

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 20, 2006

ALL COUNTY LETTER NO. 06-04

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY ADOPTION AGENCIES
ALL GROUP HOME PROVIDERS
ALL FOSTER FAMILY AGENCIES
ALL LOCAL MENTAL HEALTH DIRECTORS

SUBJECT: MINOR DEPENDENT PARENTS IN FOSTER CARE

REFERENCE: SENATE BILL 500 (CHAPTER 630, STATUTES OF 2005)
AMENDING SECTIONS 300, 362.1, 11400, 11401, AND 11465 OF
THE WELFARE AND INSTITUTIONS CODE AND ADDING
SECTION 16501.25 TO THE WELFARE AND INSTITUTIONS CODE

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation Change
 Court Order
 Clarification Requested by
One or More Counties
 Initiated by CDSS

The purpose of this All County Letter (ACL) is to provide information regarding changes made by Senate Bill (SB) 500 (Chapter 630, Statutes of 2005), to the rates paid and placement requirements of infants placed in foster care with their minor dependent parents.

SB 500 made several changes:

- ◆ amends the existing Welfare and Institutions Code (W&IC) relating to placement options for minor parents and their children;
- ◆ aligns State statute with federal policy by establishing Aid to Families With Dependent Children–Foster Care (AFDC-FC) eligibility for dependent infants placed with dependent minor parents; amends the rate structure for infant supplement payments; and
- ◆ adds a section that defines “teen parent”, and requirements for a Shared Responsibility Plan.

These statutory changes, effective January 1, 2006, were intended to reinforce established child welfare policy to place children with their minor parents whenever possible while their parents reside in a foster care facility. These changes increase placement options for a teen parent and his/her infant by creating a new placement category, “Whole Family Foster Home”, which is designed to care for teen parents and their children. This new placement option is specifically designed to assist the minor parent in developing the skills necessary to provide a safe, stable and permanent home for his/her infant. This legislation also aligned State statute with federal policy by providing a higher payment to cover the costs of the care and supervision provided in

placements in these homes, and to remove the current financial disincentive to place foster teens and their children together, rather than separately. Attachment A, Placement Option Scenarios, is provided as clarification of these options. In all placement categories, eligibility requirements remain the same.

This ACL highlights the specific W&IC Section changes made by SB 500, gives guidance on available placement/payment options, and gives additional information regarding the new placement category of "Whole Family Foster Home" and the Shared Responsibility Plan.

Dependency Statutes and Visitation Requirements

SB 500 amends the dependency statutes pertaining to jurisdiction of the juvenile court by adding language to W&IC Section 300(j) that clarifies that a child whose parent has been adjudged a dependent child of the court shall not be considered to be at risk of abuse or neglect solely because of the age, dependent status, or foster care status of the parent.

Additionally, it adds language to visitation statutes in W&IC Section 362.1(a)(1)(B)(3) for purposes of maintaining family ties and facilitating reunification. This language authorizes the court to order visitation among appropriate family members unless visitation would be detrimental to the teen parent.

AFDC-FC Eligibility for Infants of Minor Dependent Parents Placed in Same Facility

The SB 500 amends State statute to align it with current federal policy governing eligibility of children residing in the same foster care facility as their minor dependent parent. Prior to amendment of W&IC Section 11401(g), State statute prohibited paying two full AFDC-FC payments when placing dependent foster children with their dependent infants in the same foster care facility. In June 2004, the federal Administration for Children and Families issued a policy clarification which indicated that two separate AFDC-FC foster care payments may be paid on behalf of a minor parent and his/her child living in the same foster care facility as long as they are both dependents of the court, meet eligibility criteria, and reunification services are being provided.

Therefore, SB 500 amends State statute to permit eligibility of an infant of a minor dependent child for a full AFDC-FC rate if the infant has been adjudged to be a dependent child of the court on the grounds that he/she is a person described in Sections 300. The dependent infant is eligible to receive benefits and can be placed in the same licensed facility or approved foster care facility in which his/her dependent minor parent is placed. Additionally, the dependent infant's parent must be receiving

reunification services with respect to that infant. This legislation aligns State statute with federal policy allowing concurrent placement of the dependent minor parent and their dependent infant in the same facility.

Whole Family Foster Home Placement Option

The SB 500 creates and defines a new placement option called “Whole Family Foster Home”. The purpose is to provide foster care to teen parents and their infants, and assist a teen parent in developing the skills necessary to provide a safe, stable and permanent home for their child. This is not a new licensing category; however, a Whole Family Foster Home can be a family home, approved relative caregiver or non-relative extended family member’s home, or a certified home of a foster family agency. **A Whole Family Foster Home must be specifically recruited and trained for this placement option (amendment to Section 11400(t) of the W&IC).** The child of the minor parent need not be the subject of a petition filed pursuant to Section 300 to qualify for placement in a whole family foster home.

Recruitment and Training of “Whole Family Foster Homes”

Counties are encouraged to use their existing training models and work through their Community Colleges which provide foster parent training.

Definition

Whole Family Foster Home: A family home, approved relative caregiver or nonrelative extended family member’s home, or certified family home that provides foster care for a minor parent and his or her child, and is specifically recruited and trained to assist the minor parent in developing the skills necessary to provide a safe, stable, and permanent home for his or her child.

Rates for Children Placed in Whole Family Foster Homes

This SB 500 increases the infant supplement rate paid for a non-dependent infant placed with the minor dependent parent in a Whole Family Foster Home. The infant supplement is to be increased to the equivalent of the county’s basic rate for the age of the child. This rate applies only to non dependent children placed with their minor parent in a facility as described above. Note: infant supplement rates apply to all non dependent children placed with their minor dependent parent.

This section also adds language authorizing Cost-of-Living Adjustments to the increased infant supplement rate for infants placed in a Whole Family Foster Home with the infant’s minor dependent parent.

It is important to note that for nondependent children placed with their minor dependent parent in a facility other than a Whole Family Foster Home the infant supplement payment remains as specified in California Department of Social Services (CDSS) Manual of Policies and Procedures, Division 11-415. See Attachment A for placement option scenarios and rates.

Shared Responsibility Plan

SB 500 adds a definition for a teen parent placed in a Whole Family Foster Home (W&IC Section 16501.25). A teen parent is “a child who has been adjudged to be a dependent child or ward of the court on the grounds that he or she is a person described under Section 300 or Section 602, ***living in out-of-home placement in a whole family foster home, as defined in subdivision (t) of Section 11400, who is a parent.***” This section also gives guidance on the elements of the Shared Responsibility Plan. See Attachment B for a description of the guidelines.

Additionally, the infant supplement payment in a Whole Family Foster Home where the caregiver and the minor dependent parent have developed a Shared Responsibility Plan (SRP) in cooperation with the county social worker is to be enhanced by an additional \$200. This plan must be provided to the county child welfare agency or probation department (amendment to Section 11465(d) of the W&IC). It is strongly suggested that counties maintain copies of SRPs in both eligibility and service case records.

Documentation of compliance with the SRP requirements must be retained in the case record in a form determined by the county that demonstrates the plan meets the required elements. The Shared Responsibility Plan remains in effect as long as it is relevant and may be amended at anytime to meet the current needs of the family. The caregiver must advise the county child welfare agency or probation department of any amendments to the Shared Responsibility Plan.

Foster Family Agency Responsibilities

Foster family agencies are responsible for appropriate recruitment and training of certified foster families who become Whole Family Foster Homes. SB 500 requires that a representative of the foster family agency who provides direct and immediate supervision to the foster caregiver to, along with the caregiver and teen parent, develop the shared responsibility plan. The plan is to outline the duties, rights and responsibilities of the teen parent and the caregiver with regard to the child, and identify supportive services to be offered to the teen parent by the caregiver and the agency providing direct and immediate supervision to the caregiver, or both. Assistance with developing, approval and monitoring the SRP is considered part of the foster family

agency's on-going administrative support to foster parents. The additional infant supplement payment to care for a non dependent infant placed with the minor dependent parent in a certified home, where the certified foster parent and the minor dependent parent have a SRP, must be passed on to the certified foster parent. Agencies should also ensure that county welfare departments have a current copy of the SRP and any subsequent updates, as well as maintain one within the agency.

CWS/CMS Data Entry

It will be important to gather and track data about these specialized placements and how they compare with other types of placement for minor mothers and their infants. For this purpose, six new CDSS Special Project Codes will be available in the system for all counties to utilize. Although Special project Codes can be entered in the Referral, Case, and Placement Notebooks, county workers shall utilize the appropriate codes listed below and record them on the Special Project Page in the **Case Information Notebook only**.

Please note that cases where the infant is a non-dependent, the Special Project Code must be entered in the minor parent's Case Information Notebook (CIN). For cases where the following three codes (e.g., "4A," "4B," and "4C") involving infants who are dependents of the Court, the Special Project codes will be entered in the infant's Case Information Notebook. Data reports will be generated by only accessing the codes entered here.

1. "S-Non-WFFH Non-Dep Inft No SRP" (Place Code In Minor Parent's CIN)

A dependent minor mother is placed together with her non-dependent infant. The placement is not a "Whole Family Foster Home" and there is no Shared Responsibility Plan (SRP).

2. "S-WFFH Non-Dep Infant No SRP" (Place Code In Minor Parent's CIN)

A dependent minor mother is placed together with her non-dependent infant. The placement is in a "Whole Family Foster Home" (licensed FFH, FFA, relative, non-related extended family members) but there is no Shared Responsibility Plan (SRP).

3. “S-WFFH Non-Dep Infant w/ SRP” (Place Code In Minor Parent’s CIN)

A dependent minor mother is placed together with her non-dependent infant. The placement is a “Whole Family Foster Home” and there is a Shared Responsibility Plan (SRP). (WFFH: licensed FFH, FFA, relative, non-related extended family member).

4A. “S-DepMinorParent w/DepInfant4A” (Place Code In The Infant’s CIN)

A dependent minor mother is placed together with her dependent infant in a licensed FFH, relative, non-related extended family member.

4B. “S-DepMinorParent w/DepInfant4B” (Place Code In The Infant’s CIN)

A dependent minor mother is placed together with her dependent infant in a certified home of a Foster Family Agency.

4C. “S-DepMinorParent w/DepInfant4C” (Place Code In The Infant’s CIN)

A dependent minor mother is placed together with her dependent infant in a Group Home.

If you have any program questions on recruitment and training of Whole Family Foster Homes please call the Recruitment Network Development Unit at (916) 657-4357. If you have any questions on the Shared Responsibility Plan, please call the Concurrent Planning Policy Unit at (916) 657-1858. If you have questions on foster care rates and infant supplement, please call the Foster Care Rates Policy Unit, (916) 651-9152; and, if you have any questions on claiming, please e-mail: assistance.claims@dss.ca.gov.

Sincerely,

MARY L. AULT
Deputy Director
Children and Family Services Division

Attachments

cc: CWDA

SB 500 – PLACEMENT OPTION SCENARIOS-NON DEPENDENT INFANT

PLACEMENT OPTION	RATE FOR DEPENDENT MINOR PARENT	RATE FOR NON DEPENDENT INFANT
<p>1. Placement of dependent minor parent and non dependent infant in same facility (non WFFH)—any licensed/ approved facility (e.g. FFH, FFA, relative caregiver, GH, etc) Use the first Special Project Code: “S-Non-WFFH Non-Dep Inft No SRP” and place within the parent’s case information notebook.</p>	<p>AFDC-FC basic rate for the dependent minor parent (plus SCI* if appropriate) or if in GH placement, the appropriate RCL of the GH where dependent minor parent is placed.</p>	<p>Infant supplement of \$391/mo for the (each) non dependent infant(s); or \$848/mo for the (each) infant if in group home placement with minor parent</p>
<p>2. Placement of dependent minor parent and non dependent infant in Whole Family Foster Home (which can be a licensed FFH, FFA, relative, non-relative extended family member, but NOT a GH placement) Use the second Special Project Code: “S-WFFH Non-Dep Infant No SRP” and place within the parent’s case information notebook.</p>	<p>AFDC-FC basic rate for the dependent minor parent (plus SCI if appropriate)</p>	<p>Equivalent of the AFDC-FC basic rate based on age for the non dependent infant (Marin County is currently slightly higher than all other counties for this age group). Applies to all non dependent children placed with the dependent minor parent.</p>
<p>3. Placement of dependent minor parent and non dependent infant in Whole Family Foster Home with a Shared Responsibility Plan (which can be a licensed FFH, FFA, relative, non-relative extended family member, but NOT a GH placement) Use the third Special Project Code: “S-WFFH Non-Dep Infant w/ SRP” and place within the parent’s case information notebook.</p>	<p>AFDC-FC basic rate for the dependent minor parent (plus SCI if appropriate) (whomever the infant supplement check is payable to, <u>will continue to receive</u> the infant supplement PLUS the additional \$200/mo infant supplement contingent upon the SRP)</p>	<p>Infant supplement equivalent to the AFDC-FC basic rate based on age of the child for the non dependent infant (Marin County is currently slightly higher than all other counties for this age group) plus <u>additional</u> \$200/mo per infant supplement with the Shared Responsibility Plan (applies to all non dependent children placed with minor dependent parent)</p>

Whole Family Foster Home (WFFH): A family home, approved relative caregiver or nonrelative extended family member’s home, or certified family home that provides foster care for a minor parent and his or her child, and is specifically recruited and trained to assist the minor parent in developing the skills necessary to provide a safe, stable, and permanent home for his or her child. The child of the minor parent need not be the subject of a petition filed pursuant to Section 300 to qualify for placement in a whole family foster home.

* Specialized Care Increment (SCI)

SB 500 – PLACEMENT OPTION SCENARIOS-DEPENDENT INFANT

PLACEMENT OPTION	RATE FOR DEPENDENT MINOR PARENT	RATE FOR DEPENDENT INFANT
<p>4A. Placement of dependent minor parent and dependent infant in same facility (e.g. foster family home, relative, non related extended family member) Use the fourth Special Project Code: “S-DepMinorParent w/DepInfant4A” and place within the infant’s case information notebook.</p>	<p>AFDC-FC basic rate for the dependent minor parent (plus SCI if appropriate)</p>	<p>Equivalent of the AFDC-FC basic rate for the dependent infant (plus SCI if appropriate) (All eligibility requirements pertain to this placement)</p>
<p>4B. Placement of dependent minor parent and dependent infant in same facility (e.g. certified home of a foster family agency) Use the fourth Special Project Code: “S-DepMinorParent w/DepInfant4B” and place within the infant’s Case Information Notebook.</p>	<p>Applicable FFA rates for the dependent minor parent placed in the certified home of an FFA</p>	<p>Applicable FFA rates for the dependent infant placed with the dependent minor parent in the certified home of an FFA. (All eligibility requirements pertain to this placement)</p>
<p>4C. Placement of dependent minor parent and dependent infant in the same facility (e.g., group home) Use the fourth Special Project Code: “S-DepMinorParent w/DepInfant4C” and place code in the infant’s, Case Information Notebook.</p>	<p>Group home RCL level of placement for dependent minor parent</p>	<p>Group home RCL level of placement for the dependent infant placed with the dependent minor parent (All eligibility requirements pertain to this placement)</p>

Attachment B

GUIDELINES FOR THE SHARED RESPONSIBILITY PLAN

Section 16501.25 is added to the Welfare and Institutions Code, to read:

16501.25. (a) For the purposes of this section, “teen parent” means a child who has been adjudged to be a dependent child or ward of the court on the grounds that he or she is a person described under Section 300 or Section 602, living in out-of-home placement in a whole family foster home, as defined in subdivision (u) of Section 11400, who is a parent.

(b)(1) When the child of a teen parent is not subject to the jurisdiction of the dependency court but is in the full or partial physical custody of the teen parent, a written shared responsibility plan shall be developed. The plan shall be developed between the teen parent, caregiver, and a representative of the county child welfare agency or probation department, and in the case of a certified home, a representative of the agency providing direct and immediate supervision to the caregiver. Additional input may be provided by any individuals identified by the teen parent, the other parent of the child, if appropriate, and other extended family members. The plan shall be developed as soon as is practicably possible. However, if one or more of the above stakeholders are not available to participate in the creation of the plan within the first 30 days of the teen parent’s placement, the teen parent and caregiver may enter into a plan for the purposes of fulfilling the requirements of paragraph (2) of subdivision (d) of Section 11465, which may be modified at a later time when the other individuals become available.

(2) The plan shall be designed to preserve and strengthen the teen parent family unit, as described in Section 16002.5, to assist the teen parent in meeting the goals outlined in Section 16002.5, to facilitate a supportive home environment for the teen parent and the child, and to ultimately enable the teen parent to independently provide a safe, stable, and permanent home for the child. The plan shall in no way limit the teen parent’s legal right to make decisions regarding the care, custody, and control of the child.

(3) The plan shall be written for the express purpose of aiding the teen parent and the caregiver to reach agreements aimed at reducing conflict and misunderstandings. The plan shall outline, which as much specificity as is practicable, the duties, rights, and responsibilities of both the teen parent and the caregiver with regard to the child, and identify supportive services to be offered to the teen parent by the caregiver or, in the case of a certified home the agency providing direct and immediate supervision to the caregiver, or both. The plan shall be updated, as needed, to account for the changing needs of infants and toddlers, and in accordance with the teen parent’s changing school, employment, or other outside responsibilities. The plan shall not conflict with the teen parent’s case plan. Areas to be addressed by the plan include, but are not limited to, all of the following:

- (A) Feeding.
- (B) Clothing.
- (C) Hygiene.
- (D) Purchase of necessary items, including, but not limited to, safety items, food, clothing, and developmentally appropriate toys and books. This includes both one-time purchases and items needed on an ongoing basis.
- (E) Health care.
- (F) Transportation to health care appointments, child care, and school, as appropriate.
- (G) Provision of child care and babysitting.

(H) Discipline.

(I) Sleeping arrangements.

(J) Visits among the child, his or her noncustodial parents, and other appropriate family members, including the responsibilities of the teen parent, the caregiver, and the foster family agency, as appropriate, for facilitating the visitation. The shared responsibility plan shall not conflict with the teen parent's case plan and any visitation orders made by the court.

(c) Upon completion of the shared responsibility plan and any subsequent updates to the plan, a copy shall be provided to the teen parent and his or her attorney, the caregiver, the county child welfare agency or probation department and, in the case of a certified home, the agency providing direct and immediate supervision to the caregiver.