

Transitioning to Adult Developmental Services from DCF Custody Guidelines to Accompany "Team Responsibilities Checklist"

- It is essential to work on this transition process with a strong, well-functioning and communicative team. Team members should include the child's DCF social worker, the youth themselves to the extent possible, the DS service coordinator, DS intake coordinator, the home provider/foster parent, education surrogate and special education director, if appropriate - and any other individuals identified by the youth, DCF or DS as important to them.
 - DCF Family Services and DAIL Developmental Disabilities Services Division strongly recommend use of the "Team Responsibilities Checklist" when the youth turns age 17. This tool is designed to support effective transition planning including assignment and follow through on the necessary tasks and responsibilities to be accomplished during the last year that the youth is in state's custody.
- 1) A full reassessment must be completed after age 16 and before the age of 18 to determine eligibility for children in custody who will be turning age 18. The reassessment should include an evaluation of whether the person continues to have a developmental disability per the Developmental Disabilities Services Division Regulations Implementing the Developmental Disabilities Act of 1996, March 2011 update, Sections 2.4 - 2.14. **This process should be started as quickly as possible once the youth turns age 17, if an evaluation was not completed in the previous year.** It can often take a month or two to access an appointment with a qualified evaluator. Access to evaluators (psychologists, psychiatrists, physicians) varies regionally.
 - 2) Don't forget that an **adaptive behavior assessment** must be part of the reassessment.
 - 3) Generally, the Designated Agency at the time of reassessment should be **the DA where the child is residing**. If there are questions about the DA, please contact the Children's Services Specialist at DDS to discuss.
 - 4) It is critical to ensure that funding for adult services is in place prior to the child aging out of DCF custody. **All team members should understand their roles in this process. Planning for the transition should begin many months before the child's 18th birthday.**
 - 5) If at all possible, a funding proposal for adult services should be prepared and ready for the Designated Agency's local funding committee two-three months prior to the youth's 18th birthday, and can then be presented at Equity Committee or Public Safety Committee when the youth is 17 years, 11 months.

The end date for the DCF-DDSD budget will be the day before the youth's 18th birthday unless there is a voluntary extended care agreement in place. For youth participating in extended care, the same process will be followed substituting age 19 and 18 above, respectively, in this language.

- 6) DS and DCF staff should work together to determine whether or not the person will need a guardian when they turn 18. If there is a responsible family member, friend or community member interested in supporting the youth as a **private guardian**, they may file a petition in **Probate Court** when the youth is 17 years, 6 months. If it is determined that having a public guardian is in the person's best interests, the DCF social worker should submit a petition to **Family Court** to request the appointment of a public guardian. **The psychological evaluation used for reassessment of eligibility is required to demonstrate clinical eligibility for public guardianship, but an additional evaluation specifically addressing the need for guardianship will be ordered by the court. The petition for public guardianship should be sent to the State's Attorney for the county in which the person resides 5 to 6 months before the child's 18th birthday.**
- 7) Most children in DCF custody do not have SSI because they are covered by a different funding source referred to IV-C (Four C), which is used to pay room and board. If a child does not yet have SSI, an application must be completed as soon as possible to ensure there is no interruption in funding for Room and Board. A re-application for **Medicaid** must be completed two to three months before the person turns 18.
- 8) Please note that transition planning is part of every youth's IEP. This should be reviewed and adjusted as appropriate. If a child will be continuing in school after age 18, he/she may need the continuing support of an educational surrogate.

The law requires an educational surrogate when someone is in DCF custody, and also when a person is under public guardianship. Usually the same educational surrogate can remain in place. This should be discussed with the appointed public guardian and the current educational surrogate, along with someone from the school last attended. Please note that the youth's public guardian cannot be appointed as an educational surrogate parent according to Vermont's Special Education rules.

Any questions or concerns should be addressed to the Agency of Education's representative for Integrating Family Services.