

Preparing Your Client to Age Out of Foster Care:
Impact of Voluntary Jurisdiction (AB 350) and Funds to Assist Former Foster Youth (FAFFY)
on Older Teens

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INDEPENDENT LIVING PROGRAMS FOR FOSTER CHILDREN AND FORMER FOSTER CHILDREN

To fully understand why the Independent Living programs were created, and ensure that they are implemented to fulfill their purpose, you should analogize to how children are normally raised by their own families. We don't often think about the day-to-day, common-sense information that parents typically impart to their children on an informal, daily basis, such as: budgeting and money management, including how to write a check, and how using credit cards can increase the cost of purchases; menu planning, shopping and cooking; completing forms and applications; knowledge about paying taxes and timely filing tax returns; dressing appropriately for job interviews; and on and on. Those children fortunate enough to live in a family foster home, and to be stable in that foster home, can learn these things. But foster children who are moved frequently, or who live in group homes where these tasks are not modeled, simply do not learn these things. And when these foster children graduate from the system at age 18, they usually lose the adult supports they had; they are frequently unable to successfully perform the activities of adult daily living. Past studies have shown that approximately 50% of adults who aged out of the foster care system experienced homelessness and/or joblessness, were welfare recipients, or engaged in criminal activities for which they were imprisoned. Of the approximately 20,000 youth who age out of foster care each year, many are not prepared to live independently: many youth are discharged from care without attaining basic education goals, many become unemployed, homeless, and dependent on public assistance. This painted a grim portrait of life after foster care.

Chafee Foster Care Independence Act (FCIA)

In 1985, the Independent Living program was added to the Social Security Act. This law was further amended in 1999 by the Chafee Foster Care Independence Act (FCIA), (42 U.S.C. § 677, Pub. L. 106-169) to respond to the limitations of the Independent Living program. The purposes of FCIA, as amended in 2002, are:

1. to identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);
2. to help children who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment;
3. to help children who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions;
4. to provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults;

5. to provide financial, housing, counseling, employment, education, medical care and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood; and
6. to make available vouchers for education and training, including postsecondary training and education, to youths who have aged out of foster care.

Nevada's Independent Living Program (Enactment of FCIA)

In 2005, Nevada first enacted N.R.S. § 432.017, creating the Account To Assist Persons Formerly in Foster Care, to enable older children in foster care and young adults who exit foster care at age 18 to make the transition to self-sufficiency as adults.

The Nevada Independent Living Program is designed to assist and prepare foster and former foster youth in making the transition from foster care to adulthood by providing opportunities to obtain life skills for self-sufficiency and independence. Some young people who leave the foster care system may need continuing services to help them on their way to adulthood. The Independent Living Program does this by offering many learning and training opportunities along with financial assistance.

The Division of Child and Family Services considers all eligible foster youth to include those youth who are in the care and custody of DCFS, Washoe County Department of Social Services, Clark County Department of Family Services and Tribal foster youth. DCFS considers foster care as the legal status of the child, not the physical placement of the child, to determine eligibility for independent living services.

Independent Living Program services are available to youth 14 and older who are currently in foster care. Independent Living services are also available to young adults 18 – 21 who have aged-out of the foster care system. Nevada will extend independent living services to youth who have aged out of care in another state.

The four major sources of funding to assist foster and former foster youth in Nevada come from the federal and state government. The two federal funding sources are the Chaffee FCIA and funding for Education and Training Vouchers. The State of Nevada also provides financial assistance to former foster youth through Assembly Bill 94, also known as the Financial Assistance to Former Foster Youth Program (FAFFY), and more recently, Assembly Bill 350 (AB 350).

FAFFY was specifically created to assist former foster children in achieving economic self-sufficiency and independence as an adult by paying for the following services:

- Household goods
- Job training, housing assistance
- Case management assistance
- Medical Insurance

Clark County Social Services (Step Up) – 501 S. Rancho Drive, Suite D-22, Las Vegas, NV 89106, (702) 455-0468 – is the Independent Living Services contractor chosen by Clark County to administer the FAFFY Program in Southern Nevada. In 2016, Clark County Social Services also became the administrator of the Voluntary Jurisdiction (AB 350) program.

Preparing Clients for Independence

The Southern Nevada IL Program consists of both services and training while your client is in foster care (age 14 and up) to prepare him for living on his own, and funding and services after he leaves care, at 18 or older. In care services include tutoring, life skills training, scholarship assistance, driver's training and other help based on your client's needs. Some of the services provided through the Independent Living Program include:

- Daily living skills
- Money management
- Decision making
- Housing assistance
- Substance abuse prevention, nutrition education and pregnancy prevention
- Preparation for postsecondary training and education
- Mentors
- Financial assistance with college or vocational schools
- Medical coverage
- Counseling
- Assistance in obtaining the GED

Voluntary Jurisdiction – Assembly Bill 350 (AB 350)

A law affecting all children “aging out” went into effect during the 2011 Legislative Session. AB 350 (Voluntary Jurisdiction) is codified in NRS 432B.591 to 432B.595. It allows young adults to voluntarily remain under the Juvenile Court's jurisdiction beyond the age of 18 up to age 21. It is a popular choice, because it pays clients a monthly stipend while they work to reach their life goals. Voluntary Jurisdiction clients get a special worker whose job is to help young adults set and achieve their life goals. As adults, our clients make their own decisions about where to live and with whom. The court retains jurisdiction for the limited purpose of resolving disputes. Clients can stay under Voluntary Jurisdiction and get paid until age 21, even if they leave the state of Nevada, so long as they are making progress toward achieving their goals. Because this has been the most popular option, Voluntary Jurisdiction is spelled out in more detail below.

“Child” is *redefined* in NRS 432B.040 to mean a person who is below the age of 18 or if in school until graduation from high school;

As used in NRS 432B.591 to 432B.595, “child” refers to a person who is

- Under the age of 18, and
- Over 18 and remains under the jurisdiction of the juvenile Court;

Voluntary Jurisdiction requires that:

- The Court to refer **ALL** children to an attorney at age 17 if reunification is unlikely to occur;
- The Court to request that the attorney advise the child of the legal consequences of remaining under the jurisdiction of the Court versus “aging out”;
- DFS to meet with the child at least 120 day prior to his 18th birthday to determine whether or not the child intends on requesting that the Court retain jurisdiction past his 18th birthday;
- The child is allowed to change his mind regarding this decision any time prior to his 18th birthday by either informing DFS or the Court directly;

If the Court retains jurisdiction, DFS must develop a written plan to help the child transition to independent living which must contain the following goals:

- Child saves 3 months’ worth of expenses;
- High school diploma or GED;
- Postsecondary or vocational education;
- Getting or seeking a job with at least 80 hours a month;
- Housing;
- An identified adult who will be a mentor;
- Connect the child with appropriate services to address any issues with mental health or developmental delays;

Step Up must then do the following:

- Monitor the independent living plan and adjust as needed;
- Contact the child by phone once a month and make in person contact at least once every 3 months;
- Ensure that the child has a mentor;
- Conduct a meeting with the child at least 30 days but not more than 45 days before Court jurisdiction terminates to determine if the child requires any additional guidance;

Jurisdiction over a retained child continues until the first of the following conditions is met:

- DFS, child, and the child’s attorney agree to request termination of jurisdiction;
- The Court determines that the goals set forth in the child’s written plan have been met;
- The Court determines that the child is not making a good faith effort to achieve the goals in the written plan;
- The child’s circumstances have changed in a way such that it is infeasible to achieve the goals in the written plan;
- The child voluntarily requests that the Court terminate jurisdiction; or
- The child reaches the age of 21;

If a child requests retention of jurisdiction, a written agreement must be entered into between the child and DFS. This agreement must be filed with the Court and must acknowledge that:

- The retention is voluntary on the part of the child, and
- That the child is entitled to continue to receive DFS services and monetary payments made directly to the child or to an agreed upon third party;

DFS is not the legal custodian after the child turns 18 and all proceedings pursuant to NRS 432B.410 through 432B.590 will terminate;

If an issue or disagreement arises involving a child who remains under Court jurisdiction, DFS, the child and the child's attorney must first try to resolve the matter informally before requesting a hearing. If the issue cannot be resolved either DFS, the child, or the child's attorney may request a hearing;

If DFS is recommending that the Court terminate jurisdiction, DFS must send the child and the child's attorney written notice allowing 15 days for either the child or their attorney to request an administrative review. If the administrative review is not requested, the Court will terminate jurisdiction upon written notice from DFS. If the administrative review is requested and does not resolve the dispute, a Court hearing may be requested.

Funds to Assist Former Foster Youth (FAFFY)

Before AB350 was passed, FAFFY was the only aftercare program for young adults aging out of foster care. It still remains a viable option for clients who want to be completely on their own, without any court oversight. FAFFY is administered by Clark County Social Services. It helps primarily with rent payments and emergency needs, but only as long as the client is working and/or going to school a specified number of hours per week and provides proof. The big drawback to FAFFY was that it made rent payments directly to the lesser, and did not make any money payments directly to the client as Voluntary Jurisdiction does, leaving clients with no money for food, clothing and other necessities. That has changed, and FAFFY now rebates to clients directly the difference between the maximum rent of \$773 and the actual rent the client pays. Like Voluntary Jurisdiction, FAFFY is available to age 21. Although there are still some advantages to Voluntary Jurisdiction, (such as better Medicaid), FAFFY's combination of rent payment and cash makes it worth a closer look.

Clients who choose to participate in Voluntary Jurisdiction or FAFFY are also eligible to access two important benefits available through Step Up. These include:

1. Educational Stipend

All former foster youth are eligible to access a one-time educational stipend of \$500 upon graduation or completion of high school with a regular or adjusted diploma. Former foster youth who obtain a General Equivalency Diploma (GED) are eligible to access \$250. Any GED graduates who later go on to obtain their regular education or adjusted diploma before their 21st birthday may then access the additional \$250.

2. Move In Fees/Deposits

A one-time allowance of up to \$1,000 is available for fees and deposits associated with moving into a new housing arrangement. It is important to advise clients to only access this allowance when absolutely necessary, because once it's tapped, it's gone. So, for example, if a client applies for and only uses \$300 of the allowance, he loses the remaining \$700.

If you have a client who receives SSI, it is better for that client to be on FAFFY instead of Voluntary Jurisdiction. As previously mentioned, Voluntary Jurisdiction makes payments directly to the client and these funds are considered income. FAFFY, on the other hand, makes payments directly to vendors (landlords) and not to clients. Since FAFFY money goes directly to the vendor, it is not considered income and therefore, should not affect your client's SSI benefits.

Status Quo

If your client is 18, still in high school and likes living in his/her foster home, he or she can choose to keep things as they are. The client would still have the same caseworker, the permanency review hearings would continue and the foster parent would continue to receive foster board payments. This is possible because AB350 amended the definition of "child" to include those who have not graduated from high school. Once the client graduates, he/she must choose between Voluntary Jurisdiction and FAFFY.

Be aware that adolescents often "mess up," and miss school or lose their jobs. It is important to continue to advocate for your client when the caseworker tries to terminate his independent living agreement as punishment for his "youthful errors".

Advocacy Issues Surrounding Independent Living

What is the permanency plan?

FCIA does not change the preference established in ASFA that youth be raised in as family-like a setting as possible, such as with their biological families, or with adoptive parents or relatives. The same hierarchy for permanency planning exists for teens as younger children: reunification, adoption, legal guardianship, and placement with a relative. When the court finds that a compelling reason exists for deciding that it would not be in the youth's best interests to follow one of the four preferred permanency plans, the fifth option is "another planned permanent living arrangement" (APPLA).

APPLA is not defined in the federal regulations and ASFA eliminated long-term foster care as a permanency goal for youth. Many times older foster youth are placed in group homes or institutional settings and placement in such settings is not an appropriate APPLA: APPLA cannot be used as simply another term for long-term foster care. Furthermore, The Preventing Sex Trafficking and Strengthening Families Act eliminated APPLA as a permanency option for a child under the age of 16.

Independence – as contrasted to Independent Living services – can be a permanency goal if the placement and services delineated in the permanency plan provide your client with supportive and family-like relationships and the skills and competencies he will need to eventually live on his own.

PRACTICE POINTERS: You should ask your client if there are relatives or non-relatives who might be adoptive or placement resources. Demanding, on behalf of your client, that he be placed in the most family-like setting should happen at *each* court review even if the permanency plan is independence. The permanency plan of independence will not satisfy federal law without a meaningful and concrete explanation of how the plan will achieve stability and a long-term connection with adults for your client.

What are the contents of your client's Independent Living Plan?

Federal and State law require that each youth age 16 and older have an Independent Living plan that specifies the services they will receive to help them become self-sufficient, productive adults. You must ensure that your client, at age 16, is provided with a written description of the programs and services that will help him prepare for the transition from foster care to independent living. 42 U.S.C. § 675 (1)(D). The plan should be designed to help him develop competencies and connect him/her to services in the following areas:

- Education (including counseling and support)
- Vocational and Career Counseling and Placement
- Physical and Mental Health Care (including family-planning and sexual health)
- Housing
- Relationships with Caring Adults
- Knowledge of Community Resources and Public Benefits/Services
- Expertise in Daily Living Skills (including budgeting and home management, communication and self-advocacy skills, problem solving, and planning for the future)

DFS has an obligation to help your client transition to an independent living arrangement by providing the following services:

- Assessments of your client's progress and attainment in education, vocational training, employment and career planning, to Identify and meet your client's needs in that regard;
- Identification of your client's service needs - home management and daily living skills, budgeting and financial planning training;
- Identification and plan to meet your client's health and mental health needs for the present and near future (i.e. to age 21);
- Identification and plan to meet your client's special needs (i.e. vocational rehabilitation, developmental disability needs, immigration relief, etc.);
- Specification of the independent living services to which he is entitled under the Chafee Foster Care Independence Act (including room and board services and Medicaid, until age 21) or special entitlements (Supplemental Security Income or Social Security Survivor's benefits, if eligible); and

- Ensuring he has all the documentation he will require as an adult – social security card, birth certificate, high school diploma or G.E.D. (as applicable), driver’s license or state identification card, health insurance information, and medical records.

PRACTICE TIP:

The assessments, planning and provision of services for a child aged 16 or over are so important, that if DFS has not fully complied with its statutory and regulatory obligations, you should ask the Court to issue an Order to Show Cause directed at the agency, requiring the provisions of such services.

Have reasonable efforts been made to achieve the permanency goal of independence?

ASFA requires that the Court make findings at each permanency review hearing as to whether DFS has made reasonable efforts to achieve whatever permanency plan is chosen for your client. 42 U.S.C. §671 (a)(15)(C). This finding must be made in order for Nevada to receive Title IV-E reimbursement for funds expended on behalf of your client. If the Court does not believe that your client is being provided with sufficient services to actually allow him to meet the goal of independence, no finding of reasonable efforts should be made. You should ensure that the Court scrutinizes the efforts being made to help your client achieve independence in the same manner and with the same rigor that it reviews efforts made to reunify youth with their families or find adoptive homes.

Issues for Clients Aging Out of Protective Custody

Health Care Needs

Are your client's health care needs addressed adequately in the case plan?

Youth in foster care are a medically vulnerable group. You must ensure that your client’s case plan identifies any physical or behavioral health needs and the treatment services that will be sought to address those needs. Because most youth in foster care are eligible for Medicaid, they are also eligible to receive the benefits of the Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT). *See* 42 U.S.C. § 1396d(r). The protections of EPSDT insure that foster youth receive all medically necessary treatment, which can include mental health treatment, drug treatment, and treatment regarding reproductive health.

If Your Client Is About to Age Out of Foster Care, What Are The Plans for Continuing His Health Insurance?

Both Voluntary Jurisdiction and FAFY provide for Medicaid coverage. Clients in the Voluntary Jurisdiction program will keep the same PPO Medicaid plan they had as foster children. Clients who opt to terminate court jurisdiction and participate in FAFY, will still be eligible for Medicaid, but in most cases, the plan will be an HMO plan. The case manager at Step Up will assist the client in completing and submitting the application, so the client does not have to apply through the welfare office.

Education and Vocational Training Needs

What is the education status of your client?

A description of the services DFS will provide to assist your client in attaining his educational and/or vocational goals is a critical component of his IL plan. Youth who do not finish high school or receive vocational training are less likely to secure the types of jobs that allow them to make a living wage. Studies of the educational achievements of youth in foster care demonstrate lower levels than non-foster peers, in large measure due to multiple placements, barriers to enrollment, and the stressors and trauma resulting from abuse and neglect histories. You should keep the Court aware of where your client is in school, the grades he is receiving, and his attendance record. The Court should require DFS to expeditiously remove any barriers to his school enrollment and participation in educational programs and the provision of other educational support services such as tutoring.

What are your client's secondary and post-secondary educational goals and what actions are being taken to support these goals?

You must pay particular attention to the post-secondary educational and training goals of your older client. For a client whose goal is to attend college, you should insist that DFS provide assistance in the areas of college application completion, application for financial aid, and general college counseling. If your client is interested in vocational training, you should insist that DFS provide concrete plans to help him meet that goal.

Educational Training Vouchers (ETV)

Youth who have aged out of foster care anywhere in the United States and its territories, can receive financial assistance to acquire vocational and technical training or attend a college or university. Financial assistance is also available to youth adopted from foster care on or after their 16th birthday. In order to receive the educational voucher, your client must attend an accredited school, (at least half-time) and maintain a grade point average of 2.0 and/or make satisfactory progress in his education goals.

What does the voucher cover?

- Tuition and fees
- Room and Board
- Student loans for the current year
- Transportation for school attendance
- Personal computer/supplies
- Child care expenses
- Miscellaneous personal expenses
- Books and school supplies

The Educational Training Voucher is limited to \$5,000 per school year. ETVs are available through The Children's Cabinet, Inc., 777 Sinclair Street, Reno, Nevada 89501, (775) 352-8090, 1(866) 741-3218 or <http://www.childrenscabinet.org>

Is your client eligible for special education services?

The Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 *et seq.*, 34 C.F.R. Part 300, and corresponding Nevada laws entitle eligible children with disabilities to a free, appropriate public education. School districts must identify, locate, and evaluate all children with disabilities residing in the district, including children attending private schools, who are in need of special education services. Once a child is evaluated and determined to be eligible for special education, the district must provide an appropriate education in the least restrictive environment. Services are provided through an Individualized Education Program (IEP), which may include specialized instruction; related services (e.g., occupational therapy; physical therapy; speech therapy; emotional support services and counseling; etc.); assistive technology and services; behavior intervention programs; and transition services. If your client is not already receiving special education and there are indications that he may have special education needs, he should be evaluated by the school district. (His parents or foster parents will have to request the evaluation; if they refuse, you should ask the Court to appoint a "surrogate parent" since the law prohibits caseworkers from signing off on evaluations and IEPs.

If your client is eligible for special education services, what transition services have been included in the IEP?

Beginning at age 14, your client's IEP must specify his transition service needs. At age 16, the IEP must delineate the transition services that will be provided to address these needs, including a description of linkages to other service-providing agencies (i.e., mental health support). Transition services include instruction, community experiences, the development of employment skills, and other services that help youth achieve post-school adult living objectives. When appropriate, transition services also should include activities to help the student acquire daily living skills. For example, if your client has a disability and will be living in a group home and participating in supportive employment, his transition plan may include instruction in daily living and job skills (i.e., how to use public transportation, handle money, or go to the store). If your client will be going on to a program of post-secondary or vocational education, his transition services must include all of the courses that are prerequisites for entering that program.

Employment Issues

The Workforce Innovation and Opportunity Act (WIOA) is a federal program that mandates states to provide employment services to adults, dislocated workers, and youth. These services include job search assistance, assessment and case management, and training at one-stop centers. The WIOA Youth Program serves eligible youth, ages 14 – 24, who face barriers to education, training, and employment. The WIOA Youth program focuses primarily on out-of-school youth, but in-school youth can also be assisted. The eligibility requirements differ for out-of-school versus in-school youth.

To be eligible for services, an out-of-school youth must be aged 16 – 24, not attending school, and meet one or more of the additional conditions, as follows:

- School dropout – within the age of compulsory attendance but has not attend for a least the most recent complete school year calendar quarter
- Hold a secondary high school diploma or recognized equivalent and is low-income and is basic skills deficient or an English language learner
- Subject to the juvenile or adult justice system
- Homeless, runaway or in foster care or aged out of the foster care system, or in out-of-home placement
- Pregnant or parenting
- An individual with a disability
- A low income person who requires additional assistance to enter or complete an educational program or to secure and hold employment

An in-school youth must be aged 16 – 21, attending school, low income, and meet one or more additional conditions, which could include:

- Basic skills deficient
- English language learner
- An offender
- Homeless, runaway, in foster care, or aged out of the foster care system
- An individual with a disability
- Person who requires additional assistance to enter or complete an educational program or to secure and hold employment

Through a network of service providers, WIOA Youth Programs focuses on offering eligible participants access to services that will successfully connect them to education and/or in-demand industries occupations:

- Tutoring, study skills training and instruction
- Alternative secondary school services or dropout recovery services
- Paid and unpaid work experiences, internships, job shadowing, on-the-job training, and pre-apprenticeships
- Occupational skill training
- Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation
- Leadership development opportunities
- Supportive services
- Adult mentoring
- Follow-up services
- Comprehensive guidance and counseling
- Financial literacy education
- Entrepreneurial skills training
- Services that provide labor market and employment information
- Activities that help prepare for and transition to post-secondary education and training

In Clark County, these services are provided by the following places:

Nevada Job Connect – North Las Vegas
2827 Las Vegas Boulevard North
North Las Vegas, NV 89030
702-486-0200

Nevada Job Connect – Maryland Parkway
3405 S Maryland Parkway
Las Vegas, NV 89169
702-486-0100

One Stop Career Center
6330 W Charleston Blvd, Suite 190
Las Vegas, NV 89146
702-822-4200

Henderson Job Connect
4500 East Sunset Road, Suite 40
Henderson, NV 89014
702-486-0300

Driver's Licenses

Often, an important factor in providing employment opportunities is access to transportation. Driving can be crucial to both finding and maintaining a job. In addition, a driver's license can provide your client with a photo identification that assists in the job application process when filling out an employer's tax documents and when doing other activities like opening a bank account. Having a driver's license while in care is also helpful when transitioning from foster care to independence, since your client will be exposed to situations that will arise when he will be living on his own (i.e., going to the DMV, applying for driver's insurance, understanding the cost of car maintenance, etc.). There are a number of factors to consider:

- Whether he needs special approval from DFS before he can apply for a license.
- Where he can get driving lessons and who will pay for these lessons.
- Whether he can be covered under a foster parent's insurance policy or if he needs to find his own coverage.
- Whether DFS will reimburse him or his foster parents for driver's insurance costs.

Financial Literacy

Learning the basics of maintaining finances is an important, but overlooked skill. Ensure that your client knows the following basic money management skills and ideas:

- How to create and maintain a workable budget, including an introduction to "what things cost" so that he is not scrambling to keep up with bills that are more he expect,

- Basic banking skills: how to open a checking and savings account, what documentation is needed, when a co-signer is needed,
- How to write a check, how to balance a checking account, and
- How to file a 1040EZ or 1040 federal tax form, and when it must be submitted.

Special Needs of Clients with Disabilities

Youth with disabilities in foster care are entitled to independent living services to the same degree as any other foster care youth. IL services must be provided “at various stages of independence” including youth with disabilities. 42 U.S.C.A. § 677 (b)(2)(C). Your client may need additional and specialized programming to help him achieve independence, and DFS must provide developmentally appropriate IL services.

If your client is intellectually disabled, is he or she receiving services from the Nevada Division of Aging and Disability Services?

A child in protective custody who is classified as “intellectually disabled” should be receiving services through the Nevada Division of Aging and Disability Services as well as DFS. It is critical that your client be classified as intellectually disabled before age 18, in order to be eligible for services through the Nevada Department of Health and Human Services. Connecting your client to these services is crucial as that system provides specialized housing, treatment, educational, and employment services.

If your client has a disability, has SSI been applied for?

An application is filed with the Social Security Administration and your client will be required to submit medical and/or mental health information that demonstrate that he has an impairment that affects the ability to function in daily life or to work. The disability standard differs depending on whether an applicant has reached age 18. *See* 42 U.S.C.A. § 1382c(a)(3)(A) for the adult disability standard and 42 U.S.C.A. § 1382c(a)(3)(C)(I) for the childhood standard.

You must identify and establish Supplemental Security Income (SSI) eligibility for your client if he will soon be aging out of care. While he may not receive, or be eligible for, the full financial benefit of SSI while in care (SSI is a means-tested federal benefit for persons with disabilities and the Social Security Administration counts Title IV-E money used for foster care placement as his income in determining income eligibility for SSI), DFS should use some portion of the SSI funds to help your client address any of his/her special needs, including medical and rehabilitative treatment not covered by Medicaid. Establishing eligibility while in care can facilitate the transition upon discharge, whether it is to a supportive living situation or to independence.

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NRS 432B.594

1. The court **shall** retain jurisdiction of a child after he/she turns 18 **if the child requests it**.
2. Jurisdiction over a retained child continues until the first of the following conditions is met:
 - a. DFS, the child and the child's attorney agree to terminate jurisdiction;
 - b. The court determines that the goals set forth in the child's his/her written plan have been met;
 - c. The court determines that the child is not making a good faith effort to achieve the goals set forth in his/her plan;
 - d. The child's circumstances have changed in a way that makes in infeasible for the child to achieve the goals set forth in his transitional plan;
 - e. The child voluntarily requests terminating court jurisdiction;
 - f. The child reaches the age of 21.
3. If the child moves to another part of the state and the court transfers jurisdiction to another court, the court that accepts jurisdiction must retain jurisdiction until one of the conditions in section 2 is met.
4. If the child requests that jurisdiction be retained past 18, the child must enter into a written agreement with DFS. The agreement, **which must be filed with the court**, must acknowledge that:
 - a. The retention is voluntary on the part of the child;
 - b. The child is entitled to continue to receive DFS services and monetary payments made directly to the child or to an agreed upon third party (payments can't exceed foster board payments) consistent with their transition plan;
 - c. DFS is not the legal custodian of the child after 18, **and all proceedings pursuant to NRS 432B.410 through 590 will terminate**. Some examples are:
 - (1) Six-month review hearings (NRS 432B.580)
 - (2) Annual dispositional hearings (NRS 432B.590)
 - (3) Motions for modification or revocation of an order (NRS 432B.570)
 - (4) Protective custody hearings (NRS 432B.470)
 - d. The child may, at any time request that jurisdiction be terminated; and

- e. If an issue or disagreement arises involving a child who remains under court jurisdiction and DFS or the voluntary agreement, the child, DFS or the child's attorney must first try to resolve it informally before requesting a hearing;
- 5. If the issue can't be resolved, then DFS, the child or the child's attorney may request a hearing before the court to address the issue.
- 6. If DFS wants to terminate jurisdiction, DFS must send the child and his/her attorney 15 days written notice in which to request an administrative review. If the administrative review doesn't resolve the matter, the child or the attorney may request a hearing. If the child or the attorney don't request an administrative review or don't contest DFS' position, the court will terminate upon written notice from DFS.
- 7. If a child elects to remain under court jurisdiction, he/she is entitled to receive services and monetary payments from DFS directly or to a third party pursuant to the child's transition plan (see section 19). Payments can't exceed foster board payments.
- 8. The court may issue any order it deems necessary or appropriate to ensure:
 - a. That DFS is providing the services the child is entitled to receive **and**
 - b. To ensure that the child is working toward achieving the goals set forth in his/her independent living plan.

Questions/Notes

NRS 432B.595

1. If the court retains jurisdiction, DFS must develop a written plan to help the child transition to independent living. The plan must include the following specific goals:
 - a. The child saves enough money to pay for his/her monthly expenses for at least 3 months.
 - b. Child gets his/her high school diploma or GED
 - c. If the child has graduated high school or obtained a GED a plan to
 - (1) Enroll the child in a program of postsecondary or vocational education;
 - (2) Enroll or participate in a program or activity designed to promote or overcome barriers to employment?
 - (3) Get or seek a job with at least 80 hours a month
 - d. The child has housing.
 - e. The child has enough income to meet his/her monthly expenses.
 - f. The child has identified an adult who will be available to support the child and if applicable
 - g. The child has connective with the appropriate services to address any mental health or developmental needs.
 - h. Set more appropriate goals for the child that can't achieve the above goals.
2. CCSS – Step Up’s responsibilities are to:
 - a. Monitor the independent living plan and adjust as necessary;
 - b. Contact the child by phone at least once a month and make in person contact at least once every 3 months;
 - c. Ensure that the child meets with a person who will guide and support the child and also make the child aware of services that are available to the child;
 - d. Conduct a meeting with the child at least 30 days but not more than 45 days before court jurisdiction terminates to determine whether the child needs any additional guidance.

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Step Up Program Guidelines

Step Up, operated by Clark County Social Service, is a Young Adult Program for youth who have “aged out” of foster care in Nevada. To qualify, you need to have turned 18 years old while in foster care in Nevada. The Funds to Assist Former Foster Youth (FAFFY) and Voluntary Court Jurisdiction (VOL JUR) laws make up the Step Up Young Adult Program. Our goal is to assist you in making the transition from foster care to economic self-sufficiency.

FAFFY is funded by the State of Nevada under Nevada Revised Statute 432.017 “Account to Assist Persons Formerly in Foster Care”. If you are eligible, you may enroll in the FAFFY program between the ages of 18 and 21; the FAFFY program ends on your 21st birthday.

The VOL JUR program is funded by the State of Nevada under Nevada Revised Statute 432B.591-595 “Voluntary Court Jurisdiction”. If eligible, you may enroll in this program as you are exiting in-care foster care. This program also ends on your 21st birthday.

We can assist you to attain economic self-sufficiency by providing you with certain goods and services including but not limited to: Case management, housing assistance, employment assistance, educational assistance, transportation assistance, and other services such as referrals.

Financial requests can take seven (7) to ten (10) business days to process, but exceptions can be considered in an emergency. All requests require supporting documentation be attached. Acceptable forms of supporting documentation are a bill, invoice or receipt for reimbursement.

You will be asked to provide and complete a tax-exempt IRS W-9 form when requesting any initial financial assistance. If you need assistance gathering the needed supporting documentation please ask your case manager.

Below are the types of financial assistance that are available from Step Up.

EDUCATIONAL STIPEND

You are eligible to access a one-time educational stipend of \$500.00 upon graduation or completion of high school with a regular or adjusted diploma. You are similarly eligible to access \$250.00 for obtaining your High School Equivalency Diploma (GED/HiSET). Any GED/HiSET graduate who later goes on to obtain their regular or adjusted high school diploma, before their 21st birthday, will be eligible to receive the additional \$250.00 of the educational stipend.

You must include a copy of your diploma and a plan outlining how you will spend the educational stipend with the financial request form you submit.



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MOVE-IN FEES/DEPOSITS

A one-time allowance is available for move-in fees and deposits that are associated with your lease/rental agreement. For the move-in fees and deposits, the amount that will be paid is based on the actual move-in fees and deposits that are listed on your official lease/rental agreement, up to \$1,000. Any leftover/unused balance of the \$1,000 benefit is not carried over. A copy of your signed lease/rental agreement needs to be included with the financial request form.

If you are requesting reimbursement for move-in fees and deposits that you have already paid, you will need to include receipts along with the copy of your signed lease/rental agreement as proof in order for the reimbursement to be approved.

RENTAL ASSISTANCE/MONTHLY PAYMENT

Rental Assistance is processed differently for the FAFFY and VOL JUR programs. Please read below to understand how each form of assistance is processed.

VOL JUR:

You receive your monthly self-sufficiency payment in the amount of \$773.17 every month on your pre-paid debit card that is supplied to you by Clark County upon entering the VOL JUR program. You may receive paper checks in the beginning as the pre-paid debit card may need time to arrive. You are expected to be working towards achieving the goals of the written plan developed to assist you to transition to independent living (known as the "Transitional Living Plan").

FAFFY:

You are eligible to receive ongoing rental assistance based on the current amount of your rent, up to \$773.00 (subject to availability of funds in any given program year), as long as you are in school and/or working a minimum of 20 hours per week as outlined below. Rental assistance will be "vendor paid" meaning your rental amount will be paid directly to your landlord. Your landlord will be required to complete an IRS W-9 form in order for Step Up to your rent. Situations involving illness, injury, pregnancy, and other emergencies will be reviewed on a case-by-case basis to determine eligibility and exemption from this requirement. Any balance of the \$773.00 that may remain after your rent is paid to your landlord will be paid directly to you for the purpose of paying your utilities and other necessary living expenses. The payment of utilities may include, but is not limited to, power, gas, water, cable, garbage, internet, telephone, sewage, and other such expenses.

To qualify for initial rental assistance, you will need to communicate with your case manager at your intake appointment what your plan is to complete the ongoing minimum of 20 hours per week requirement. Some form of documentation on file will be necessary before initial rental assistance can be issued. Examples of this include an "intent to hire" letter from a new employer, proof of enrollment into a school or work program that you haven't started yet, or some other verifiable plan that meets the below ongoing rental assistance requirements. Failure to maintain the ongoing minimum of 20 hours per week requirement may result in denial of future rental assistance.



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To qualify for ongoing rental assistance, you must provide on a monthly basis:

1.) Copy of your current pay stub, showing you have worked a minimum of 20 hours per week at a verifiable employer, who reports your earned income to the IRS (i.e. any “under the table” employment is not accepted since that income is not being legally reported to the IRS).

OR

2.) Proof you have obtained employment of at least 20 hours per week from a verifiable employer, who will report your earned income to the IRS (i.e. any “under the table” employment is not accepted since that income will not be legally reported to the IRS).

OR

3.) Current print out of your school schedule and proof of attendance showing:

a. A minimum of 6 credits (college or vocational school).

OR

b. Attendance in a GED/HiSET class at least 20 hours per week.

OR

4.) Or a combination of both work and/or school totaling 20 hours per week.

OR

5.) Documentation from a medical professional stating that you are unable to work or go to school due to a physical or mental disability. This will be reviewed on a case-by-case basis.

OR

6.) If applicable, proof that you are working toward items requested and agreed upon in your individualized case plan. This will be reviewed on a case-by-case basis.

You will be asked to provide and complete the following documents upon your initial request for financial assistance:

1.) You must fill out a tax-exempt IRS W-9 form before requesting any financial assistance.

AND

2.) Provide the following documentation from your landlord:

- Lease/rental agreement,
- IRS W-9 form filled out by landlord, and
- Proof of the landlord’s home ownership or approval from the homeowner for the landlord to sublease. The homeowners contact information must be provided in either situation.

MONTHLY BUS PASS

You are eligible to receive one (1) monthly bus pass from Step Up each month to help you with transportation. Monthly bus passes are intended for your use only. You may visit your case manager no earlier than three (3) business days before the expiration date printed on your monthly bus pass in order to receive a new one. If you need a monthly bus pass sooner than three (3) business days prior to its expiration, you must make contact with your case manager for approval. If you lose your current monthly bus pass it will not be replaced until three (3) business days prior to its expiration date as stated above.



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PLEASE REVIEW EACH STATEMENT BELOW

(FAFFY and VOL JUR) (initial) Limits to Confidentiality: We want to inform you that we are Mandated Reporters who are required to report to the authorities any known or reasonable suspicions of abuse and/or neglect of children. We also may contact emergency medical or other authorities for any known or suspected self-harm reports.

(FAFFY and VOL JUR) (initial) I understand that I must sign each financial request form prior to receiving the resource. I agree to Step Up paying mutually agreed upon vendors for utilities and other necessities directly (known as "vendor pay").

(FAFFY and VOL JUR) (initial) I understand that the role of my case manager is to assist me. This assistance includes (but is not limited to) providing assessment, monitoring my progress, acting as my advocate, and by linking me with other services so that I can achieve my case plan goals and economic self-sufficiency.

(FAFFY and VOL JUR) (initial) I understand that I must make contact with my case manager at least once every 30 days via phone call or in person meeting(s). I understand that I need to submit monthly proof of work and/or school to receive ongoing rental and/or financial assistance. I understand that I need to meet my case manager face-to-face at least once every 90 days; however, exceptions such as extenuating circumstances may affect this requirement (such as living in another state).

(FAFFY ONLY) (initial) I understand that if 90 days of no contact occurs, I may be automatically moved to an "inactive" Step Up program participant status. I understand that if my status is "inactive", I will need to make contact with my case manager so that I may return to an "active" status in the Step Up program. If I am "inactive", I may not receive ongoing rental and/or financial assistance.

(FAFFY ONLY) (initial) For ongoing rental assistance only, I understand that I must sign the first month's rental request form. However, for future monthly rental request forms, I give consent for my case manager to sign "ongoing" on my behalf. This allows my rent to continue to be paid without the need for me to directly sign the rental request form each month. My case manager is allowed to sign "ongoing" on my behalf for the length of my lease/rental agreement only. If I choose, I may also sign my monthly rental requests directly in person. After I sign my initial rental request, my original signature is valid only for the length of time defined in the terms of the original rental agreement.

Printed Name of Young Adult Signature of Young Adult Date:

Printed Name of Staff Member Signature of Staff Member Date:



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Voluntary Court Jurisdiction - Stipend Intake Form

Hello! If you have any questions or need any assistance while completing this form please ask a staff member. We are here to help you. We will review this form with you when you are done.

PERSONAL INFORMATION

Today's Date: ___/___/___ Time: ___ (am/pm)

Legal Name: (First) ___ (Middle) ___ (Last) ___ (Suffix) ___

Have you used any other names, including adopted names or street names? []No []Yes
If "Yes", please list any alternate names you have used: _____

Date of Birth: Month: ___ Day: ___ Year: ___ Age: ___

Where were you born? _____

Social Security Number: ___ - ___ - ___ Are you a Veteran? []No []Yes

What is your Gender (please select one)? []Female []Male []Transgender Male to Female
[]Transgender Female to Male [] I don't know []Other (specify): _____

Which of the following best represents your Race (please select one)? []White []Black or African American
[]Asian []American Indian or Alaskan Native []Native Hawaiian or Other Pacific Islander
[]Black/African American & American Indian/Alaskan Native []Black/African American & Asian
[]Black/African American & White []White & American Indian/Alaskan Native []White & Asian
[]White & Black/African American & Asian []White & Black/African American & American Indian

What is your Ethnicity (i.e. are you a person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture of origin, regardless of your above race)?
[]Non-Hispanic/Non-Latino []Hispanic/Latino

What is your marital or relationship status? []Single []Married []Other: _____

If married, what is your maiden name (if applicable)? _____

Are you currently pregnant or expecting a child? []No []Yes & expected due date: _____
If "Yes", are you enrolled with WIC? []No []Yes & date enrolled: _____

Do you have any children? []No []Yes (please list child name(s), age(s), and whom they reside with)

Please check which of the following you have: []Social Security Card []Health Card []School ID
[]NV State Identification Card (ID Number) _____ Expiration Date: _____
[]NV Driver's License (ID Number) _____ Expiration Date: _____
[]Original Birth Certificate []Passport []Other (specify) _____



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If applicable, have you registered with the United States Selective Service? No Yes

CONTACT INFORMATION

Street Address: _____

City: _____ State: _____ Zip Code: _____ Cell Phone: _____

Other Phone Number: _____ Email Address: _____

Is it ok to leave you messages and contact you using this information? Yes No

Emergency contact person for you: (Name) _____ (Relationship) _____

Street Address: _____

City: _____ State: _____ Zip Code: _____ Cell Phone: _____

Is it ok for us to contact this person in case of an emergency concerning you? Yes No

HOUSING STATUS

What area was your most recent living situation (please select one jurisdiction)? Henderson

Las Vegas Downtown Las Vegas Fremont Las Vegas Symphony Park Las Vegas Hope Corridor

Las Vegas Other City of North Las Vegas Boulder City Unincorporated Clark County N/A

Have you ever been continuously homeless? No Yes

If "Yes", have you been continually homeless for at least one year? No Yes

If "Yes", prior to today how many months have you been continually homeless for? _____

If "Yes", how many times have you been homeless in the past three years? _____

What was your living arrangement last night? Foster care home or foster care group home

Staying or living in a friend's room, apartment or house Staying or living in a family member's room, apartment or house

Other (please specify) _____

How long have you been at the above living arrangement? _____

Please list ALL members of your household (everyone living in your home - related or not)

<i>Name of person living in the home</i>	<i>Age</i>	<i>Relationship to you</i>
1.		
2.		
3.		
4.		

MEDICAL INFORMATION

Do you have a Disabling Condition? No Yes (please describe) _____

Do you have a Physical Disability? No Yes (please describe) _____

If "Yes", are you currently receiving services or treatment for this condition? No Yes

If "Yes", is this a Long Term Physical Disability? No Yes

If "Yes", can you provide documentation of the disability and severity? No Yes



Do you have a Developmental Disability? []No []Yes (please describe)
If "Yes", are you currently receiving services or treatment for this condition? []No []Yes
If "Yes", does this substantially impair your ability to live independently? []No []Yes
If "Yes", can you provide documentation of the disability and severity? []No []Yes

Do you have a Chronic Health Condition? []No []Yes (please describe)
If "Yes", are you currently receiving services or treatment for this condition? []No []Yes
If "Yes", is this a Long Term Chronic Health Condition? []No []Yes
If "Yes", can you provide documentation of the disability and severity? []No []Yes

Have you been diagnosed with HIV - AIDS? []No []Yes
If "Yes", are you currently receiving services or treatment for this condition? []No []Yes
If "Yes", does this substantially impair your ability to live independently? []No []Yes
If "Yes", can you provide documentation of the disability and severity? []No []Yes

Do you any Mental Health Problems? []No []Yes (please describe)
If "Yes", are you currently receiving services or treatment for this condition? []No []Yes
If "Yes", does this substantially impair your ability to live independently? []No []Yes
If "Yes", can you provide documentation of the disability and severity? []No []Yes

Do you have any current Substance Abuse Problems? []No []Alcohol Abuse []Drug Abuse []Both
If "Yes", are you currently receiving services or treatment for this condition? []No []Yes
If "Yes", does this substantially impair your ability to live independently? []No []Yes

Are you fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against you (or another family member such as a child)? []No []Yes
If "Yes" to Domestic Violence, how long ago was the most recent experience? []Within the past three months []Three to six months ago []From six to twelve months ago []More than a year ago

Are you currently taking any medication(s)? []No []Yes
If "Yes", please list the medication(s)

Are you currently prescribed medication(s) that you supposed to be taking but are not? []No []Yes
If "Yes", please list the medication(s)

Are you currently covered by any Health Insurance? []No []Yes
If "Yes", what is the name of the insurance?

Do you currently have Medicaid Insurance? []No []Yes & Medicaid Number:

INCOME & RESOURCES

Have you received any cash income from any source during the last 30 days? []No []Yes
If "Yes", what is your total amount of cash income received during the last 30 days?
If "Yes", what is the source that the income came from (ex: SSI, job, etc.)?



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Are you receiving any Non-Cash Benefits? []No []Yes & check source(s) []SNAP (food stamps) []WIC
[]TANF Childcare []TANF Transportation []Other TANF Benefit []Temporary Rental Assistance
[]Section 8 []Other Non-Cash Benefit (please specify) _____

EDUCATION STATUS

Are you currently Enrolled in School? []No []Yes
If "Yes", what is the name of your school? _____
If "Yes", are you attending: []Full Time []Part Time []Other (specify) _____
Is this school for Vocational Training or an Apprenticeship? []No []Yes

What is your Highest Level of School Completed? []No schooling completed []Nursery school to 4th
grade []5th grade or 6th grade []7th grade or 8th grade []9th grade []10th grade []11th grade
[]12th grade, No diploma []Post-secondary school (ex: college) []I don't know
[]High school diploma (specify school name) _____ (graduation date) _____
[]GED/HiSET (specify school name) _____ (graduation date) _____

Have you ever had an Individualized Educational Plan (IEP)? []No []Yes

Do you need any type of educational assistance and/or have any school-related questions? []No
[]Yes If "Yes", describe you need(s) _____

EMPLOYMENT STATUS

Have you ever been employed? []No []Yes Do you have a resume? []No []Yes
Are you currently Employed? []No []Yes & name of your employer? _____
If "Yes", what is your employment status: []Full Time []Part Time []Other (specify) _____
If "Yes", what is your job title/position? _____ Start Date: _____
Do you need any type of career assistance and/or have any employment-related questions?
[]No []Yes & describe you need(s) _____

LEGAL HISTORY

Have you ever been arrested or detained by law enforcement? []No []Yes
If "Yes", what were the circumstances? _____
Have you ever been incarcerated (ex: juvenile detention)? []No []Yes
If "Yes", please list the location and the date(s) _____
Are you currently on probation? []No []Yes Have you ever been on probation? []No []Yes
Do you have any outstanding court warrants, fines and/or fees? []No []Yes



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FOSTER CARE INFORMATION

At what age (or date) did you enter into foster care? _____

If possible, please provide your biological parent's first and last name(s):

Mother: _____ Father: _____

How many foster homes have you been placed in? _____

Do you have siblings in foster care? []No []Yes & list their name(s) _____

If applicable, do you have a Court Appointed Program (CAP) attorney? []No []Yes

If "Yes", please list their name and phone number: _____

What is your DFS case worker's name and phone number? _____

PLEASE REVIEW EACH STATEMENT BELOW

_____ (initial) I agree to follow the Step Up Program Guidelines and acknowledge that a copy of the current Step Up Program Guidelines was provided to me (if not, please ask staff for a copy now).

_____ (initial) I understand the Step Up Program assists former foster youth who have "aged out" of Clark County foster care to attain economic self-sufficiency and I voluntarily agree to participate.

_____ (initial) I understand Step Up funds and resources that I may receive will be monitored by staff and I agree to use these funds and resources for their originally intended purpose(s) only.

_____ (initial) I understand that purchasing tobacco products, alcohol, illegal drugs, or other such items with my Step Up funds and resources is prohibited.

_____ (initial) I understand if I am non-compliant with the Step Up Program Guidelines that my access to program funds and resources could possibly be reduced, delayed, or terminated.

_____ (initial) I understand that I need to follow my individualized case plan to remain in compliance.

_____ (initial) I am responsible for my own behavior and will conduct myself appropriately.

_____ (initial) I understand that Step Up staff are here to assist me during this transitional period of my life and that I may bring any questions, needs, and/or concerns I may have to a staff member.

RIGHT TO APPEAL

Your exit date from foster care must first be verified before Step Up funds and resources can be dispersed. All requests are subject to review and approval. In circumstances in which funds and/or resources are denied, you have the right to request an appeal to that decision. Appeals must be made in writing to Clark County Social Service within 10 days of denial date. _____ (initial)

_____ Date: _____
Printed Name of Applicant Signature of Applicant

_____ Date: _____
Printed Name of Staff Member Signature of Staff Member

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What are the similarities between the two programs?

Category	Voluntary Court Jurisdiction (VOL JUR)	Funds to Assist Former Foster Youth (FAFFY)
Length of Program	18-21 (program is voluntary and you may exit at any time).	18-21 (program is voluntary and you may exit at any time).
Monthly Contact	Yes, contact is required every 30 days and also face-to-face every 90 days.	Yes, contact is required every 30 days and also face-to-face every 90 days.
Case Management	Yes	Yes
Medicaid Health Insurance	Yes	Yes
Move-In Stipend	Yes, up to \$1000.00 available (one-time).	Yes, up to \$1000.00 available (one-time).
Educational Stipend	Yes, \$500.00 for earning your High School Diploma <u>or</u> \$250.00 for earning your High School Equivalency.	Yes, \$500.00 for earning your High School Diploma <u>or</u> \$250.00 for earning your High School Equivalency.
Transportation	Yes, 30 Day Bus Pass is provided monthly.	Yes, 30 Day Bus Pass is provided monthly.

What are the differences between the two programs?

Category	Voluntary Court Jurisdiction (VOL JUR)	Funds to Assist Former Foster Youth (FAFFY)
Eligibility	Youth who are in Nevada foster care at age 18 <u>and</u> sign a voluntary agreement to continue under court jurisdiction. Youth may exit VOL JUR <u>anytime</u> between ages 18-21 and enter the FAFFY program. Cannot re-enter VOL JUR once you exit it.	Youth "aged out" of Nevada foster care at age 18 or older; or youth who exited VOL JUR and are still between the ages of 18-21. Youth may exit FAFFY anytime between ages 18-21 but <u>cannot</u> re-enter VOL JUR program. Can enter FAFFY program anytime age 18-21.
Requirements	1. Working towards the completion of High School Diploma or GED/HiSet. <u>IF DIPLOMA IS OBTAINED THEN</u> 2. Continuing education (college, vocational program, etc.) and/or employed <u>20 hours per week</u> .	1. Working towards the completion of High School Diploma or GED/HiSet. <u>OR</u> 2. Continuing education (college, vocational program, etc.) and/or employed <u>20 hours per week</u> .
Court Appointed Attorney	Yes	No
Monthly Living Funds	Yes, \$773.17 is provided to you monthly on a debit card. The debit card is automatically re-loaded each month; you pay your rent. You directly receive <u>all</u> your monthly funds.	Yes, up to \$773.00 is <u>vendor paid</u> monthly to your landlord for you. Any leftover balance <u>after the rent is paid</u> is provided to you via a check. We pay your rent first then any balance to you.

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Kelly Wooldridge Administrator

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD AND FAMILY SERVICES
4126 Technology Way - 3rd Floor
Carson City, Nevada 89706
(775) 684-4400

Manual Transmission Letter (MTL)
Family Programs Office: Statewide Child Welfare Policy Manual

MTL # 0801-09272016

09/272016

TO: Paula Hammack Interim Director - Clark County Department of Family Services
Betsey Crumrine, Social Services Manager V - DCFS - District Offices
John Bradtke, Social Services Manager V-DCFS-District Offices
Amber Howell, Director - Washoe County Department of Social Services

FROM: Reesha Powell, Deputy Administrator, Division of Child and Family Services

POLICY DISTRIBUTION:

Enclosed find the following policy for distribution to all applicable staff within your organization:

- 0801 Youth Independent Living Program

This policy is/was effective:

- This policy is new. Please review the policy in its entirety
This policy replaces the following policy(s): MTL # - Policy Name:
This policy has been revised. Please see below for the type of revision:
This is a significant policy revision. Please review this policy in its entirety.
This is a minor policy revision: (List page number & summary of change):
0801.5.4(K) IL Case Management, page 5, deleted outdated language
0801.5.6 Court Jurisdiction, 1st paragraph, page 7, added the word designee
0801.5.69(H) Court Jurisdiction, page 8-9, added language related to administrative review.
A policy form has been revised: (List form, page number and summary of change):

NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.

Child welfare agencies in Nevada believe families are the primary providers for children's needs. The safety and well-being of children is dependent upon the safety and well-being of all family members. Children, youth and families are best served when staff actively listens to them and invite participation in decision-making. We support full implementation of family centered practice by engaging families in child and family teams and offering individualized services to build upon strengths and meet the identified needs of the family.

- This is an **All STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address: <http://dcfs.nv.gov/Policies/> . Please check the table of contents on this page for the link to the chapter you are interested in.

Child welfare agencies in Nevada believe families are the primary providers for children's needs. The safety and well-being of children is dependent upon the safety and well-being of all family members. Children, youth and families are best served when staff actively listens to them and invite participation in decision-making. We support full implementation of family centered practice by engaging families in child and family teams and offering individualized services to build upon strengths and meet the identified needs of the family.

0801.0 Youth Independent Living Program

0801.1 Policy Approval Clearance Record

<input checked="" type="checkbox"/> Collaborative Policy	This policy supersedes:	Number of pages in Policy: 17
Date Effective:	0801: : Independent Living for Youth effective 10/01/2015	
DMG Approval		Policy Lead: Gabriela Villafuerte
DMG Approved Revisions	09/16/2016	Policy Lead: _____
DMG Approved Revisions	MM/DD/YYYY	Policy Lead: _____
DMG Approved Revisions	MM/DD/YYYY	Policy Lead: _____
DCFS Deputy Administrator Approval:	09/18/2015	

0801.2 Statement of Purpose

0801.2.1 Policy Statement: Child welfare agencies have the responsibility to provide foster youth the opportunity to learn the necessary skill sets to allow them to develop into productive and self-sufficient adults.

0801.2.2 Purpose: The Independent Living Program (ILP) provides foster youth, age 14 and older, ongoing opportunities to learn and gain familiarity with various Independent Living (IL) activities. Ultimately, this program enhances a youth's ability to make adult decisions and to act in a more mature and self-reliant manner. Participation in the ILP provides youth the foundation necessary to successfully transition out of the foster care system and into independence and adulthood.

0801.3 Authority

42 USC § 675; § 677; § 1396
45 CFR Part 1356
NAC 432
NAC 432B.400; 432B.410
NRS 422.2717
NRS 432.017; 432.032
NRS 432.0395
NRS 432B.591 - 432B.595
NRS 432.525-550
PL 110-351
PL 113-183
PL 114-22

0801.4 Definitions

0801.4.1 Aged-Out Letter: A letter written by the IL worker, on the child welfare agency's letterhead, which verifies the youth is eligible to receive services under NRS 432-017 Financial Assistance to Foster Youth (FAFFY) and John H. Chafee Foster Care Independence Programs for former foster youth who have aged out of foster care.

0801.4.2 Child and Family Team: Refers to a team that is comprised of family members, friends, foster parents, legal custodians, community specialists and other interested people identified by the family and agency who join together to empower, motivate and strengthen a family, and

- collaboratively develop a plan of care and protection to achieve child safety, child permanency, and child and family well-being.
- 0801.4.3 Commercial Sex Act:** This term is defined by the federal Trafficking Victims Protection Act as the giving or receiving of anything of value (money, drugs, shelter, food, clothes, etc.) to any person in exchange for a sex act.
- 0801.4.4 Exploited Child:** NRS 432.150 defines “exploited child” as a person under the age of 18 who has been:
- a. Used in the production of pornography in violation of the provisions of NRS 200.710;
 - b. Subjected to sexual exploitation; or
 - c. Employed or exhibited in any injurious, immoral, or dangerous business or occupation.
- 0801.4.5 Independent Living Agreement:** Outlines the rules and responsibilities that a youth must agree to in order to live independently (outside of a licensed foster care placement) and permits the youth to directly receive funds for their living expenses in the same amount as the basic foster care payment.
- 0801.4.6 Independent Living (IL) Services:** Services that provide learning opportunities for youth to develop skill sets necessary to become productive, self-sufficient adults.
- 0801.4.7 Independent Living Transitional Plan:** Refers to the document used to identify both long-term goals and short-term objectives and correlative services to prepare the youth for adulthood. It is also the written plan that addresses both the federal requirements for transition planning 90 days prior to a youth turning age 18, along with addressing the goals required by Nevada law for youth who remain under court jurisdiction at age 18. This document will be signed and will serve as acknowledgement that the youth received their case planning and permanency bill of rights
- 0801.4.8 Independent Living (IL) Worker:** Refers to the child welfare agency caseworker coordinating and/or providing services which are related to moving youth to self-sufficiency or furthering independence.
- 0801.4.9 Missing Child:** NRS 432.150 defines “missing child” as “a person under the age of 18 years who has run away or is otherwise missing from the lawful care, custody and control of a parent or guardian.”
- 0801.4.10 Permanency Goal:** Refers to the hierarchy of permanency goal options that ensure legal and emotional permanency for a child. The permanency goal options are listed in priority order (1 = highest priority) as follows: 1) Reunification, 2) Adoption, 3) Legal Guardianship, 4) Permanent Placement with a fit and willing relative, and 5) Another Planned Permanent Living Arrangement.
- 0801.4.11 Post-secondary Education:** Education taking place following graduation from high school or attainment of a High School Equivalency (HSE). Post-secondary education can refer to community colleges, liberal arts colleges, universities, vocational schools, trade schools, institutes of technology, or professional schools.
- 0801.4.12 Runaway:** A child whose whereabouts are currently unknown and who is believed to have left his or her placement voluntarily.
- 0801.4.13 Secondary Education:** High school education or high school equivalency (HSE).
- 0801.4.14 Sex Trafficking:** According to the Victims of Trafficking and Violence and Protection Act, the term “sex trafficking” means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act.
- 0801.4.15 Post-18 Services Agreement:** An agreement between the youth who is remaining under Court jurisdiction at 18 and the child welfare agency. This Post-18 Services Agreement

Identifies the terms and stipulations of the agreement.

0801.5 Policy Requirements

0801.5.1 Youth Assignment Referral to Independent Living Program (ILP)

Youth in foster care who reach the age of 14 must be assigned to the IL program within 45 days of their birthday. When a youth is older than 14 upon entering foster care, he/she must be assigned to the IL program within 45 days of entering the child welfare system. The youth assignment/referral to the IL program must be completed in UNITY.

0801.5.2 Youth Engagement and Assessment

- A. Once a youth is referred for IL services, the IL worker will meet with the youth and the youth's caregiver face-to-face to explain the Independent Living Program (ILP), answer any questions they may have, and conduct a developmentally appropriate assessment.
- B. The assessments can be found online at:
https://caseylifeskills.secure.force.com/clsa_homepage
- C. This assessment must be completed by the youth and also, when possible, their caretaker. Each jurisdiction/location has its own, unique Organization ID for use on the Casey Life Skills website.
- D. A developmentally appropriate assessment must be conducted within 45 days of the youth's referral to IL services.
- E. Youth must be re-assessed annually.

0801.5.3 Independent Living Transitional Plan

The Independent Living Transitional Plan is developed in addition to their family case plan and permanency plan. The Independent Living Transitional Plan includes preparation for transition to adulthood in the areas of permanency, education, employment, parenting, health management, money management, housing, life skills development, family and community connections, leadership development, enrichment activities and obtainment of personal documents. ILP activities are strategically selected to help the youth meet his/her goal(s) and include structured events and individual, youth-driven activities. Also to be considered in the planning process is the emotional permanency of the youth, in which they have a healthy and positive relationship with at least one caring adult in their life. When possible and appropriate, assist youth in identifying and developing healthy family connections and developing or maintaining their connections with siblings. The Independent Living Transitional Plan must be completed within 30 days following completion of the developmentally appropriate assessment.

- A. The IL worker will develop the Independent Living Transitional Plan through:
 1. Discussion with the youth regarding their assessment results;
 2. Providing advice to youth, in an age-appropriate way, of their Case Planning and Permanency rights, and obtaining a signed acknowledgment that the child was provided the following rights to:
 - Participate in court;
 - Have your family case plan and independent living transition plan developed with your input and ideas;
 - At your option, have 2 members of your choice become part of the case planning team, who are not the caseworker or

- foster parent (your child welfare agency may reject an individual selected at any time if they have good cause to believe that the individual would not act in your best interest);
- Receive a credit report annually beginning at the age of 14;
 - Participate in age or developmentally appropriate activities;
 - Access Independent Living/Chafee services beginning at the age of 14;
 - Be provided copies of your personal documents when you age out of care, those documents include your birth certificate, social security card, Nevada ID card, insurance card;
 - Be provided with medical records upon your request;
 - Understand what a Healthcare Power of Attorney is;
 - Stay safe and avoid exploitation.
3. Utilization of the Casey Life Skills *Resources to Inspire* tool, found on their website;
 4. Input of the youth's child and family team (CFT).
- B. Youth must be reassessed using the developmentally appropriate assessment annually. This reassessment is to be completed no later than the anniversary date of the youth's initial assessment. The Independent Living Transitional Plan must be updated based upon any additions or changes made as a result of the assessment.
- C. During the 90-day period immediately before a youth exits from care at 18, the IL worker must complete the Independent Living Transitional Plan and have youth sign. This date will be utilized as the day of completion of this document.
- Federal Law Requirements:** During the 90-day period prior to a youth turning 18, the topics with an asterisk in the Independent Living Transitional Plan must be completed with the youth. The IL worker will meet with the youth to create this plan. The transition plan must be personalized at the direction of the youth and be as detailed as the youth chooses. If the youth remains under court jurisdiction, the IL worker will update the youth's transition plan at least 30 days, but not more than 45 days, immediately prior to the youth's planned termination from court jurisdiction. The Independent Living Transitional Plan must include specific options regarding all of the following:
1. Housing.
 2. Health insurance.
 3. Education.
 4. Local opportunities for mentors and continuing support services.
 5. Work force supports and employment services;
 6. Health care power of attorney.
- D. **Health Care Power of Attorney:** At the 90 days prior to leaving care Independent Living Transitional Plan meeting, federal law requires that the IL worker must educate the youth regarding the importance of designating someone to make health care treatment decisions on their behalf if the youth is unable to do so and does not have or want a relative who would otherwise be designated by law to do so.
1. This meeting and the youth's decision to execute or decline this option will be documented on the Independent Living Transitional Plan.

2. If the youth wants to execute a health care power of attorney, the IL worker will provide the youth the opportunity to do so upon the youth's attaining age 18 or legal emancipation.
 - The IL worker will maintain a copy of the health care power of attorney in the youth's case file. The IL worker will ensure the individual designated with the youth's health care power of attorney receives the appropriate documents.

0801.5.4 IL Case Management

IL case management activities are continuous until the child welfare case is closed. The IL worker assists the youth with the implementation of the Independent Living Transitional Plan through monitoring, performing case coordination, service referral, and facilitating the youth's participation in ILP activities. The purposes of case management are to:

- A. Participate in case planning meetings with youth;
- B. Track progress and offer direct guidance and assistance when needed;
- C. Ensure annual, developmentally appropriate assessments are completed;
- D. Initiate IL planning team meetings for initial planning and when the Independent Living Transitional Plan requires goal revision or modification;
- E. Facilitate youth participation in structured IL activities and youth-directed activities to support their learning skill sets required for adulthood;
- F. Assure that youth is participating in age or developmentally appropriate activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity;
- G. Provide reliable contacts for the youth as he/she builds other family and community connections;
- H. Document all youth's IL activities, youth progress notes, and IL worker contacts in UNITY;
- I. If youth has run away and/or has been identified as a victim of exploitation, contact law enforcement and the Center for Missing and Exploited Children as soon as practicable, but no later than 24 hours, and complete the Runaway and Sex Trafficking windows in UNITY. Refer to the Missing and Exploited Child Policy;
- J. Documentation must be prepared and submitted to the court to demonstrate services that are being rendered and the preparation process that is in place to assist youth transition successfully into adulthood.
- K. Provide a copy of a credit report (without cost) to every youth in foster care who is in or enters care at or after the age of 14 and every year after until exiting care.
 1. Assist the youth in interpreting and resolving any inaccuracies found on their report.
 2. If there is any evidence that there has been misuse of the youth's information and someone has committed fraud/identity theft each jurisdiction must report this to the Attorney General's Office. Complete the "Request for Investigation" form to file a report, so that they may investigate if a crime has been committed and if the case should be prosecuted. Submit the form to the Chief Investigator via email or fax it to 775-684-1108.

0801.5.5 Independent Living Agreement

- A. An Independent Living Agreement (ILA) offers a responsible youth the opportunity to live independently in the community. This may occur through living alone, with roommate(s), in a dorm, or renting a room from a family (i.e., a community mentor home). The youth is allotted a monthly subsidy, which is the same amount as the basic monthly foster care rate, to pay for their room/board and care. To be eligible to live under an ILA the youth must:

1. Be at least 17 years of age unless approved by the child welfare agency's Director or Rural Region Manager.
2. Be adjudicated into child welfare custody.
3. Placed in out-of-home care for at least six months prior to entering into an ILA, unless approved by the child welfare agency's Director or Rural Region Manager.
4. Be able to "demonstrate IL competency" as determined by the child welfare agency; competencies are to include, but not limited, to the following:
 - Transportation – ability to utilize public transportation;
 - Finances – move-in costs and first month's living expenses until subsidy check arrives;
 - Education – must be involved in a full-time educational program or be engaged full-time in a combination of education and employment;
 - Grades – GPA of a 2.0 or higher;
 - Assessment of Skills – must show that living independently is viable and the youth must be able articulate/demonstrate necessary living skills as determined by the child welfare agency;
 - Behavior – demonstrates responsible behaviors and decision-making skills.

Exceptions: Any exceptions to the above must be approved through the child welfare agency administration.

B. The child welfare agency's IL worker responsibilities within the ILA include:

1. The IL worker, in conjunction with his/her supervisor, will evaluate the youth for appropriateness prior to entering into an ILA. An ILA must be in the youth's best interests and any safety concerns must be fully addressed. The IL worker, together with the youth, will develop the written ILA that identifies the following:
 - Youth's educational program – start date, end date and goals;
 - Youth's responsibilities;
 - Budget – IL worker and youth will develop a monthly budget;
 - Requirements to maintain eligibility for ILA and consequences of non-compliance; and
 - Target date for discharge and completion of goals.
2. The child welfare agency IL worker, in conjunction with the supervisor, must approve the youth's living circumstances and setting.
 - A youth may choose to live in a licensed Independent Living Home or become a boarder in a community mentor home;
3. The IL worker will ensure ongoing supervision and guidance to the youth. The youth's well-being, ILA compliance, and overall progress will be monitored through regular contacts with the youth.
 - First month – 1 contact per week (2 contacts at youth's residence);
 - After first month – A minimum of 2 contacts per month (1 contact at youth's residence);
 - Perform a 3-month and 6-month review with the youth and in conjunction with the IL supervisor to determine suitability of ILA.
4. The IL worker will assist the youth in finding the necessary resources to meet the youth's independent living needs.
5. The ILA can be terminated by the IL worker if a youth is not in compliance with the ILA requirements. The IL worker must provide the youth a 30-day notification prior to the termination of the ILA.

0801.5.6 Court Jurisdiction – Young persons shall have the opportunity to remain under the jurisdiction of the court beyond age 18 and up to age 21. While under court jurisdiction, these former foster youth shall be eligible to receive financial support and Independent Living Services to assist them with their transition to self-sufficiency. Court jurisdiction is to be looked at as a support or safety net for youth as they make this transition. Good-faith efforts must be made by the child welfare agency and/or designee to engage the former foster youth and assist with the transition. Court jurisdiction is intended to provide former foster youth the opportunity to gain their education and/or vocational skills with minimal hardships that may exist when all supports are withdrawn.

- A. At least 120 days before a youth “ages out” of foster care at the age of 18, the IL worker must meet with the youth and the youth’s attorney to determine whether the youth intends to request that the court retain jurisdiction over the youth at age 18.
1. If the youth indicates during the meeting that they do not intend to remain under court jurisdiction, the IL worker is to recommend that the court terminate jurisdiction of the child at age 18.
 - The youth may change their mind at any point before reaching age 18 and request that the court take jurisdiction when the youth reaches age 18.
 2. Youth who have entered into an Independent Living Agreement with the child welfare agency prior to age 18, may request to remain under court jurisdiction upon reaching age 18.
 3. A youth may choose to stay in foster care if they are under the age of 19 and the child is enrolled full-time in high school or enrolled full-time in a secondary school program or vocational program and can reasonably be expected to complete the course of study prior to his or her 19th birthday. They may request that the court take jurisdiction over them after they receive their diploma.
- B. Once a youth decides to remain under court jurisdiction and enters into a Post-18 Services Agreement and the Independent Living Transitional Plan, it can only be terminated under any of the following circumstances:
1. The child welfare agency, the youth, and the youth’s court-appointed attorney agree to terminate the agreement and jurisdiction.
 2. The court determines:
 - The youth has achieved the goals of their Independent Living Transitional Plan.
 - The youth is not making a good-faith effort to achieve the goals of their Transitional Living Plan.
 - The circumstances of the youth have changed in such a manner that it is unrealistic for the youth to achieve the goals of their Independent Living Transitional Plan.
 3. The youth requests that court jurisdiction be terminated.
 4. The youth reaches the age of 21 years.
 5. Under certain circumstances if the child welfare agency has an issue with a youth (*see subsection H of this section*).
- C. A youth who decides to remain under court jurisdiction at age 18 must enter into an Independent Living Transitional Plan and Post-18 Services Agreement with the child welfare agency. While under court jurisdiction, the youth is entitled to receive services and monetary payment, in an amount not to exceed the foster care payment, from the child welfare agency. These payments can be made directly to the youth or be provided to another entity as designated in the Independent Living Transitional Plan. Upon entering court jurisdiction, the youth will no longer be under the legal custody of the child welfare agency, and the proceedings concerning the youth conducted pursuant to NRS 432B.410 to 432B.590, inclusive, will terminate.
- D. During the time the youth remains under court jurisdiction, the child welfare agency must:

1. Develop the Independent Living Transitional Plan with the youth, obtain signatures, and submit it to the court.
 2. Monitor the youth's progress toward the goals of their Independent Living Transitional Plan and adjust the plan.
 3. Contact the youth by phone at least once monthly and in-person at least quarterly.
 4. Increase the supports surrounding the youth; ensure the youth meets with someone from the community provider of independent living services and any other community resources that provide adult services for mental health, developmental/intellectual disabilities, or other adult outreach programs, as applicable to the individual needs of the youth.
 5. Conduct a meeting with the youth at least 30 days, but not more than 45 days, before court jurisdiction is terminated to determine if the youth requires any additional guidance.
- E. The Independent Living Transitional Plan is meant to assist the youth in transitioning to independence as an adult. Court Jurisdiction program specific questions are indicated in parentheses in the plan. The plan must include, without limitation, the following goals:
1. The youth saves enough money to pay for his/her monthly expenses for 3 months.
 2. If the youth has not graduated from high school or obtained a HSE, the youth is to remain enrolled in high school or a program to obtain a HSE until graduation or completion of the HSE program.
 3. If the youth has graduated from high school or obtained a HSE, the youth must:
 - Enroll and attend a post-secondary education program, at least part-time and maintain satisfactory progress; or
 - Enroll and participate in a program or activity designed to promote or remove obstacles to employment; or
 - Obtain or actively seek employment, which is at least 80 hours per month.
 4. The youth must obtain housing.
 5. The youth has adequate income to meet monthly expenses.
 6. The youth is able to identify an adult who will be available to provide them support.
 7. If needed, the youth has established supportive services to address any mental health or developmental needs.
 8. If a youth is not capable of achieving one or more of these goals, goals must be established based upon the needs of the youth.
- F. Post-18 Services Agreement: This agreement will specifically outline what the youth, who is remaining under court jurisdiction, is agreeing to accomplish; what the child welfare agency is agreeing to provide; any limitations of the agreement; and terms for dispute resolution. This agreement will also have a section for a youth to opt out of continued services.
- G. Out-of-State Youth**
1. A youth who moves out of state or is living out of state may elect to stay under court jurisdiction; their plan will be adjusted based on the needs of the youth. The youth may be contacted via video conferencing to meet the quarterly face-to-face contact requirement.
- H. If there is an issue concerning the youth while under court jurisdiction, the youth and child welfare agency must attempt to resolve the issue before requesting a hearing before the court.
1. If the issue cannot be resolved, the child welfare agency or the youth's court-appointed attorney may request a hearing before the court.

- a. If youth has not complied with the goals established on The Independent Living Transitional Plan and/or the requirements of the CJ program for 60 days, consecutive or intermittent, the child welfare agency must send a notice to the youth and to the youth's court-appointed attorney, informing them that the youth has 15 days in which to request an informal administrative review from the child welfare agency.
- b. The informal administrative review must at minimum include a meeting with the youth, their court-appointed attorney, and an administrator and/or designee of the child welfare agency to discuss the child welfare agency's concerns regarding the continuation of court jurisdiction. A plan of action will be developed at this meeting to address barriers and/or assist youth in establishing goals to get back in compliance.
- c. Youth will have 30 days from the day of the informal administrative review to get in compliance with The Independent Living Transitional Plan and the CJ program. Youth will be monitored for an additional 60 days to ensure compliance and that goals are being met.
- d. If a youth or attorney refuses to attend an administrative review, or refuses to respond to a request for their attendance at the meeting, the child welfare agency must document such and may proceed with the administrative review without the youth or attorney. If a resolution is not reached during the review, the youth or their attorney may request a hearing before the court.
- e. If the youth and their attorney agree to have jurisdiction terminated or do not request an informal administrative review, the court must terminate upon notice by the child welfare agency.

0801.5.8 Case Closure Activities

Regardless of whether the youth is exiting care or is remaining under court jurisdiction at age 18, the child welfare case in UNITY needs to reflect case closure. If remaining under court jurisdiction, a legal status change to "Clark/Washoe/State voluntary >18" and the removal must be end-dated in the legal status window. The case closure activities and UNITY summaries need to be completed in either instance.

- A. Complete exit interview with youth 30 days prior to exit or no later than 30 days after exit.
- B. Ensure that youth has been given their certified birth certificate, social security card, identification card, any medical or educational records they request as well as their aged-out letter. If unavailable, ensure the youth provides an address where their final order and any other documentation can be sent.
- C. Ensure referral and connection has been made with the Chafee/FAFFY after-care provider.
- D. Ensure youth's application for aged-out Medicaid has been submitted.
- E. Complete closing summary note in UNITY. The summary is to include the following:
 1. Discharge status;
 2. Education status;
 3. Employment status;
 4. Financial status;
 5. Mental health;
 6. Criminal activity;
 7. Substance abuse;

8. Family functioning; and
9. Referrals.

0801.5.9 Exceptions to IL Services

There are very rare circumstances when a youth may be unable to participate in IL services; these circumstances may be temporary or ongoing. There must be proper explanation and documentation in their file and in UNITY, and be approved by a supervisor. Such circumstances include:

- The youth is incapable of participating in IL services due to significant medical problems or has a severe developmental disability.
- The youth is in runaway status. Once the youth has returned to care, the IL worker has 30 days to re-engage the youth in IL services and update their plan.

0801.5.10 IL Service's Funding – Current & Former Foster Youth

The IL worker refers youth to outside IL providers through the "Independent Living Provider Referral" form (FPO 0801B).

Chafee Foster Care Independence Program: The John H. Chafee Foster Care Independence Program (CFCIP) offers assistance to help current and former foster care youths achieve self-sufficiency. Grants are offered to States and Tribes who submit a plan to assist youth in a wide variety of areas designed to support a successful transition to adulthood. Activities and programs include, but are not limited to, help with education, employment, financial management, housing, emotional support, and assured connections to caring adults for older youth in foster care. The program is intended to serve youth who are likely to remain in foster care until age 18, youth who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption, and young adults ages 18-21 who have "aged out" of the foster care system.

The 8 CFCIP program purposes are:

- (1) to identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);
- (2) to help children who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment;
- (3) to help children who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions;
- (4) to provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults;

- (5) to provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood;
- (6) to make available vouchers for education and training, including postsecondary training and education, to youths who have aged out of foster care; and
- (7) to provide the services referred to in this subsection to children who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption.
- (8) Ensure children who are likely to remain in foster care until 18 years of age have regular, on-going opportunities to engage in age- or developmentally-appropriate activities as defined in section 475(11) of the Act.

A. Services that can be provided with Chafee funds include:

1. For youth ages 14 to 18 –
 - Assistance to obtain a high school diploma;
 - Career exploration and vocational training;
 - Job placement and retention;
 - Training in daily living skills;
 - Training in budgeting and financial management skills;
 - Substance abuse prevention;
 - Preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention); and
 - Eligible financial assistance (class ring, cap and gown, senior pictures, college application fees, etc.).
2. For former foster youth 18 up to 21 years of age –
(Appropriate support and services that complement the youth's own efforts to achieve self-sufficiency and recognize and accept their personal responsibility in making the transition from adolescence to adulthood)
 - Services identified in subsection 1;
 - Prepare for and enter post-secondary training and education institutions;
 - Personal and emotional support through mentors and the promotion of interactions with dedicated adults;
 - Housing assistance;
 - Counseling;
 - Employment;
 - Education;
 - Eligible financial assistance (transportation, utilities, driver's education, etc.).

B. Financial Assistance to Former Foster Youth (FAFFY):

1. FAFFY funds may be used to assist former Nevada foster youth ages 18 up to 21. In addition, FAFFY funds may be used for current foster youth, ages 17 and up, who are identified as certain to remain in foster care until a minimum of age 18. Based upon need, FAFFY funds may be used to provide goods and services, including, without limitation:
 - Room and board;
 - Housing assistance;
 - Job training;
 - Vocational services, including, without limitation, job placement assistance;
 - Educational assistance;
 - Medical insurance;
 - Services to reduce high-risk behaviors in the former foster youth; and
 - Mental health services.

C. Education and Training Vouchers (ETV): The purpose of ETV is to provide financial assistance for post-secondary training and education to youth who, after attaining 16 years of age, have left foster care for an approved Title IV-E Kinship guardianship or adoption.

D. Access to Other Post-Foster Care Services and Resources: In addition to child welfare agency-managed aftercare programs, the adult social services programs in the State (e.g., substance abuse or mental health treatment, services and supports for citizens with developmental disabilities) are available to youth who have aged out of foster care. These programs are available from a variety of public and private agencies in the community, and each program has different eligibility requirements based on the youth's needs and other factors. It is important to assist the youth in identifying and understanding how to access these post-foster care services and supports.

E. Medicaid – “Independent Foster Care Adolescent” (IFCA): As part of the Transitional Living Plan, the IL worker will discuss the process for the youth to continue their Medicaid eligibility upon exiting the foster care system. When the youth exits care, the following needs to occur:

1. The one-page Aged-Out of Foster Care Medicaid Application needs to be available.
2. Submit the application to the local Department of Welfare and Supportive Services (DWSS), according to the zip code in which the youth resides, along with any other required documentation.
3. To maintain their Medicaid eligibility, ensure the youth understands they are required to report to DWSS any of the following:
 - Address change;
 - Moving to another state;
 - Pregnancy;
 - Birth of newborn;
 - Third-party insurance.

0801.5.11

Chafee NYTD: The National Youth in Transition Database (NYTD) will collect case-level information on youth in care, including the services paid for or provided by the State agencies that administer the Chafee Foster Care Independence Program (CFCIP), as well as the outcome information on youth who are in or who have aged out of foster care.

- A. NYTD requires collection and reporting of basic demographic data on youth receiving independent living services in 14 broad categories:
1. Independent living needs assessment;
 2. Academic support;
 3. Post-secondary educational support;
 4. Career preparation;
 5. Employment program or vocational training;
 6. Housing education and home management training;
 7. Budget and financial management;
 8. Health education and risk prevention;
 9. Family support and healthy marriage education;
 10. Mentoring;
 11. Supervised independent living;
 12. Room and board financial assistance;
 13. Education financial assistance;
 14. Other financial assistance.
- B. A baseline survey is conducted with youth in foster care at age 17 (within 45 days after their birthday). A follow-up survey will be conducted with these youth at ages 19 and again at age 21 to collect and report information about the following youth outcomes:
1. Financial self-sufficiency;
 2. Experience with homelessness;
 3. Educational attainment;
 4. Positive connections with adults;
 5. High-risk behavior;
 6. Access to health insurance.
- C. Nevada will collect and report outcome information on a new cohort of youth every three years. All outcome information with the exception of demographics must be obtained directly from the youth and reflect the youth's provided response.
- D. More detailed information on NYTD is available in the FPO 0802 NYTD Policy.

0801.5.12 Timelines:

Table 0801.1: Youth Independent Living Program

Requirement	Deadline	Starting Date	Responsible Party	Actions to be Taken
Youth are referred to IL Services at age 14	Within 45 days	Upon youth's 14 th birthday or entering care if 14 or older	Permanency Worker & Supervisor	Completes referral for IL Services and sends to IL Supervisor
Assignment of IL Worker	Within 3 business days	Receipt of referral	IL Supervisor	Assigns an IL worker for youth

Requirement	Deadline	Starting Date	Responsible Party	Actions to be Taken
Acceptance of case	ASAP	Upon receipt of referral	IL Worker	Acceptance and review referral and contact permanency worker for further information as needed
Complete developmentally appropriate assessment	Within 45 days	Upon receipt of referral	IL Staff	Administer the assessment to youth and caregiver
Develop Independent Living Transitional Plan	Within 30days	Upon completion of CLSA	Designated Independent Living Case Worker (may be permanency worker in agencies not having separate IL Unit)	Indicate in UNITY on the ILP Program Enrollment Screen (CFS 112)
Completion of objective/task set in Independent Living Transitional Plan	As determined on plan	Date of Plan	Youth with coordination by IL worker	Coordination of services for youth by IL worker
Documentation of contact must be made within 5 days of contact	5 days after contact	Date of contact	IL worker	Documentation in UNITY must be completed within 5 days of contact
Provide youth with a yearly credit report	Each year youth is in care	Beginning at age 14	IL Staff	Provide a copy a credit report to each child in foster care 16 and older and assistance in interpreting and resolving any inaccuracies
Begin discussion regarding decision-making process for transition	Within 60 days after the youth's 17 th birthday	Youth's 17 th birthday	IL worker and/or permanency worker	Begin decision-making process for transition
Discussion of youth remaining under the custody of court jurisdiction	120 days prior to the youth's 18 th birthday	At least 120 days prior to youth's 18 th birthday	IL Worker	Meet with youth and youth's attorney to determine if he/she is going to request to remain under court jurisdiction upon their 18 th birthday
Independent Living Transitional Plan	within the 90 day period prior to 18 th birthday	Youth at age 17 ^{3/4}	IL worker and/or permanency worker	Development of the Independent Living Transitional Plan-Topics with asterisk
Exit Interview	Within 30 days of exiting care	Exit Date	IL worker and/or permanency worker	Provide youth originals of birth certificate, social security card; provide proof of termination of wardship, Health Care Power of Attorney, Medicaid application and any other necessary assistance or documentation.
Update UNITY status: case closure or change legal status to "Clark/Washoe/State voluntary >18"	Youth exits care or youth remains under court jurisdiction.	Exit Date or for court jurisdiction at age 18	CW caseworker	Ensure case closure activities are completed: Exit Interview, referral to Chafee/FAFFY provider, applied for Medicaid, completed closing summary note in UNITY.

Requirement	Deadline	Starting Date	Responsible Party	Actions to be Taken
For mandated baseline cohorts, NYTD survey must be completed by the youth.	Within 45 day after identified youth's 17 th birthday	Identified youth's 17 th birthday	Independent Living Caseworker/Permanency worker	Indicate in UNITY on the ILP NYTD Screen
Exit interview to prepare for termination of court jurisdiction	30 days prior to termination of court jurisdiction	No sooner than 45 days prior to termination of court jurisdiction	IL Worker	Determine if youth needs further guidance prior to termination of court jurisdiction.

0801.5.13 Forms and Tools:

0801.5.14 Documentation:

- A. Document all ILP activities (e.g., youth activities, progress and plan updates). This includes ensuring that all documentation is provided to the youth's primary caseworker.
- B. Case File Documentation (paper): All forms required by this policy.

Table 0801.2: Case File Documentation for Policy 0801

File Location	Data Required
Dependent on agency policy	All hard copy documents

- A. Electronic Documentation (UNITY): **UNITY** documentation from IL Policy and Practice requirements.

Table 0801.3: UNITY Documentation for Policy 0801

List the UNITY screen number	Data Required

<ul style="list-style-type: none">• IL Program Referral (CFS380)• ILP Referral Assignment (CFS381)• Independent Living (CFS112) • IL Plan Approval (CFS112A)• Case Note Text (CFS088)• Chafee Tracking (CFS112D)• Independent Living Transitional Plan• ILP Services and Funding (CFS382) • Legal Status (CFS100) • Removal Status (CFS029) • Service Authorization (CFS191F)	<ul style="list-style-type: none">• Youth Referral for ILP Services• Assignment of youth to IL Worker• IL Enrollment / Assessment Exception / Termination• Supervisor Approval of Youth Plan for IL• IL Case Note & Type• IL Services Delivered• Transition Planning• Request type, Service, Focus area / Fund for, Provider, Start date • Update UNITY status: case closure or change legal status to "Clark/Washoe/State voluntary >18" for youth opting into court jurisdiction• End date legal status for youth on court jurisdiction• Update youth service authorization if they are on ILA or under court jurisdiction
---	---

0801.5.10

Child Welfare Agency Supervisory Responsibility:

- A. Ensure mandated timeframes for youth IL planning and/or services are met
- B. Approval of IL Transitional Plan
- C. Approval of Exception to IL Services
- D. Oversight and approval of ILA
- E. Oversight and approval of Voluntary
- F. Documentation of 90-day case staffing regarding IL services and outcomes
- G. Approval of case closure

0801.6 Child Welfare Agency Policy Compliance Requirements

801.6.1 Development of Internal Policies:

- A. Child Welfare Agencies must meet the requirements of this policy.

0801.7 State Responsibilities

0801.7.1 Participants in Policy Development

- A. DCFS FPO, DCFS Rural, WCDSS, CCDFS, IL Service Providers

0801.7.2 Technical Assistance

N/A

0801.7.3 Policy Impacts:

- A. State Plan Reference:
 - 1. Independent Living Transitional Plan
 - 2. Durable Power of Attorney for Healthcare Decisions

0801.8 Policy Cross Reference

- A. FPO 0202 Case Closure Policy

- B. FPO 0204 Case Planning Policy
- C. FPO 0210 Missing and Exploited Child Policy
- D. FPO 0802 NYTD Policy

0801.9 Attachments

- A. FPO 0801A – Independent Living Transitional Plan
- B. FPO 0801B – Independent Living Provider Referral
- C. FPO 0801C – Durable Power of Attorney for Healthcare Decisions
- D. FPO 0801D – Post-18 Services Agreement – Rural Region and Washoe County
- E. FPO 0801E – Agreement to Continue Court Jurisdiction – Clark County
- F. FPO 0801F – Request for Investigation



**CLARK COUNTY
DEPARTMENT OF FAMILY SERVICES**

121 South Martin Luther King Blvd
Las Vegas, Nevada 89106
(702) 455-5444

AGREEMENT TO CONTINUE COURT JURISDICTION

This agreement is entered into by and between Clark County Department of Family Services (hereinafter referred to as "CCDFS") and _____, a person over the age of eighteen (18) (hereinafter referred to as "YOUNG ADULT").

WHEREAS, AB350 requires CCDFS and the YOUNG ADULT to enter into an agreement;

NOW THEREFORE, in consideration of the mutual benefits, the parties agree as follows:

- 1.1 YOUNG ADULT has requested that the court retain jurisdiction over the YOUNG ADULT.
- 1.2 While Under the jurisdiction of the court, the YOUNG ADULT is entitled to continue to receive services from CCDFS as designated in the plan developed pursuant to Section 19 of AB350.
- 1.3 While under the jurisdiction of the court, the YOUNG ADULT is entitled to receive monetary payments from CCDFS either directly or to another entity as designated in the plan developed pursuant to Section 19 of AB350.
- 1.4 No monetary payments from CCDFS to the YOUNG ADULT or another entity shall exceed the rate of payment for foster care.
- 1.5 YOUNG ADULT may, at any time, request that jurisdiction over the child be terminated.
- 1.6 YOUNG ADULT and CCDFS agree that prior to requesting a hearing with the Court the parties will attempt to resolve the issue without court intervention.
- 1.7 This agreement will terminate when the Court's jurisdiction is terminated in accordance with the provisions of AB350.
- 1.8 YOUNG ADULT agrees to participate directly in designing his program activities to transition from foster care to economic self-sufficiency and accept responsibility for achieving self-sufficiency. This includes, but is not limited to, participating in the development and implementation of the YOUNG ADULT'S plan developed in accordance with Section 19 of AB350.
- 1.9 YOUNG ADULT agrees not to engage in any illegal or criminal activities.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective date(s) set forth below their signatures.

SIGNATURE OF YOUNG ADULT

DATE

CASE MANAGER

DATE

CASE MANAGER SUPERVISOR

DATE

INDEPENDENT LIVING TRANSITIONAL PLAN	Initial Date: Amended Date: *90-Day Transitional Plan Date:
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The Independent Living Transitional Plan (ILTP) must be personalized at the direction of the youth and be as detailed as the youth chooses. Identify and explain each plan/goal with Independent Living Worker and selected support systems. This plan is intended to prepare you for transition and to develop the necessary skills to plan and organize your future.

This plan is to be provided to the court at the next scheduled hearing.

Topics with an asterisk (*) cover Federal requirements for 90-day transitional planning. Nevada Court Jurisdiction (CJ) requirements are in parentheses within the Plan/Goal sections.

Case Name: Auto populate from UNITY

Case ID: Auto populate from UNITY

Youth Name: Auto populate from UNITY

Current Age: Auto populate from UNITY

1. PERMANENCY PLANNING: Are you participating in court and do you know your rights? How can your team help meet your plan/goals? Are you aware of what your permanency goal is and what it means to have that goal?
Your goal is Auto populate from UNITY
Concurrent goal is Auto populate from UNITY

I have received a copy of my Case Planning and Permanency Rights.
Initial _____

My attorney is _____

2. COMMUNITY CONNECTIONS (current community support, activities, and interests): Who is your current support system? How are you involved in school, community, in the home?

Action steps needed to complete plan:

Date to be completed:

3. *MY PLAN TO ENSURE FAMILY AND OTHER PERMANENT/LASTING CONNECTIONS: Can you identify an adult who will be available to provide you support now and in the future? (CJ – The youth is able to identify an adult who will be available to provide them support.)

Action steps needed to complete plan:

[Type text]

Date to be completed:

4. *MY EDUCATION PLAN: What is your education plan? The youth is able to outline an educational plan specific to them. [CJ - 1. If the youth has not graduated from high school or obtained a High School Equivalency (HSE), the youth is to remain enrolled in high school or program to obtain an HSE until graduation or completion of the program; or 2. If the youth has graduated from high school or obtained an HSE, the youth must enroll in a post-secondary educational program; OR 3. Workforce & Employment Service Plan goals (see 10., below).]

Action steps needed to complete plan:

Date to be completed:

5. *HEALTH & CONTINUED SUPPORT SERVICES PLAN (i.e., medical, dental, vision, sexual health, mental health, substance abuse): If the youth is on psychotropic medications, do they have a Person Legally Responsible (PLR) to monitor medication? (CJ- If needed, the youth has established supportive services to address any medical, mental health, substance abuse, or development needs.)
Who is your PLR? _____

Action steps needed to complete plan:

Date to be completed:

6. SOCIAL SECURITY DISABILITY PLAN: Does the youth need to apply for SSI, have a redetermination completed, or have Regional services such as SRC/RRC/DRC put in place? Does youth currently receive parent's death benefits or parent's disability benefits?

Action steps needed to complete plan:

Date to be completed:

7. PARENTING: Auto populate answers from new UNITY windows?

Are you an expectant parent? Yes No

When is your due date? _____

Are you a parent? Yes No

How many children do you have? _____

Would you like to take parenting classes and be referred to community resources in your area? Yes No

Action steps needed to complete plan:

Date to be completed: _____

8. TRANSPORTION PLAN: Bus/Driver's Permit/License. Do you currently have a suspended license or any moving violation tickets?

Action steps needed to complete plan:

Date to be completed: _____

9. *MONEY MANAGEMENT, BUDGETING & SAVINGS PLAN: Demonstrates money management skills. Provide referrals to budgeting programs for assistance. *(CJ-1-The youth saves enough money to pay for his/her monthly expenses for 3 months, 2. The youth has adequate income to meet monthly expenses.)*

Action steps needed to complete plan:

Date to be completed:

10. *WORKFORCE & EMPLOYMENT SERVICES PLAN: Current employment status; youth should obtain skills, job search and placement assistance. Do you understand various career fields of interest? Obtain the skills needed for employment by enrolling in a workforce program. If needed, develop a plan for internships, volunteering, or apprenticeship. *(CJ-1. Enroll or participate in a program of activity designed to promote or remove obstacles to employment; or 2. Obtain or actively seek employment which is at least 80 hours per month.)*

Action steps needed to complete plan:

Date to be completed: _____

11. *MY HEALTH INSURANCE PLAN: Youth will seek assistance in obtaining a Medicaid card, resources for medical providers, and selecting a doctor. Was the Application for Aged-Out Medicaid submitted prior to your exit from care? Discuss need for SED or SMI determination.

Action steps needed to complete plan:

Date to be completed:

12. *MY HOUSING PLAN: Youth will develop a stable plan for housing and if needed, seek resources for transitional housing or sober living. *(CJ-The youth must obtain housing.)*

Action steps needed to complete plan:

Date to be completed: _____

13. PERSONAL DOCUMENTATION:

The following documents were given to the youth at age 18:

- Birth Certificate Identification Card
 Social Security Card Medicaid Card Other _____

Action steps needed to complete plan:

Date to be completed: _____

14. PROBATION/PAROLE INVOLVMENT (If Applicable):

My probation or parole officer is _____

Part of my probation or parole requirements are:

Action steps needed to complete plan:

Date to be completed: _____

15. OTHER PLANNING:

Referral to local Youth Advisory Board (YAB)

YES DATE: _____ NO

Obtained Credit Report: Auto populate from UNITY? Not sure if this is going to be available yet.

AGE: 14 15 16 17 18

A DISCREPANCY/FRAUD WAS IDENTIFIED ON THE FOLLOWING DATES AND REPORT(S):

**A REQUEST FOR INVESTIGATION WAS SUBMITTED TO THE NEVADA ATTORNEY GENERAL'S OFFICE.
(DATE FILED): _____**

Selective Service Registration completed after turning 18:

YES DATE: _____ NO

Voter Registration completed after turning 18:

YES DATE: _____ NO

Referral to FAFFY provider after turning 18:

YES DATE: _____ NO

NYTD FOLLOW-UP POPULATION CONTACT & CONSENT FORM (for youth identified in the NYTD follow-up population) completed:

17-YEAR-OLD SURVEY COMPLETED ON (DATE): Auto populate from UNITY

19-YEAR-OLD SURVEY DUE (YEAR): Auto populate from UNITY

21-YEAR-OLD SURVEY DUE (YEAR): Auto populate from UNITY

Health Care Power of Attorney: Youth was informed about the option to complete a Health Care Power of Attorney and was educated about their options.

I understand my right to complete a Health Care Power of Attorney.

Initials: _____

I Auto populate from UNITY, (Youth name) directed the development of my Independent Living Transitional Plan and understand that it must be updated yearly until I exit care.

I have been made aware of my rights while in care and have been provided with information about these rights. I understand that if I have any questions, I may ask my caseworker and/or IL service provider.

Youth Signature	Worker Signature / date	Other Signature / date	Other Signature / date
	Auto populate from UNITY		
Date	Worker Name (Print)	Other Name (Print)	Other Name (Print)

[Type text]

6

CHAFEE FUNDS

Chafee Funds are available to youth aged 14-18 who have a CURRENT Casey Assessment and Youth Plan on file. Chafee funds are never guaranteed.

AMOUNTS AVAILABLE PER FISCAL YEAR:

Youth age 14- limit is \$300

Youth age 15 – limit is \$350

Youth age 16 – limit is \$400

Youth age 17 – limit is \$750

Youth age 18 – limit is \$750 (Youth still in care only)

Any exception to the yearly limit requires the approval of the Assistant Manager and/or Manager of the Independent Living Unit.

RECOMMENDED GUIDELINES FOR THE USE OF FUNDS:

HIGH SCHOOL/VOCATIONAL SCHOOL:

- Lab fees/Material
- Books
- Sports/Club Expenses
- Dances
- Senior Events (Cap/Gown, Senior Pictures, Senior Trip, etc.)
- Testing Fees (ACT, SAT, etc.)
- Tutoring

CULTURAL ACTIVITIES:

- Music/Dance Lessons
- Art Lessons
- Field Trips

WORK EXPENSES:

- Work Required Cards (Health Card, TAM, etc.)
- Work Permits
- Uniforms/Clothing (\$150 one time limit)

ABSTINENCE ACTIVITIES:

- Smoking Cessation Programs
- Pregnancy Prevention Programs

SELF-SUFFICIENCY:

- Driving Lessons/Education
- DMV fees

**Chafee Funds DO NOT cover medical expenses (contacts, braces, glasses, etc.), clothing, food, personal hygiene items, travel, monthly bills (rent, cell phone, etc.), vehicle costs or sales tax.

**All requests MUST be accompanied by an appropriate invoice prior to IL worker submitting the request. Please allow a minimum of two weeks for the processing of all requests.

**Fiscal year is July 1-June 30. All requests must be submitted by June prior to June 15 for end of year processing or items will be charged to the next year's allotment .



Operation Independence participants can expect:

- A safe, furnished home/apartment with pre-selected roommates
- An on-site or off-site Resident Advisor, for 24 hour emergency availability.
- Weekly visits by a case-manager to support progress in self-sufficiency skills and to address areas needing growth
- Supported independent living
- Financial support for some living expenses
- Individual and group therapy
- Provide supportive resources and assist in building community networks
- Mentoring and community involvement
- Independent Living Skills workshops and 1:1 ILS coaching
- Job readiness training
- Saving Match Program for young adults who graduate from the program
- WIOA Services

Transforming the lives of at-risk children through the healing power of family

Eligibility:

- Young adults 18-21 years old that are non-minor dependents
- Willing to enroll in school (high school program, college, or a vocational/trade school)
- Demonstrated ability to secure and maintain employment
- Must be willing and able to pay rent pay a total of \$550.00 a month (\$350.00 rent, \$100.00 utilities, \$100.00 towards savings)

For more information and an application please contact:

Amy Licht- T: (702) 835-1901 F: (702) 851-8528
Amy-Licht@Olivecrest.org

4285 North Rancho Drive, Suite 160
Las Vegas, NV 89130



Providing affordable housing and support services to help non-minor dependents to become more responsible and self-sufficient adults

Operation Independence

Now enrolling former/current foster youth ages 16-24

- **Are you searching for educational assistance?**

Olive Crest can help you obtain your high school diploma, not the GED/HiSet. If you wish to further your education we will also assist with application fees, tutoring, and supplies.

- **Are you searching for employment opportunities?**

Olive Crest will work with you one-on-one to make sure you're job ready with resume development and interview skills. We offer paid internships to gain basic job skills and to help develop the career path right for you!

- **Are you searching for training to start your career path?**

Ask us today about paid training opportunities!

Program Orientation Every Tuesday from 10am-4pm

(Walk-ins welcome)

Olive Crest Office 4285 N. Rancho Drive Suite 160 Las Vegas, NV 89130
702-685-3459



Operation Independence

Mission

Operation Independence is dedicated to serving current and former foster youth of Clark County between the ages of 16-24. The goal of Operation Independence is to help youth establish the skills necessary to be successful independent individuals as they transition out of foster care. We focus on different areas to help alleviate potential barriers as youth make this transition—education, work readiness and experience, and transitional housing that will allow youth to gain life skills.

Education

Operation Independence assists youth with educational barriers related to:

- Graduating from high school or obtaining their GED/HiSET
- Enrolling into Post-Secondary Education
- Attainment of Post Secondary/Recognized Certificate

Our educational goals are:

- All youth will attain a high school diploma or the equivalent.
- All youth who seek to enroll in post-secondary education are able to do so.
- All youth are provided support through their journey towards attainment of a post-secondary/recognized certificate

Operation Independence has helped me obtain a job and provided me bus passes to help me get to work. When I was going through hard times at home, the support was amazing! They gave me my motivation back!

-Kasia, Age 18

Refer a Youth!

For more information, please contact Olive Crest at 702-835-1901 or Amy-Licht@olivecrest.org

www.olivecrest.org

Work Readiness & Experience

Through Operation Independence, youth will receive specialized training opportunities in their career area of choice, subsidized work experience, on-the-job training opportunities and career guidance.

Life Skills

Once enrolled in Operation Independence, the youth works with their assigned coach to assess for any areas that might prevent them from completing their goals. A plan is created with the youth to decide the best supportive services needed to help them accomplish their goals.

Operation Independence may assist a youth with the following supportive services:

- Bus passes to travel to work or school
- College expenses (application fees, tuition books, etc.)
- Mentoring
- Tutoring
- Securing I.D.'s, birth certificates, work cards and social security cards
- Interview clothing or work uniforms
- Housing (certain qualifications apply)
- Mental Health

OPERATION INDEPENDENCE - Referral Sheet

Operation Independence Serves Current and Former Foster Youth, Ages 16-24(eligible prior to turning 25)

Date of referral: _____ Date received (*office use only*): _____
 Referrer's name: _____ Relationship to youth: _____
 Referrer's phone number: _____ Email Address: _____

*The following questions pertain to the foster youth whom you are referring to the **Operation Independence Program**. Please answer the questions as accurately and completely as possible.*

Youth's Name: _____ Phone #: _____
 Youth's Email: _____
 Youth's Address: _____

Gender: _____ Male _____ Female DOB: _____ Age: _____

Current placement status: _____ Foster Home Name of Foster Agency: _____
 _____ Treatment Home _____ Parent/Guardian _____ Relative Caregiver _____ Independent Living (IL) Agreement

School Status: _____ In School _____ Adult ED. _____ Attained Diploma/GED/HiSET _____ Attending College _____ Drop Out

Is the youth currently employed? _____ Yes _____ No

Is youth interested in Operation Independence Housing? _____ Yes _____ No

Is youth interested in our Mentoring Program? _____ Yes _____ No

Is youth interested in our Mental Health Program? _____ Yes _____ No

Is youth interested in our Parenting Program? _____ Yes _____ No

If under 18 years old please provide caregiver information

Caregiver Name: _____ Phone #: _____
 Caregiver Address: _____
 Caregiver email address: _____

****Please include the following documents with referral to expedite enrollment process: proof of foster care court order, copy of original Birth Certificate, copy of original Social Security card, copy of valid State ID****

If youth does not have required documents please note on the referral form if Operation Independence needs to assist

Please fax referral sheet to 702-851-8528 OR email to Amy Licht at Amy-Licht@olivecrest.org
 For further information about the program – please email or call 702-835-1901



We are dedicated to educating and preparing Nevada youth and young adults to make smart employment and career decisions. Talk about a bright idea.

- Nevada Youth
- Employers
- Find a Job
- Explore My Options
- Prepare Myself
- Helpful Links

Looking for work?

[Start my search today!](#)

FEATURED job opportunities this week:*

- Crew Member**, McDonalds, Reno
- Field Representative**, NV Employer, Reno
- Team Member**, Pizza Hut, Winnemucca
- Diet Operator**, Sodexo, Las Vegas
- Student Accounting Intern**, NV Energy, Las Vegas

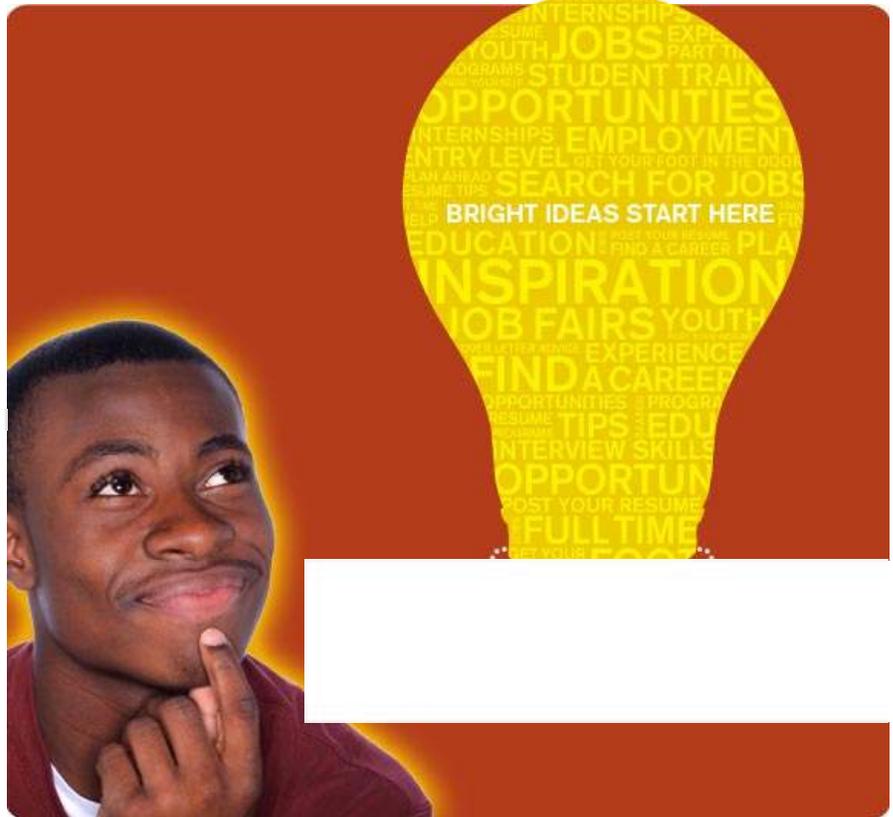
*Check back for new featured listings every week. Jobs listed based on availability at time of posting. Nevada JobConnect does not guarantee currency of featured listings.

A message from Governor Sandoval



"Welcome to NevadaYouth.org. Here you'll find tips, tools and support to help make employment and career decisions, so I encourage you to take a look around. Nevada's future starts with you."

Nevada Governor
Brian Sandoval



Former Nevada Student Excels
Melissa Valdez, a Summer Business Institute participant, continues to succeed at Grand Canyon University. [Click to read more.](#)

Youth Are National Champs
En Español
Rancho High School's RamGT recently won the National Engineering Challenge. [Click to read more.](#)

Northwest Meet & Greet

Brandon's Success Story
Brandon Harris went from aspiring high school student to student leader at Indiana State University. [Click to read more.](#)

Northwest Student Recognized as 2012-2013 National Hispanic Scholar Recipient
[Click to read more.](#)

Thinking about a CAREER IN HEALTHCARE?

7

NRS Law – Voluntary Jurisdiction “AB 350”

Continuation of Jurisdiction of Court over Child who Reaches 18 Years of Age while in Custody of an Agency which provides Child Welfare Services

NRS 432B.591 “Child” defined.

NRS 432B.592 Court to refer child to attorney for counsel regarding continuation of jurisdiction.

NRS 432B.593 Agency which provides child welfare services to meet with child to determine whether child intends to request continuation of jurisdiction; effect of such meeting; child who has independent living agreement not prohibited from requesting continuation of jurisdiction.

NRS 432B.594 Retention of court’s jurisdiction over child; termination of such jurisdiction; written agreement between agency which provides child welfare services and child; resolution of dispute between agency and child; rights of child to services and payments while under jurisdiction of court.

NRS 432B.595 Written plan to assist child to transition to independent living; duties of agency which provides child welfare services during period that court retains jurisdiction.

NRS 432B.591 “Child” defined. As used in [NRS 432B.591](#) to [432B.595](#), inclusive, “child” means a person who is:

1. Under the age of 18 years; and
2. Over the age of 18 years and who remains under the jurisdiction of the court pursuant to [NRS 432B.594](#).

(Added to NRS by [2011, 249](#))

NRS 432B.592 Court to refer child to attorney for counsel regarding continuation of jurisdiction.

1. A court shall refer a child who is in the custody of an agency which provides child welfare services to an attorney in the county who provides legal services without a charge to abused or neglected children if the court determines that the child:

- (a) Has reached the age of 17 years; and
- (b) Is not likely to be returned to the custody of his or her parent before reaching the age of 18 years.

2. The court shall request the attorney to whom such a child is referred to counsel the child regarding the legal consequences of remaining under the jurisdiction of the court after reaching 18 years of age and assist the child in deciding whether to remain under the jurisdiction of the court.

(Added to NRS by [2011, 249](#))

NRS 432B.593 Agency which provides child welfare services to meet with child to determine whether child intends to request continuation of jurisdiction; effect of such meeting; child who has independent living agreement not prohibited from requesting continuation of jurisdiction.

1. At least 120 days before the date on which a child who is in the custody of an agency which provides child welfare services reaches the age of 18 years, the agency which provides child welfare services shall meet with the child to determine whether the child intends to request that the court retain jurisdiction over the child pursuant to [NRS 432B.594](#) after the child reaches the age of 18 years.
2. If the child indicates during the meeting held pursuant to subsection 1 that the child does not intend to request that the court retain jurisdiction over the child, the agency which provides child welfare services shall recommend that the court terminate jurisdiction over the child when the child reaches the age of 18 years.
3. Notwithstanding a determination made by a child during a meeting held pursuant to subsection 1, any time before reaching the age of 18 years, the child may:
 - (a) Inform the agency which provides child welfare services that the child intends to request that the court continue jurisdiction over the child pursuant to [NRS 432B.594](#), and the agency shall revise its recommendation to the court accordingly; or
 - (b) Request that the court retain jurisdiction over the child pursuant to [NRS 432B.594](#), and the court shall accept jurisdiction.
4. A child who enters into an agreement with an agency which provides child welfare services before the child reaches the age of 18 years to allow the child to live independently is not prohibited from requesting that the court retain jurisdiction over the child pursuant to [NRS 432B.594](#), and such a child is entitled to the same rights and protections set forth in [NRS 432B.591](#) to [432B.595](#), inclusive, as provided to any other child.
(Added to NRS by [2011, 249](#))

NRS 432B.594 Retention of court's jurisdiction over child; termination of such jurisdiction; written agreement between agency which provides child welfare services and child; resolution of dispute between agency and child; rights of child to services and payments while under jurisdiction of court.

1. A court which orders a child to be placed other than with a parent and which has jurisdiction over the child when the child reaches the age of 18 years shall retain jurisdiction over the child if the child so requests.
2. Except as otherwise provided in this section, jurisdiction over a child that is retained pursuant to subsection 1 continues until:
 - (a) The agency which provides child welfare services, the child and the attorney of the child agree to terminate the jurisdiction;
 - (b) The court determines that:
 - (1) The child has achieved the goals set forth in the plan developed pursuant to [NRS 432B.595](#);
 - (2) The child is not making a good faith effort to achieve the goals set forth in the plan developed pursuant to [NRS 432B.595](#); or

(3) The circumstances of the child have changed in such a manner that it is infeasible for the child to achieve the goals set forth in the plan developed pursuant to [NRS 432B.595](#);

(c) The child requests that jurisdiction be terminated; or

(d) The child reaches the age of 21 years,

↳ whichever occurs first.

3. If the court that retains jurisdiction over a child pursuant to this section transfers jurisdiction to another court in this State, the court which accepts jurisdiction must retain jurisdiction over the case for the period provided pursuant to this section.

4. A child who requests that the court retain jurisdiction over the child pursuant to this section must, upon reaching the age of 18 years, enter into a written agreement with the agency which provides child welfare services. The agreement, which must be filed with the court, must include, without limitation, the following provisions, which must specify that:

(a) The child voluntarily requested that the court retain jurisdiction over the child;

(b) While under the jurisdiction of the court, the child is entitled to continue to receive services from the agency which provides child welfare services and to receive monetary payments directly or to have such payments provided to another entity as designated in the plan developed pursuant to [NRS 432B.595](#) in an amount not to exceed the rate of payment for foster care;

(c) While under the jurisdiction of the court, the child will no longer be under the legal custody of the agency which provides child welfare services, and the proceedings concerning the child conducted pursuant to [NRS 432B.410](#) to [432B.590](#), inclusive, will terminate;

(d) The child may, at any time, request that jurisdiction over the child be terminated; and

(e) If there is an issue concerning the child while under the jurisdiction of the court, the child and the agency which provides child welfare services agree to attempt to resolve the issue before requesting a hearing before the court to address the issue.

5. If an issue arises concerning a child who remains under the jurisdiction of the court, the child, the agency which provides child welfare services or the attorney assigned to the case may request a hearing before the court to address the issue. Before requesting such a hearing, the child and the agency which provides child welfare services must attempt to resolve the issue.

6. If the agency which provides child welfare services wishes to have the court terminate jurisdiction over the child, the agency which provides child welfare services must send a notice to the child and the attorney of the child informing the child and the attorney of the child that the child has 15 days after receipt of the notice in which to request an informal administrative review. If, during the administrative review, a resolution is not reached, the child or the attorney of the child may request a hearing before the court pursuant to subsection 5. If the child and the attorney of the child agree to have jurisdiction terminated or do not request an informal administrative review, the jurisdiction of the court must terminate upon notice to the court by the agency which provides child welfare services.

7. A child, while under the jurisdiction of the court pursuant to this section, is entitled to continue to receive services and monetary payments from the agency which provides child welfare services directly or to have such payments provided to another person or entity as designated in the plan developed pursuant to [NRS 432B.595](#) in an amount not to exceed the rate of payment for foster care.

8. The court may issue any order which it deems appropriate or necessary to ensure:

(a) That the agency which provides child welfare services provides the services and monetary payments which the child is entitled to receive; and

(b) That the child who remains under the jurisdiction of the court is working towards achieving the goals of the plan developed pursuant to [NRS 432B.595](#).
(Added to NRS by [2011, 250](#))

NRS 432B.595 Written plan to assist child to transition to independent living; duties of agency which provides child welfare services during period that court retains jurisdiction.

1. If the court retains jurisdiction over a child pursuant to [NRS 432B.594](#), the agency which provides child welfare services shall develop a written plan to assist the child in transitioning to independent living. Such a plan must include, without limitation, the following goals:

(a) That the child save enough money to pay for his or her monthly expenses for at least 3 months;

(b) If the child has not graduated from high school or obtained a general equivalency diploma or an equivalent document, that the child remain enrolled in high school or a program to obtain a general equivalency diploma or an equivalent document until graduation or completion of the program;

(c) If the child has graduated from high school or obtained a general equivalency diploma or an equivalent document, that the child:

(1) Enroll in a program of postsecondary or vocational education;

(2) Enroll or participate in a program or activity designed to promote or remove obstacles to employment; or

(3) Obtain or actively seek employment which is at least 80 hours per month;

(d) That the child secure housing;

(e) That the child have adequate income to meet his or her monthly expenses;

(f) That the child identify an adult who will be available to provide support to the child;

(g) If applicable, that the child have established appropriate supportive services to address any mental health or developmental needs of the child; and

(h) If a child is not capable of achieving one or more of the goals set forth in paragraphs (a) to (g), inclusive, that the child have goals which are appropriate for the child based upon the needs of the child.

2. During the period in which the court retains jurisdiction over the child, the agency which provides child welfare services shall:

(a) Monitor the plan developed pursuant to subsection 1 and adjust the plan as necessary;

(b) Contact the child by telephone at least once each month and in person at least quarterly;

(c) Ensure that the child meets with a person who will provide guidance to the child and make the child aware of the services which will be available to the child; and

(d) Conduct a meeting with the child at least 30 days, but not more than 45 days, before the jurisdiction of the court is terminated to determine whether the child requires any additional guidance.

(Added to NRS by [2011, 252](#); A [2013, 3292](#))

CHAPTER.....

AN ACT relating to protection of children; requiring a court that orders a child to be placed with someone other than a parent to retain jurisdiction over the child after the child reaches the age of 18 years in certain circumstances; requiring an agency which provides child welfare services to continue to provide services and monetary payments to such a child while the child remains under the jurisdiction of the court; requiring the agency which provides child welfare services and such a child to enter into a written agreement; requiring the agency which provides child welfare services to develop a plan for such a child to assist the child in transitioning to independent living; revising various provisions relating to a child placed with someone other than a parent to clarify the application of those provisions to persons who remain in foster care beyond the age of 18 years; revising provisions governing the placement of children who are taken into protective custody or placed with someone other than a parent; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law gives a juvenile court exclusive jurisdiction over proceedings concerning a child in need of protection in this State, except if the child is subject to the jurisdiction of an Indian tribe pursuant to the Indian Child Welfare Act. (NRS 432B.410) The juvenile court may take actions to protect a child from abuse and neglect, including ordering a child to be placed into the custody of a person or entity other than a parent. (NRS 432B.550) **Section 18** of this bill requires the juvenile court that has jurisdiction over a child who was placed with a person other than a parent to continue to retain jurisdiction over the child when the child reaches the age of 18 years if the child so requests. **Section 18** provides that jurisdiction over the child will terminate when the child reaches 21 years of age unless certain conditions occur first.

Section 16 of this bill requires the juvenile court to refer a child to an attorney when the child is 17 years of age if the court determines that the child is not likely to be returned to the custody of a parent before reaching 18 years of age. **Section 16** requires the juvenile court to request that the attorney assist the child in deciding whether to remain under the jurisdiction of the court. **Section 17** of this bill requires the agency which provides child welfare services to meet with the child at least 120 days before the child reaches 18 years of age to determine whether the child intends to remain under the jurisdiction of the court. However, the child is allowed to change his or her mind any time before reaching 18 years of age. In addition, **section 18** requires the child and the agency which provides child welfare services to enter into a written agreement which must be filed with the juvenile court that includes provisions stating some of the conditions and consequences of the child remaining under the jurisdiction of the juvenile court. **Section 18** further requires the agency which provides child welfare services to continue to provide services and monetary payments to the child while the child remains under the jurisdiction



of the court. **Section 18** also establishes a procedure for resolving issues involving a child who remains under the jurisdiction of the court. The agency which provides child welfare services and the child are required to attempt to resolve any issue before taking the issue to court. If the agency which provides child welfare services wishes to have jurisdiction over the child terminated, **section 18** requires the agency to provide notice to the child and an opportunity for the child to have an informal administrative review. If the agency and the child are unable to reach an agreement, **section 18** authorizes the child or the attorney of the child to request a hearing before the court. If the child and the attorney of the child agree to have jurisdiction terminated or do not request an administrative review, the agency which provides child welfare services must notify the court, and jurisdiction over the child will be terminated.

Section 19 of this bill requires the agency which provides child welfare services to develop a written plan to assist a child who remains under the jurisdiction of the juvenile court in transitioning to independent living and provides other duties of the agency which provides child welfare services with respect to a child who remains under the jurisdiction of the juvenile court. **Section 19** also requires the agency which provides child welfare services to conduct an exit interview with such a child before the jurisdiction of the court is terminated to determine whether the child requires any additional services. **Section 20** of this bill revises the definition of "child" in existing law to clarify that a child who remains under the jurisdiction of the juvenile court after reaching 18 years of age is not included within that term for purposes of certain other provisions relating to the protection of children. **Section 21** of this bill similarly revises the definition of "custodian" in existing law to provide that the term does not include a custodian of such a child for purposes of certain other provisions relating to the protection of children.

Section 22 of this bill establishes the order of priority in which to place a child who is taken into protective custody and allows the child to be placed with certain persons who are not related to the child but with whom the child has developed a significant emotional and positive relationship. **Section 25** of this bill establishes the order of preference when placing a child with someone other than with a parent.

Sections 1-13 and 23 of this bill make various changes so that the provisions of NRS relating to a child who is in foster care are consistent and apply to a person who remains in foster care under the jurisdiction of a court after attaining 18 years of age in the same manner as a child in foster care who is less than 18 years of age.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 424.013 is hereby amended to read as follows:
424.013 "Family foster home" means a family home in which one to six children *who are* under 18 years of age *or who remain under the jurisdiction of a court pursuant to section 18 of this act and who are* not related within the first degree of consanguinity or affinity to the person or persons maintaining the home are received, cared for and maintained, for compensation or otherwise, including the provision of permanent free care. The term includes a family



home in which such a child is received, cared for and maintained pending completion of proceedings for the adoption of the child by the person or persons maintaining the home.

Sec. 2. NRS 424.015 is hereby amended to read as follows:

424.015 "Group foster home" means a natural person, partnership, firm, corporation or association who provides full-time care for 7 to 15 children who are:

1. Under 18 years of age ~~and~~ *or who remain under the jurisdiction of a court pursuant to section 18 of this act;*
2. Not related within the first degree of consanguinity or affinity to any natural person maintaining or operating the home; and
3. Received, cared for and maintained for compensation or otherwise, including the provision of permanent free care.

Sec. 3. NRS 424.031 is hereby amended to read as follows:

424.031 1. The licensing authority or a person or entity designated by the licensing authority shall obtain from appropriate law enforcement agencies information on the background and personal history of each applicant for a license to conduct a foster home, prospective employee of that applicant or of a person who is licensed to conduct a foster home, and resident of a foster home who is 18 years of age or older, *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act,* to determine whether the person investigated has been arrested for or convicted of any crime.

2. The licensing authority or its approved designee may charge each person investigated pursuant to this section for the reasonable cost of that investigation.

Sec. 4. NRS 424.033 is hereby amended to read as follows:

424.033 1. Each applicant for a license to conduct a foster home, prospective employee of that applicant or of a person who is licensed to conduct a foster home, or resident of a foster home who is 18 years of age or older, *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act,* must submit to the licensing authority or its approved designee:

(a) A complete set of fingerprints and written permission authorizing the licensing authority or its approved designee to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report to enable the licensing authority or its approved designee to conduct an investigation pursuant to NRS 424.031; and



(b) Written permission to conduct a child abuse and neglect screening.

2. For each person who submits the documentation required pursuant to subsection 1, the licensing authority or its approved designee shall conduct a child abuse and neglect screening of the person in every state in which the person has resided during the immediately preceding 5 years.

3. The licensing authority or its approved designee may exchange with the Central Repository or the Federal Bureau of Investigation any information respecting the fingerprints submitted.

4. The Division shall assist the licensing authority of another state that is conducting a child abuse and neglect screening of a person who has resided in this State by providing information which is necessary to conduct the screening if the person who is the subject of the screening has signed a written permission authorizing the licensing authority to conduct a child abuse and neglect screening. The Division may charge a fee for providing such information in an amount which does not exceed the actual cost to the Division to provide the information.

5. When a report from the Federal Bureau of Investigation is received by the Central Repository, it shall immediately forward a copy of the report to the licensing authority or its approved designee.

Sec. 5. NRS 424.039 is hereby amended to read as follows:

424.039 1. A licensing authority or its approved designee may, in accordance with the procedures set forth in 28 C.F.R. §§ 901 et. seq., conduct a preliminary Federal Bureau of Investigation Interstate Identification Index name-based check of the records of criminal history of a resident who is 18 years of age or older of a foster home in which the licensing authority wishes to place a child in an emergency situation , *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, to determine whether the person investigated has been arrested for or convicted of any crime.

2. Upon request of a licensing authority that wishes to place a child in a foster home in an emergency situation, or upon request of the approved designee of the licensing authority, a resident who is 18 years of age or older of the foster home in which the licensing authority wishes to place the child , *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, must submit to the licensing authority or its approved designee a complete set of fingerprints and written permission authorizing the licensing authority or its approved designee to



forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The licensing authority or its approved designee shall forward the fingerprints to the Central Repository for Nevada Records of Criminal History within the time set forth in federal law or regulation.

3. If a resident who is 18 years of age or older of a foster home in which a licensing authority places a child in an emergency situation, *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, refuses to provide a complete set of fingerprints to the licensing authority or its approved designee upon request pursuant to subsection 2, the licensing authority must immediately remove the child from the foster home.

Sec. 6. NRS 432.010 is hereby amended to read as follows:

432.010 As used in this chapter, except as otherwise defined by specific statute or unless the context otherwise requires:

1. "Administrator" means the Administrator of the Division.
2. "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030.
3. "Child" means a person *who is* less than 18 years of age or ~~if in school, until graduation from high school.~~ *who remains under the jurisdiction of a court pursuant to section 18 of this act.*
4. "Department" means the Department of Health and Human Services.
5. "Director" means the Director of the Department.
6. "Division" means the Division of Child and Family Services of the Department.

7. "Maintenance" means general expenses for care such as board, shelter, clothing, transportation and other necessary or incidental expenses, or any of them, or monetary payments therefor.

8. "Special services" means medical, hospital, psychiatric, surgical or dental services, or any combination thereof.

Sec. 7. NRS 432A.0245 is hereby amended to read as follows:

432A.0245 **1.** "Child care institution" means a facility which provides care and shelter during the day and night and provides developmental guidance to 16 or more children who do not routinely return to the homes of their parents or guardians. Such an institution may also provide, without limitation:

~~1-1~~ **(a)** Education to the children according to a curriculum approved by the Department of Education;

~~1-2~~ **(b)** Services to children who have been diagnosed as severely emotionally disturbed as defined in NRS 433B.045,



including, without limitation, services relating to mental health and education; or

~~13.1~~ (c) Emergency shelter to children who have been placed in protective custody pursuant to chapter 432B of NRS.

2. *As used in this section, "child" includes a person who is less than 18 years of age or who remains under the jurisdiction of a court pursuant to section 18 of this act.*

Sec. 8. NRS 432A.160 is hereby amended to read as follows:

432A.160 1. Except as otherwise provided in this section, the Bureau may issue a provisional license, effective for a period not exceeding 1 year, to a child care facility which:

(a) Is in operation at the time of adoption of standards and other regulations pursuant to the provisions of this chapter, if the Bureau determines that the facility requires a reasonable time under the particular circumstances, not to exceed 1 year from the date of the adoption, within which to comply with the standards and other regulations;

(b) Has failed to comply with the standards and other regulations, if the Bureau determines that the facility is in the process of making the necessary changes or has agreed to effect the changes within a reasonable time; or

(c) Is in the process of applying for a license, if the Bureau determines that the facility requires a reasonable time within which to comply with the standards and other regulations.

2. The provisions of subsection 1 do not require the issuance of a license or prevent the Bureau from refusing to renew or from revoking or suspending any license in any instance where the Bureau considers that action necessary for the health and safety of the occupants of any facility or the clients of any outdoor youth program.

3. A provisional license must not be issued pursuant to this section unless the Bureau has completed an investigation into the qualifications and background of the applicant and the employees of the applicant pursuant to NRS 432A.170 to ensure that the applicant and each employee of the applicant, or every resident of the child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in any outdoor youth program who is 18 years of age or older, has not been convicted of a crime listed in subsection 2 of NRS 432A.170 and has not had a substantiated report of child abuse or neglect made against him or her.



Sec. 9. NRS 432A.170 is hereby amended to read as follows:

432A.170 1. The Bureau may, upon receipt of an application for a license to operate a child care facility, conduct an investigation into the:

- (a) Buildings or premises of the facility and, if the application is for an outdoor youth program, the area of operation of the program;
- (b) Qualifications and background of the applicant or the employees of the applicant;
- (c) Method of operation for the facility; and
- (d) Policies and purposes of the applicant.

2. The Bureau shall secure from appropriate law enforcement agencies information on the background and personal history of every applicant, licensee or employee of an applicant or licensee, or every resident of a child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in an outdoor youth program who is 18 years of age or older, to determine whether the person has been convicted of:

- (a) Murder, voluntary manslaughter or mayhem;
- (b) Any other felony involving the use of a firearm or other deadly weapon;
- (c) Assault with intent to kill or to commit sexual assault or mayhem;
- (d) Sexual assault, statutory sexual seduction, incest, lewdness, indecent exposure or any other sexually related crime;
- (e) Abuse or neglect of a child or contributory delinquency;
- (f) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS;
- (g) Abuse, neglect, exploitation or isolation of older persons or vulnerable persons, including, without limitation, a violation of any provision of NRS 200.5091 to 200.50995, inclusive, or a law of any other jurisdiction that prohibits the same or similar conduct; or
- (h) Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property within the immediately preceding 7 years.

3. The Bureau shall request information concerning every applicant, licensee or employee of an applicant or licensee, or every resident of a child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in an outdoor youth program who is 18 years of age or older, from the Statewide Central Registry for the Collection of Information Concerning the



Abuse or Neglect of a Child established pursuant to NRS 432.100 to determine whether there has been a substantiated report of child abuse or neglect made against any of them.

4. The Bureau may charge each person investigated pursuant to this section for the reasonable cost of that investigation.

5. The information required to be obtained pursuant to subsections 2 and 3 must be requested concerning an:

(a) Employee of an applicant or licensee, resident of a child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in an outdoor youth program who is 18 years of age or older not later than 3 days after the employee is hired, the residency begins or the participant begins participating in the program, and then at least once every 6 years thereafter.

(b) Applicant at the time that an application is submitted for licensure, and then at least once every 6 years after the license is issued.

Sec. 10. NRS 432A.175 is hereby amended to read as follows:

432A.175 1. Every applicant for a license to operate a child care facility, licensee and employee of such an applicant or licensee, and every resident of a child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in an outdoor youth program who is 18 years of age or older, shall submit to the Bureau, or to the person or agency designated by the Bureau, to enable the Bureau to conduct an investigation pursuant to NRS 432A.170, a:

(a) Complete set of fingerprints and a written authorization for the Bureau or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;

(b) Written statement detailing any prior criminal convictions; and

(c) Written authorization for the Bureau to obtain any information that may be available from the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100.

2. If an employee of an applicant for a license to operate a child care facility or licensee, or a resident of a child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in an outdoor youth program who is 18 years of age or older, has been convicted of any crime listed in subsection 2 of



NRS 432A.170 or has had a substantiated report of child abuse or neglect filed against him or her, the Bureau shall immediately notify the applicant or licensee, who shall then comply with the provisions of NRS 432A.1755.

3. An applicant for a license to operate a child care facility or licensee shall notify the Bureau within 2 days after receiving notice that:

(a) The applicant, licensee or an employee of the applicant or licensee, or a resident of the child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in an outdoor youth program who is 18 years of age or older, or a facility or program operated by the applicant or licensee, is the subject of a lawsuit or any disciplinary proceeding; or

(b) The applicant or licensee, an employee, a resident or participant has been charged with a crime listed in subsection 2 of NRS 432A.170 or is being investigated for child abuse or neglect.

Sec. 11. NRS 432A.1755 is hereby amended to read as follows:

432A.1755 1. Upon receiving information pursuant to NRS 432A.175 from the Central Repository for Nevada Records of Criminal History or the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100 or evidence from any other source that an employee of an applicant for a license to operate a child care facility or a licensee, or a resident of a child care facility *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, or participant in an outdoor youth program who is 18 years of age or older has been convicted of a crime listed in subsection 2 of NRS 432A.170 or has had a substantiated report of child abuse or neglect made against him or her, the applicant or licensee shall terminate the employment of the employee or remove the resident from the facility or participant from the outdoor youth program after allowing the employee, resident or participant time to correct the information as required pursuant to subsection 2.

2. If an employee, resident or participant believes that the information provided to the applicant or licensee pursuant to subsection 1 is incorrect, the employee, resident or participant must inform the applicant or licensee immediately. The applicant or licensee shall give any such employee, resident or participant 30 days to correct the information.



3. During any period in which an employee, resident or participant seeks to correct information pursuant to subsection 2, it is within the discretion of the applicant or licensee whether to allow the employee, resident or participant to continue to work for or reside at the child care facility or participate in the outdoor youth program, as applicable.

Sec. 12. NRS 432A.1785 is hereby amended to read as follows:

432A.1785 1. Each applicant for a license to operate a child care facility and licensee shall maintain records of the information concerning its employees and any residents of the child care facility *who are 18 years of age or older, other than residents who remain under the jurisdiction of a court pursuant to section 18 of this act*, or participants in any outdoor youth program who are 18 years of age or older that is collected pursuant to NRS 432A.170 and 432A.175, including, without limitation:

(a) Proof that the applicant or licensee submitted fingerprints to the Central Repository for its report; and

(b) The written authorization to obtain information from the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100.

2. The records maintained pursuant to subsection 1 must be made available for inspection by the Bureau at any reasonable time, and copies thereof must be furnished to the Bureau upon request.

Sec. 13. NRS 432A.190 is hereby amended to read as follows:

432A.190 1. The Bureau may deny an application for a license to operate a child care facility or may suspend or revoke such a license upon any of the following grounds:

(a) Violation by the applicant or licensee or an employee of the applicant or licensee of any of the provisions of this chapter or of any other law of this State or of the standards and other regulations adopted thereunder.

(b) Aiding, abetting or permitting the commission of any illegal act.

(c) Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the maintenance and operation of the child care facility for which a license is issued.

(d) Conduct or practice detrimental to the health or safety of the occupants or employees of the child care facility, or the clients of the outdoor youth program.

(e) Conviction of any crime listed in subsection 2 of NRS 432A.170 committed by the applicant or licensee or an employee of



the applicant or licensee, or by a resident of the child care facility or participant in the outdoor youth program who is 18 years of age or older.

(f) Failure to comply with the provisions of NRS 432A.178.

(g) Substantiation of a report of child abuse or neglect made against the applicant or licensee.

(h) Conduct which is found to pose a threat to the health or welfare of a child or which demonstrates that the applicant or licensee is otherwise unfit to work with children.

(i) Violation by the applicant or licensee of the provisions of NRS 432A.1755 by continuing to employ a person, allowing a resident *who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, to continue to reside in the child care facility or allowing a participant in an outdoor youth program to continue to participate in the program if the employee, or the resident or participant who is 18 years of age or older, has been convicted of a crime listed in subsection 2 of NRS 432A.170 or has had a substantiated report of child abuse or neglect made against him or her.

2. In addition to the provisions of subsection 1, the Bureau may revoke a license to operate a child care facility if, with respect to that facility, the licensee that operates the facility, or an agent or employee of the licensee:

(a) Is convicted of violating any of the provisions of NRS 202.470;

(b) Is ordered to but fails to abate a nuisance pursuant to NRS 244.360, 244.3603 or 268.4124; or

(c) Is ordered by the appropriate governmental agency to correct a violation of a building, safety or health code or regulation but fails to correct the violation.

3. The Bureau shall maintain a log of any complaints that it receives relating to activities for which the Bureau may revoke the license to operate a child care facility pursuant to subsection 2. The Bureau shall provide to a child care facility:

(a) A summary of a complaint against the facility if the investigation of the complaint by the Bureau either substantiates the complaint or is inconclusive;

(b) A report of any investigation conducted with respect to the complaint; and

(c) A report of any disciplinary action taken against the facility.

 The facility shall make the information available to the public pursuant to NRS 432A.178.



4. In addition to any other disciplinary action, the Bureau may impose an administrative fine for a violation of any provision of this chapter or any regulation adopted pursuant thereto. The Bureau shall afford to any person so fined an opportunity for a hearing. Any money collected for the imposition of such a fine must be credited to the State General Fund.

5. On or before February 1 of each odd-numbered year, the Bureau shall submit to the Director of the Legislative Counsel Bureau a written report setting forth, for the previous biennium:

(a) Any complaints included in the log maintained by the Bureau pursuant to subsection 3; and

(b) Any disciplinary actions taken by the Bureau pursuant to subsection 2.

Sec. 14. Chapter 432B of NRS is hereby amended by adding thereto the provisions set forth as sections 15 to 19, inclusive, of this act.

Sec. 15. *As used in sections 15 to 19, inclusive, of this act, "child" means a person who is:*

1. Under the age of 18 years; and

2. Over the age of 18 years and who remains under the jurisdiction of the court pursuant to section 18 of this act.

Sec. 16. *1. A court shall refer a child who is in the custody of an agency which provides child welfare services to an attorney in the county who provides legal services without a charge to abused or neglected children if the court determines that the child:*

(a) Has reached the age of 17 years; and

(b) Is not likely to be returned to the custody of his or her parent before reaching the age of 18 years.

2. The court shall request the attorney to whom such a child is referred to counsel the child regarding the legal consequences of remaining under the jurisdiction of the court after reaching 18 years of age and assist the child in deciding whether to remain under the jurisdiction of the court.

Sec. 17. *1. At least 120 days before the date on which a child who is in the custody of an agency which provides child welfare services reaches the age of 18 years, the agency which provides child welfare services shall meet with the child to determine whether the child intends to request that the court retain jurisdiction over the child pursuant to section 18 of this act after the child reaches the age of 18 years.*

2. If the child indicates during the meeting held pursuant to subsection 1 that the child does not intend to request that the court retain jurisdiction over the child, the agency which provides child



3. *If the court that retains jurisdiction over a child pursuant to this section transfers jurisdiction to another court in this State, the court which accepts jurisdiction must retain jurisdiction over the case for the period provided pursuant to this section.*

4. *A child who requests that the court retain jurisdiction over the child pursuant to this section must, upon reaching the age of 18 years, enter into a written agreement with the agency which provides child welfare services. The agreement, which must be filed with the court, must include, without limitation, the following provisions, which must specify that:*

(a) The child voluntarily requested that the court retain jurisdiction over the child;

(b) While under the jurisdiction of the court, the child is entitled to continue to receive services from the agency which provides child welfare services and to receive monetary payments directly or to have such payments provided to another entity as designated in the plan developed pursuant to section 19 of this act in an amount not to exceed the rate of payment for foster care;

(c) While under the jurisdiction of the court, the child will no longer be under the legal custody of the agency which provides child welfare services, and the proceedings concerning the child conducted pursuant to NRS 432B.410 to 432B.590, inclusive, will terminate;

(d) The child may, at any time, request that jurisdiction over the child be terminated; and

(e) If there is an issue concerning the child while under the jurisdiction of the court, the child and the agency which provides child welfare services agree to attempt to resolve the issue before requesting a hearing before the court to address the issue.

5. *If an issue arises concerning a child who remains under the jurisdiction of the court, the child, the agency which provides child welfare services or the attorney assigned to the case may request a hearing before the court to address the issue. Before requesting such a hearing, the child and the agency which provides child welfare services must attempt to resolve the issue.*

6. *If the agency which provides child welfare services wishes to have the court terminate jurisdiction over the child, the agency which provides child welfare services must send a notice to the child and the attorney of the child informing the child and the attorney of the child that the child has 15 days after receipt of the notice in which to request an informal administrative review. If, during the administrative review, a resolution is not reached, the child or the attorney of the child may request a hearing*



before the court pursuant to subsection 5. If the child and the attorney of the child agree to have jurisdiction terminated or do not request an informal administrative review, the jurisdiction of the court must terminate upon notice to the court by the agency which provides child welfare services.

7. A child, while under the jurisdiction of the court pursuant to this section, is entitled to continue to receive services and monetary payments from the agency which provides child welfare services directly or to have such payments provided to another person or entity as designated in the plan developed pursuant to section 19 of this act in an amount not to exceed the rate of payment for foster care.

8. The court may issue any order which it deems appropriate or necessary to ensure:

(a) That the agency which provides child welfare services provides the services and monetary payments which the child is entitled to receive; and

(b) That the child who remains under the jurisdiction of the court is working towards achieving the goals of the plan developed pursuant to section 19 of this act.

Sec. 19. 1. *If the court retains jurisdiction over a child pursuant to section 18 of this act, the agency which provides child welfare services shall develop a written plan to assist the child in transitioning to independent living. Such a plan must include, without limitation, the following goals:*

(a) That the child save enough money to pay for his or her monthly expenses for at least 3 months;

(b) If the child has not graduated from high school or obtained a general equivalency diploma, that the child remain enrolled in high school or a program to obtain a general equivalency diploma until graduation or completion of the program;

(c) If the child has graduated from high school or obtained a general equivalency diploma, that the child:

(1) Enroll in a program of postsecondary or vocational education;

(2) Enroll or participate in a program or activity designed to promote or remove obstacles to employment; or

(3) Obtain or actively seek employment which is at least 80 hours per month;

(d) That the child secure housing;

(e) That the child have adequate income to meet his or her monthly expenses;



(f) That the child identify an adult who will be available to provide support to the child;

(g) If applicable, that the child have established appropriate supportive services to address any mental health or developmental needs of the child; and

(h) If a child is not capable of achieving one or more of the goals set forth in paragraphs (a) to (g), inclusive, that the child have goals which are appropriate for the child based upon the needs of the child.

2. During the period in which the court retains jurisdiction over the child, the agency which provides child welfare services shall:

(a) Monitor the plan developed pursuant to subsection 1 and adjust the plan as necessary;

(b) Contact the child by telephone at least once each month and in person at least quarterly;

(c) Ensure that the child meets with a person who will provide guidance to the child and make the child aware of the services which will be available to the child; and

(d) Conduct a meeting with the child at least 30 days, but not more than 45 days, before the jurisdiction of the court is terminated to determine whether the child requires any additional guidance.

Sec. 20. NRS 432B.040 is hereby amended to read as follows:

432B.040 “Child” means a person under the age of 18 years **H** *or, if in school, until graduation from high school. The term does not include a child who remains under the jurisdiction of the court pursuant to section 18 of this act.*

Sec. 21. NRS 432B.060 is hereby amended to read as follows:

432B.060 “Custodian” means a person or a governmental organization, other than a parent or legal guardian, who has been awarded legal custody of a child. *The term does not include a person or governmental organization who continues to provide services to a child that remains under the jurisdiction of a court pursuant to section 18 of this act.*

Sec. 22. NRS 432B.390 is hereby amended to read as follows:

432B.390 1. An agent or officer of a law enforcement agency, an officer of the local juvenile probation department or the local department of juvenile services, or a designee of an agency which provides child welfare services:

(a) May place a child in protective custody without the consent of the person responsible for the child’s welfare if the agent, officer



or designee has reasonable cause to believe that immediate action is necessary to protect the child from injury, abuse or neglect.

(b) Shall place a child in protective custody upon the death of a parent of the child, without the consent of the person responsible for the welfare of the child, if the agent, officer or designee has reasonable cause to believe that the death of the parent of the child is or may be the result of an act by the other parent that constitutes domestic violence pursuant to NRS 33.018.

2. When an agency which provides child welfare services receives a report pursuant to subsection 2 of NRS 432B.630, a designee of the agency which provides child welfare services shall immediately place the child in protective custody.

3. If there is reasonable cause to believe that the death of a parent of a child is or may be the result of an act by the other parent that constitutes domestic violence pursuant to NRS 33.018, a protective custody hearing must be held pursuant to NRS 432B.470, whether the child was placed in protective custody or with a relative. If an agency other than an agency which provides child welfare services becomes aware that there is reasonable cause to believe that the death of a parent of a child is or may be the result of an act by the other parent that constitutes domestic violence pursuant to NRS 33.018, that agency shall immediately notify the agency which provides child welfare services and a protective custody hearing must be scheduled.

4. An agency which provides child welfare services shall request the assistance of a law enforcement agency in the removal of a child if the agency has reasonable cause to believe that the child or the person placing the child in protective custody may be threatened with harm.

5. Before taking a child for placement in protective custody, the person taking the child shall show his or her identification to any person who is responsible for the child and is present at the time the child is taken. If a person who is responsible for the child is not present at the time the child is taken, the person taking the child shall show his or her identification to any other person upon request. The identification required by this subsection must be a single card that contains a photograph of the person taking the child and identifies the person as a person authorized pursuant to this section to place a child in protective custody.

6. A child placed in protective custody pending an investigation and a hearing held pursuant to NRS 432B.470 must be placed ~~, in a hospital, if the child needs hospitalization, or in a shelter, which may include, without limitation, a foster home or~~



~~other home or facility which provides care for those children,~~
except as otherwise provided in NRS 432B.3905 ~~††~~ , *in the following order of priority:*

(a) In a hospital, if the child needs hospitalization.

(b) With a person who is related within the fifth degree of consanguinity or a fictive kin, and who is suitable and able to provide proper care and guidance for the child, regardless of whether the relative or fictive kin resides within this State.

(c) In a foster home that is licensed pursuant to chapter 424 of NRS.

(d) In any other licensed shelter that provides care to such children.

7. Whenever possible, a child placed pursuant to subsection 6 must be placed together with any siblings of the child. Such a child must not be placed in a jail or other place for detention, incarceration or residential care of persons convicted of a crime or children charged with delinquent acts.

~~††~~ **8.** A person placing a child in protective custody pursuant to subsection 1 shall:

(a) Immediately take steps to protect all other children remaining in the home or facility, if necessary;

(b) Immediately make a reasonable effort to inform the person responsible for the child's welfare that the child has been placed in protective custody; *and*

~~(c) Give preference in placement of the child to any person related within the fifth degree of consanguinity to the child who is suitable and able to provide proper care and guidance for the child, regardless of whether the relative resides within this State; and~~

~~(d)~~ As soon as practicable, inform the agency which provides child welfare services and the appropriate law enforcement agency, except that if the placement violates the provisions of NRS 432B.3905, the person shall immediately provide such notification.

~~††~~ **9.** If a child is placed with any person who resides outside this State, the placement must be in accordance with NRS 127.330.

10. As used in this section, "fictive kin" means a person who is not related by blood to a child but who has a significant emotional and positive relationship with the child.

Sec. 23. NRS 432B.391 is hereby amended to read as follows:

432B.391 1. An agency which provides child welfare services or its approved designee may, in accordance with the procedures set forth in 28 C.F.R. §§ 901 et. seq., conduct a preliminary Federal Bureau of Investigation Interstate Identification Index name-based check of the records of criminal history of a



resident who is 18 years of age or older of a home in which the agency which provides child welfare services wishes to place a child in an emergency situation , *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, to determine whether the person investigated has been arrested for or convicted of any crime.

2. Upon request of an agency which provides child welfare services that wishes to place a child in a home in an emergency situation, or upon request of the approved designee of the agency which provides child welfare services, a resident who is 18 years of age or older of the home in which the agency which provides child welfare services wishes to place the child , *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, must submit to the agency which provides child welfare services or its approved designee a complete set of fingerprints and written permission authorizing the agency which provides child welfare services or its approved designee to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The agency which provides child welfare services or its approved designee shall forward the fingerprints to the Central Repository for Nevada Records of Criminal History within the time set forth in federal law or regulation.

3. If a resident who is 18 years of age or older of a home in which an agency which provides child welfare services places a child in an emergency situation , *other than a resident who remains under the jurisdiction of a court pursuant to section 18 of this act*, refuses to provide a complete set of fingerprints to the agency which provides child welfare services or its approved designee upon request pursuant to subsection 2, the agency which provides child welfare services must immediately remove the child from the home.

Sec. 24. (Deleted by amendment.)

Sec. 25. NRS 432B.550 is hereby amended to read as follows:

432B.550 1. If the court finds that a child is in need of protection, it may, by its order, after receipt and review of the report from the agency which provides child welfare services:

(a) Permit the child to remain in the temporary or permanent custody of the parents of the child or a guardian with or without supervision by the court or a person or agency designated by the court, and with or without retaining jurisdiction of the case, upon such conditions as the court may prescribe;

(b) Place the child in the temporary or permanent custody of a relative , *a fictive kin* or other person the court finds suitable to



receive and care for the child with or without supervision, and with or without retaining jurisdiction of the case, upon such conditions as the court may prescribe; or

(c) Place the child in the temporary custody of a public agency or institution authorized to care for children, the local juvenile probation department, the local department of juvenile services or a private agency or institution licensed by the Department of Health and Human Services or a county whose population is 100,000 or more to care for such a child.

~~§~~ In carrying out this subsection, the court may, in its sole discretion and in compliance with the requirements of chapter 159 of NRS, consider an application for the guardianship of the child. If the court grants such an application, it may retain jurisdiction of the case or transfer the case to another court of competent jurisdiction.

2. If, pursuant to subsection 1, a child is placed other than with a parent:

(a) The parent retains the right to consent to adoption, to determine the child's religious affiliation and to reasonable visitation, unless restricted by the court. If the custodian of the child interferes with these rights, the parent may petition the court for enforcement of the rights of the parent.

(b) The court shall set forth good cause why the child was placed other than with a parent.

3. If, pursuant to subsection 1, the child is to be placed with a relative ~~H~~ *or fictive kin*, the court may consider, among other factors, whether the child has resided with a particular relative *or fictive kin* for 3 years or more before the incident which brought the child to the court's attention.

4. Except as otherwise provided in this subsection, a copy of the report prepared for the court by the agency which provides child welfare services must be sent to the custodian and the parent or legal guardian. If the child was delivered to a provider of emergency services pursuant to NRS 432B.630 and the location of the parent is unknown, the report need not be sent to that parent.

5. In determining the placement of a child pursuant to this section, if the child is not permitted to remain in the custody of the parents of the child or guardian:

(a) It must be presumed to be in the best interests of the child to be placed together with the siblings of the child.

(b) Preference must be given to placing the child ~~{with}~~ *in the following order:*

(1) *With* any person related within the fifth degree of consanguinity to the child *or a fictive kin, and* who is suitable and



able to provide proper care and guidance for the child, regardless of whether the relative *or fictive kin* resides within this State.

~~6.1~~ **(2) In a foster home that is licensed pursuant to chapter 424 of NRS.**

6. Any search for a relative with whom to place a child pursuant to this section must be completed within 1 year after the initial placement of the child outside of the home of the child. If a child is placed with any person who resides outside of this State, the placement must be in accordance with NRS 127.330.

~~6.1~~ **7.** Within 60 days after the removal of a child from the home of the child, the court shall:

(a) Determine whether:

(1) The agency which provides child welfare services has made the reasonable efforts required by paragraph (a) of subsection 1 of NRS 432B.393; or

(2) No such efforts are required in the particular case; and

(b) Prepare an explicit statement of the facts upon which its determination is based.

8. *As used in this section, "fictive kin" means a person who is not related by blood to a child but who has a significant emotional and positive relationship with the child.*

Sec. 26. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 27. This act becomes effective upon passage and approval.

