




Policy and Procedures

<u>Department Name</u> Quality Management		
<u>CHAPTER:</u>	<u>SUBJECT:</u> Services for Young Adults Formerly in Foster Care	<u>POLICY NUMBER:</u> QM-050
<u>APPROVAL:</u> 	<u>EFFECTIVE DATE:</u> 1-6-2021	<u>REPLACES (policy # and date):</u> New Policy inclusive of portions of QM-007 dated March 23, 2015, CFOP 175-80 and CFOP 175-81 November 15, 1999

- I. **PURPOSE:** This policy and procedure covers requirements for services available to young adults between the ages of 18-23 who qualify for Extended Foster Care, Post Secondary Educational Support Services or Aftercare Services.
- II. **REVIEW HISTORY:** This policy updates sections of QM-007, dated 2/18/2005 and 3/23/15 that apply to young adults formally in foster care.
- III. **CONTACT:** Quality Management Department.
- IV. **PERSONS AFFECTED:** Children's Network of Southwest Florida Staff, Contracted Case Management Organizations and Independent Living Provider.
- V. **POLICY:** It is the policy of Children's Network of Southwest Florida that all-young adults between the age of 18-23 receive necessary life skills and preparation to live independently.
- VI. **RATIONALE:** It is the policy of Children's Network of Southwest Florida that all young adults between the age of 18-23 receive necessary life skills and preparation to live independently.
- VII. **CROSS REFERENCES:** F.S. 409.145, F.S. 409.1451, F.S. 39.013, F.S. 39.6012, F.S. 39.6035, F.S. 39.6251, F.S. 39.701, FAC 63C-42.002, FAC 63-42.003, FAC 63-42.004, and CFOP 170-17 Ch 3

VIII. PROCEDURES:

A. General Requirements

Independent living is an expansion of the permanency planning process and not a separate, discrete program. Independent living services provide a continuum of tangible and intangible skills and knowledge that a young adult should have in order to be successful upon departure from Extended Foster Care, Post-Secondary Educational Support and Service, or Aftercare Services Programs. Its emphasis is on assessing and providing job skills, self-support, daily living skills and tracking and assessing the youth's needs. All young adults, regardless of their case plan goal, must be prepared to live independently.

B. Extended Foster Care: (as cited in CFOP 170-17 Chapter 3)

http://centerforchildwelfare.fmhi.usf.edu/kb/DCF_Pol/CFOP_170/CFOP170_17-Ch3.pdf

1. Definitions.

a. Adverse action means any action by the Department, community-based care lead agency, or its contracted service provider that denies a young adult's application for readmission to extended foster care, or that discharges a young adult from extended foster care.

b. Designated staff means a case manager or other child welfare professional designated by the community-based care lead agency or its contracted service provider assigned to work with youth and young adults in transition to handle all matters pursuant to Extended Foster Care.

c. Extended Foster Care means the program available pursuant to s. 39.6251, F.S.

d. Extended Foster Care Agreement means a document that contains the informed consent of the youth or their legal guardian(s) to participate in the program.

e. Extended Foster Care Voluntary Placement Agreement means a document that contains the young adult's or their legal guardians informed consent to participate in the program, the application, and authorization for the Department to have placement and care responsibility.

f. Fair hearing means a hearing that is conducted pursuant to the procedural requirements of Rules 65-2.042 through 65-2.069, F.A.C.

g. Shared Living Plan means a document that contains detailed information about the living arrangement between applicable parties.

h. Supervised Living Arrangement means that the young adult is living independently under a supervised arrangement, approved by the community-based care lead agency, pursuant to subsection 39.6251(4), F.S.

i. Supervised Living Arrangement Assessment means a document that contains an evaluation of the young adult's living environment.

2. Transitioning Youth to EFC.

a. Youth in the legal custody of the Department that are identified during the 90-day period immediately prior to the date on which the youth will attain 18 years of age must be provided an Extended Foster Care (EFC) Agreement. EFC program eligibility and participation expectations shall be discussed at that time.

(1) If the transitioning youth chooses to remain in foster care, the EFC Agreement shall be signed as an acknowledgement of the eligibility requirements and their plan to participate in the program.

(2) If the youth chooses not to remain in foster care for any reason, the youth must be provided the My Decision to Leave Extended Foster Care (Opt Out) (form CF-FSP 5375, available in DCF Forms). The form must be attached to the transition plan that is filed with the court and uploaded into FSFN.

(3) If the youth refuses to sign the EFC Agreement, designated staff shall document the refusal by writing "refused to sign" on the form itself.

(4) If the youth is unable to sign the EFC Agreement, designated staff shall document the inability by writing "unable to sign" on the form itself.

(a) Designated staff must make diligent efforts to obtain signature and/or consent for entering into the EFC.

(b) Acceptable circumstances of documenting "unable to sign" include, but may not be limited to: the youth is missing or on runaway

(c) Guardians may sign on the youth's behalf if the youth is determined to be unable to sign.

(5) Failure to sign the EFC Agreement by the transitioning youth does not prevent continued program eligibility nor the ability for the court to retain jurisdiction.

(6) The EFC Agreement shall be uploaded in the Independent Living File Cabinet in FSFN using the appropriate EFC Agreement image type.

b. After designated staff determines that a youth will be continuing in extended foster care, approved living arrangement options must be identified. Identification of proposed living arrangements should have occurred during the development and finalization of the youth's transition plan when discussing housing as pursuant to CFOP 170-17, Chapter 2.

3. Young Adults' Readmission into Foster Care.

a. Young adults applying for readmission to foster care must complete an Extended Foster Care Voluntary Placement Agreement (EFC VPA).

b. Designated staff shall assist the young adult with completing the agreement.

(1) If while assisting it is determined that the potentially eligible young adult is not in a qualifying activity and/or not residing in an approved living arrangement, designated staff shall assess whether the young adult is eligible for continued assistance through either Postsecondary Education Services and Support (PESS) or Aftercare Services.

(2) Aftercare Services may be used to bridge the young adult into EFC.

c. If the young adult is unable to complete the EFC VPA due to a disability, designated staff shall work with the young adult's guardian in determining program eligibility and obtaining consent to participate.

d. Designated staff must make diligent efforts to obtain signature and consent for entering into the EFC VPA.

e. The EFC VPA shall be uploaded in the Independent Living File Cabinet in FSFN using the appropriate EFC Voluntary Placement Agreement image type.

4. Evaluating and Supervising Living Arrangements.

a. Designated staff shall complete the Supervised Living Arrangement Assessment (SLAA) prior to approving the living arrangement. The completed assessment is documentation of the justification as to whether or not the placement is appropriate. Designated staff shall consider the youth/young adult's child welfare background in making an assessment. The following elements are identified in the SLAA and must be evaluated in the form:

(1) Supervised Living Arrangement Type

(a) Prior to completing the assessment, designated staff shall collaborate with the youth/young adult on potentially available placement options. Collaboration must begin for youth pursuant to Chapter 2 of this operating procedure.

(b) An inspection of the placement type shall be completed to determine if the arrangement is viable. Selected placement options on the form include:

1. Licensed Foster Home;
2. Licensed Group Home;
3. Transitional Living Program;
4. Assisted Living Facility;
5. Shared Housing;
6. Shared Housing-Host Home; and,
7. Individual Housing.

(2) Readiness

(a) If the placement is a Shared Housing type, designated staff may conduct a criminal background search of any household member(s) based upon the youth/young adult's assessed safety and well-being needs. Consideration must be given to both the privacy of the youth/young adult and the household member(s).

(b) If there are concerns for the youth/young adult's safety, including risk associated while residing with other household members, those issues may be addressed by developing a safety protocol in the section described below on Supervision and/or in the Shared Living Plan, if the living arrangement is approved.

(3) Supervision.

Document how the youth/young adult will be supported by the living arrangement to ensure the home environment is safe and doesn't jeopardize the youth/young adult's well-being.

(4) Services and Supports.

Describe the transitional services that will be provided to assist the youth/young adult achieve their goals and reach independent living.

(5) Assessment Decision.

b. Multiple evaluations on various living arrangement types may be completed before determining the most appropriate arrangement.

(1) Although the CBC has approval authority, the youth/young adult must ultimately agree to the living arrangement.

(2) If the designated staff and youth/young adult cannot agree on a living arrangement, designated staff shall make attempts to resolve any conflict under the guidance of the CBC approving agency prior to denying or terminating the young adult's program eligibility.

c. The SLAA shall be uploaded in the Independent Living File Cabinet FSN, using the appropriate Supervised Independent Living Assessment image type.

d. Designated staff shall complete a Shared Living Plan (SLP) once a living arrangement has been approved. The intent is to outline the activities necessary to support the living arrangement and the persons or agencies involved in assisting with the plan. Designated staff are expected to have general knowledge of the skills that the youth/young adult possesses or lacks impacting a successful transition in the approved living arrangement. The following must be addressed in the SLP form:

(1) Household Chores and Daily Living Activities.

List areas the youth/young adult will be required to complete and those that will require assistance. If it is determined no assistance is needed, the determination should be well supported in case notes and the life skills assessments.

(2) Physical and Behavioral Health.

List areas in which the youth/young adult will require assistance with activities pertaining to overall health and wellbeing. If it is determined no assistance is needed, the determination should be well supported in case notes and the life skills assessments.

(3) Check-In/Curfew and 24-hour Crisis Intervention and Support.

Develop a plan to address any household customs and the maintenance of a safe, stable home environment. This includes a determination on the length of acceptable absences from the home.

(4) Financial Resources.

This section must address room and board, rent, utilities, allowance, and any other expenses associated with the supervised living arrangement. If no

allowance is provided directly to the youth/young adult, additional justification is needed.

e. The SLP shall be uploaded in the Independent Living File Cabinet in FSFN, using the appropriate Shared Living Agreement image type.

f. If the young adult does not appear to be residing in the approved living arrangement, designated staff shall meet with the young adult to assess the young adult's safety and well-being and, if needed, identify another living arrangement.

(1) If the young adult does not return to the approved living arrangement after 30 days and/or another living arrangement has not been approved, designated staff must proceed with discharging the young adult from EFC pursuant to Rule 65C-41.005, F.A.C.

(2) In the event of a young adult's planned or unplanned arrest or detention due to an involuntary commitment, for any reason, designated staff must assess the length of time that young adult will be detained. If a young adult is or will be detained for a period longer than 30 days, the young adult is no longer considered living in the approved supervised living arrangement and designated staff shall proceed with providing the young adult notice of adverse action.

g. Designated staff shall make face-to-face contact with young adults no less frequently than every 30 days in the young adult's approved living arrangement. This contact may be planned or unplanned. During the contacts, designated staff shall observe the home environment and, at minimum, discuss the transition plan and shared living plan.

h. Youth and young adults that reside outside of their county of jurisdiction shall adhere to the same requirements as outlined in Rule 65C-30.018, F.A.C., and s. 409.401 F.S., as applicable.

i. Designated staff shall enlist the support of the CBC's out-of-county services or Interstate Compact on the Placement of Children liaison to coordinate assessments, service, and supervision as needed.

5. Ongoing Assessment of a Qualifying Activity.

a. If the young adult does not appear to be participating in the agreed upon qualifying activity, designated staff shall meet the young adult and reassess the transition plan and assist in identifying another qualifying activity.

b. If after 10 days the young adult is still not participating in a qualifying activity, designated staff must proceed with discharging the young adult from EFC pursuant to Rule 65C-41.005, F.A.C.

- c. Formal redeterminations of program eligibility shall occur annually.
- d. Designated staff shall gather all documentation supporting the young adult's program eligibility and progress towards achieving transition and case plan goals.
- e. Documentation demonstrating participation in a qualifying activity includes, but is not limited to:
 - (1) Completing secondary education or program leading to an equivalent credential.
 - (a) Copy of most recent report card(s) documenting that the young adult is in good standing based on their academic progress and attendance.
 - (b) Copy of young adult's attendance record. If the young adult has an IEP, a copy of the young adult's IEP must be accompanied by one of the items above.
 - (2) Enrolled in an institution that provides postsecondary or vocational education.
 - (a) A copy of the most recent transcript documenting that the young adult is in good standing based on their academic progress and attendance.
 - (b) A letter from the educational institution stating the young adult is in good standing based on their academic progress and attendance.
 - (3) Participation in a program or activity designed to promote or remove barriers to employment.
 - (a) Copy of the most recent transcript documenting the young adult is in good standing based on their academic progress and attendance.
 - (b) A letter from the institution stating that the young adult is in good standing based on their academic progress and attendance.
 - (4) Employed at least 80 hours per month.
 - (a) Copies of most recent pay stubs that equate to at least 80 hours a month.
 - (b) A letter from the employer stating that the young adult is employed and is working a minimum of 80 hours per month.
 - (5) Unable to participate in programs or activities full time due to a condition. A letter and/or records from a clinician supporting that the young adult has a

physical, intellectual, or psychiatric condition that impairs the young adult's ability to perform one or more life activities.

6. Discharge and Denial Review.

a. Within 2 business days from the time that designated staff identified that a youth adult should be denied or terminated with an appealable determination reason, the appropriate adverse action form must be submitted to the regional Family Safety Program Office for approval.

(1) The Regional Managing Director or their designee shall sign the form and submit back to the designated CBC within 7 business days of receiving the adverse action form.

(2) Once the approved adverse action form has been reviewed, CBC staff shall notify the young adult of their right to appeal.

b. Young adults discharging from EFC based on their decision to leave foster care do not require a notice of adverse action.

7. FSFN Documentation.

Designated staff shall document all activities relevant to providing services, supervision, and support to transitioning youth and young adults in FSFN. FSFN procedures specific to this chapter include:

a. EFC Program Eligibility.

(1) Initial Determination.

(a) Designated staff shall initiate the young adult's program eligibility determination in FSFN upon completion of the EFC Agreement.

(b) Upon the youth's 18th birthday, designated staff shall finalize the EFC Eligibility Determination to determine the young adult as program eligible.

(c) All youth determined ineligible will require a Supervisor Override and made eligible.

(2) Re-Entry.

(a) Designated staff shall complete the EFC Program Eligibility Determination upon completion of an EFC VPA.

(b) If the young adult is program ineligible, staff will finalize the EFC Determination after obtaining concurrence from the Department.

(3) Redetermination.

(a) Designated staff shall complete an EFC Redetermination in FSFN when a young adult has a change in qualifying activity type.

(b) Designated staff shall also complete an EFC Redetermination in FSFN annually from the date of an initial or previous redetermination.

(4) Termination.

(a) When a CBC determines a young adult should be denied or terminated from EFC, the CBC shall prepare an adverse action form and forward to the region Family Safety Program Office for approval.

(b) Upon receiving concurrence of the adverse action from the Department, CBC staff shall terminate the young adult's EFC eligibility and notify the young adult of their right to appeal.

(c) If the young adult does not request an appeal hearing within 10 business days of appeal notification, staff will change the young adults' placement to an unpaid service type.

(d) If the young adult does not request an appeal hearing within 30 days of appeal notification, staff will discharge the young adult from the removal episode.

(e) If the young adult requests an appeal, the request will be documented in the Appeal section on the Independent Living page.

(f) Once an appeal decision has been received, staff will update the Appeal section of the Independent Living page to reflect the decision.

(g) If an appeal reverses a termination decision, a new EFC eligibility determination shall be completed.

(h) If the termination decision is affirmed, the young adult shall be discharged from the removal episode and the EFC eligibility determination will remain terminated.

(i) CBC staff will notify Children's Legal Services of the appeal decision.

b. Young Adult Case.

(1) All youth who age out in the legal custody of the Department will have a Young Adult Case created upon their 18th birthday.

(2) Designated staff shall choose the Case Type of Extended Foster Care (EFC).

c. EFC Out of Home Placement.

(1) Upon a youth's 18th birthday while in the legal custody of the department, designated staff shall complete a placement change within the existing removal episode, capturing the young adult's entry into EFC.

(2) Upon re-entry to foster care, designated staff shall create a new removal episode for the young adult.

C. Postsecondary Education Services and Support (PESS):

1. Postsecondary Education Services and Support (PESS) assists students who are former foster care youth to receive postsecondary educational and vocational training needed to achieve independence. Young adults approved for PESS will receive financial assistance in the amount of \$1256 per month.

2. The eligibility requirements for this program include the following:

a. The Young Adult must submit a PESS application and complete the My Pathways to Success Plan

(1) The young adult must be notified within 10 business days from the date of submission of the application whether the application was approved or denied, or whether additional information, including supporting documentation, is needed. If additional information is needed, the young adult shall have 10 business days from notification to submit the information. Designated staff shall offer to assist the young adult in obtaining the additional information.

(2). If the application is denied, designated staff shall notify the young adult of other available services in which he or she may be eligible for, such as Extended Foster Care, funding through ETV, Aftercare Services, and services that are locally available.

(3). If the application is denied, designated staff shall also provide the young adult with information detailing the procedure for appeal and the brochure "Due Process Rights."

b. Has reached 18 years of age but is not yet 23 years of age.

c. Was living in licensed foster care on his/her 18th birthday and spent at least 6 months in foster care before reaching his/her 18th birthday; or

d. Was adopted from foster care or placed with a court-approved dependency guardian after turning 16 years old and spent at least 6 months in licensed

foster care within the 12 months immediately preceding such placement or adoption.

- e. Has earned a standard high school diploma or its equivalent.
- f. Has been admitted for enrollment as a full-time student, which is 9 credit hours or the vocational school equivalent, in a post-secondary educational institution which is a qualified participant in the Florida Bright Future Scholarship Program. If a student is enrolled part-time, he/she must have a recognized disability or approval from the academic advisor regarding the necessity to do so.
- g. Has submitted a Free Application for Federal Student Aid (FAFSA) which is complete and error free and applied for any other grants and scholarships for which he/she may qualify.
- h. Has signed an agreement to allow the agency access to his/her school records.
- i. The young adult must go through a renewal process annually during the 90-day period before the initial date of approval. Renewals should be completed and approved no later than 30 calendar days before the end of the annual award. In order to remain eligible, the young adult must:
 - (1) Complete the number of hours considered full-time in the last academic year (unless he/she qualifies for an exception) in which the young adult received PESS, and
 - (2) Maintains appropriate progress as required by the school, except that if his/her progress is insufficient to renew the award at any time during the eligibility period, he/she may continue to be enrolled while attempting to restore eligibility as long as progress is maintained.
 - i. If the agency determines that a young adult is not enrolled in a Florida Bright Future approved school during the interim between an award and renewal period, funds may be terminated.
 - ii. If a young adult does not meet the eligibility requirements and is terminated from the program, he/she may apply for reinstatement before reaching 23 years of age.
 - iii. The reinstatement process shall be the same as for an initial application. The young adult must meet initial and renewal eligibility requirements for reinstatement of PESS.

3. Education and Training Voucher Program:

- a. The Education and Training Voucher program is a program that offers young adults the opportunity to participate in the PESS program when they are not enrolled in a Florida Bright Future Approved Program.
- b. The Young Adult must complete the PESS application and maintain the requirements of the PESS program as outlined above in this policy except the Florida Bright Future Approved Program requirement.
- c. The young adult's stipend amount is \$5,000 per year.
- d. The young adult must apply for the program prior to turning 21, but they remain eligible for the benefit until age 23.

4. Documentation Requirements for PESS

- a. For each young adult receiving a PESS or ETV stipend, the Department or its contracted service provider shall maintain an active case file in Florida Safe Families Network (FSFN). FSFN is the system of record and must contain:
 - (1) Documentation of the young adult's current demographic information, including name, address, date of birth, social security number, and the name of the school he or she is attending;
 - (2) A copy of the young adult's complete application signed by the young adult and approval authority;
 - (3) Eligibility determination in the Independent Living module;
 - (4) All supporting documentation required for eligibility; and
 - (5) Description of the types of services and support provided to the young adult.

D. Aftercare Services:

1. A young adult who was in foster care at the time of his/her 18th birthday, but has not yet reached 23 years of age, and is not in Extended Foster Care or receiving financial assistance under PESS is eligible for Aftercare Services.
2. The young adult must complete an Aftercare application when applying for services. If the application is not completed at the time the service is requested, it

shall be completed within ten business days of the request. The application does not have to be completed prior to the provision of services.

3. Aftercare services available include, but are not limited to, the following:

- a. Mentoring and tutoring;
- b. Mental health services and substance abuse counseling;
- c. Life skills classes, including credit management and preventive health activities;
- d. Parenting classes;
- e. Job and career skills training;
- f. Counselor consultations; and
- g. Temporary financial assistance for necessities, including, but not limited to, education supplies, transportation expenses, security deposits for rent and utilities, furnishings, household goods, and other basic living expenses.
- h. Financial literacy skills training.

4. Once approved, services shall be provided as soon as they are available. Referrals for services shall be provided to the young adult as expeditiously as possible and no later than 10 business days of approval.

5. Aftercare assistance shall be provided directly to a vendor for such items as security deposits for rent or utilities, until such time designated staff and the young adult determine the young adult can successfully manage the full amount of the assistance.

6. Aftercare Services Plan: A young adult seeking Aftercare Services and Support shall also complete an "Aftercare Services Plan." The Aftercare Services Plan shall be completed by the designated staff in consultation with the young adult. The Aftercare Services Plan shall:

- a. Include the amount of temporary financial assistance being provided and the specific reason(s) for the assistance; and,
- b. Include the specific activities the young adult will complete in order to achieve self-sufficiency or transition into extended foster care or PESS.
- c. In assessing the young adult's needs, designated staff may consider such details as eviction notices, utility terminations, and moving expenses.

d. The designated staff shall re-assess the Aftercare Services Plan monthly for as long as services are provided. The community-based care lead agency may discontinue Aftercare Services if the young adult has not made efforts to complete the activities outlined in his or her Aftercare Services Plan.

7. Processing Application for Aftercare Services:

a. Designated staff shall have 10 business days from the date of submission to review the application and approve or deny the award.

b. If the application is denied, designated staff shall notify the young adult within 10 business days of submitting the application. Designated staff shall also provide the young adult with information detailing the procedure for appeal and the brochure "Due Process Rights." Designated staff shall notify the young adult of other available services, including Extended Foster Care, funding through PESS or Education and Training Vouchers, and services that are locally available.

c. If the request for assistance is to prevent homelessness, no application is required before services are provided and services shall be provided as expeditiously as possible, but in no case longer than 24 hours. If the application is not completed at the time of the request for referrals or services, designated staff shall offer to assist the young adult in completing the application within 10 business days.

8. Documentation requirements.

For each young adult receiving Aftercare Services, an active case file shall be maintained in FSFN containing:

a. Requests for service referrals;

b. Requests for temporary cash assistance;

c. The Aftercare Services Plan, incorporated by reference in subsection (4), of this rule; and,

d. Documentation showing case management assistance given to the young adult to access the services directly.

E. Appeals and Terminations for PESS and Aftercare Benefits:

1. A young adult applying for or receiving Postsecondary Education Services and Support or Aftercare Services has the right to receive written notice of adverse actions by the Department or its contracted service provider and to resolve issues about eligibility by meeting with representatives of the Department or its contracted service provider or through the fair hearing process. The fair hearing process is available to any young adult who is determined to no longer be eligible for either of these programs,

whose benefits have been reduced or changed, or whose application for either of these programs has been denied.

2. The community-based care lead agency shall give timely written notice to the young adult regarding any decision to deny an application for or terminate participation in PESS or Aftercare Services.

a. The notice shall be provided on the form “Notice of Termination or Reduction of Aftercare Services,” or “Notice of Termination of Post-Secondary Education Services and Support (PESS).”

b. The notice shall be considered timely:

i. When the notice concerns an application for PESS or Aftercare Services, if it is delivered to the young adult within 10 business days of the lead agency receiving the application.

ii. When the notice concerns any decision to terminate or reduce funds for a young adult in PESS or Aftercare Services, if it is delivered to the young adult at least 30 calendar days before the action described in the notice becomes effective.

c. A “Request for Fair Hearing” and “Due Process Rights” shall be attached to the notice.

d. The notice shall be sent by certified mail and regular mail or provided to the young adult by hand delivery. If the young adult has provided a telephone number, designated staff shall call the young adult and advise him or her that the notice has been sent and also is available for pickup at the community-based care office. The notice shall also be sent via email, if the young adult has provided an email address. Documentation of hand delivery and email shall be made in the young adult’s file simultaneously with the hand and email delivery. The certified mail receipt shall also be placed in the young adult’s file.

3. Request for a Fair Hearing.

a. A young adult shall have 30 calendar days from the date of receipt of the notice of adverse action to request a fair hearing. If the young adult requests the fair hearing within 10 business days of the date of receipt of the notice of adverse action, then the young adult shall continue to receive the monthly PESS stipend or Aftercare Services pending the resolution of the fair hearing.

b. The request for a fair hearing may be made orally or in writing.

1. The form “Oral Request for Fair Hearing” shall be used by the designated staff to document oral requests for a fair hearing.

2. Written requests may be prepared by the young adult on the form “Request for Fair Hearing” or in any other manner the young adult chooses.

c. The request for a fair hearing is made on the date the young adult sends a written request for fair hearing by U.S. Mail or email, or hand-delivers the written request to the staff member of the agency (or his or her designee) who sent the notice of adverse action. An oral request for a fair hearing is made on the date the young adult speaks with his or her case manager or designated staff, the community-based care agency providing him or her with independent living services, or the Department of Children and Families, Office of Appeal Hearings in Tallahassee. If the deadline to request a fair hearing is a Saturday, Sunday or holiday, the request shall be timely if it is made on or before the first business day after the weekend or holiday.

d. Transmittal of Hearing Request to the Department or Its Contracted Service Provider.

1. Within one (1) business day of receiving the young adult’s request for a fair hearing, staff shall send the request for fair hearing and notice of adverse action by facsimile or e-mail transmission to the legal representative for the Department and the Office of Appeal Hearings of the Department of Children and Families.

2. If a request for a hearing is not received by the lead agency from the young adult within the stated timeframes, the request shall be forwarded to the Florida Department of Children and Families’ Office of Appeal Hearings with a notation that the request was late.

3. Staff shall forward a copy of all documentation supporting the decision regarding participation in PESS or Aftercare Services to the Regional Legal Counsel and the legal representative for the Department within three (3) business days of receipt of the young adult’s request for fair hearing.

e. Additional Local Preparation for Fair Hearings.

1. The staff person receiving the request for a fair hearing shall, within five (5) business days, prepare copies of the young adult’s complete PESS or Aftercare Services file, as applicable, and copies of the young adult’s case file records from his or her dependency case file during the young adult’s 17th year of age to provide to both the young adult and the legal representative for the Department or its contracted service provider. Staff shall provide the complete file to both the young adult and the legal representative for the Department or its contracted service provider, whether or not a request has been made.

2. The designated staff responsible for providing PESS or Aftercare Services (the designated staff in the county where the young adult’s participation

originated) shall coordinate and participate in the fair hearing, even if the hearing takes place in a different county or region. The fair hearing shall take place in the county in which the young adult lives.

IX. **EXHIBITS:**

All referenced forms in this policy and listed below may be located at:

<https://eds.myflfamilies.com/DCFFormsInternet/Search/DCFFormSearch.aspx>

- Extended Foster Care Agreement, form number CF-FSP 5482
- Extended Foster Care Voluntary Placement Agreement, CF-FSP 5377
- Shared Living Plan, CF-FSP 5430
- Supervised Living Arrangement Assessment, CF-FSP 5431
- Notice of Termination from Extended Foster Care, CF-FSP 5376
- Notice of Denial for Readmission into Extended Foster Care, CF-FSP5410
- My decision to Leave Extended Foster Care, CF-FSP 5375
- Postsecondary Education Services and Support (PESS) AND Education and Training Voucher (ETV) Initial, Renewal and Reinstatement Application, CF-FSP 5382
- Notice of Denial, Termination or Reduction in Benefits for PESS/ETV, CF-FSP 5407
- Aftercare Services Application, CF-FSP 5391
- Aftercare Services Plan, CF-FSP 5400
- Notice of Termination of Aftercare Services, CF-FSP 5402
- Due Process Brochure, CF/PI 175-74
- Fair Hearing Request Form, CF-FSP 5380
- Oral Request for Fair Hearing, CF-FSP 5381
- My Pathway to Success Plan, CF-FSP 5425