

TITLE 21. CHILD SAFETY

**CHAPTER 5. DEPARTMENT OF CHILD SAFETY – PERMANENCY AND SUPPORT
SERVICES**

**ARTICLE 2. INDEPENDENT LIVING AND TRANSITIONAL INDEPENDENT LIVING
PROGRAMS**

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**ARTICLE 2. INDEPENDENT LIVING AND TRANSITIONAL INDEPENDENT LIVING
PROGRAMS**

R21-5-201. Definitions

The following definitions apply to this Article:

1. “Active participation” means the foster youth is demonstrating efforts toward completion of case plan goals such as regular attendance at school or employment that results in school credits or earned wages.
2. “Aftercare services” means assistance and support available to eligible, former foster youth living in Arizona after the Department, tribal foster care, or other state foster care case is dismissed, and includes services available through the Transitional Independent Living Program.
3. “Age of majority” means that a person is at least 18 years old.
4. “Approved living arrangement” means a residence that has been reviewed by the assigned Child Safety Worker or other responsible agency staff and approved within the individual case plan.
5. “Arizona Young Adult Program” means a group of programs and services designed to assist eligible youth to make a successful transition to adulthood. The programs and services include Independent Living Services, the Independent Living Subsidy Program, Voluntary Out-of-home Care for Foster Youth 18 through 20 Years of Age, and the Transitional Independent Living Program.
6. “Child placing agency” means the same as in A.R.S. § 8-501(A)(1)(a)(iii), and includes a Child Welfare Agency that OLR licenses as a Placing Agency to place a child in a licensed foster home, or facility.
7. “Child Welfare Agency” means the same as in A.R.S. § 8-501.

8. "Child Safety Worker" means the same as in A.R.S. § 8-801.
9. "Custody of the Department" means that the foster youth:
 - a. Is in out-of-home care under the supervision of the Department while the subject of a dependency petition, as an adjudicated dependent, or placed voluntarily under A.R.S. § 8-806; or
 - b. Is 18, 19, or 20 years of age, a resident of Arizona, and has signed an individual case plan agreement for voluntary out-of-home care. This includes foster youth who were dually adjudicated (dependent and delinquent) and released from a secure setting prior to, or on the foster youth's ~~18th~~ 19th birthday.
10. "Department" or "DCS" means the Arizona Department of Child Safety.
11. "Eligible youth" means a person who meets the qualifications in A.R.S. § 8-521 for the Independent Living Program, the qualifications in A.R.S. § 8-521.01 for the Transitional Independent Living Program, or is a person who was formerly in another state's child welfare program who would otherwise be eligible.
12. "Employment" means:
 - a. Paid employment;
 - b. Participation in employment-readiness activities, which include career assessment and exploration, and part time enrollment in an employment or career readiness education program;
 - c. Volunteer positions;
 - d. Job-shadowing;
 - e. Internship; or

- f. Other paid or unpaid employment-related activities.
13. “Extraordinary purchase” means an expenditure by an eligible youth that impedes an eligible youth’s ability to meet the financial obligations outlined in the eligible youth’s budget.
 14. “Foster youth” means a person in the custody of the Department.
 15. “Full-time student” means an eligible youth enrolled in an education program identified by the program as being full-time due to the number of credits, credit hours, or other measure of enrollment.
 16. “Independent Living Program” means the program authorized by A.R.S § 8-521 to provide an Independent Living Subsidy and educational case management to a foster youth.
 17. “Independent Living Services” or “IL Services” means an array of assistance and support services, including those provided under the Independent Living Program, that the Departments provides, contracts, refers, or otherwise arranges that are designed to help a foster youth transition to adulthood by building skills and resources necessary to ensure personal safety, well-being, and permanency into adulthood.
 18. “Independent Living Subsidy” or “IL Subsidy” means a monthly stipend provided under the Independent Living Program to a foster youth, to assist in meeting monthly living expenses. This stipend replaces any foster care maintenance payment from the Department for support of the foster youth's daily living expenses.
 19. “Individual case plan” means an agreement between an eligible foster youth and the Department, directed by the foster youth that documents specific services and assistance that support the foster youth's goals in relation to:
 - a. Natural supports including permanent connections to and relationships with family and community, including peer and community mentors;

- b. A safe, stable, desired living arrangement, which may include a permanent arrangement such as guardianship or adoption;
- c. Daily living skills;
- d. Secondary and postsecondary education and training;
- e. Employment and career planning;
- f. Physical health, including reproductive health;
- g. Life care planning;
- h. Emotional health;
- i. Mental health;
- j. Spiritual or faith needs;
- k. Interpersonal relationships; and
- l. Age-appropriate extra-curricular, enrichment, and social activities.

20. “Individual service plan” means an agreement that is directed by an eligible youth in the TIL Program that documents specific services and assistance to support the eligible youth's goals including, as applicable:

- a. Financial,
- b. Housing,
- c. Counseling,
- d. Employment,
- e. Education, and

f. Other appropriate support and services.

21. “Life skills assessment” means a measure of an eligible youth’s ability to function in a variety of areas such as daily living skills, knowledge of community resources, and budgeting, as determined by a validated assessment tool.

22. “Medical professional” means a doctor of medicine or osteopathy, physician's assistant, or registered nurse practitioner licensed in A.R.S. Title 32, or a doctor of medicine licensed and authorized to practice in another state or foreign country. A medical professional from another state or foreign country must provide verification of valid and current licensure in that state or country.

23. “Misuse of funds” means that an eligible youth has expended money provided by the Department for specific purposes (such as education or living expenses) on an item that is not permitted by law (such as illegal drugs and alcohol), or on an extraordinary purchase that is not included in an approved budget or individual case or service plan, to the degree that the funds are not available for necessary items and purchases approved within the case plan, service plan, or budget.

24. “Natural supports” means relationships and connections that occur in everyday life, independent of formal services, with people or groups who provide personal or other support during a person’s lifetime.

25. “Out-of-home care” means a placement approved by the Department such as a licensed foster home, residential group care facility operated by a Child Welfare Agency, therapeutic residential facility, independent living setting, approved unlicensed independent living setting, or in a relative or non-relative placement. Out-of-home care excludes a detention facility, forestry camp, training school, or any other facility operated primarily for the detention of a child who is determined delinquent.

26. “Personal Crisis” means an unexpected event or series of events in an eligible youth’s life that prevents or impedes participation in scheduled services or activities.
27. “Residential group care facility” means a Child Welfare Agency that is licensed to receive more than five children for 24-hour social, emotional, or educational supervised care and maintenance at the request of a child, child placing agency, law enforcement agency, parent, guardian, or court. A residential group care facility provides care in a residential setting for children for an extended period of time.
28. “Responsible agency staff” means the assigned Child Safety Worker, another identified Department employee, or contracted staff.
29. “Service team members” means the eligible youth, the youth’s attorney(s), the Guardian ad Litem (GAL), the Court Appointed Special Advocate (CASA), tribal child welfare staff, other parties to the dependency case, contract, or other service providers, responsible agency staff, and other adults involved with the youth or supporting the youth’s activities or employment.
30. “Substantial non-compliance” means an eligible youth’s:
- a. Termination from an educational, vocational, or employment program due to lack of attendance or failure to make satisfactory progress as defined by the program for reasons unrelated to physical health including pregnancy, emotional, or mental health;
 - b. Persistent lack of communication during a 60-day period with the assigned Child Safety Worker or other responsible agency staff known to the youth that results in a loss of contact with the eligible youth, or interferes with the Department’s ability to provide services and supervision or to document individual case plan or service plan progress;
 - c. Persistent misuse of funds provided to support individual case plan or service plan goals; or

d. For an eligible foster youth, failure to communicate unexpected changes in the living arrangement as agreed to in the individual case plan or the Independent Living Subsidy agreement.

31. “Transitional Independent Living Program” or “TIL Program” means a program of services for residents of Arizona who are eligible youth under A.R.S. § 8-521.01, that provides assistance and support in counseling, education, vocation, employment, and the attainment or maintenance of housing.

32. “Transitional Independent Living Services” or “TIL Services” means those services the Department provides through the Transitional Independent Living Program under A.R.S. § 8-521.01, and may include assistance and support with health care, money management, housing, counseling, education, vocational training, and employment. The Department or its contractors provide services through a written agreement with the eligible youth.

33. “Validated assessment tool” means a written or verbal survey tool that can demonstrate empirical evidence for reliability and validity.

34. “Work day” means Monday through Friday, excluding Arizona state holidays.

35. “Young Adult Transitional Insurance” means a category of health care coverage under the state Medicaid program (Arizona Health Care Cost Containment System or AHCCCS) for Medicaid eligible youth who have reached the age of majority in foster care.

R21-5-205. Out-of-home Care Services for Foster Youth 18 through 20 Years of Age ~~in Out-of-home Care~~

A. The Department may provide out-of-home care services and supervision to a foster youth less than 21 years of age, who reached the age of 18 years while in the custody of the Department, and was either

in out-of-home care; or in secure care, as defined by A.R.S. § 8-201(31), through a delinquency action, when the foster youth:

1. No change
2. No change
3. No change
4. No change

B. No change

1. No change
2. No change
3. No change

C. No change

1. No change
2. No change
3. No change
4. No change

D. No change

E. No change

1. No change
2. No change
3. No change