers, a *child* or young adult's attorney, a *child* or young adult's court appointed special advocate, the tribe if the *child* is an ICWA *child*, persons with significant attachments to the *child* or *young adult*, and a *child* or young adult's relatives.
 - (b) After the meeting described in subsection (a) of this section, the caseworker must document in the case record:

- (A) Whether the current placement continues to be the least restrictive setting available to meet the safety and permanency needs of the *child* or *young adult*; or
 - (B) Whether a more permanent *permanency plan*, such as reunification, adoption, or guardianship is more appropriate for the *child* or *young adult*.
- (2) When an APPLA has been approved by the court as the *permanency plan* for a *child* or *young adult* in the legal custody of the Department, the Department must notify the court and request a review or permanency hearing:
- (a) Not less frequently than once every 12 months while the *child* or *young adult* remains in *substitute care* in accordance with ORS 419B.470(2).
 - (b) Unless good cause is shown, at any time upon the request of the Department, a *substitute caregiver* directly responsible for the care of the *child* or *young adult*, a *parent* of the *child* or *young adult*, an attorney for the *child* or *young adult*, a court appointed special advocate, a citizen review board, or a tribal court in accordance with ORS 419B.470(5).
 - (c) By the citizen review board no less frequently than every six months in accordance with ORS 419A.106(1)(a) unless the court has relieved the citizen review board of its responsibility to review a case in accordance with ORS 419A.106(1)(b).
 - (d) Within 90 days of a change of *substitute care* placement.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 418.005, 419A.004, 419B.470

413-070-0565

Termination of APPLA

- (1) The APPLA - Permanent Connections and Support must be terminated when:
- (a) Court wardship is terminated;
 - (b) The court relieves the Department of legal custody of the *child* or *young adult*; or
 - (c) The court determines that APPLA - Permanent Connections and Support is no longer the appropriate *permanency plan* for the *child* or *young adult*.
- (2) The APPLA - *permanent foster care* plan and agreement must be terminated when:
- (a) The *child* reaches the age of majority under ORS 419A.004(17);
 - (b) Court wardship is terminated;

- (c) The court determines that APPLA - *permanent foster care* is no longer the appropriate *permanency plan* for the *child*;
 - (d) One of the more preferred permanency plans described in OAR 413-070-0536(1) is achieved;
 - (e) The Department and the *substitute caregiver* mutually consent to termination;
 - (f) The *foster parent* or *relative caregiver* fails to maintain a current Certificate of Approval in accordance to Child Welfare Policies II-B.1, "Certification Standards for Foster Parents, Relative Caregivers, and Pre-Adoptive Parents", OAR 413-200-0301 to 413-200-0396 and II-B.1.1, "Department Responsibilities for Certification and Supervision of Relative Caregivers, Foster Parents and Pre-Adoptive Parents", OAR 413-200-0270 to 413-200-0296, including when the certificate has been revoked or denied;
 - (g) The *child* or *young adult* is removed from the *substitute caregiver* by the Department; or
 - (h) The *child* or *young adult* requests, and a Child Welfare Program Manager approves, termination of the agreement because of serious or extraordinary circumstances.
- (3) The Department must provide written notification to the court of any change in the placement of the *child* or *young adult*.
- (4) If a *child* or *young adult* is removed from court approved APPLA - *permanent foster care*, the caseworker must request a permanency hearing within 90 days after the date of the change in placement to review the *permanency plan* for the *child* or *young adult* under ORS 419B.470(3).

Stat. Auth: ORS 418.005

Stats. Implemented: ORS 419A.004, 419B.470

Procedure(s) that apply:

- None referenced.

Contact(s):

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Policy History

- 07/01/06
- 11/03/09
- 07/01/10 thru 12/28/10