

## Chapter 3

## EXTENDED FOSTER CARE

3-1. Purpose. This chapter outlines policies for s. [39.6251](#), Florida Statutes (F.S.), pertaining to continuing care for young adults and Chapter [65C-41](#), Florida Administrative Code (F.A.C.), titled Extension of Foster Care.

3-2. Definitions.

a. "Adverse action" means any action by the Department, community-based care lead agency, or its contracted service provider that denies a young adult's application for readmission to extended foster care, or that discharges a young adult from extended foster care.

b. "Designated staff" means a case manager or other child welfare professional designated by the community-based care lead agency or its contracted service provider assigned to work with youth and young adults in transition to handle all matters pursuant to Extended Foster Care.

c. "Extended Foster Care" means the program available pursuant to s. 39.6251, F.S.

d. "Extended Foster Care Agreement" means a document that contains the informed consent of the youth or their legal guardian(s) to participate in the program.

e. "Extended Foster Care Voluntary Placement Agreement" means a document that contains the young adult's or their legal guardians informed consent to participate in the program, the application, and authorization for the Department to have placement and care responsibility.

f. "Fair hearing" means a hearing that is conducted pursuant to the procedural requirements of Rules 65-2.042 through 65-2.069, F.A.C.

g. "Shared Living Plan" means a document that contains detailed information about the living arrangement between applicable parties.

h. "Supervised Living Arrangement" means that the young adult is living independently under a supervised arrangement, approved by the community-based care lead agency, pursuant to subsection 39.6251(4), F.S.

i. "Supervised Living Arrangement Assessment" means a document that contains an evaluation of the young adult's living environment.

3-3. Transitioning Youth to EFC.

a. Youth in the legal custody of the Department that are identified during the 90-day period immediately prior to the date on which the youth will attain 18 years of age must be provided an Extended Foster Care (EFC) Agreement. EFC program eligibility and participation expectations shall be discussed at that time.

(1) If the transitioning youth chooses to remain in foster care, the EFC Agreement shall be signed as an acknowledgement of the eligibility requirements and their plan to participate in the program.

(2) If the youth chooses not to remain in foster care for any reason, the youth must be provided the My Decision to Leave Extended Foster Care (Opt Out) (form CF-FSP [5375](#), available in

DCF Forms). The form must be attached to the transition plan that is filed with the court and uploaded into FSFN.

(3) If the youth refuses to sign the EFC Agreement, designated staff shall document the refusal by writing “refused to sign” on the form itself.

(4) If the youth is unable to sign the EFC Agreement, designated staff shall document the inability by writing “unable to sign” on the form itself.

(a) Designated staff must make diligent efforts to obtain signature and/or consent for entering into the EFC.

(b) Acceptable circumstances of documenting “unable to sign” include, but may not be limited to: the youth is missing or on runaway

(c) Guardians may sign on the youth’s behalf if the youth is determined to be unable to sign.

(5) Failure to sign the EFC Agreement by the transitioning youth does not prevent continued program eligibility nor the ability for the court to retain jurisdiction.

(6) The EFC Agreement shall be uploaded in the Independent Living File Cabinet in FSFN using the appropriate EFC Agreement image type.

b. After designated staff determines that a youth will be continuing in extended foster care, approved living arrangement options must be identified. Identification of proposed living arrangements should have occurred during the development and finalization of the youth’s transition plan when discussing housing as pursuant to CFOP 170-17, [Chapter 2](#).

3-4. Young Adults’ Readmission into Foster Care. Young adults applying for readmission to foster care must complete an Extended Foster Care Voluntary Placement Agreement (EFC VPA).

a. Designated staff shall assist the young adult with completing the agreement.

(1) If while assisting it is determined that the potentially eligible young adult is not in a qualifying activity and/or not residing in an approved living arrangement, designated staff shall assess whether the young adult is eligible for continued assistance through either Postsecondary Education Services and Support (PESS) or Aftercare Services.

(2) Aftercare Services may be used to bridge the young adult into EFC.

b. If the young adult is unable to complete the EFC VPA due to a disability, designated staff shall work with the young adult’s guardian in determining program eligibility and obtaining consent to participate.

c. Designated staff must make diligent efforts to obtain signature and consent for entering into the EFC VPA.

d. The EFC VPA shall be uploaded in the Independent Living File Cabinet in FSFN using the appropriate EFC Voluntary Placement Agreement image type.

3-5. Evaluating and Supervising Living Arrangements.

a. Designated staff shall complete the Supervised Living Arrangement Assessment (SLAA) prior to approving the living arrangement. The completed assessment is documentation of the

justification as to whether or not the placement is appropriate. Designated staff shall consider the youth/young adult's child welfare background in making an assessment. The following elements are identified in the SLAA and must be evaluated in the form:

(1) Supervised Living Arrangement Type.

(a) Prior to completing the assessment, designated staff shall collaborate with the youth/young adult on potentially available placement options. Collaboration must begin for youth pursuant to Chapter 2 of this operating procedure.

(b) An inspection of the placement type shall be completed to determine if the arrangement is viable. Selected placement options on the form include:

1. Licensed Foster Home;
2. Licensed Group Home;
3. Transitional Living Program;
4. Assisted Living Facility;
5. Shared Housing;
6. Shared Housing-Host Home; and,
7. Individual Housing.

(2) Readiness.

(a) If the placement is a Shared Housing type, designated staff may conduct a criminal background search of any household member(s) based upon the youth/young adult's assessed safety and well-being needs. Consideration must be given to both the privacy of the youth/young adult and the household member(s).

(b) If there are concerns for the youth/young adult's safety, including risk associated while residing with other household members, those issues may be addressed by developing a safety protocol in the section described below on Supervision and/or in the Shared Living Plan, if the living arrangement is approved.

(3) Supervision. Document how the youth/young adult will be supported by the living arrangement to ensure the home environment is safe and doesn't jeopardize the youth/young adult's well-being.

(4) Services and Supports. Describe the transitional services that will be provided to assist the youth/young adult achieve their goals and reach independent living.

(5) Assessment Decision.

b. Multiple evaluations on various living arrangement types may be completed before determining the most appropriate arrangement.

(1) Although the CBC has approval authority, the youth/young adult must ultimately agree to the living arrangement.

(2) If the designated staff and youth/young adult cannot agree on a living arrangement, designated staff shall make attempts to resolve any conflict under the guidance of the CBC approving agency prior to denying or terminating the young adult's program eligibility.

c. The SLAA shall be uploaded in the Independent Living File Cabinet FSN, using the appropriate Supervised Independent Living Assessment image type.

d. Designated staff shall complete a Shared Living Plan (SLP) once a living arrangement has been approved. The intent is to outline the activities necessary to support the living arrangement and the persons or agencies involved in assisting with the plan. Designated staff are expected to have general knowledge of the skills that the youth/young adult possesses or lacks impacting a successful transition in the approved living arrangement. The following must be addressed in the SLP form:

(1) Household Chores and Daily Living Activities. List areas the youth/young adult will be required to complete and those that will require assistance. If it is determined no assistance is needed, the determination should be well supported in case notes and the life skills assessments.

(2) Physical and Behavioral Health. List areas in which the youth/young adult will require assistance with activities pertaining to overall health and wellbeing. If it is determined no assistance is needed, the determination should be well supported in case notes and the life skills assessments.

(3) Check-In/Curfew and 24-hour Crisis Intervention and Support. Develop a plan to address any household customs and the maintenance of a safe, stable home environment. This includes a determination on the length of acceptable absences from the home.

(4) Financial Resources. This section must address room and board, rent, utilities, allowance, and any other expenses associated with the supervised living arrangement. If no allowance is provided directly to the youth/young adult, additional justification is needed.

e. The SLP shall be uploaded in the Independent Living File Cabinet in FSN, using the appropriate Shared Living Agreement image type.

f. If the young adult does not appear to be residing in the approved living arrangement, designated staff shall meet with the young adult to assess the young adult's safety and well-being and, if needed, identify another living arrangement.

(1) If the young adult does not return to the approved living arrangement after 30 days and/or another living arrangement has not been approved, designated staff must proceed with discharging the young adult from EFC pursuant to Rule [65C-41.005](#), F.A.C.

(2) In the event of a young adult's planned or unplanned arrest or detention due to an involuntary commitment, for any reason, designated staff must assess the length of time that young adult will be detained. If a young adult is or will be detained for a period longer than 30 days, the young adult is no longer considered living in the approved supervised living arrangement and designated staff shall proceed with providing the young adult notice of adverse action.

g. Designated staff shall make face-to-face contact with young adults no less frequently than every 30 days in the young adult's approved living arrangement. This contact may be planned or unplanned. During the contacts, designated staff shall observe the home environment and, at minimum, discuss the transition plan and shared living plan.

h. Youth and young adults that reside outside of their county of jurisdiction shall adhere to the same requirements as outlined in Rule [65C-30.018](#), F.A.C., and s. [409.401](#) F.S., as applicable.

i. Designated staff shall enlist the support of the CBC's out-of-county services or Interstate Compact on the Placement of Children liaison to coordinate assessments, services, and supervision as needed.

3-6. Ongoing Assessment of a Qualifying Activity.

a. If the young adult does not appear to be participating in the agreed upon qualifying activity, designated staff shall meet the young adult and reassess the transition plan and assist in identifying another qualifying activity.

b. If after 10 days the young adult is still not participating in a qualifying activity, designated staff must proceed with discharging the young adult from EFC pursuant to Rule [65C-41.005](#), F.A.C.

c. Formal redeterminations of program eligibility shall occur annually.

d. Designated staff shall gather all documentation supporting the young adult's program eligibility and progress towards achieving transition and case plan goals.

e. Documentation demonstrating participation in a qualifying activity includes, but is not limited to:

(1) Completing secondary education or program leading to an equivalent credential.

(a) Copy of most recent report card(s) documenting that the young adult is in good standing based on their academic progress and attendance.

(b) Copy of young adult's attendance record. If the young adult has an IEP, a copy of the young adult's IEP must be accompanied by one of the items above.

(2) Enrolled in an institution that provides postsecondary or vocational education.

(a) A copy of the most recent transcript documenting that the young adult is in good standing based on their academic progress and attendance.

(b) A letter from the educational institution stating the young adult is in good standing based on their academic progress and attendance.

(3) Participation in a program or activity designed to promote or remove barriers to employment.

(a) Copy of the most recent transcript documenting the young adult is in good standing based on their academic progress and attendance.

(b) A letter from the institution stating that the young adult is in good standing based on their academic progress and attendance.

(4) Employed at least 80 hours per month.

(a) Copies of most recent pay stubs that equate to at least 80 hours a month.

(b) A letter from the employer stating that the young adult is employed and is working a minimum of 80 hours per month.

(5) Unable to participate in programs or activities full time due to a condition. A letter and/or records from a clinician supporting that the young adult has a physical, intellectual, or psychiatric condition that impairs the young adult's ability to perform one or more life activities.

### 3-7. Discharge and Denial Review.

a. Within 2 business days from the time that designated staff identifies that a young adult should be denied or terminated with an appealable determination reason, the appropriate adverse action form must be submitted to the regional Family Safety Program Office for approval.

(1) The Regional Managing Director or their designee shall sign the form and submit back to the designated CBC within 7 business days of receiving the adverse action form.

(2) Once the approved adverse action form has been reviewed, CBC staff shall notify the young adult of their right to appeal.

b. Young adults discharging from EFC based on their decision to leave foster care do not require a notice of adverse action.

3-8. FSFN Documentation. Designated staff shall document all activities relevant to providing services, supervision, and support to transitioning youth and young adults in FSFN. FSFN procedures specific to this chapter include:

#### a. EFC Program Eligibility.

##### (1) Initial Determination.

(a) Designated staff shall initiate the young adult's program eligibility determination in FSFN upon completion of the EFC Agreement.

(b) Upon the youth's 18<sup>th</sup> birthday, designated staff shall finalize the EFC Eligibility Determination to determine the young adult as program eligible.

(c) All youth determined ineligible will require a Supervisor Override and made eligible.

##### (2) Re-Entry.

(a) Designated staff shall complete the EFC Program Eligibility Determination upon completion of an EFC VPA.

(b) If the young adult is program ineligible, staff will finalize the EFC Determination after obtaining concurrence from the Department.

##### (3) Redetermination.

(a) Designated staff shall complete an EFC Redetermination in FSFN when a young adult has a change in qualifying activity type.

(b) Designated staff shall also complete an EFC Redetermination in FSFN annually from the date of an initial or previous redetermination.

(4) Termination.

(a) When a CBC determines a young adult should be denied or terminated from EFC, the CBC shall prepare an adverse action form and forward to the region Family Safety Program Office for approval.

(b) Upon receiving concurrence of the adverse action from the Department, CBC staff shall terminate the young adult's EFC eligibility and notify the young adult of their right to appeal.

(c) If the young adult does not request an appeal hearing within 10 business days of appeal notification, staff will change the young adults' placement to an unpaid service type.

(d) If the young adult does not request an appeal hearing within 30 days of appeal notification, staff will discharge the young adult from the removal episode.

(e) If the young adult requests an appeal, the request will be documented in the Appeal section on the Independent Living page.

(f) Once an appeal decision has been received, staff will update the Appeal section of the Independent Living page to reflect the decision.

(g) If an appeal reverses a termination decision, a new EFC eligibility determination shall be completed.

(h) If the termination decision is affirmed, the young adult shall be discharged from the removal episode and the EFC eligibility determination will remain terminated.

(i) CBC staff will notify Children's Legal Services of the appeal decision.

b. Young Adult Case.

(1) All youth who age out in the legal custody of the Department will have a Young Adult Case created upon their 18<sup>th</sup> birthday.

(2) Designated staff shall choose the Case Type of Extended Foster Care (EFC).

c. EFC Out of Home Placement.

(1) Upon a youth's 18<sup>th</sup> birthday while in the legal custody of the department, designated staff shall complete a placement change within the existing removal episode, capturing the young adult's entry into EFC.

(2) Upon re-entry to foster care, designated staff shall create a new removal episode for the young adult.

