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# SUBSIDIZED INDEPENDENT LIVING GUIDELINES

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§409.1451(4)(C), FLA. STAT. (2007); AND 65C-28.009(7) F.A.C.

*Subsidized Independent Living (SIL) services are living arrangements that allow the youth to live independently of the daily care and supervision of an adult in a setting that is not required to be licensed under § 409.175. Participants learn to pay their own bills, and live on a budget while under the supervision of the department. 65C-28.009 (7)(a) F.A.C.. The youth receives a subsidy payment, and out-of-home care clothing allowances.. Subsidized Independent Living; 16 or older, must be discussed with youth at every staffing – including program requirements and benefits. 65C-28.009(4)(a)3 F.A.C.*

**Age:** 16 but not yet 18 § 409.1451(c)(2)2. 65C-28.009 (7) F.A.C.

## Requirements

A formal Subsidized Independent Living evaluation must be done for eligible youth aged 16 or older. § 409.1451(4)(c)2. Youth Must:

- Be at least 16 but not yet 18 § 409.1451(4)(c)2
- Adjudicated dependent
- Placed in out of home care for at least 6 months prior to entering SIL
  - The 6 months do not have to be immediately before placement in SIL, it can accumulate over the youth's lifetime. 65C-28.009 (7)(b)2 F.A.C.
- Have a permanency goal of adoption, independent living, or long-term licensed care
- Be able to "demonstrate IL skills" as determined by the department
- Youth with disabilities are eligible -- reasonable accommodations must be provided 65C-28.009 (7)(d) F.A.C.

Department will review the following to determine if the youth "demonstrates IL skills"<sup>i</sup>

- Employment – making at least \$100.00 a month 65C-28.009 (7)(c)1 F.A.C.
- Extra-curricular activities<sup>ii</sup> – "appropriate" and important to youth's personal development but limits ability to be employed. 65C-28.009 (7)(c)1 F.A.C.
- Savings – move in costs, first month's living expenses, until first subsidy check arrives
  - Youth may provide statement regarding these costs and proof of available resources 65C-28.009 (7)(c)2 F.A.C.
- Education – must be involved in full time educational program 65C-28.009 (7)(c)3 F.A.C.
  - Regular attendance in high school, 12 hours per semester at college or university, full time at GED or Vocational Technical Program
- Grades – adequate progress as determined by school 65C-28.009 (7)(c)4 F.A.C.
- Assessment of Skills – must show that living independently is viable, and the youth must be able to articulate/demonstrate skills as determined by IL Coordinator. 65C-28.009 (7)(c)5 F.A.C.

- ❑ **Behavior** – no irresponsible behavior<sup>iii</sup> prior to requesting entrance into SIL program. If youth has irresponsible behavior they still may be eligible for SIL if SIL placement is in their best interests and if they are not at risk for future irresponsible behavior. 65C-28.009 (7)(c)6 F.A.C.
  - Letters of reference from school, mental health professional, foster parents, service workers, and DJJ should be requested if history of irresponsible behavior. 65C-28.009 (7)(c)6 F.A.C.
- ❑ **Staffing/ Approval** by the department or independent living coordinator.
  - Coordinator must approve
    - Living arrangement
    - Costs
    - Selection of roommate, if applicable
  - Youth and service worker must attend staffing which independent living coordinator chairs. Other at the staffing should include:
    - Parents if parental rights intact and at youth’s discretion
    - Any other person involved and important to youth – guardian ad litem, teachers, therapists, relatives and mentors. 65C-28.009 (7)(c)7 F.A.C.

### **The Service Worker Must**

- ❑ **Formal SIL Evaluation**
- ❑ **Notify Parents.** Youth’s parents must be notified that a placement in SIL has been made. 65C-28.009 (7)(b)1 F.A.C..
  - Within 10 days of placement, if no TPR
  - Service worker must not reveal youth’s address 65C-28.009 (7)(d)1 F.A.C.
  - Prior approval by court or parent’s is not required 65C-28.009 (7)(b)1 F.A.C.
- ❑ **Develop Subsidized Independent Living Agreement** 65C-28.009 (7)(d)2 F.A.C.
  - Written agreement
  - Developed by youth and service worker (department or CBC)
  - Prior to entering SIL
  - Reviewed and updated annually or more frequently
  - Agreement must include:
    - Youth’s educational program – start date, end date and goals
    - Youths responsibilities<sup>iv</sup>
    - Department or service providers responsibilities<sup>v</sup>
    - Requirements for continued SIL eligibility & consequences of non compliance
    - Target date for discharge, and completion of goals in case plan
    - SIL must be in youths best interests, safety concerns addressed, consequences of violations of law
- ❑ **Include IL Living Arrangements in Case Plan** 65C-28.009 (7)(d)3 F.A.C.
  - Must be reviewed and update at least annually
  - Case plan must include at a minimum
    - Description of youth’s skills, plan for learning additional skills
    - Proposed services by department – type of service, nature, frequency
    - Behavior youth has exhibited that indicate responsibility
    - Plan for developing responsible behaviors like decision making
    - Youth understands consequences of conduct in SIL program

- Plan for developing & maintaining support – family members, other adults, friends, and community support groups.
- ❑ **Regular Contact Between Youth and Service Worker** 65C-28.009 (7)(d)4 F.A.C.
  - First 3 months
    - 2 contacts per week between service worker and youth (1 per week at youth’s residence)
    - Weekly contact with IL Coordinator
  - After first 3 months
    - IL Coordinator once a month, if youth is progressing satisfactorily
    - Contact with youth must not be less than once a month, if youth is progressing satisfactorily
- ❑ **Perform Periodic Review** 65C-28.009 (7)(d)5 F.A.C.
  - Regular 6 month review
  - Regular staffings
- ❑ **Provide Financial Supports** 65C-28.009 (7)(d)6 F.A.C.
  - IL Board Rate Payment (Subsidy) – to youth or staff
  - Clothing Allowance – youth will receive annual clothing allowance in addition to monthly subsidy (\$300.00)
- ❑ **Determine Fair and Reasonable Budget for Independent Living** 65C-28.009 (7)(d)7 F.A.C.
  - Created by service worker and youth
  - Youth must maintain monthly budget
  - Youth must demonstrate ability to budget and meet financial obligations
  - First month’s rent and move in costs are youth’s responsibility
  - Service worker assist in finding affordable safe housing, community resource that may help in arranging utility deposits
  - Can live alone, with roommate, dorm, rent a room from family
  - Service worker must submit a report to IL coordinator for approval
- ❑ **Determine Monthly Subsidy Rate** 65C-28.009 (7)(d)8 F.A.C.
  - Determined on individual basis – maximum is what youth could earn at 40 hour a week job at federal minimum wage (\$5.15 an hour x 4.33 weeks a month)
  - May give incentives
- ❑ **Supervise Out of State Youth in SIL** 65C-28.009 (7)(d)9 F.A.C.
  - These youth must be given the same opportunities to participate in SIL as a youth that lives in Florida as long as they meet eligibility requirements

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## MINOR PARENTS IN THE CUSTODY OF THE DEPARTMENT GUIDELINES

65C-31.005(11); 65C-28.010; AND 65C-30.016 F.A.C.

*Youth who are pregnant or parenting shall be provided with an equal opportunity to participate in IL services and post-18 services. The service worker shall assist these youth with accessing needed services such as prenatal care, daycare, other public benefits and appropriate housing. 65C-31.005(11) F.A.C.*

### Requirements

- ❑ When a minor child under the department’s supervision becomes pregnant, service worker shall:

- Assist in developing a plan for future
- Assist in making the choice whether to keep the child or relinquish for adoptive placement. 65C-30.016(5) F.A.C.
- Minor parent and child shall reside together unless the younger child's safety is "at a substantial risk" or there is no facility to house both. 65C-28.010(1) F.A.C.; but 65C-30.016 F.A.C. states that the placement "shall be, unless contrary to the best interests of the infant, in the same foster home or residential program"
  - To strengthen attachment, provide child-caring skills, 65C-30.016(5)(b) F.A.C.
- Dependency petition on younger child not to be filed unless there are separate grounds
- If minor parent in SIL, and their child lives with them, the minor parent is not eligible for additional subsidy for child
- service worker shall help minor parent in applying for other assistance
- Minor parent shall be have equal opportunity to participate in IL services
- service worker shall provide to minor parent information about services needed for appropriate care of child and stability of housing
- service worker shall assist minor parent by providing information on educational services upon exit from foster care
- If mother's emotional or mental capacity in question or mother has juvenile delinquency history involving acts of violence, the service worker shall:
  - Obtain psychological evaluation
  - Determine if mother can provide safe environment for the child
- Youth who are receiving SSI can petition for a waiver of the state deducting the cost of care in order to use it for the cost of caring for the child

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i These are ways youth can demonstrate IL skills but exceptions may be allowed by District Administrator, CEO of CBC, or IL Coordinator (with approval of District Admin, or CEO or CBC 65C-28.009(7)(c)

ii Activities may include but are not limited to sports, cheerleading, school bands, internships, youth advisory boards

iii Running away, violent acts towards others, delinquencies, or property crimes

iv Regular attendance educational program, completion of life skills training, monthly submission of pay stubs or report from official conducting extracurricular activities, verification of school attendance 65C-28.009 (7)(d)(2)b

v Regular staffings, service worker contacts, life skills training, counseling and therapy 65C-28.009 (7)(d)(2)c