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## I. SUBJECT

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Youth Transition Services.

## II. STATUTORY AUTHORITY

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[Title IV-E of the Social Security Act](#); Sections 471, 472, 474, 475, and 477; Title I, Improved Independent Living Program, Public Law 106-109, Foster Care Independence Act of 1999.

[John H. Chafee Foster Care Program for Successful Transition to Adulthood](#) (Formerly The John H. Chafee Foster Care Independence Program Public Law 115-123, the *Families First Prevention Services Act*, Title IVB, IV-E and section 1108 of the Social Security Act, enacted 2/2/18 (supersedes The John H. Chafee Foster Care Independence Program; P.L. 106-109, amending section 477 of the Social Security Act, Dec. 1999).

[Child Welfare Policy Manual \(Q & A\)](#)

[Federal Register, Part II, Department of Health and Human Services, Administration for Children and Families, 45 CFR Part 1356, Chafee National Youth in Transition Database; Final Rule. 2/26/08.](#)

[The Fostering Connections to Success and Increasing Adoptions Act H.R. 6893](#), enacted in October 2008, amended Title IV-E of the Social Security Act.

22 M.R.S. [§4037-A](#), Extended Care.

[Federal Regulation 45 C.F.R. 1356.21. 42 U.S.C.A. Subsection 675\(4\)\(B\)](#) regarding Parenting Teens in Foster Care.

29-A M.R.S. [§1304](#), Learner's Permit and 29-A M.R.S. [§1351](#), Driver Education.

Public Law 113-183, [Preventing Sex Trafficking and Strengthening Families Act](#), amending Titles IV-B, IV-E, and Section 1114A of the Social Security Act. September 29, 2014.

## III. DEFINITIONS

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For a complete list of definitions, see the [OCFS Policy Manual Glossary](#). In this document, the first reference to any word that is defined is hyperlinked to the Glossary.

## IV. POLICY

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OCFS will partner with youth/young adults to develop individualized, age and developmentally appropriate, and culturally responsive plans to support their successful transition to adulthood in accordance with the Youth in Care Bill of Rights. Youth transition planning and life skills development begins at the age of 14 and extends until the age of 23. A voluntary extended care agreement, known as the Youth Transition Agreement, is required for youth/young adults starting at age 18 to continue receiving services. Transition planning is to be done concurrently with ongoing OCFS efforts to explore, support, and advocate for legally permanent families and life-long connections.

OCFS will partner with youth in an effort to establish basic resources, including a source of income, safe and stable housing, affordable health care, access to informal adult supports and lifelong connections, and access to positive peer support. OCFS staff will honor the youth's rights to services, supports, and opportunities that are age and developmentally appropriate, enabling youth/young adults to express their gender and sexual identity, sexual orientation, cultural identity, and to participate in meaningful cultural activities.

## V. PROCEDURES

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**Introduction:** OCFS staff will ensure [youth](#) receive a copy of the [Maine Youth in Care Bill of Rights](#) (Appendix A), that they are informed about what it means, and that these rights are upheld. All [youth transition services](#) will be administered in accordance with the Youth in Care Bill of Rights. OCFS staff will provide youth transition services in addition to services deemed necessary for the youth by both the youth and their support team.

**National Youth in Transition Database (NYTD).** NYTD requires states to collect three types of information regarding the supports provided to youth/[young adults](#), beginning at age 14 and up to age 23. This is a federal requirement of the Chafee Foster Care Independence Act of 1999. The information gathered is documented in the child welfare information system.

- a. **Independent Living Services:** Caseworkers will document, in the child welfare information system, all [independent living](#) services provided to youth in [foster care](#), beginning at age 14 and up to age 18, and young adults on a [Youth Transition Agreement](#), beginning at age 18 and up to age 23. Independent Living Services includes all meaningful conversations, informal support, teaching, and services provided to youth/young adults by [resource parents](#), providers contracted by OCFS, and OCFS staff.
- b. **Youth/Young Adult Demographics/Characteristics:** Caseworkers will document and update the youth's/young adult's contact information, which includes their address, phone numbers and email, as well as the following characteristics for all youth/young adults, ages 14 to 23:
  - i. Whether the youth received special education instruction;
  - ii. Whether the youth has ever been an adjudicated delinquent (i.e., adjudicated before the age of 18);
  - iii. Whether the youth is enrolled in or eligible for membership in a federally recognized Indian tribe;

- iv. Whether the youth has been a victim of sex trafficking; and
  - v. The last grade completed and graduation status, including post-secondary education.
- c. Youth/Young Adult Outcomes NYTD Baseline and Follow-Up Surveys:
- i. Caseworkers will obtain informed consent from the youth/young adult by reading the informed consent statement at the beginning of the survey before beginning the survey. This informs the youth/young adult that the survey is voluntary and there will be no negative consequences for declining to complete the survey. The youth/young adult can decide how much detail they are willing to provide. The consent is documented on the survey.
  - ii. Caseworkers will ask the youth/young adult the NYTD Survey questions exactly as written (clarification about any question may be provided) or caseworkers may provide the youth/young adult with a paper copy of the NYTD Survey. The youth/young adult's answers must be recorded as stated and cannot be changed based on information from other sources.
  - iii. A NYTD Survey must be submitted within required timeframes for every eligible youth/young adult, even if they decline to participate or are exempt (see e. below). The "Reporting Status" must be entered for every youth/young adult. If the youth/young adult participated, the "Date of Survey" must also be entered. Valid response options for youth participation in the Baseline or Follow-Up Survey are described below:
    - 1. Youth Participated: The youth/young adult participated in the survey, either fully or partially (i.e., provides at least one valid response to a NYTD survey question, other than "declined" or "not applicable").
    - 2. Youth Declined: The caseworker located the youth/young adult successfully and invited their participation, but the youth/young adult declined to participate.
    - 3. Parent Declined: In the baseline survey only, the caseworker invited the youth's/young adult's participation, but the legal guardian declined to grant permission, if youth is not in DHHS custody. **Note:** This response may be used only for youth who have not yet reached their 18<sup>th</sup> birthday.
    - 4. Youth Incapacitated: Caseworkers, in consultation with a supervisor, have discretion to determine whether a youth/young adult is unable to participate in the NYTD Survey. A youth/young adult may be considered "incapacitated" when the youth/young adult is temporarily or permanently physically and/or cognitively unable to comprehend or answer the NYTD Survey questions. The rationale for "incapacitation" must be documented.
    - 5. Incarcerated: The youth/young adult is unable to participate in the survey because they are incarcerated. Youth who are incarcerated are exempt from the Baseline Survey. However, if a youth/young adult participated in the Baseline Survey and subsequently became incarcerated, they are not exempt from the Follow-Up Surveys.
    - 6. Runaway/Missing: The youth/young adult in foster care is known to have run away or be missing from their placement at the time of the survey.
    - 7. Unable to Locate/Invite: The caseworker could not locate the youth/young adult who has exited foster care to invite their participation in the survey. This

would include youth who exit foster care within the 45 days after their 17<sup>th</sup> birthday or youth who entered a [trial home placement](#), and the caseworker could not complete the Baseline Survey before leaving care.

8. Death: The youth/young adult died prior to participation in the survey.
- d. NYTD Baseline Survey: Youth who are in foster care on their 17<sup>th</sup> birthday must have the NYTD Baseline Survey completed. **Timeframe**: within forty-five (45) days of turning 17. The survey cannot be completed prior to the youth's 17<sup>th</sup> birthday.
- e. Youth are exempt from being asked to participate in the Baseline Survey for the following reasons: (**Note**: When exempt, a survey must still be submitted stating the reason for the exemption.)
  - i. The youth entered foster care more than 45 days after their 17<sup>th</sup> birthday.
  - ii. The youth is incarcerated (i.e., confined in a correctional/detention facility for allegedly committing a crime).
  - iii. The youth is on a trial home placement.
  - iv. The youth is incapacitated.
- f. NYTD Follow-Up Survey:
  - i. Young adults who provide at least one valid response to the NYTD Baseline Survey at age 17, during NYTD reporting years, will be asked to complete the NYTD Follow-Up Survey again at ages 19 and 21. **Timeframe**: The Follow-Up Survey at ages 19 and 21 must be completed within the six (6) months prior to or after their birthday.
  - ii. Young adults who are incarcerated must be invited to participate in the Follow-Up Survey and are not exempt.
  - iii. Caseworkers, in consultation with a supervisor, have discretion to determine whether a young adult is unable to participate in the NYTD Survey and may consider the young adult "incapacitated."
  - iv. For young adults with a Youth Transition Agreement: The caseworker must complete the 19 or 21-Year-Old Follow-Up Survey, within the Adoption and Foster Care Analysis and Reporting (AFCARS) period in which the youth turns 19 or 21. A NYTD Survey must be submitted for every eligible young adult, even if they decline to participate.
  - v. For young adults whose case is closed: The Youth Transition Program Manager will ensure the completion of the 19 or 21-Year-Old Follow-Up Survey in the same manner listed above.

## Activities to Complete for Youth in Care Ages 14-18

- a. Family Team Meetings (FTM):
  - i. OCFS will support youth through FTMs and monthly contacts. The caseworker will convene an FTM to support the youth's planning to identify needs, access appropriate resources, and secure services that are consistent with the transition goals. The plan to meet the youth's needs will be developed during the FTM and during subsequent meetings with the youth. For youth aged 14 and older, any revisions or additions to their plan must be developed in consultation with the youth.

At the discretion of the youth, at least two (2) members of their team will be chosen by them, who are not their caregiver or caseworker.

b. Youth Life Skills Assessment:

- i. Caseworkers will ensure the Youth Life Skills Assessment (Appendix H) is completed with the youth beginning after their 14<sup>th</sup> birthday, and until their 18<sup>th</sup> birthday, as part of the Child Case Plan.
- ii. Caseworkers will provide a copy and review with the youth the Maine Youth in Care Bill of Rights (Appendix A) and the Making a Choice Guide: A Guide to Making a Decision about Using Antipsychotic Medication (Appendix G) when they are completing the Youth Life Skills Assessment.

c. Youth Life Skills Development: Caseworkers, in collaboration with [Youth Transition Specialists](#), will ensure youth in care, beginning at age 14 and until their 18<sup>th</sup> birthday, receive age and developmentally appropriate opportunities, resources, and supports to develop essential life skills by ensuring the following and documenting these activities as part of the monthly in-person contacts and case planning activities. Opportunities for youth to develop these skills should occur in the most natural setting possible.

- i. Service Planning and Self-Advocacy: Youth are involved in their case planning, FTMs, court hearings, and decision making in accordance with the Youth in Care Bill of Rights and related policies.
- ii. Social Skill Development:
  1. Youth are given access to and support in engaging with community resources, peer support organizations, youth leadership opportunities, and other resources that youth need to develop strong social skills that are age and developmentally appropriate.
  2. Youth receive information and are supported to attend and participate in [YLAT](#) meetings and YLAT activities.
- iii. Education and Post High School Support:
  1. Youth have academic supports and assistance with homework, preparation for higher education standardized entry exams, and accessing educational resources determined by the youth's individual need.
  2. Youth receive post-secondary educational preparation and support, tutoring, information about academic and training programs, information about financial aid, Education and Training Voucher (ETV) funds, scholarships, and tuition waivers, help completing college or loan applications, college tours, conversations and support that assist the youth to plan for, gain entrance into, and complete post-secondary education or training programs.
- iv. Vocational Training and Employment Support:

1. Youth receive career and vocational planning, preparation, training, and support that help them develop an ability to find, apply for, and retain employment. This includes providing supports and/or referring youth to other public/private/contracted services, the Individual Education Planning (IEP) process, to gain job readiness training, job search assistance, resume writing, interviewing skills, and connecting with job placement programs.

v. Well Being Support:

1. Youth receive education and resources about physical and mental health, family planning, sex and healthy relationships, parenting, risk prevention, and substance use prevention.
2. Youth receive family support and healthy marriage education regarding safe and stable families, communication, teen parenting, [child](#) care skills, and family abuse and violence prevention.
3. Caseworkers will inform youth about their healthcare options and how to apply for MaineCare upon turning 18.
4. Caseworkers will inform youth about the importance of designating another trusted individual to make health care treatment decisions on their behalf should they become unable to participate in such decisions and provide information about health care proxy, healthcare power of attorney, and executing their own advance directive documents. Caseworkers will provide youth with information about the [CaringInfo website](#) when they are approaching age 18. **Note:** Beginning when a youth is age 18, caseworkers should not be designated as the youth's trusted individual, sign legal documents, or make health care decisions on the youth's behalf.
5. Caseworkers will document that the [CaringInfo website](#) information was provided to the youth.

vi. Budgeting, Credit, and Consumer Competence:

1. Youth will receive budgeting, financial management, and consumer skills training and support. This includes allowing youth to manage their clothing allowance when age and developmentally appropriate.
2. An annual check of the youth's credit will be completed by the assigned OCFS Central Office staff person beginning when the youth turns 14 and until the youth discharges from foster care or their 18<sup>th</sup> birthday.
  - a. A Child Identity Fraud Check will be completed by the assigned OCFS Central Office staff person on an annual basis through CLEAR to screen for indicators that the youth's identity may be compromised. This staff person will document whether a credit report for the youth exists or not.
  - b. Youth under the age of 18 should not have a credit report. Should a report exist, the OCFS Youth Transition Program Manager will obtain a copy of the report from the credit agency showing the credit report (i.e., Experian, Equifax, and/or Trans Union) and will send a copy to the youth's caseworker.

- c. When a credit report does exist, caseworkers will be provided a copy of the credit report, will discuss it with the youth, review with the youth the importance of good and bad credit, and explain that OCFS will work with the youth to correct all inaccuracies and errors.
  - d. When a youth has a credit report, the assigned OCFS Central Office staff person will work directly with the three credit agencies (TransUnion, Equifax, and Experian) on the minor youth's behalf to remedy all inaccuracies and errors.
- vii. Household Management: Youth receive housing education, assistance and education on home management skills, homemaker skills, education on tenant's rights, meal planning and preparation, nutrition, laundry, housekeeping, grocery shopping, and basic home maintenance.

### Access to Community and State Agency Based Services

- a. Youth/young adults will receive referrals to and assistance with completing applications for needed services.
  - i. Referrals and applications completed for services such as Social Security, Veterans Benefits, Vocational Rehabilitation adult services, and other community-based services will be documented, identifying which referrals or applications were completed, when they were sent, to which office, and the outcome when known.
  - ii. When a youth in care turns 18 years old, OCFS will not receive Social Security benefit payments on the young adult's behalf, unless designated by the Social Security Administration to act as the young adult's Representative Payee. These funds will not be taken into account as part of negotiated financial assistance provided through the Youth Transition Agreement.
- b. When needed, referrals are made on behalf of youth/young adults, to other state agencies, in accordance with the interagency agreements and the OCFS/OADS (Office of Aging and Disability Services) Youth Transition Protocol (Appendix E). The Youth Transition Specialist serves as a liaison for these services.

**Vital Documents:** The caseworker will ensure copies of vital documents are kept in the youth's case file and will document the date that vital records are provided to the youth. Caseworkers will provide the youth with all necessary vital documents prior to exiting foster care at age 18, including:

- a. State Identification Cards: Caseworkers will ensure all youth in foster care ages 15 and older have a State of Maine photo ID when the youth does not possess a valid driver's license or passport. The date the youth's State ID is obtained will be documented.
  - i. The application for State of Maine Identification Card (Appendix B) must be signed by the youth (applicant). To complete the required purchase order, select "Department of Motor Vehicles" as the payment vendor in the child welfare information system.
  - ii. A completed application, along with a purchase order for the fee, must be taken by the youth to the Bureau of Motor Vehicles (BMV). The caseworker or supervisor does not need to accompany the youth to complete the photo ID process. **Note:** The



instructions on page 2 of the application stating that one of the documents must bear the applicant's written signature does not apply to youth in the custody of DHHS.

iii. In addition to the application and purchase order, the youth must present two forms of identification:

1. A Birth Certificate (original or certified copy, which BMV will return to the youth);
2. A Passport;
3. Social Security Card; and/or
4. Residency of Eligibility Affidavit (see Appendix F):
  - a. A statement that the youth is in the custody of the State of Maine Department of Health and Human Services.
  - b. The youth's name and date of birth.
  - c. The youth's current physical address.
  - d. The signature of the youth's caseworker or caseworker's supervisor.

iv. If the youth/young adult requires a Real ID-compliant driver's license or State identification card, they must provide the following documentation:

1. One document that establishes identity, date of birth, and proof of U.S. citizenship, lawful permanent residence, or temporary lawful status in the U.S.
  2. One document to establish proof of Social Security Number (such as a Social Security Administration account number card, a W-2 form with applicant's name and full SSN; Social Security Administration Form 1099 with applicant's name and full SSN; Non-Social Security Administration Form 1099 with applicant's name and full SSN; or pay stub with applicant's name and full SSN on it) or evidence of Social Security Number ineligibility.
  3. Two documents to establish proof of residence in the State of Maine, such as a utility bill, paycheck stub, school transcript or report card, or two residency affidavits (Appendix F).
  4. Find out more information about Real ID requirements in Maine [here](#).
- b. A letter on DHHS letterhead that provides official documentation verifying the youth was previously or is currently in foster care; states the specific dates the youth was or is a ward of the State of Maine; and is signed by the casework supervisor (Appendix D);
  - c. Social Security card issued by the Commissioner of Social Security;
  - d. MaineCare Card;
  - e. An official or certified copy of the youth's birth certificate;
  - f. Documentation of immigration, citizenship, or naturalization, when applicable;
  - g. A copy of medical, health, and immunization records and known family medical history information;

- h. A copy of their high school diploma or general equivalency diploma, and a copy of their last Individualized Education Plan (IEP) if applicable;
- i. Death certificates when parents are deceased; and
- j. A list of known relatives, with relationships, addresses, email addresses, and phone numbers.

## Driving and Motor Vehicles:

- a. **Driver's Education.** When age and developmentally appropriate, youth are provided the opportunity to complete driver's education. The youth's caseworker will discuss the expectations, responsibilities, and steps involved in obtaining a driver's license with the youth, their caregiver and others (i.e., Youth Transition Specialist) as needed. Together, they will decide when the youth should be encouraged to enroll in a driver's education program, within the following guidelines:
    - i. OCFS will cover the total cost for the driver's education.
    - ii. The caseworker will ensure the youth's caregiver follows reasonable and prudent parenting standards regarding who may supervise the youth's driving time. All individuals assisting the youth with their practice driving hours must be insured to the minimum liability, or other coverage limits required by the law.
    - iii. OCFS may pay a professional driving instructor when no other approved option is available to provide the youth's required driving time. **Note:** OCFS staff will not allow youth to use the staff person's vehicle or state-owned vehicles for driving hours.
    - iv. The youth's caseworker, the supervisor, and the Program Administrator may deny the youth's request for driver's education, interrupt the driver's education and licensing process, or revoke the youth's driving privileges at any time due to the following circumstances:
      - 1. A medical doctor or mental health professional provides a written recommendation to the youth's caseworker that the youth is not allowed to drive due to a diagnosed physical, mental, or emotional condition that would significantly impair the youth's ability to safely operate a motor vehicle.
      - 2. Decision making and/or behaviors within the past three months that a reasonable and prudent person would consider to potentially lead to unsafe operation of a motor vehicle.
      - 3. Failure to attend and successfully complete driver's education classes.
- Note:** When denied the opportunity to obtain a driver's license, for any reason, the caseworker will provide the youth, in writing, the reasons for the denial and an opportunity to develop a reasonable plan that outlines what is expected of them in order to reverse the denial. A denial will be re-evaluated every six months with the youth, the youth's team, and medical/mental health professionals who provided a written recommendation and, if needed, a driving capacity assessment by a community-based program licensed by the State of Maine to make driving safety assessments.
- v. When enrolling in driving school, the caseworker must provide a copy of the youth's birth certificate, completed driving school forms, and a purchase order to the school.

- vi. When a youth has completed all requirements and applies for a driver's license through BMV, the application must be signed by an OCFS supervisor. **Note:** A youth has 60 days to mail in the application and fee.
  - vii. After the youth's Driving Hours Log (provided by BMV) is complete, it must be signed by an OCFS supervisor for the youth to be able to schedule a time for their driver's license road test. The caseworker will assist the youth to procure a registered and insured vehicle in which to take the road test. If the youth cannot access an appropriate vehicle to take the road test, OCFS will pay for the rental of a driver's education vehicle for the youth to use to take the road test.
  - viii. Once the youth successfully obtains their 60-day temporary driver's license, the caseworker will inform the youth that they must obtain a picture license during that time. A caseworker must go with the youth to sign for the picture license.
- b. Motor Vehicles. By law, youth under the age of 18 cannot legally register and insure a motor vehicle in their own name. A youth in foster care, under the age of 18, may operate a motor vehicle if it is owned by a responsible adult who allows the youth to use the vehicle. The vehicle must meet all state legal requirements and be properly insured in accordance with all Maine laws.

## Youth in Foster Care Who Have Children

- a. When a youth in foster care becomes pregnant, the caseworker will assist in referrals for prenatal care and ensure follow-up support services are provided to the parent and child (once born) such as Women, Infants and Children (WIC), Public Health Nursing (PHN), parenting supports, and childcare (when DHHS child care subsidy has been denied).
- b. When a youth in foster care has a child (i.e., [youth parent](#)), the youth parent will be provided with the same parental and legal rights as adult parents in caring for their child even when the youth parent resides in a resource home or residential facility.
  - i. When the youth parent maintains care and custody of their child, the caseworker should provide services and supports to the youth parent to assist them in providing a safe and permanent home for their child.
  - ii. When a Child Protective Services investigation regarding the youth parent's child is needed, it is preferred that a caseworker other than the youth's caseworker complete the child protection investigation. The final decision regarding case assignment will reside with the Program Administrator or designee.
  - iii. When the youth parent, who is residing in a resource home with their child, maintains custody and has full-time caretaking and financial responsibility for the child, the resource parent will receive the equivalent of the unlicensed board rate per day ("Youth Parent Allowance") to assist in paying for the needs of the youth parent's child. When a young adult parent has a Youth Transition Agreement, the allowance will be provided directly to the young adult. This is done by selecting the appropriate funding as an allowance selection in the child welfare information system.
- c. If the youth parent's child is found to be in circumstances of jeopardy and the child is removed from the custody of the youth parent, a separate case for the parent and child will be created in the child welfare information system.

- d. If the youth parent's child enters DHHS custody, a Youth Parent Allowance does not apply. Instead, an assessed daily rate will be provided to the caregiver in accordance with policy.

## Procedures for Young Adults on Extended Care Youth Transition Agreements, Age 18 through Age 22

- a. Final Transition Plan: In accordance with the Fostering Connections Act, caseworkers will document a Final Transition Plan for all young adults within ninety (90) days of their exiting care at age 18, 19, 20, 21, or 22. The Final Transition Plan is to be as detailed as the young adult chooses, though it must include a plan for how the young adult will ensure their MaineCare remains active.
  - i. This plan will be documented using the Final Transition Plan only if the young adult has been on a Youth Transition Agreement and the agreement is ending. Otherwise, the Youth Transition Agreement will be used to document the transition plan, even if the young adult declines to sign the Youth Transition Agreement. This is done so that a draft Youth Transition Agreement will exist should the young adult decide, at a later date, that they wish to sign the Youth Transition Agreement.
- b. Annual Permanency Hearing (Age 18 through Age 22):
  - i. All youth turning 18 will have at least one permanency hearing in District Court, even if they do not sign a Youth Transition Agreement. Subsequently, the District Court will schedule an annual permanency hearing for each youth.
  - ii. The court must make an initial court determination that remaining in foster care is in the young adult's best interest and at each subsequent review the court must make a finding that OCFS has made reasonable efforts to finalize a permanency plan. The caseworker will attend the hearing. Young adults will be encouraged to participate in their annual hearing.
  - iii. When a young adult declines the Youth Transition Agreement or it is suspended and their case is closed, the young adult's court case remains open until age 23 to comply with 22 M.R.S. [§4037-A](#). The annual court hearing will be continued if the young adult is not currently open on a Youth Transition Agreement.
  - iv. The caseworker will notify the Assistant Attorney General (AAG) that the case should be continued. The only exception is when a young adult is adopted at the age of 18 or older, but the young adult remains open on a Youth Transition Agreement. In that case, the caseworker will inform the AAG and the court case will be closed.
- c. Youth Transition Agreements:
  - i. **Timeframe**: Caseworkers will offer all youth in care an FTM to discuss the Youth Transition Agreement (Appendix C) ninety (90) days prior to the youth's 18<sup>th</sup> birthday, except when the youth:
    1. Enters an adult Section 21 Waiver through DHHS Office of Aging and Disability Services (OADS) on their 18<sup>th</sup> birthday.
    2. Will exit foster care to permanency (reunification, adoption, or permanency guardianship) prior to their 18<sup>th</sup> birthday.

3. Has a serious criminal offense against someone else that is sexual or violent in nature, and/or has consistently refused to participate in placements or other services.
  4. Will be incarcerated when they turn 18.
- ii. If the young adult declines the Youth Transition Agreement at age 18, the draft Youth Transition Agreement will serve as the Final Transition Plan.
  - iii. The Youth Transition Agreement provides an extended time for caseworkers to partner with young adults in the development of permanent family connections, life-long community connections, and to assist young adults in developing additional life skills to become self-sufficient and to meet their personal goals.
  - iv. Caseworkers will inform the young adult that they have the right to request a new caseworker while on a Youth Transition Agreement. This decision will be negotiated by the youth, the OCFS caseworker, Youth Transition Specialist, and their supervisors.
  - v. The Youth Transition Agreement should reflect attainable educational, employment, and/or training goals and consider the young adult's individual circumstances, including financial situation, transition needs, supports, resources, and life choices.
  - vi. Caseworkers will ensure that young adults between the ages of 18 and 23 who are on Youth Transition Agreements continue to receive age and developmentally appropriate opportunities to develop essential life skills and receive appropriate supportive services to support their transition to self-sufficient adulthood. (See Procedures for Youth Transition Services from age 14 to 18.)
  - vii. OCFS will determine with each young adult an amount to be provided to assist with living expenses using the Extended Care Budget Form in the Youth Transition Agreement (Appendix C), after considering the young adult's circumstances and ability to contribute to their living expenses.
    1. Room and board allowances will include reasonable costs associated with housing, rent deposits, utilities, "start-up items" (furniture, kitchenware, linens, etc.), transportation, and food.
    2. Young adults with a Youth Transition Agreement are also entitled to receive a clothing allowance.
    3. The level of negotiated financial supports to young adults beginning on their 21<sup>st</sup> birthday will reasonably decrease, allowing young adults the opportunity to practice financial management skills before their 23<sup>rd</sup> birthday.
  - viii. If a youth declines the offer of a Youth Transition Agreement, the youth's case will be closed, effective on the youth's 18<sup>th</sup> birthday, with "Child is 18-aged out of system" as the discharge reason.
    1. The caseworker will provide youth with their vital documents as outlined in the "Vital Documents" section of this policy above.
    2. The caseworker will provide the youth with a proposed (draft) Youth Transition Agreement and encourage the youth to reconsider.
- d. Youth Transition Agreement Eligibility Requirements: Young adults may enter a Youth Transition Agreement with OCFS beginning on their 18<sup>th</sup> birthday and ending on their 23<sup>rd</sup>

birthday, while residing in Maine or temporarily in another state, when the young adult, who was in foster care at age 18, meets at least one of the following conditions:

- i. Plans to reside with birth parents, and continued OCFS support is needed to ensure youth safety and permanency.
  - ii. Has a signed Youth Transition Agreement and is adopted through District Court between the ages of 18 and 23. The young adult and adoptive parent must submit a letter of request to the District Program Administrator for approval.
  - iii. Has a signed a Youth Transition Agreement, and has their parent's parental rights reinstated in accordance with the 3.1 [Permanency Policy](#).
  - iv. Had previously declined a Youth Transition Agreement or had a Youth Transition Agreement suspended; they may request to have a Youth Transition Agreement up to the age of 23.
- e. Required Conditions to Remain Eligible for a Youth Transition Agreement: In order to remain eligible for a Youth Transition Agreement, a young adult must meet one of the following conditions:
- i. Working to obtain a high school diploma or equivalency.
  - ii. Participating in a post-secondary educational program or specialized post-secondary education certification program.
  - iii. Participating in an employment skills training program.
  - iv. Employed for at least eighty (80) hours per month.
  - v. Have a documented medical or behavioral health condition that deems them incapable of participating in an education or training program or working at least eighty (80) hours per month.
  - vi. Caseworkers must obtain third party verification for the young adult's file to document continued eligibility for the Youth Transition Agreement. Third party verification includes:
    1. Official grades or transcripts.
    2. Official progress reports.
    3. Pay stubs (verified at least quarterly).
    4. Official medical documentation that the youth cannot attend school or be employed.
  - vii. When the youth is changing goals (for example, youth leaves college or a job as outlined in required conditions above), the youth will be given ninety (90) days to meet one of the required conditions outlined above or have a documented reason the youth cannot participate in an education or training program or work at least eighty (80) hours per month, or they will be determined ineligible for a Youth Transition Agreement at that time.
- f. For young adults with a Youth Transition Agreement, OCFS will not:
- i. Assume responsibility for any damages incurred by the young adult after the age of 18.

- ii. Provide legal counsel for any young adult aged 18 or older. (The caseworker and supervisor will decide whether or not to appear on behalf of the young adult in a court proceeding.)
  - iii. Sign releases of information forms for the young adult aged 18 or older.
  - iv. Assume responsibility for any contracts made by young adult aged 18 or older.
  - v. Co-sign leases or contracts with any young adult aged 18 or older.
  - vi. Assume responsibility as the young adult's Representative Payee for Social Security benefits unless it is determined by the Social Security Administration that the young adult cannot become their own representative payee and there is reason why OCFS would be designated as such (e.g., when a youth is on a waiting list for services from the Office of Aging and Disability Services and OCFS is still providing care for the youth during that time).
- g. Housing Support: As part of transition planning with youth/young adults, the caseworker, with support from the Youth Transition Specialist, will explore a range of living situations, including a review of the risks and benefits of various housing options.
- i. The caseworker will negotiate with the young adult the level of financial support provided to maintain the young adult's placement and living expenses, as well as the housing option that best meets the young adult's needs and wishes, such as an apartment, dorm, or other setting, and roommates. Financial support may include deposits, utilities, and "start-up" items (bed, table, kitchenware, furniture, etc.) and will be a negotiated amount based on the young adult's income, circumstances, and reasonable expectations for the young adult to contribute to their own living expenses.
  - ii. Apartment living is considered when the caseworker can document why an apartment is an appropriate placement for the young adult, considering the following:
    - 1. Other housing options have been ruled out, such as family/resource home placement.
    - 2. The young adult is between the ages of 18 and 23 and has a signed Youth Transition Agreement that addresses OCFS expectations for residing in an apartment.
    - 3. The young adult requires only minimal adult supervision and support and demonstrates independent living skills to maintain their own residence.
    - 4. The young adult has demonstrated an ability to maintain safety and is not considered a danger to themselves or others.
    - 5. The young adult may receive payments from OCFS to pay the landlord or arrange for OCFS to pay the landlord directly.
  - iii. Apartments should meet the following minimum standards:
    - 1. Provide reasonable access to school, employment, and other necessary services.
    - 2. Comply with all applicable state and local zoning, fire, sanitary, and safety regulations.
    - 3. Be reasonably priced for the geographic area.

h. Contact Requirements for young adults on Youth Transition Agreements:

i. For young adults placed in-state while on a Youth Transition Agreement,

1. Ages 18-21: In-person monthly contact with the young adult is required.
2. Ages 21-23: At least quarterly in-person contact with the young adult is required.

ii. For young adults placed out-of-state while on a Youth Transition Agreement,

1. Ages 18-21: Monthly phone/video contact with the young adult is required and in-person contact will be planned to meet the young adult's need for in-person support and intervention. If possible, in-person visits with the young adult should be planned for when the young adult is in the state.
2. Ages 21-23: At least quarterly phone/video contact with the young adult is required and in-person contact will be planned to meet the young adult's need for in-person support and intervention. If possible, in-person visits with the young adult should be planned for when the young adult is in the state.

iii. For youth parents who retain custody of their child, the child must also be seen and observed during monthly contacts. During this contact, the caseworker will complete the Safe Sleep Checklist and will ensure the youth has received Period of PURPLE Crying educational materials for any children in the youth's custody under twelve (12) months of age.

i. Periodic Review of Youth Transition Agreements: Caseworkers will offer young adults an FTM to discuss the youth transition program, to negotiate a Youth Transition Agreement, and to participate in their case/transition planning. Youth Transition Agreements are reviewed by the young adult and their caseworker at least once every six months.

j. Trial Independence from Youth Transition Agreement: A young adult can choose a 'trial independence' from the Youth Transition Agreement for up to twelve (12) months as part of a court order, or up to 6 months without a court order.

k. Suspension of the Youth Transition Agreement: If the young adult has been non-compliant or has not met with the caseworker for two consecutive months, for young adults ages 18, 19, or 20; or each quarter for young adults ages 21 and 22, the caseworker will make multiple attempts to contact the young adult during those timeframes and document those attempts in the child welfare information system. OCFS or the young adult may suspend the young adult's Youth Transition Agreement. OCFS must provide the young adult written notice proposing to suspend the Youth Transition Agreement informing them that they have up to 90 days to comply with the terms of the Youth Transition Agreement, to return to eligible status, or to negotiate a new Youth Transition Agreement. The Youth Transition Specialist should be included in decisions regarding re-negotiating or suspending the Youth Transition Agreement. The caseworker, Youth Transition Specialist, and supervisor will determine whether to provide financial support such as rent, clothing allowance, purchase orders, and other forms of financial assistance during this ninety (90) day period.



- i. The Youth Transition Agreement may be suspended when:
  1. The young adult is self-sufficient to the extent that financial and support services are no longer needed.
  2. The young adult has made a voluntary decision not to participate in the program.
  3. The young adult has consistently demonstrated unwillingness or inability to participate in program services or follow the terms of the Youth Transition Agreement.
  4. The youth does not meet the “Required Conditions to Remain Eligible for a Youth Transition Agreement” listed above within 90 days.
  5. The young adult enters a branch of the military.
- ii. When a young adult declines the offer of a Youth Transition Agreement or has their Youth Transition Agreement suspended, they will be informed in writing that they may receive extended care (Youth Transition Agreement) support services from OCFS later, until the age of 23.
- iii. If contacted by a former youth in care, a caseworker and/or Youth Transition Specialist may make one initial visit to discuss options with the former youth in care prior to their case being reopened. All contacts that occurred during the negotiation of a Youth Transition Agreement will be documented in the child welfare information system, whether the case is reopened or not. If a Youth Transition Agreement is developed, and the young adult’s case is reopened, a copy of the signed Youth Transition Agreement will be provided to the young adult and documented in the case file.

## Post-Secondary Education and Training Funds

- a. Education and Training Voucher (ETV) funds will be provided to eligible youth and young adults in accordance with federal regulations and within available funding limits for accredited post-secondary education and training programs. The Youth Transition Program Manager will determine student eligibility and the level of ETV funds provided to an individual, based on financial need and availability of funds. Eligible youth include:
  - i. Youth who were in the custody of DHHS at the age of 18 who have a signed Youth Transition Agreement, and who are placed in-state or temporarily out-of-state for post-secondary education.
  - ii. Youth who were reunified, adopted, or entered permanency guardianship (PG) at the age of 16 or older from Maine’s DHHS foster care system.
  - iii. Youth who were adopted or entered PG with a blood relative, at age 16 or older from foster care in another state when the youth was placed in Maine on an Interstate Compact on the Placement of Children prior to the age of 18, when the sending state will not provide ETV funding.
- b. State General Funds may be provided to youth on a Youth Transition Agreement within available limits to students for education and training needs, when ETV funds cannot be

used. Requests for the use of State General Funds must follow the approval process as outlined in the 10.2 [Decision Making and Service Authorizations Policy](#).

## VI. POLICY SUPERSEDES

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V. T. Youth Transition Policy, Effective February 10, 2012

## VII. LINKS TO RELATED POLICIES

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[10.2 Decision Making and Service Authorizations Policy](#)

## VIII. APPENDICES

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[Appendix A: Maine Youth in Care Bill of Rights](#)

[Appendix B: Application for State of Maine Identification Card](#)

[Appendix C: Voluntary Extended Care/Case Plan \(Youth Transition Agreement\)](#)

[Appendix D: Verification of Foster Care](#)

[Appendix E: Youth Transition Protocol](#)

[Appendix F: Driver's License/Identification Card Residency Eligibility Affidavit](#)

[Appendix G: Making a Choice Guide: A Guide to Making a Decision about Using Antipsychotic Medication](#)

[Appendix H: Youth Life Skills Assessment](#)

**Note:** The hyperlinks to these documents only work on DHHS issued computers. If you would like to request a copy of these documents, please email your request to:

[OCFSPolicyTraining.DHHS@maine.gov](mailto:OCFSPolicyTraining.DHHS@maine.gov)