



## **Transitional Housing Placement Program (THPP) and Transitional Housing Placement-Plus Foster Care (THP+FC)**

A Fact Sheet Prepared by the Youth Law Center

### **What are THPP and THP+FC?**

Transitional Housing Placement Program (THPP) is a transitional housing placement for youth in foster care ages 16 to 18, and Transitional Housing Placement-Plus Foster Care (THP+FC) is a transitional housing placement for nonminor dependents (NMDs), ages 18 to 21.<sup>1</sup> These transitional housing placement programs offer supervised transitional housing services to foster youth (under the supervision of the county welfare department or the probation department).<sup>2</sup> A provider can serve youth ages 16 to 18 years old, NMDs, or both.<sup>3</sup>

The goal of THPP is to assist youth in transition from foster care to independent living by increasing the freedom and responsibilities of the youth as they near emancipation.<sup>4</sup> The goal of THP+FC is to provide safe housing for NMDs and assistance in developing the skills they need for transitioning to independent living.<sup>5</sup>

### **What is an NMD?**

An NMD is 18 to 21 years old, is currently in foster care under the placement and care of the county welfare department or county probation department, and has a transitional independent living case plan.<sup>6</sup> Remaining in foster care after age 18 is voluntary. NMDs can exit at age 18 or at any subsequent time before age 21, and those who exit at age 18 can re-enter foster care at any time before age 21.<sup>7</sup>

Besides THP+FC, an NMD also has the option to participate in a Supervised Independent Living Placement (SILP), which is a placement approved and supervised by the county social worker or probation officer for that NMD only.<sup>8</sup> The NMD lives independently, is their own payee, and is not receiving provider-based supportive

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<sup>1</sup> Cal. Welf. & Inst. Code § 16552.1(a)(1)-(2).

<sup>2</sup> Cal. Welf. & Inst. Code §§ 11400(v)(2), 16522.2(a).

<sup>3</sup> Cal. Health & Safety Code § 1559.100(b).

<sup>4</sup> California Department of Social Services (CDSS) All County Letter (ACL) 02-04 (2002), available at <http://www.cdss.ca.gov/lettersnotices/entres/getinfo/acl02/pdf/02-04.pdf>.

<sup>5</sup> CDSS ACL 12-44 (2012), available at <http://www.cdss.ca.gov/lettersnotices/entres/getinfo/acl/2012/12-44.pdf>.

<sup>6</sup> Cal. Welf. & Inst. Code § 11400(v).

<sup>7</sup> Assembly Bill (AB) 12, 303(c), available at

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=200920100AB12](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200920100AB12).

<sup>8</sup> Cal. Welf. & Inst. Code § 11400(w).

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services.<sup>9</sup> THP+FC and SILP are the two Supervised Independent Living Setting options for an NMD.<sup>10</sup>

For information on transitional housing options for **former foster youth**, ages 18 to 24, see Youth Law Center's Fact Sheet: **THP-Plus**.

### **What makes foster youth ages 16 to 18 eligible for THPP, and what makes NMDs eligible for THP+FC?**

Youth ages 16 to 18 and NMDs must have a Transitional Independent Living Plan (TILP) in order to participate in THPP and THPP+FC, respectively. Both THPP and THP+FC provide transitional housing and supportive services based on a TILP. A TILP is a written service delivery plan that identifies the youth's current level of functioning, emancipation goals, and the specific skills needed to prepare the youth to live independently upon leaving foster care.<sup>11</sup> The TILP is mutually agreed on by the youth and support persons with the social worker or probation officer.<sup>12</sup>

Youth ages 16 to 18 who want to participate in THPP must also be enrolled in the county's Independent Living Program (ILP), which is a program for services and activities to assist children 16 or older to make the transition to independent living.<sup>13</sup> For a youth 16 to 18 years old, the county ILP coordinator and the county department of social services or county probation department need to approve of the youth receiving transitional housing.<sup>14</sup>

### **What kind of housing do THPP and THP+FC provide?**

Transitional housing under THPP and THP+FC can include either of the following programs:<sup>15</sup>

1. Programs in which a participant lives in an apartment, single family dwelling, or condominium, with one or more adults approved by the provider.
2. Programs in which a participant lives independently in an apartment, single-family dwelling, or condominium owned or leased by the provider either with an adult employee of the provider or in a building in which one or more adult employees of the provider reside and provide supervision.

Additionally, transitional housing only under THP+FC for NMDs can include the remote site model:<sup>16</sup>

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<sup>9</sup> Cal. Welf. & Inst. Code § 11400(w).

<sup>10</sup> Cal. Welf. & Inst. Code § 11400(x).

<sup>11</sup> 22 Cal. Code Regs. 86001(t)(6).

<sup>12</sup> *Id.*

<sup>13</sup> CDSS ACL 02-04; 22 Cal. Code Regs. 86001(i)(1).

<sup>14</sup> Cal. Welf. & Inst. Code § 16522.2(a).

<sup>15</sup> Cal. Welf. & Inst. Code § 16522(d)(1)-(2); HSC 1559.110(c)(1)-(2).

<sup>16</sup> Cal. Welf. & Inst. Code § 16522(d)(3); HSC 1559.110(c)(3).

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1. Programs in which a participant lives independently in an apartment, single-family dwelling, or condominium owned or leased by the provider under the supervision of the provider if the California Department of Social Services approves it.

Transitional housing placement providers must certify that housing units are adequate, safe and sanitary.<sup>17</sup>

### **How does an agency become a transitional housing placement provider? What is required from THPP and THP+FC providers?**

To become a licensed transitional housing placement provider, a provider must first obtain a certification from the county specifying whether the facility will serve foster youth 16 to 18 years old, NMDs, or both.<sup>18</sup>

The certification for THPP requires a more rigorous standard than the certification for THP+FC.<sup>19</sup>

*The certification for THPP must confirm that the program provides for the following (among others):*<sup>20</sup>

1. County review of the admission criteria to ensure that the criteria do not discriminate on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation.<sup>21</sup>
2. Strict employment criteria that include a consideration of the employee's age, drug or alcohol history, and experience in working with persons in this age group.<sup>22</sup>
3. A training program designed to educate employees who work directly with participants about the characteristics of persons in this age group placed in long-term care settings.<sup>23</sup>
4. A detailed plan for monitoring the placement of persons under the provider's care, evaluating the participant's progress in the program, and reporting to the county agency with jurisdiction.<sup>24</sup>
5. A contract between the participating person and the provider that specifically sets out the requirements for each party, and in which the provider and the participant agree to the requirements of this article.<sup>25</sup>

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<sup>17</sup> Cal. Welf. & Inst. Code § 16522(d); HSC 1559.110(c); Cal. Health & Safety Code § 1501(b)(5).

<sup>18</sup> Cal. Health & Safety Code § 1559.110(a)(1).

<sup>19</sup> Cal. Welf. & Inst. Code § 16522.1.

<sup>20</sup> Cal. Welf. & Inst. Code § 16522.1(b); MPP 30-911.1.

<sup>21</sup> Cal. Welf. & Inst. Code § 16522.1(b)(2); Cal. Gov. Code § 11135.

<sup>22</sup> Cal. Welf. & Inst. Code § 16522.1(b)(3); MPP 30-911.1(g).

<sup>23</sup> Cal. Welf. & Inst. Code § 16522.1(b)(4).

<sup>24</sup> Cal. Welf. & Inst. Code § 16522.1(b)(5), (b)(11); MPP 30-911.1(h).

<sup>25</sup> Cal. Welf. & Inst. Code § 16522.1(b)(6).

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6. An allowance to be provided to each participant in the program.<sup>26</sup>
7. Policies regarding all of the following (among others): education requirements, work expectations, savings requirements, personal safety, visitors, emergencies, medical problems, disciplinary measures, child care, curfew, use of utilities, and grounds for termination.<sup>27</sup>
8. Apartment furnishings, and a policy on disposition of the furnishings when the participant completes the program.<sup>28</sup>
9. A linkage to the federal Workforce Investment Act program administered in the local area to provide employment training to eligible participants.<sup>29</sup>
10. A staffing ratio of case manager to client not to exceed 1 to 12.<sup>30</sup>
11. A description of the provider's THPP with an explanation of how it will assist participants to accomplish the goals described in their TILP.<sup>31</sup>
12. Assurances that participants will be allowed the greatest amount of freedom possible and appropriate for their level of functioning in order to prepare them for self-sufficiency.<sup>32</sup>
13. Assurances that the housing is served by public transportation to enable the participant's reasonable access to schools, employment, appropriate supportive services, shopping, and medical care.<sup>33</sup>
14. A 24-hour emergency number provided to each participant.<sup>34</sup>

*The certification for THP+FC must confirm all of the following.*<sup>35</sup>

1. The program is needed by the county.
2. The provider is capable of effectively and efficiently operating the program.
3. The provider is willing and able to accept the eligible NMDs for placement (by the placing agency) who need the level of care and services that will be provided by the program.
4. The plan of operation is suitable to meet the needs of the identified population.
5. The staffing ratio of case manager to client does not exceed 1 to 12.

There must be different rules and program designs for foster children and nonminor NMDs if the same provider is serving both; NMDs should be subject to fewer restrictions.<sup>36</sup> Participants may have children who will live with them.<sup>37</sup>

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<sup>26</sup> Cal. Welf. & Inst. Code § 16522.1(b)(7).

<sup>27</sup> Cal. Welf. & Inst. Code § 16522.1(b)(9); MPP 30-911.1(q).

<sup>28</sup> Cal. Welf. & Inst. Code § 16522.1(b)(10).

<sup>29</sup> Cal. Welf. & Inst. Code § 16522.1(b)(12).

<sup>30</sup> Cal. Welf. & Inst. Code § 16522.1(c)(5).

<sup>31</sup> MPP 30-911.1(e).

<sup>32</sup> MPP 30-911.1(i).

<sup>33</sup> MPP 30-911.1(j).

<sup>34</sup> MPP 30-911.1(m).

<sup>35</sup> Cal. Welf. & Inst. Code § 16522.1(c).

<sup>36</sup> Cal. Welf. & Inst. Code § 16522(f).

<sup>37</sup> CDSS ACL 02-04.

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After receiving a county certification, the Community Care Licensing Division of the California Department of Social Services can then license transitional housing placement providers using licensing standards in the California Code of Regulations.<sup>38</sup>

### What rights do foster youth have?

Although NMDs are dependents under the jurisdiction of the juvenile court, they are adults and have all the rights that a person who has attained 18 years of age may have as an adult under California law.<sup>39</sup>

All minors and nonminors in foster care have the following rights:<sup>40</sup>

1. To live in a safe, healthy, and comfortable home where he or she is treated with respect.
2. To be free from physical, sexual, emotional, or other abuse, or corporal punishment.
3. To receive adequate and healthy food, adequate clothing, and, for youth in group homes, an allowance.
4. To receive medical, dental, vision, and mental health services.
5. To be free from the administration of medication or chemical substances, unless authorized by a physician.
6. To contact family members, unless prohibited by court order, and social workers, attorneys, foster youth advocates and supporters, Court Appointed Special Advocates (CASAs), and probation officers.
7. To visit and contact brothers and sisters, unless prohibited by court order.
8. To contact the Community Care Licensing Division of the State Department of Social Services or the State Foster Care Ombudsperson regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints.
9. To make and receive confidential telephone calls and send and receive unopened mail, unless prohibited by court order.
10. To attend religious services and activities of his or her choice.
11. To maintain an emancipation bank account and manage personal income, consistent with the child's age and developmental level, unless prohibited by the case plan.
12. To not be locked in a room, building, or facility premises, unless placed in a community treatment facility.
13. To attend school and participate in extracurricular, cultural, and personal enrichment activities, consistent with the child's age and developmental level, with minimal disruptions to school attendance and educational stability.
14. To work and develop job skills at an age-appropriate level, consistent with state law.

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<sup>38</sup> 22 Cal. Code Regs. 86000 et. seq.; Cal. Health & Safety Code § 1559.110(a)(1).

<sup>39</sup> Cal. Welf. & Inst. Code § 303(d)(1).

<sup>40</sup> Cal. Welf. & Inst. Code § 16001.9(a).

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15. To have social contacts with people outside of the foster care system, including teachers, church members, mentors, and friends.
16. To attend Independent Living Program classes and activities if he or she meets age requirements.
17. To attend court hearings and speak to the judge.
18. To have storage space for private use.
19. To be involved in the development of his or her own case plan and plan for permanent placement.
20. To review his or her own case plan and plan for permanent placement, if he or she is 12 years of age or older and in a permanent placement, and to receive information about his or her out-of-home placement and case plan, including being told of changes to the plan.
21. To be free from unreasonable searches of personal belongings.
22. To the confidentiality of all juvenile court records consistent with existing law.
23. To have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.
24. To be placed in out-of-home care according to their gender identity, regardless of the gender or sex listed in their court or child welfare records.
25. To have caregivers and child welfare personnel who have received instruction on cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth in out-of-home care.
26. At 16 years of age or older, to have access to existing information regarding the educational options available, including, but not limited to, the coursework necessary for vocational and postsecondary educational programs, and information regarding financial aid for postsecondary education.
27. To have access to age-appropriate, medically accurate information about reproductive health care, the prevention of unplanned pregnancy, and the prevention and treatment of sexually transmitted infections at 12 years of age or older.

If any of these rights have been violated, contact the Community Care Licensing Division of the California Department of Social Services or the Office of the Foster Care Ombudsman. The contact information is provided in the Resources section below.

## Resources

California Department of Social Services, MANUAL OF POLICIES AND PROCEDURES  
<http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/Adult-Services-Regulations>

California Department of Social Services, ALL COUNTY LETTERS  
<http://www.cdss.ca.gov/inforesources/Letters-Regulations/Letters-and-Notices/All-County-Letters>

California Department of Social Services, TRANSITIONAL HOUSING PROGRAMS FOR CURRENT AND FORMER FOSTER YOUTH  
<http://www.cdss.ca.gov/inforesources/Foster-Care/Transitional-Housing-Programs>

California Department of Social Services, COMMUNITY CARE LICENSING DIVISION COMPLAINT HOTLINE  
<http://www.cdss.ca.gov/inforesources/CCLD-Complaint-Hotline>

Office of the Foster Care Ombudsman, COMPLAINTS  
<http://www.fosteryouthhelp.ca.gov/Complaints1.html>

John Burton Advocates for Youth, THP-PLUS STATEWIDE IMPLEMENTATION PROJECT (includes a roster of THP+FC providers)  
<http://thplusplus.org/>