

## **Bobbie Walthall**

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**To:** Lisa Larsen  
**Subject:** RE: Lawrence Habitat Supports Purchase of 1725 NH

**From:** John Harvey <[jharvey@lawrencehabitat.org](mailto:jharvey@lawrencehabitat.org)>

**Date:** December 14, 2015 at 13:55:50 CST

**To:** "Leslie Soden ([lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org))" <[lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org)>, "Lisa Larsen ([llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org))" <[llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)>, "Matthew Herbert ([matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com))" <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>, "Mike Amyx ([mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com))" <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>, "Stuart Boley ([sboley@lawrenceks.org](mailto:sboley@lawrenceks.org))" <[sboley@lawrenceks.org](mailto:sboley@lawrenceks.org)>

**Cc:** "Shannon Oury ([soury@ldcha.org](mailto:soury@ldcha.org))" <[soury@ldcha.org](mailto:soury@ldcha.org)>

**Subject:** Lawrence Habitat Supports Purchase of 1725 NH

Dear City Commissioners:

As an organization actively working to reduce the affordable housing gaps in our community, Lawrence Habitat for Humanity lends its strong recommendation for city commission approval of the purchase of 1725 New Hampshire by the Lawrence Douglas County Housing Authority.

There are several clear and compelling reasons to support this project. LDCHA intends to use this project to serve the housing needs for youths who are aging out of the foster care system. There are currently no permanent housing solutions in our community for this vulnerable population and the 6 units in the project are the ideal size for this target group. The location is very good for the proposed purpose being close to bus service, retail services and access to the university campus, all of which are important to low income young adults with limited transportation seeking to further their education or training options.

On-going maintenance and management costs of the location will be reduced and cost effective as LDCHA will use Babcock Place staff to manage and provide services to the building. Finally, if this project does not move forward, the cost of developing 6 new housing units elsewhere to serve this population would likely be at least 2 times as expensive as the purchase price of this building. Plus the 6 moderate cost rental units in this building will likely be lost through demolition by adjacent commercial interests and our affordable housing gap widens.

This project presents a clear opportunity to make a positive impact on the affordable housing gaps in our community. For these reasons the leadership of Lawrence Habitat urges you to vote in favor of this acquisition.

Sincerely,

*John Harvey*  
*Director of Resource Development*  
*Lawrence Habitat for Humanity*  
*720 Connecticut*  
*Lawrence, Ks 66044*  
*(785) 832-0777 (office)*  
*(913) 481-3160 (cell)*  
[jharvey@lawrencehabitat.org](mailto:jharvey@lawrencehabitat.org)

## **Bobbie Walthall**

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**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Monday, December 14, 2015 1:56 PM  
**To:** Bobbie Walthall  
**Subject:** Another Document  
**Attachments:** CasePlan.doc

Hello Bobbie:

Please include the attached document to the 1725 N.H. purchase material for all Commissioners and be certain it is made a part of the official record.

Also, I trust that the other emails which had attachments had the attachments downloaded and printed and made a part of the packet.

Thank you.

scw

SEC. 475. [42 U.S.C. 675] As used in this part or part B of this title:

(1) The term “case plan” means a written document which meets the requirements of section 475A and<sup>[257]</sup> includes at least the following:

(B) A plan for assuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to improve the conditions in the parents’ home, facilitate return of the child to his own safe home or the permanent placement of the child, and address the needs of the child while in foster care, including a discussion of the appropriateness of the services that have been provided to the child under the plan.

***(D) For a child who has attained 14 years of age<sup>[258]</sup> or over, a written description of the programs and services which will help such child prepare for the transition from foster care to a successful adulthood.<sup>[259]</sup>***

**(H) during the 90-day period immediately prior to the date on which the child will attain 18 years of age, or such greater age as the State may elect under paragraph (8)(B)(iii), whether during that period foster care maintenance payments are being made on the child’s behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State agency, and, as appropriate, other representatives of the child provide the child with assistance**

**and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services**, includes information about the importance of designating another individual to make health care treatment decisions on behalf of the child if the child becomes unable to participate in such decisions and the child does not have, or does not want, a relative who would otherwise be authorized under State law to make such decisions, and provides the child with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State law, and is as detailed as the child may elect; and<sup>[271</sup>

45 CFR 1356.21 - Foster care maintenance payments program implementation requirements

1356.21 (g) ( <https://www.law.cornell.edu/cfr/text/45/1356.21> ):

**(g) Case plan requirements.** In order to satisfy the case plan requirements of sections 471(a)(16), 475(1) and 475(5)(A) and (D) of the Act, the title IV-E agency must promulgate policy materials and instructions for use by staff to determine the appropriateness of and necessity for the foster care placement of the child. The case plan for each child must:

**(1)** Be a written document, which is a discrete part of the case record, in a format determined by the title IV-E agency, which is developed jointly with the parent(s) or guardian of the child in foster care; and

**(2)** Be developed within a reasonable period, to be established by the title IV-E agency, but in no event later than 60 days from the child's removal from the home pursuant to paragraph (k) of this section;

**(3)** Include a discussion of how the case plan is designed to achieve a safe placement for the child in the least restrictive (most family-like) setting available and in close proximity to the home of the parent(s) when the case plan goal is reunification and a discussion of how the placement is consistent with the best interests and special needs of the child. (FFP is not available when a court orders a placement with a specific foster care provider);

**(4)** Include a description of the services offered and provided to prevent removal of the child from the home and to reunify the family; and

**(5)** Document the steps to finalize a placement when the case plan goal is or becomes adoption or placement in another permanent home in accordance with sections 475(1)(E) and (5)(E) of the Act. When the case plan goal is adoption, at a minimum, such documentation shall include child-specific recruitment efforts such as the use of State, Tribal, regional, and national adoption exchanges including electronic exchange systems.

## **Bobbie Walthall**

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**To:** Diane Stoddard  
**Subject:** RE: Obsfucation by the Housing Authority Director Relative to the Proposed Purchase of 1725 N.H. Street

**From:** steven c. watts [<mailto:scajj@sbcglobal.net>]  
**Sent:** Wednesday, December 09, 2015 4:10 PM  
**To:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Cc:** Diane Stoddard  
**Subject:** Obsfucation by the Housing Authority Director Relative to the Proposed Purchase of 1725 N.H. Street

Mr. Mayor and Commissioners:

You have or shall be receiving an information packet about the purchase of 1725 New Hampshire Street from the LDCHA. In support of the purchase of that property the Director writes:

"On July 23, the LDCHA held a special meeting to take public comment on this project. At that meeting, all the comments received were positive and supportive of the acquisition. One negative comment was received by email. The Board voted unanimously to bring this matter back to the City Commission."

POPPYCOCK. ".....all comments received were positive....". Ok. How many "comments" were there? I'll tell you: THERE WERE FOUR RESIDENTS OF BABCOCK PLACE AT THAT MEETING AND THAT'S IT (other than housing authority staff and board members). FOUR MEMBERS OF THE PUBLIC. Their interest was parking for Babcock Place and that's it. I have attached the minutes from that July 23 Board meeting so you can see for yourselves. I supplied the Housing Authority and the Board chair via email a detailed analysis of why the purchase of this building was wrong and the information I provided was barely even glossed over if that.. Frankly, the minutes read like the data was wholly ignored. It was not made a part of the official record and it was not included in the minutes. Why not? Why are you permitting this quasi-governmental agency to act with impunity and EXCLUDE written citizen input in the official record?

Irrespective: That July 23, 2015 "special meeting" was NOT a meeting where the room was filled to the brim and overflowing. Again, THERE WERE FOUR MEMBERS OF THE GENERAL PUBLIC AT THE MEETING (along with LDCHA staff and board members and not all board members were even there!). THAT'S IT.

Don't be hoodwinked by another do nothing Board of Directors which is not dissimilar from the do nothing Board which created the JustFood fiasco.

Thank you

Steven C. Watts, MSW  
Lawrence, Kansas

# Memorandum

**TO:** Diane Stoddard, Interim City Manager  
Mayor and City Commissioners

**FROM:** Shannon Oury, Executive Director, Lawrence-Douglas County  
Housing Authority

**Date:** November 10, 2015

**RE:** LDCHA Acquisition of 1725 New Hampshire - Updated

## **Property Description**

*Address:* 1725 New Hampshire, Lawrence, KS  
*Building Type:* Multi-unit walkup  
*Units:* 5 - One bedroom  
1 - Studio  
*Purchase Cost:* \$ 485,000  
*Minor Renovations:* \$ 12,000 - \$ 18,000  
*Appraisal:* \$ 290,000 based on residential use

## **Narrative**

The Lawrence-Douglas County Housing Authority (LDCHA) is an agency of the City of Lawrence and Douglas County. Pursuant to County Resolution 00-26, and City Resolution No 6240, the LDCHA does not have the authority to acquire real estate. All real property owned by LDCHA must be titled to the City of Lawrence, Kansas. See attached Exhibit 1.

The LDCHA has the opportunity to acquire a 6 unit development located at 1725 New Hampshire St., "the Property". The proposed purchase will be funded out of LDCHA reserves. The Property is located adjacent to Babcock Place, a high rise elderly public housing development already owned by LDCHA. The location next to Dillon's and near other services that are highly beneficial for low income residents. There is also benefit to the LDCHA in the location of this Property for convenience in staffing for maintenance and storage. There is a detached building with five garages.

**Appraisal:** At the request of the City Commission an appraisal was procured by the LDCHA and the summary sheet is attached as Exhibit 2. The appraisal estimates the value of the property at \$290,000 based on residential zoning.

The purchase price is based on a competitive offer that reflects that this property went through the rezoning process for commercial zoning and was pulled just prior to the final reading. The appraisal does not reflect the ability for this to be rezoned commercial but the purchase price does.

**Minor Renovations:** The physical inspection of the Property revealed electrical panel breakers with double taps present in each unit that require replacement. The Property also requires the installation of GFCI circuits in all unit bathrooms and kitchens.

A Phase I Environmental Site Assessment was prepared and submitted to the City staff. The City staff issued an Environmental Review of the project attached as Exhibit 3. If LDCHA makes any alterations that would involve hazardous materials identified by the Phase I Assessment all work will be done in compliance with the mitigation requirement identified in the City's Environmental Review.

This Property will not receive subsidy from HUD or any other source. It will be managed with a sliding scale rent schedule based on the income of the tenant.

Draft 1725 New Hampshire Below Market Sliding Rent Schedule

	Monthly Rent
<u>Tier 1</u> Household of 1 with income at or below 30% Annual Area Median Income (AMI)	\$300
<u>Tier 2</u> Household of 1 with income between 31-34% AMI	\$350
<u>Tier 3</u> Household of 1 with income between 35-40% AMI	\$400
<u>Tier 4</u> Household of 1 with income between 41-50% AMI	\$450
<u>Tier 5</u> Household of 1 with income between 51-60% AMI	\$500
<u>Tier 6</u> Household of 1 or 2 with income between 61-80% AMI	\$600

Area Median Income (AMI) is established yearly by HUD for Lawrence and Douglas County, and the 1725 New Hampshire Sliding Rent Schedule will be applicable to the current AMI adopted by LDCHA at the time of certification or recertification of a participant.

There will be a 30-year deed restriction placed on the Property at closing, limiting occupancy to very low- and/or low-income households. Sale of the Property will be expressly subject to this Deed Restriction, deeds of conveyance must have this Deed Restriction appended thereto.

**Approvals Required:** The purchase is contingent on approval by HUD and the City of Lawrence, Kansas. HUD has granted approval for this purchase, see Exhibit 4.

The LDCHA will apply for tax exempt status for this Property pursuant to KSA 75-201(a) *sixth*. The LDCHA will assume the current leases for the Property and work with tenants on certification according to the above outlined sliding scale.



**Benefit to LDCHA:**

- The LDCHA is engaging in conversations with KVC Health Systems and Department for Children and Families to look at developing a program that would provide a preference for youth aging out of foster care to be offered housing at this property when units become available.
- Efficiencies and cost savings from proximity to Babcock Place. The LDCHA has maintenance and management staff at Babcock and the cost of adding these units will not require the addition of new staff members. There are many services including case management, a computer lab, and transportation that are provided at Babcock and could be extended to eligible tenants of this property.
- The property includes 5 garage units that can be used for storage by Babcock and LDCHA as a whole.
- There are potential future uses of the property, including reconfiguring the Babcock parking lot. This area is very congested and would be beneficial to the area to NOT have Babcock Place residents parking on the neighborhood streets so that we can continue to be good neighbors.

At Babcock Place there are 44 parking spaces:

- Loading zone parking space (1)
- Bus parking (4)
- Handicap parking (7)
- Regular parking spaces (32)

There are 57 vehicles with Babcock Place parking permits, so the parking lot is 18 spaces short.

**Public Input:** On February 23, 2015, the Board authorized the use of MTW funds from the agency's reserves to make the acquisition and for necessary renovations, closing costs, and approved the establishment of an initial \$200 per-unit reserve.

On July 23, the LDCHA held a special meeting to take public comment on this project. At that meeting, all the comments received were positive and supportive of the acquisition. One negative comment was received by email. The Board voted unanimously to bring this matter back to the City Commission.

**Property Management:** The LDCHA will manage the Property and will charge only actual cost of administration and maintenance to the Property.

**Request:** The LDCHA requests that the City Commission authorize the LDHCA to purchase the Property and permit the Executive Director of the LDCHA to execute all documents required to complete this transaction.



LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING

August 24, 2015  
5:30 p.m.

AGENDA

Edgewood Homes  
Conference Room

1. Call of Roll.
2. Approve Minutes of the June 29 and July 23, 2015, Board of Commissioners Meetings.
3. Receive Comments from Tenants and Public.

NOTE: The Chair will take tenant and public comment on each agenda item following the staff report on the item. Tenants and public wishing to comment on a topic not included on the agenda may do so at this time.

NOTE: All matters listed below on the Consent Agenda are considered under one motion and will be enacted by one motion. There will be no separate discussion on those items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

4. CONSENT AGENDA
  - A. Receive July 2015 Public Housing Financial Reports.
  - B. Receive July 2015 Clinton Place Financial Reports.
  - C. Receive July 2015 Section 8 Program Report.
  - D. Receive Peterson Acres II Semi-annual Financial Report.
  - E. Receive VASH Voucher Financial Report.
  - F. Receive Quarterly Demographic Report.
  - G. Resolution 2015-14: Revise LDCHA Maintenance Schedule of Charges for Tenant Caused Damages.
5. REGULAR AGENDA
  - A. Executive Director's Report.
  - B. Resolution 2015-15: Approve 2015 Public Housing and Tenant Based Programs (Section 8 and HOME) Utility Allowances.
  - C. Discuss New Funding for Transitional Housing Vouchers for Lawrence Community Shelter Guests.
  - D. Consider Offer to Donate Property at 826 Oak Street.
6. Calendar and Announcements.
7. Adjournment.



MINUTES OF A REGULAR MEETING OF  
LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING

June 29, 2015  
5:30 p.m.

Clinton Place  
Meal Site

1. Call of Roll

The meeting was called to order at 5:27 pm by Chair Fleming. Upon call of roll, the following commissioners responded present:

David Clark  
Sue Hack  
Brenda O'Keefe  
Bronson Star  
William Fleming

Also present were LDCHA staff members Beverly Hyatt, Ruth Lichtwardt, and Shannon Oury, and members of the public Stuart Boley and James Dunn.

2. Approve Minutes of June 1, 2015 Board of Commissioners Meeting

Commissioner Hack moved to accept the Minutes as presented. Vice Chair Star seconded. The motion passed unanimously.

3. Receive Comments from Tenants and Public

Mr. Dunn said that he had read in the newspaper of the agency's interest in purchasing the property at 1725 New Hampshire St., and expressed his concern that the price being offered would raise the asking price of other properties and make it impossible for a landlord to offer modestly priced housing.

Chair Fleming replied that the Board would be discussing the issue further in executive session so he could not say what the conclusion would be, but that the location of the property made it highly attractive to the agency. The Board knows that the property was appraised for less than the price offered, but the price is based on a competing offer from Dillon's. The actual real estate value would remain lower than the price paid should the property be purchased, and should not cause a negative impact on the value of other properties.

Mr. Dunn also expressed concern about upgrades to the property which had been reported in the newspaper as being needed, work that he said most landlords should have already performed, including installing smoke detectors and fire extinguishers, and that he could not understand how a property could have remained in violation of code for so long. Executive Director Oury explained that the report was inaccurate and she did not know where that information had come from. Per the results of the comprehensive inspection, the only work the agency will need do is to replace all the breaker boxes, which contain an outdated style of fuse which could be a fire hazard.

#### 4. EXECUTIVE SESSION

At 5:34 pm, Commissioner Hack moved to enter executive session for 30 minutes to discuss acquisition of property and also the Executive Director's salary. Commissioner O'Keefe seconded.

Commissioner Hack moved to exit executive session. Commissioner Clark seconded. The Board returned to regular session at 6:05 pm.

The Board decided to take a vote on the two issues discussed in the session before returning to the regular agenda.

Commissioner Hack moved to renew Executive Director Oury's contract and award her a 5% merit increase. Commissioner Clark seconded. The motion passed unanimously.

Chair Fleming expressed appreciation for the work performed by Ms. Oury. Commissioner Hack mentioned several of Ms. Oury's accomplishments, including navigating the challenges of the federal government, being involved in national organizations, and keeping the LDCHA out front among housing authorities. Mr. Fleming said that the Board had compared Ms. Oury's salary with other similarly sized agencies and found she had been hired at near the bottom of the pay scale for her position and then received no increase when salaries were frozen so she is still below those pay ranges.

Mr. Fleming asked if there was any further comment from the public on the issue of the acquisition of 1725 New Hampshire St. by the LDCHA. Mr. Boley asked for more explanation on the importance of the location of the New Hampshire property being next to Babcock Place. Ms. Oury explained about the shortage of parking at Babcock Place, which could be at least partly alleviated by reconfiguring the parking of the two properties combined. She spoke of the very high per-unit cost of building Peterson Acres II on land the LDCHA already owned, and gave some background on the LDCHA's RFQ for tax credit proposals which had not worked out, one due to lack of available land. The New Hampshire property location will allow maintenance and management staff and to be right across the parking lot meaning no new staff will need to be added. Resident services would also be available since an RSO staff member is located at Babcock Place. There was discussion regarding the amount of land at Clinton Place and how Babcock Place would not be allowed to be built on such a small amount of land if it were built today, and the outdoor smoking facility issue. The only available land for any expansion at Babcock Place is where the resident's community vegetable garden is. The garages at the New Hampshire property can also be used for Babcock Place storage.

Commissioner Hack moved to work with the seller to extend the contract for 1725 New Hampshire for another 30 days in order to have time to bring the item back up before the City Commission. Vice Chair Star seconded. The motion passed 4 - 0 with Commissioner Clark abstaining.

#### 5. CONSENT AGENDA

- A. Receive May 2015 Public Housing Financial Report.
- B. Receive May 2015 Clinton Place Financial Report.

- C. Receive May 2015 Section 8 Financial Report.
- D. Resolution 2015-12: Approve Continuation of the LDCHA as Contract Administrator for the Bert Nash Tenant Based Rent Assistance HOME Program Grant.

Mr. Dunn requested that there be discussion on Item D. He asked how many vouchers are administered through the program. Ms. Oury answered that there were currently 24 and all the vouchers are being utilized. She gave a further breakdown of the committed funds and what number the agency is projecting for the near future. There was more discussion on the nature of the program and the waitlist which is administered by Bert Nash, and the drop in funding that is continuing to occur.

Commissioner Clark moved to accept the Consent Agenda as presented. Commissioner O'Keefe seconded. The motion passed unanimously.

## 6. REGULAR AGENDA

### A. Receive Executive Director's Report.

Executive Director Oury reported on the MTW contract extension. The agency has been sent a Confirmation Form from HUD to report on agency-held funds. It is likely part of the process for HUD to create a method for moving funds from agency-held to HUD-held. It is very fortunate that, although the LDCHA is a single-fund agency, it has never comingled the funds since it appears that HUD intends to take control of all funds if they have been combined. The form will be submitted by the deadline with an additional qualifying statement that the LDCHA is not waiving any rights granted in its MTW Agreement.

Chair Fleming inquired why HUD would need the additional form when the LDCHA reports the information in its Annual Plan and Annual Report. Ms. Oury explained that it is because many of the agencies comingled their funds and cannot easily break them out for reporting purposes.

Ms. Oury reported that the Resident Advisory Council (RAC) met on June 17 and discussed the proposed 2016 MTW Plan. A new initiative was discussed which would create a rental assistance voucher program for youth aging out of foster care, and could utilize units in the 1725 New Hampshire property, if acquired. There was discussion with the Board about the funding of the vouchers and other similar programs which LDCHA has. Another proposal is to use the MTW Single Fund reserves to purchase a replacement bus for Babcock Place. The bus is crucial to assisting Babcock Place residents to age in place. There was discussion on the type of vehicle best suited for use.

An affordable housing conference is taking place on July 17 and Ms. Oury will be a panelist. The topics will include creating an affordable housing trust fund and what has worked in other communities. The City Commission held a study session on June 9 and there was a proposal to have a comprehensive housing study done, funded at \$75,000 from the fund left over from the previous Housing Trust Fund. A similar recommendation is being considered by the Committee reviewing the Horizon 2020 Comprehensive Plan. On June 16 the issue was addressed again by the City Commission at the request of the Justice Matters Group and a specific request was made that an Affordable Housing Advisory Board be reformed. Additionally, the group asked that the \$102,000 remaining from the

prior Housing Trust Fund be given to this Board to develop a demonstration project to address the transitional housing need. This request will be brought back to the City Commission officially on July 7.

There was discussion on the uses of the previous affordable housing trust fund. Ms. Oury said that some people had claimed that the money did not do anything, but that when she researched the use of those funds it turned out most of the money went to several agencies, including LDCHA and Tenants to Homeowners, which built or otherwise provided affordable housing units which still exist, so the benefit is ongoing. A small amount of the money went to other uses, and \$102,000 remains. The current conversation is about starting an ongoing stable fund rather than a one-time use fund as the previous one was.

Ms. Oury announced that Mayor Farmer had appointed Josh Powers to the Board to replace outgoing Commissioner Clark. His first meeting will be in August.

B. Resolution 2015-13: Review and Amend Investment Policy.

Executive Director Oury said that these items were generated by Chair Fleming's request that staff review the agency's investment policy. She gave background on the current investment policy and changes instituted by HUD. All LDCHA investments comply with HUD requirements but the policy itself is out of date. There was discussion regarding the included paperwork.

Commissioner Clark moved to accept the investment policy as amended. Commissioner O'Keefe seconded. The motion passed unanimously.

C. Discuss Capital Fund Evaluation and Long-Range Plan.

Executive Director Oury gave a synopsis of the history of the Capital Fund program and how LDCHA has used the funds, and what the agency would like to use the funds for in the future. Chair Fleming asked if a tour had ever been given of all the LDCHA properties. Ms. Oury said that she gives each new Board member a tour, and that she keeps a map of all the properties in her car and drives by several a month. There was discussion about arranging a tour using the Babcock bus.

There was discussion on the progress of the Babcock Place roof replacement bids. It had been recommended that the replacement be performed in September and October, so that is the goal for the bids. The next large project will be the roofs at Edgewood Homes, last replaced in 1991. The shingles are in fairly good shape but there are problems with failing roof jacks which have been allowing water to leak into some units and caused damage.

7. Calendar and Announcements

Executive Director Oury announced that LDCHA offices will be closed on Friday, July 3rd for the July 4th holiday. She then presented outgoing Commissioner Clark with a gift and thanked him for his service on the Board. Chair Fleming and the other Board members expressed their appreciation.

8. Adjournment.

There being no more items of business, Vice Chair Star moved to adjourn. Commissioner O'Keefe seconded. The meeting adjourned at 7:08 p.m.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Attest

MINUTES OF A SPECIAL MEETING OF  
LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING

July 23, 2015  
5:30 p.m.

Babcock Place  
Meal Site

1. Swearing-In of Joshua Powers for First Term as LDCHA Commissioner.  
The oath of office was administered by Executive Director Oury.

2. Call of Roll

The meeting was called to order at 5:29 pm by Chair Fleming. Upon call of roll, the following commissioners responded present:

Sue Hack  
Brenda O'Keefe  
Joshua Powers  
Bronson Star  
William Fleming

Also present were LDCHA staff members Beverly Hyatt, Ruth Lichtwardt, and Shannon Oury, and members of the public Donna Christie, Maggie Crowder, Maria Duran, and Helen San Marco.

3. Project Overview

Chair Fleming thanked those in attendance and explained that the meeting had been called to discuss the acquisition of 1725 New Hampshire, which is located on the other side of the Babcock Place parking lot. He said the issue has engendered some controversy due to the price of the property. The Board in the past has been generally supportive of proceeding with the purchase even though the price is higher than fair market value, since the amount is based on what Dillon's had offered and the Board felt it must match that price in order to be able to acquire the property. The purpose of the meeting is to get public input on the issue and then to make a decision on whether to pursue the purchase.

Executive Director Oury explained that the property is a 6-unit brick building that contains five 1-bedroom units and one studio apartment. The owners did not approach the LDCHA, instead the agency found out about the possible sale through an informal channel and approached the owner. The LDCHA is interested in the property both because Babcock Place has ongoing parking issues and the agency is interested in acquiring additional affordable housing units. The price was set based on meeting the competing offer. In order to acquire property, the housing authority must meet certain HUD criteria including price limits, and the price of this property is within those limits that HUD sets. The acquisition was approved by HUD. The agency intends to rent the units on a sliding scale as it does with the units at Peterson Acres II so there will be no subsidy attached.



Several things make this property attractive to the LDCHA, including the fact that the highest demand for affordable housing is 1-bedroom units; the property is right next door which will lower maintenance overhead costs because trucks, mowers and other equipment will not need to be sent to another location; the property includes 5 garage units which can be utilized as work storage for the agency.

The agency knew from the beginning the purchase price offered was higher than the County appraisal, and has since had an independent appraisal performed which also valued the property at lower than the proposed purchase price of \$485,000. The independent appraisal valued the property at \$290,000, based on what would be paid in order to maintain a profitable cash flow. It is not the model of the housing authority to maintain a cash flow for a non-subsidized property, instead the model is to keep the unit rent as low as possible for the tenants, and for the property to be self-sustaining. The traditional way that properties are appraised does not fit that model, but the higher price does fall within what HUD allows and HUD approved the purchase.

If the property is purchased there will be a 30-year deed restriction restricting its use to affordable housing. The purchase must still be approved by the City before the LDCHA can purchase it.

Chair Fleming provided background on how the LDCHA realized that the property might be available. He reported that prior to this meeting one email had been received from a gentleman opposed to the project and that his views would be taken into consideration. Commissioner Hack mentioned that the sender had appeared confused on the source of the purchase funds, referencing the many other needs that exist in the City and apparently thinking that it was City money that would be used to purchase the property rather than LDCHA's MTW reserve funds.

There was discussion regarding the allowed uses of the agency's MTW reserve funds and how they are likely to be reclaimed by HUD if not put to use in the local community. For the benefit of the audience, Ms. Oury explained that since all LDCHA property is deeded to the City, the agency needs the City's permission to acquire property, but LDCHA is solely responsible for all purchase, maintenance and management expenses out of its own funds, which primarily come from HUD. Mr. Fleming spoke about when the LDCHA used MTW reserve funds to purchase and renovate Clinton Place. He mentioned that the property had been in terrible condition, and 58 units of affordable elderly and disabled housing were preserved which likely would have been torn down. He said that is the type of project which the Board likes to see the agency's reserve funds used for.

Mr. Fleming opened the floor for comments.

#### 4. Receive Comments from Tenants and Public

Several members of the audience, all Babcock Place residents, spoke in favor of the purchase. Most mentioned the tight parking situation and how the extra area by the building might help alleviate that. There was discussion regarding the much worse parking situation for Babcock residents following the renovation of the grocery store and the reduction of parking allowed both in the store lot and on the street. Executive Director Oury said that Babcock Place has 44 parking spots in its lot, which is 18 spots too few for the num-

ber of residents who hold parking permits. If the New Hampshire St. property is purchased, the Babcock bus would be moved over to it right away, which would immediately open up an additional 4 spots in the lot. Chair Fleming outlined possibilities for use of the garage units on the property. How to reconfigure the parking space would be researched.

Some audience members mentioned that they thought it was a nice property and would be an asset to the LDCHA. There was discussion regarding the possible use of some of the units to house youth who had aged out of foster care. Ms. Oury said that several of the units might be used for the youth but not all six units. She also mentioned that several of the current residents of the building might qualify for housing assistance and if they chose to apply and were accepted could remain in their units.

Commissioner Hack said that she had gone back and forth several times on the issue in her own mind, but overall had concluded that the acquisition was full of positives. There was a good explanation for the purchase price being higher than the appraised value, and the cost was still much less than when the LDCHA built on land it already owned. The proposed tax credit development of a couple of years ago did not work out and would not have been a good investment for the agency. She said that as the area becomes more developed and with the 9th Street Art District, the corridor was going to become much more expensive to both purchase property and to live. The location is a real benefit to the residents. She feels that people need to be constantly reminded that the purchase would be made with housing authority dollars, not city funds.

Commissioner Powers asked for some details on the repairs which need to be made to the property. Ms. Oury explained that the only issue found when the property was inspected was that the electrical panels have a type of breaker which is probably original to the building, likely circa 1957, and that they are obsolete and could be a fire hazard. GFI circuits will also need to be replaced so all the plugs have that. If the building is purchased, all those replacements will be made immediately. The only other issue is cracking in one of the garage walls but the agency would not deal with that right away since the agency does not know yet whether the garage will be kept or removed.

Mr. Powers asked about whether the price for the property came directly from Dillon's, and Chair Fleming explained that the original contract with Dillon's had been shown to him and the amount had been \$475,000. The agency's offer is for \$10,000 more. Mr. Powers asked if that price was guaranteed by the seller. Ms. Oury explained that the contract negotiated with the seller had included a provision that they would not shop the property around, but since the approval process has taken so long that provision has expired and now the seller can consider competing offers or change the price.

Ms. Oury said that the LDCHA cannot run a program like this with a large number of units without subsidy attached to it. In order for a property to be self-sustaining and stay affordable it needs to be a smaller number of units. People say that the agency could buy other properties instead, but when she researched what was currently available, only one other property was on the market. It was also a 6-unit property and the asking price was \$720,000. Additionally, all the units were 4 bedrooms and the LDCHA already has a very difficult time keeping the few 4-bedroom units it currently owns full since average family sizes are smaller. It was also off a main corridor. One of the reasons that the New Hamp-

shire property is attractive to her is that the residents who live there do not need a car due to the proximity of the grocery store, downtown, KU, and bus stops. The LDCHA wants the property due to the location and is willing to pay a premium due to that.

Mr. Fleming commented that it would not hurt the agency if Dillon's bought the property and turned it into a parking lot but it would not help the agency either.

## 5. REGULAR AGENDA

### A. Discuss Acquisition of Property at 1725 New Hampshire St.

Chair Fleming opened the discussion under the Regular Agenda and asked each Board member to comment.

Commissioner Hack said that overall most of the City Commissioners seemed supportive and that one had suggested waiting to bring the purchase issue before the Commission until after the City budget was adopted. She recounted some of the discussion among the Commissioners and said that she was encouraged by their responses.

Mr. Fleming said that everyone was well aware that the property was costing \$200,000 too much but that the \$200,000 was currently sitting unused in a CD that was garnering only 1% interest and was helping no one, as well as being at risk of being taken back by HUD. Since it was not being purchased as an investment property but to expand affordable housing and LDCHA programs, he felt it has extra value. There was discussion with Executive Director Oury about the 30-year deed restriction and how it will prevent turning the property into a for-profit venture even if sold during that time.

Audience member Maria Duran commented that in the years she has lived on Massachusetts Street she has witnessed growth in traffic and diversity in the area and thinks that the value of everything in the area will rise.

Commissioner O'Keefe spoke as the longest-serving Board member about how the reputation of the housing authority had long been very good regarding fiscal responsibility, beginning with the previous Executive Director and continuing with Ms. Oury. She spoke of what an excellent purchase Clinton Place had turned out to be in spite of some objections at the time. She also spoke of her professional experience with youth aging out of foster care and the advantages to them of the location of the New Hampshire property. She spoke about the apparent confusion regarding the source of the purchase funds and how although LDCHA property is deeded to the City, all responsibility for and decisions regarding the property rests with the LDCHA. It also concerns her that if Dillon's were to buy the property and tear down the building to expand its parking lot, six people are going to have to move and some might not be able to afford to. She said she largely has been going back and forth on the issue in her own mind and will make her decision at the end of the meeting after she had heard everyone speak.

Vice Chair Star said that he was concerned about the City Commission approving the sale because he thought overall it was a very positive deal in spite of the cost. He stated that the purchase has his full support.

Mr. Fleming welcomed an audience member who had just joined the meeting and offered her the opportunity to comment, which she declined.

Mr. Fleming talked about the possible City Commission vote and said that he would go talk to Mr. Lawhorn at the newspaper to ensure he had all the details, as most people who have the full picture end up supporting the purchase.

Commissioner Powers said that even though this was his first Board meeting, he had tried to do due diligence on the purchase issue and still had come to the meeting having no idea where he would come down on the topic including whether he would recuse himself. After hearing all the comment, he is now fully in support as he sees all the advantages, especially to the possible kids in transition.

Mr. Fleming asked for more comment from the audience, and there was unrelated comment regarding the Babcock Bus.

Commissioner Hack moved to proceed with submitting a request to the City Commission to allow the housing authority to purchase the property at 1725 New Hampshire. Vice Chair Star seconded. The motion passed unanimously.

Mr. Fleming requested that Ms. Oury prepare a memorandum to submit to the City staff prior to the meeting at which the purchase will be discussed, to include information on the issue, the Board vote, a summary of the comments, and maps of the property. Ms. Oury asked if it would make sense to wait until the City Commission meeting on August 11, after the city budget discussions are concluded, and the Board agreed.

Ms. Hack requested that a matrix for future property acquisition be developed which would include location, size, cost, benefits, etc., to be used as a guide going forward.

6. Adjournment.

There being no more items of business, Vice Chair Star moved to adjourn. Commissioner O'Keefe seconded. The meeting adjourned at 6:17 p.m.

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Chair

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Secretary

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Attest

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 4A: Receive July 2015 Public Housing Financial Reports.

CURRENT ISSUE:

As of the July reporting period Public Housing properties are at 58% through the budget year.

**Operating Income**

Total operating receipts from all sources show we continue to run 4% over budget projections at 62%.

Total Other Income is showing as running 22% over budget projections at 80%. Recall most of this is because of an annual draw in the amount of \$77,570 made from the Capital Funds grant under its Operations budget line. This then gets credited to Public Housing Other Income and is for operational reimbursements for the Executive Director, Finance Director, Maintenance Director and Business Office Assistant's % of time worked under the grant. HUD allows PHA's to draw all eligible Operational Fund projected costs in one draw at the beginning of each fiscal year.

Operating subsidy (8020) shows as running 3% over budget projections. The amount of subsidy contained in the budget, upon which this report is based, is a projection based on 2015 initial subsidy eligibility reduced at an 82% interim proration level. Calendar year 2015 funding eligibility is \$862,927 X 82% proration factor = \$707,600. HUD has not released final proration levels and for initial funding Congress continues to operate under a Continuing Resolution (CR). For the first eight months of CY 2015 (January through August) PHA'S have been prorated at an interim level of approximately 85.46% of their CY 2015 initial subsidy eligibility or \$491,638 authorization in LOCCS (for LDCHA).

**Operating Expenses**

Total operating expenses from all sources show we continue to run 7% under budget projections at 51%.

Administrative Expenses continue to show as running 7% under budget projections at 51%. Staff Training (4140) continues to run over at 69%. Travel (4150) shows as running under at 16%. Recall the Executive Director has done a significant amount of out of town travel this year to work on the agency's MTW agreement. In addition, the Executive Director serves on the Board for Housing Authorities Insurance Group otherwise known as HAIG. HAIG provides insurance coverage as well as risk control services to Public Housing Authorities throughout the USA. Travel expense costs (up to \$1,000 per trip) are reimbursed back to our agency. For 2015 the Executive Director has traveled out of town twice (for HAIG related travel).

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

The agency has received reimbursement however this was inadvertently credited to Public Housing only when it should have been credited against all programs. This will be corrected with the August financials. Lastly, recall staff training and travel costs include HCV certification training for the Section 8 Director (hired in December, 2014). A portion of this position works directly with Public Housing as well as the Section 8, HOME and VASH Programs.

Protective Services – Extra Foot Patrol (4480.1) show as running 7% over budget projections. Extra Foot Patrol is security services for foot patrol necessary for summer and holiday activities. In addition extra foot patrol is an eligible capital fund expense that gets drawn under the grants Operations line which then gets credited back to Public Housing Other Income.

**Operating Surplus/(Deficit)**

Year-to-date Public Housing shows total operating revenues of \$1,333,358 and total operating expenses of \$1,010,927 resulting in an operating surplus (provision for current year reserves) of \$322,431. Again, most of the reason we are seeing such a large operating surplus so early in the year is because of the one-time draw made under the Capital Funds Operations line in the amount of \$77,570 credited to Public Housing Other Income.

**BOARD ACTION:**

Receive Report.

Statement of Operating Receipts and Expenditures

Lawrence Housing Authority - Low Rent

PHA: 1 Projects: 01,02,03,04,06,07,08

Period Ending: 07/31/2015

Fiscal Year Ending: 12/31/2015

No. of Units: 363 No. of U/M Avail. 2541 & 4356 58% of the budget year

Account	-----Current-----		-----Y-T-D-----		-----Budget-----		Budget Status				
	Amount	P.U.M.	Amount	P.U.M.	Amount	P.U.M.					
=====											
OPERATING RECEIPTS											
RENTAL INCOME											
Dwelling Rental	1	3110	5	(108,559.00)	(299.06)	(763,225.80)	(300.36)	(1,260,465.00)	(289.36)	(497,239.20)	61%
Total Rental Income:				(108,559.00)	(299.06)	(763,225.80)	(300.36)	(1,260,465.00)	(289.36)	(497,239.20)	61%
OTHER INCOME											
Interest Earned On Genera	1	3610	5	(1,611.97)	(4.44)	(6,036.26)	(2.38)	(8,500.00)	(1.95)	(2,463.74)	71%
Other Income	1	3690	5	(4,045.07)	(11.14)	(16,194.58)	(6.37)	(28,950.00)	(6.65)	(12,755.42)	56%
Other Income - Rent For S	1	3690.1	5	(2,495.29)	(6.87)	(17,595.30)	(6.92)	(30,560.00)	(7.02)	(12,964.70)	58%
Other Income - Bert Nash	1	3690.104	5	(148.00)	(0.41)	(1,036.00)	(0.41)	(1,776.00)	(0.41)	(740.00)	58%
Other Income - Donations	1	3690.11	5	(20.00)	(0.06)	(120.00)	(0.05)	(240.00)	(0.06)	(120.00)	50%
Other Income - Zo Capital	1	3690.110	5	0.00	0.00	(54,383.00)	(21.40)	(54,383.00)	(12.48)	0.00	100%
Other Income - Clinton Pl	1	3690.111	5	0.00	0.00	(149.95)	(0.06)	(2,500.00)	(0.57)	(2,350.05)	6%
Other Income - Hope House	1	3690.112	5	0.00	0.00	(1,485.00)	(0.58)	(1,980.00)	(0.45)	(495.00)	75%
Other Income - Hope House	1	3690.114	5	0.00	0.00	(187.00)	(0.07)	0.00	0.00	187.00	
Other Income - Paii Manan	1	3690.116	5	0.00	0.00	(94.66)	(0.04)	(1,000.00)	(0.23)	(905.34)	9%
Other Income - Capital Fu	1	3690.117	5	(3,822.00)	(10.53)	(32,301.00)	(12.71)	(37,187.00)	(8.54)	(4,886.00)	
Other Income - 2013 Siema	1	3690.118	5	0.00	0.00	(3,731.00)	(1.47)	0.00	0.00	3,731.00	
Other Income - Hope House	1	3690.119	5	(495.00)	(1.36)	(1,980.00)	(0.78)	0.00	0.00	1,980.00	
Other Income - Other Sour	1	3690.2	5	(283.50)	(0.78)	(1,127.30)	(0.44)	(2,800.00)	(0.64)	(1,672.70)	40%
Receipts From Equipment N	1	3690.3	5	0.00	0.00	(4.00)	0.00	0.00	0.00	4.00	
Other Income - Insurance	1	3690.4	5	(63.00)	(0.17)	(63.00)	(0.02)	0.00	0.00	63.00	
Other Income - Home Tbra	1	3690.6	5	(142.00)	(0.39)	(994.00)	(0.39)	0.00	0.00	994.00	
Other Income - Home Tbra	1	3690.60	5	0.00	0.00	0.00	0.00	(1,700.00)	(0.39)	(1,700.00)	58%
Other Income - 2012 Ross	1	3690.70	5	(300.00)	(0.83)	(2,100.00)	(0.83)	(3,600.00)	(0.83)	(1,500.00)	58%
Total Other Income:				(13,425.83)	(36.99)	(139,582.05)	(54.93)	(175,176.00)	(40.21)	(35,593.95)	80%
Total Income:				(121,984.83)	(336.05)	(902,807.85)	(355.30)	(1,435,641.00)	(329.58)	(532,833.15)	63%
OTHER RECEIPTS											
Operating Subsidy - Curre	1	8020	0	(61,088.00)	(168.29)	(430,550.00)	(169.44)	(707,600.00)	(162.44)	(277,050.00)	
Total Other Receipts:				(61,088.00)	(168.29)	(430,550.00)	(169.44)	(707,600.00)	(162.44)	(277,050.00)	61%
Total Operating Receipts:				(183,072.83)	(504.33)	(1,333,357.85)	(524.74)	(2,143,241.00)	(492.02)	(809,883.15)	62%
=====											
OPERATING EXPENDITURES											
ADMINISTRATIVE EXPENSE											
Administrative Salaries	1	4110	5	31,757.21	87.49	219,764.15	86.49	424,970.00	97.56	205,205.85	52%
Longevity Payments	1	4110.3	5	0.00	0.00	0.00	0.00	4,200.00	0.96	4,200.00	
Legal Expense	1	4130	5	120.00	0.33	1,533.30	0.60	2,500.00	0.57	966.70	61%
Staff Training	1	4140	5	0.00	0.00	689.55	0.27	1,000.00	0.23	310.45	69%
Travel	1	4150	5	(1,666.14)	(4.59)	702.87	0.28	4,500.00	1.03	3,797.13	16%

Statement of Operating Receipts and Expenditures  
 Lawrence Housing Authority - Low Rent  
 PHA: 1 Projects: 01,02,03,04,06,07,08  
 Period Ending: 07/31/2015  
 Fiscal Year Ending: 12/31/2015  
 No. of Units: 363 No. of U/M Avail. 2541 & 4356

		-----Current-----		-----Y-T-D-----		-----Budget-----		Budget			
Account		Amount	P.U.M.	Amount	P.U.M.	Amount	P.U.M.	Status			
Accounting Fees	1	4170	5	502.00	1.38	3,514.00	1.38	6,030.00	1.38	2,516.00	58%
Audit Fees	1	4171	5	0.00	0.00	3,776.00	1.49	3,520.00	0.81	(256.00)	107%
Employee Benefit Contribu	1	4182	5	9,209.78	25.37	56,250.57	22.14	108,070.00	24.81	51,819.43	52%
Employee Benefits - Longe	1	4182.3	5	0.00	0.00	0.00	0.00	810.00	0.19	810.00	
Publications	1	4190.11	5	0.00	0.00	40.00	0.02	0.00	0.00	(40.00)	
Membership Dues And Fees	1	4190.12	5	0.00	0.00	668.39	0.26	1,120.00	0.26	451.61	60%
Telephone	1	4190.13	5	287.53	0.79	2,006.50	0.79	3,290.00	0.76	1,283.50	61%
Coll Agent Fees And Court	1	4190.15	5	15.00	0.04	99.16	0.04	150.00	0.03	50.84	66%
Forms & Office Supplies	1	4190.17	5	359.86	0.99	3,981.33	1.57	7,000.00	1.61	3,018.67	57%
Postage And Misc Sundry E	1	4190.18	5	1,036.61	2.86	6,120.88	2.41	16,000.00	3.67	9,879.12	38%
Administrative Contracts	1	4190.19	5	1,015.20	2.80	14,303.37	5.63	25,740.00	5.91	11,436.63	56%
<b>Total Administrative Expense:</b>				<b>42,637.05</b>	<b>117.46</b>	<b>313,450.07</b>	<b>123.36</b>	<b>608,900.00</b>	<b>139.78</b>	<b>295,449.93</b>	<b>51%</b>
<b>TENANT SERVICES</b>											
Tenant Services - Salarie	1	4210	5	4,503.84	12.41	32,576.21	12.82	62,260.00	14.29	29,683.79	52%
Tenant Services - Employe	1	4210.9	5	1,006.60	2.77	6,186.56	2.43	11,930.00	2.74	5,743.44	52%
Tenant Services - Transpo	1	4220.1	5	392.87	1.08	3,009.28	1.18	10,000.00	2.30	6,990.72	30%
Tenant Services - Program	1	4220.10	5	0.00	0.00	459.48	0.18	2,380.00	0.55	1,920.52	19%
Edgewood Homes Events	1	4220.12	5	0.00	0.00	0.00	0.00	500.00	0.11	500.00	
Ten Services - Recreation	1	4220.13	5	0.00	0.00	0.00	0.00	1,500.00	0.34	1,500.00	
Babcock Place Bequest	1	4220.14	5	0.00	0.00	(225.00)	(0.09)	0.00	0.00	225.00	
Rso Custodial Services (1	1	4220.15	5	0.00	0.00	2,785.86	1.10	5,500.00	1.26	2,714.14	51%
<b>Total Tenant Services:</b>				<b>5,903.31</b>	<b>16.26</b>	<b>44,792.39</b>	<b>17.63</b>	<b>94,070.00</b>	<b>21.60</b>	<b>49,277.61</b>	<b>48%</b>
<b>UTILITIES EXPENSE</b>											
Water	1	4310	5	2,994.46	8.25	15,215.43	5.99	30,000.00	6.89	14,784.57	51%
Electricity	1	4320	5	12,990.92	35.79	62,231.68	24.49	153,960.00	35.34	91,728.32	40%
Gas	1	4330	5	1,703.43	4.69	41,907.16	16.49	75,000.00	17.22	33,092.84	56%
Other Utility Expense	1	4390	5	5,043.78	13.89	29,672.66	11.68	55,200.00	12.67	25,527.34	54%
<b>Total Utilities Expense:</b>				<b>22,732.59</b>	<b>62.62</b>	<b>149,026.93</b>	<b>58.65</b>	<b>314,160.00</b>	<b>72.12</b>	<b>165,133.07</b>	<b>47%</b>
<b>ORDINARY MAINTENANCE AND OPERATION</b>											
Labor	1	4410	5	33,502.86	92.29	230,707.48	90.79	439,590.00	100.92	208,882.52	52%
Materials	1	4420	5	3,667.04	10.10	16,237.34	6.39	36,000.00	8.26	19,762.66	45%
Contract Costs	1	4430	5	5,444.81	15.00	19,452.91	7.66	47,560.00	10.92	28,107.09	41%
Garbage Removal	1	4431	5	4,062.68	11.19	22,897.32	9.01	48,990.00	11.25	26,092.68	47%
Employee Benefit-ord. Mai	1	4433	5	8,110.74	22.34	49,656.57	19.54	100,950.00	23.17	51,293.43	49%
<b>Total Ord. Maint. &amp; Operations:</b>				<b>54,788.13</b>	<b>150.93</b>	<b>338,951.62</b>	<b>133.39</b>	<b>673,090.00</b>	<b>154.52</b>	<b>334,138.38</b>	<b>50%</b>
<b>PROTECTIVE SERVICES</b>											
Protective Services - Con	1	4480	5	1,088.00	3.00	7,616.00	3.00	13,060.00	3.00	5,444.00	58%
Protective Services - Ext	1	4480.1	5	3,822.00	10.53	9,114.00	3.59	14,000.00	3.21	4,886.00	65%
<b>Total Protective Services:</b>				<b>4,910.00</b>	<b>13.53</b>	<b>16,730.00</b>	<b>6.58</b>	<b>27,060.00</b>	<b>6.21</b>	<b>10,330.00</b>	<b>62%</b>
<b>GENERAL EXPENSE</b>											



Statement of Operating Receipts and Expenditures  
 Lawrence Housing Authority - Low Rent  
 PHA: 1 Projects: 01,02,03,04,06,07,08  
 Period Ending: 07/31/2015  
 Fiscal Year Ending: 12/31/2015  
 No. of Units: 363 No. of U/M Avail. 2541 & 4356

	Account	-----Current-----		-----Y-T-D-----		-----Budget-----		Budget Status	
		Amount	P.U.M.	Amount	P.U.M.	Amount	P.U.M.		
Insurance	1 4510 5	11,899.17	32.78	92,939.36	36.58	159,000.00	36.50	66,060.64 58%	
Payments In Lieu Of Taxes	1 4520 5	7,885.83	21.72	55,200.85	21.72	94,630.00	21.72	39,429.15 58%	
Collection Losses	1 4570 5	0.00	0.00	(1,292.72)	(0.51)	15,000.00	3.44	16,292.72 ( 9%)	
Total General Expense:		19,785.00	54.50	146,847.49	57.79	268,630.00	61.67	121,782.51 55%	
Total Routine Expense:		150,756.08	415.31	1,009,798.50	397.40	1,985,910.00	455.90	976,111.50 51%	
OTHER EXPENDITURES									
Extraordinary Maintenance	1 4610 5	0.00	0.00	75.00	0.03	3,000.00	0.69	2,925.00 3%	
Replacement Of Nonexp Equ	1 7520 5	0.00	0.00	0.00	0.00	5,040.00	1.16	5,040.00 21%	
Replacement Of Nonexp Equ	1 7520.93 5	130.99	0.36	1,053.51	0.41	450.00	0.10	(603.51)	
Total Other Expenditures:		130.99	0.36	1,128.51	0.44	8,490.00	1.95	7,361.49 13%	
Total Operating Expenditures, Including Prior Year Adj. And Other Deductions:		150,887.07	415.67	1,010,927.01	397.85	1,994,400.00	457.85	983,472.99 51%	
RESIDUAL BEFORE DEPRECIATION		(32,185.76)	(88.67)	(322,430.84)	(126.89)	(148,841.00)	(34.17)	173,589.84	
RESIDUAL AFTER DEPRECIATION		(32,185.76)	(88.67)	(322,430.84)	(126.89)	(148,841.00)	(34.17)	173,589.84	

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 4B: Receive July 2015 Clinton Place Financial Reports.

CURRENT ISSUE:

As of the July reporting period Clinton Place is at 58% through the budget year.

**Operating Revenue**

Total operating receipts from all revenue sources show we continue to run 2% over budget projections at 60%.

Total Tenant Rent and HUD Subsidy combined show as running 2% over budget projections at 60%. Occupancy at the end of July was 100%; budget estimates for 2015 are projected at 97% occupancy.

**Operating Expenses**

Total operating expenses from all sources are running 10% under budget projections at 48% or \$126,497.

Auditing Expense (6350) is running over budget at 107%. This is due to the one time annual payment made for the FY 2014 financial audit.

Total Administrative Contracts (6390) show as running 15% over or at 73% and recall is due to the annual payment for the unaudited submission of the HUD Financial Data Schedule otherwise known as the FDS. The preparation of this submission is contracted through our fee accountant Lindsey and Company. The annual cost of the FDS for 2015 was \$3,000 and is allocated against all programs within the agency. This is submitted to REAC with an annual due date of February 28. This date is based on a PHA'S fiscal year end date.

In addition all HUD multi-family properties are required to submit an annual financial statement (AFS) with an annual submission due date of March 31. The preparation of this submission is also contracted through Lindsey and Company. The annual cost of the AFS for 2015 was \$395. Clinton Place is the only multi-family property owned by LDCHA. Lastly, we expect Administrative Contracts to come in line with actual expenses as we continue throughout the budget year.

Gas continues to run over budget projections at 67%. We expect this to be seasonal.

**Operating Surplus/(Deficit)**

As of the July reporting period, Clinton Place shows total revenues of \$246,877 and total expenses of \$126,497 with an operating surplus of \$120,380.

BOARD ACTION:

Receive Report.

Statement of Operating Receipts and Expenditures  
 Lawrence Housing Authority-Clinton Place  
 PHA: 14 Projects: ALL  
 Period Ending: 07/31/2015  
 Fiscal Year Ending: 12/31/2015  
 No. of Units: 58 No. of U/M Avail. 406 & 696

Account	-----Current-----		-----Y-T-D-----		-----Budget-----		Budget Status		
	Amount	P.U.M.	Amount	P.U.M.	Amount	P.U.M.			
=====									
OPERATING INCOME									
Rent Revenue - Gross Pote 14	5120	5	(34,602.00)	(596.59)	(110,420.00)	(271.97)	(400,740.00)	(575.78)	(290,320.00)
Hud Op Subsidy 14	5121	5	0.00	0.00	(129,215.00)	(318.26)	0.00	0.00	129,215.00
Security Personnel Rent F 14	5121.1	5	(604.00)	(10.41)	(4,228.00)	(10.41)	(7,250.00)	(10.42)	(3,022.00)
Interest Income - Project 14	5410	5	(27.57)	(0.48)	(188.10)	(0.46)	(330.00)	(0.47)	(141.90)
Other Revenue - Laundry A 14	5910	5	(219.75)	(3.79)	(2,697.49)	(6.64)	(3,800.00)	(5.46)	(1,102.51)
Other Revenue - Tenant Ch 14	5920	5	(82.00)	(1.41)	(128.00)	(0.32)	(500.00)	(0.72)	(372.00)
Total Operating Income: 14			(35,535.32)	(612.68)	(246,876.59)	(608.07)	(412,620.00)	(592.84)	(165,743.41)
OPERATING EXPENSE									
Conventions & Meetings 14	6203	5	15.85	0.27	153.70	0.38	500.00	0.72	346.30
Advertising & Marketing 14	6210	5	80.00	1.38	280.00	0.69	480.00	0.69	200.00
Office Salaries 14	6310	5	1,297.17	22.37	8,454.90	20.82	15,670.00	22.51	7,215.10
Office Expenses 14	6311	5	107.09	1.85	653.39	1.61	2,000.00	2.87	1,346.61
Management Fees - Ldcha 14	6320.1	5	0.00	0.00	149.95	0.37	3,000.00	4.31	2,850.05
Manager Or Superintendent 14	6330	5	3,780.80	65.19	27,056.42	66.64	50,750.00	72.92	23,693.58
Administrative Rent Free 14	6331	5	604.00	10.41	4,228.00	10.41	7,250.00	10.42	3,022.00
Legal Expenses 14	6340	5	0.00	0.00	39.50	0.10	500.00	0.72	460.50
Auditing Expenses 14	6350	5	0.00	0.00	590.00	1.45	550.00	0.79	(40.00)
Bookkeeping Fees/accounti 14	6351	5	100.00	1.72	600.00	1.48	1,200.00	1.72	600.00
Bad Debts 14	6370	5	0.00	0.00	0.00	0.00	500.00	0.72	500.00
Miscellaneous Administrat 14	6390	5	274.72	4.74	2,712.56	6.68	3,710.00	5.33	997.44
Longevity Payment 14	6391	5	0.00	0.00	0.00	0.00	1,300.00	1.87	1,300.00
Electricity 14	6450	5	1,111.38	19.16	5,565.26	13.71	14,520.00	20.86	8,954.74
Water 14	6451	5	619.75	10.69	3,132.21	7.71	5,900.00	8.48	2,767.79
Gas 14	6452	5	218.40	3.77	2,532.52	6.24	3,800.00	5.46	1,267.48
Sewer 14	6453	5	1,265.60	21.82	7,543.46	18.58	14,430.00	20.73	6,886.54
Maintenance Expenses - Pa 14	6510	5	3,222.76	55.56	22,558.22	55.56	41,900.00	60.20	19,341.78
Maintenance Materials - S 14	6515	5	675.80	11.65	1,550.03	3.82	4,500.00	6.47	2,949.97
Maintenance Contracts 14	6520	5	635.71	10.96	2,133.36	5.25	8,510.00	12.23	6,376.64
Garbage And Trash Removal 14	6525	5	519.53	8.96	3,117.18	7.68	6,460.00	9.28	3,342.82
Heating/cooling Repairs A 14	6546	5	0.00	0.00	0.00	0.00	5,000.00	7.18	5,000.00
Extraordinary Maintenance 14	6546.1	5	462.13	7.97	5,601.24	13.80	20,000.00	28.74	14,398.76
Replacement Reserves - Ca 14	6546.2	5	0.00	0.00	633.00	1.56	4,000.00	5.75	3,367.00
Operating Reserves: Staff 14	6546.3	5	10.95	0.19	13.42	0.03	1,460.00	2.10	1,446.58
Property And Liability In 14	6720	5	814.75	14.05	6,074.95	14.96	10,020.00	14.40	3,945.05
Fidelity Bond Insurance 14	6721	5	0.00	0.00	0.00	0.00	280.00	0.40	280.00
Workmen's Compensation 14	6722	5	391.25	6.75	4,532.02	11.16	6,440.00	9.25	1,907.98
Medical Insurance & Other 14	6723	5	2,152.54	37.11	13,244.14	32.62	22,270.00	32.00	9,025.86
Health Insurance Employee 14	6723.1	5	0.00	0.00	0.00	0.00	250.00	0.36	250.00
Insurance - General Liabi 14	6724	5	7.78	0.13	54.46	0.13	0.00	0.00	(54.46)
Insurance - Auto 14	6725	5	73.50	1.27	510.26	1.26	0.00	0.00	(510.26)
Insurance - Pol 14	6727	5	0.00	0.00	154.86	0.38	0.00	0.00	(154.86)

Statement of Operating Receipts and Expenditures  
 Lawrence Housing Authority-Clinton Place  
 PHA: 14 Projects: ALL  
 Period Ending: 07/31/2015  
 Fiscal Year Ending: 12/31/2015  
 No. of Units: 58 No. of U/M Avail. 406 & 696

	Account	-----Current-----		-----Y-T-D-----		-----Budget-----		Budget Status
		Amount	P.U.M.	Amount	P.U.M.	Amount	P.U.M.	
Misc. Taxes, Lincenses, P 14	6790 5	0.00	0.00	0.00	0.00	890.00	1.28	890.00
Resident Programming/acti 14	6900 5	58.00	1.00	2,627.83	6.47	4,500.00	6.47	1,872.17
Total Operating Expense: 14		18,499.46	318.96	126,496.84	311.57	262,540.00	377.21	136,043.16
Net Profit: 14		(17,035.86)	(293.72)	(120,379.75)	(296.50)	(150,080.00)	(215.63)	(29,700.25)

PREPARED WITHOUT AUDIT

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 4C: Receive July 2015 Section 8 Program Report

BACKGROUND:

The LDCHA Section 8 MTW program consists of 732 units. Housing Authorities administering Section 8 Housing Choice Voucher (HCV) Programs received final renewal funding eligibility on February 26, 2015. For LDCHA's HCV Program the amount is \$5,104,902. This final renewal is based on a formula using 2014 Per Unit Cost's (PUC) of \$573.99 multiplied by 2015's inflation factor (1.00) =  $\$573.99 \times 732 \text{ units} \times 12 \text{ months} = \$5,041,928$ . This amount was further increased to a final budget authority proration eligibility of 101% or \$5,104,902 for FY 2015. This is \$62,974 more than the projected amount of \$5,041,928 contained in the initial 2015 Section 8 MTW budget.

Beginning in January, 2012 recall that monthly disbursement of funds are in accordance with the cash management procedures (as outlined in PIH Notice 2011-67). Cash management disburses funds on the basis of need as opposed to funding years prior to 2012 which was disbursed at 1/12 of its annual budget authority renewal allocation. Each month HUD will calculate a disbursement amount equal to the average for the prior validated quarter, plus a margin of 1 percent based on a PHA's annual allocation. PHA'S can request monthly disbursement adjustments by demonstrating the need for additional funding required to cover additional administrative expenses as well as Initiatives that are approved in PHA'S Annual MTW plans. Additionally, because of cash management PHA'S are no longer able to build up program reserves and hold them at the PHA level. Program reserves are held at the HUD level.

CURRENT ISSUE:

At 58% through the budget year the Section 8 MTW program shows a total of \$2,671,112 in total operating revenues and \$2,735,484 in total operating expenses which will be made up by the shortfall funding through the cash management process.

**Operating Income**

Total operating revenues continue to run 5% under budget projections at \$2,671,112. All of this is related to HUD operating subsidy. This is because HUD funding is disbursed monthly in accordance with cash management resulting in the program only receiving seven months worth of disbursements in the amount of \$2,658,304.

**Operating Expenses**

On the expense side, total administrative expenses are running 3% under budget projections or \$390,117. Travel continues to run over at 79%. Again, this is because of the Executive Director's recent travel to Washington, DC for work on the agency's MTW agreement. In addition this is also due to staff training and travel costs for HCV certification training for the Section 8 Director (hired in December, 2014).

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING

August 24, 2015

Recall Audit Fees (4171) is running over budget projections at 107%. This is due to the one time annual payment made for the 2014 Financial Audit. Office Supplies (4190.01) continues to run over budget projections at 78% and is because of a bulk office supply order for letterhead, paper, envelopes, business cards and special file folders. Recall the special file folders were for a new filing system for active tenant files under the Public Housing, Section 8 and HOME Programs.

Administrative Contracts continue to show as running 4% over and recall this is due to the annual payment for the unaudited submission of the HUD Financial Data Schedule otherwise known as the FDS. The preparation of this submission is contracted through our fee accountant Lindsey and Company. This is submitted to REAC with an annual due date of February 28 (based on a PHA'S fiscal year end date). We expect this budget line to come in line as we continue throughout the budget year.

Total Housing Assistance Payments (HAP) is running 2% over budget projections or \$2,252,238. The program had a total of 5,077 Section 8 units under lease as of the first day of July, 2015. This is an aggregate total of 725 units under lease on the first day of each month or 99% occupancy. At the end of July the program had a total of 5,094 units under lease. This is an aggregate total of 728 units under lease as of the last day of the month or 99% occupancy. An additional 60 vouchers were issued but not yet leased (28 vouchers were continued assistance under the program and 37 were offers from the waiting list).

A total of \$93,129 has been spent to date under the 2015 MTW Continued Initiatives as follows: \$54,675 under the Expanded RSO & Homeownership program (RSE); \$6,707 under the Homeless to Housed program (EHC); \$7,225 under the Douglas County Prisoner Re-Entry program (DRP); \$14,352 under the Douglas County Housing Inc (Youth) program (DCHI) and \$10,170 under the Development/Acquisition (1480) Initiative. Recall expenses under the Development/Acquisition Initiative are for legal fees, earnest money as well as the initial inspection cost for the pending purchase of 1725 New Hampshire. Expenditures for all 2015 HUD approved MTW Initiatives are charged to the Section 8 MTW Program.

LDCHA was disbursed a total of \$2,658,304 of CY 2015 Budget Authority. Based on VMS reporting total expenses for HAP, Administrative and approved 2015 MTW Initiatives equals \$2,735,484 leaving a shortfall of \$77,180. HUD'S system is down and this shortfall funding of \$77,180 will not be able to be approved until Monday (August 24). We expect this to be deposited into our bank account on Thursday August 27, 2015.

**Operating Surplus/(Deficit)**

As of the July reporting period the Section 8 MTW program has a total of \$2,748,292 in operating income (adjusted for the shortfall of \$77,180 that does not appear in the amount under operating income HUD allocations A/C 3112). Total expenses show a total of \$2,735,484. When looking at this the Section 8 HCV Program has an operating surplus of \$12,808. This operating surplus is the current year reserve that is held at the PHA level.

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

When calculating program reserves held at the HUD level (in accordance with cash management) HUD obligations for seven months budget authority (Jan through July total \$2,977,857 and disbursed \$2,735,484 (adjusted for the shortfall of \$77,180) leaving a difference of \$242,373. This \$242,373 is the amount of program reserves held at the HUD level and for LDCHA to gain access to these funds we must justify expenditures through cash management.

BOARD ACTION:

Receive Report.

<b>LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY SECTION 8 MTW PROGRAM</b>						
<b>JULY, 2015 SECTION 8 PROGRAM REPORT (58% OF THE BUDGET YEAR)</b>						
<b>OPERATING INCOME:</b>						
<u>ACCOUNT NAME</u>	<u>A/C #</u>	<u>CURRENT</u>	<u>YEAR-TO-DATE</u>	<u>BUDGET</u>	<u>BUDGET STATUS</u>	<u>% OF BUDGET YEAR</u>
2015 MTW HUD Allocation	3112	394,390.00	2,658,304.00	5,041,928.00	2,383,624.00	53%
Interest Earned on Operating Reserves	3300	3,757.53	8,139.70	9,000.00	860.30	90%
Fraud Repayments	3300.1	450.00	2,035.43	1,000.00	-1,035.43	204%
Administrative Fees Earned for Portability	3300.P	44.02	308.14	530.00	221.86	58%
Administrative Fees Earned for HOME TBRA	3300.3	275.00	1,925.00	3,300.00	1,375.00	58%
HUD Homeownership Fees	3300.4	400.00	400.00	0.00	-400.00	0%
Insurance Dividend Returns	3300.5	0.00	0.00	0.00	0.00	0%
<b>TOTAL OPERATING RECEIPTS</b>		<b>399,316.55</b>	<b>2,671,112.27</b>	<b>5,055,758.00</b>	<b>2,384,645.73</b>	<b>53%</b>
<b>OPERATING EXPENDITURES:</b>						
<b>ADMINISTRATIVE EXPENSES</b>						
Administrative Salaries	4110	36,326.23	249,837.37	479,070.00	229,232.63	52%
Experience Awards	4110.3	0.00	0.00	2,390.00	2,390.00	0%
CA - Administrative Salaries	4110.75	0.00	0.00	0.00	0.00	0%
Legal Expense	4130	0.00	1,394.80	1,000.00	-394.80	139%
Training	4140	0.00	1,110.45	3,000.00	1,889.55	37%
Travel	4150	275.44	5,549.82	7,000.00	1,450.18	79%
Accounting Fees	4170	885.00	6,195.00	10,380.00	4,185.00	60%
Audit Fees	4171	0.00	7,316.00	6,820.00	-496.00	107%
Employee Benefits - Administration	4182	9,979.73	61,134.91	118,610.00	57,475.09	52%
Employee Benefits - Longevity Payments	4182.3	0.00	0.00	460.00	460.00	
Office Supplies	4190.01	627.66	6,246.23	8,000.00	1,753.77	78%
Publications	4190.11	0.00	77.50	0.00	-77.50	
Membership Dues & Fees	4190.12	0.00	1,297.28	2,160.00	862.72	60%
Telephone	4190.13	358.97	2,439.89	4,400.00	1,960.11	55%
Postage and Miscellaneous Sundry	4190.18	993.10	11,630.28	19,500.00	7,869.72	60%
Administrative Contracts	4190.19	1,047.71	11,493.45	18,010.00	6,516.55	64%
Tenant Services	4190.21	0.00	0.00	0.00	0.00	
Landlord Outreach	4190.22	0.00	0.00	0.00	0.00	
Maintenance & Operations	4400	40.20	190.34	500.00	309.66	38%
Workers Compensation Insurance	1211	6,239.00	21,175.11	19,590.00	-1,585.11	108%
Administrative Fees Paid for Portability	4590.P	209.28	1,553.48	1,560.00	6.52	100%
Replacements (Expendable)	7520.93	195.93	315.49	590.00	274.51	53%
Betterments & Additions - Exp Equipment	7540.3	0.00	1,159.39	11,040.00	9,880.61	11%
<b>TOTAL ADMINISTRATIVE EXPENSES</b>		<b>57,178.25</b>	<b>390,116.79</b>	<b>714,080.00</b>	<b>323,963.21</b>	<b>55%</b>
<b>HOUSING ASSISTANCE PAYMENTS</b>						
Total Housing Assistance Payments	4715	321,380.00	2,252,238.40	3,992,352.00	1,740,113.60	
<b>TOTAL HOUSING ASSISTANCE PAYMENTS</b>		<b>321,380.00</b>	<b>2,252,238.40</b>	<b>3,992,352.00</b>	<b>1,740,113.60</b>	<b>64%</b>
<b>2015 APPROVED CONTINUED INITIATIVES (RESERVES)</b>						
Expanded Resident Services & Homeownership	RSE	9,591.40	54,675.02	110,219.00	55,543.98	50%
Homeless To Housed	EHC	816.85	6,706.57	18,481.00	11,774.43	36%
Douglas County Prisoner Re-Entry Program	DRP	471.00	7,225.00	15,500.00	8,275.00	47%
Douglas County Housing Inc	DCHI	2,032.51	14,352.34	31,913.00	17,560.66	45%
Development/Acquisition	1480	937.50	10,170.00	0.00	-10,170.00	
<b>TOTAL MTW INITIATIVES</b>		<b>13,849.26</b>	<b>93,128.93</b>	<b>176,113.00</b>	<b>82,984.07</b>	<b>53%</b>
<b>TOTAL ALL EXPENSES</b>		<b>392,407.51</b>	<b>2,735,484.12</b>	<b>4,882,545.00</b>	<b>2,147,060.88</b>	<b>56%</b>
<b>OPERATING SURPLUS/(DEFICIT)</b>		<b>6,909.04</b>	<b>-64,371.85</b>	<b>173,213.00</b>	<b>237,584.85</b>	
<b>ADJUSTMENTS TO YTD SURPLUS/(DEFICIT)</b>						
Y-T-D Surplus/(Deficit) on Financial Report			-64,371.85			
HUD Disbursement scheduled for 08/24/15			77,180.12			
PHA Held Operating Reserve through 07/31/15			12,808.27			
VMS PMC's through June, 2015 (uploaded to VMS in 08/2015)						



LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 4D: Receive Peterson Acres II Semi-annual Financial Report.

BACKGROUND:

Peterson Acres II Development, 2930 Peterson Road, is an 8 unit non-subsidized low income senior development that was completed in October, 2007. The development operates under a below market sliding scale rent schedule. Households with Section 8 assistance that otherwise qualify may use their voucher to lease a unit in the development.

CURRENT ISSUE:

At 50% through the budget year the Peterson Acres II financial report covers the reporting period January through June, 2015. Additionally, as of this reporting period the development was at 100% occupancy; budget projections were based on 99% occupancy.

**OPERATING INCOME**

Peterson Acres II shows \$25,164 in total operating revenue broken down as follows: \$25,004 in total rental income (this is 1% over budget projections); \$85 in interest income as well as \$75 for tenant caused work order damages and/or late fees.

**OPERATING EXPENSES**

On the expense side, total administrative expenses show as running 11% over budget projections or \$6,497.

Legal Expense is running over budget projections at 6667% or \$2,000. This is because of the payment made to Reno & Cavanaugh for the MTW contract negotiations. The 39 MTW Agencies hired this legal firm to review drafts of the MTW extension agreement. There was a request for all agencies to contribute \$2,000 for work completed. There is a potential for another \$2,000 going forward as the final documents are prepared. Based on the important consequences of the issues faced in negotiating the new agreement, which is anticipated to significantly modify the MTW program, staff recommended at the 04/27/15 Board of Commissioners meeting to pay these amounts. Additionally, the Executive Director informed the Board the intent was to pay the funds from the Peterson Acres II account. Those funds belong to the LDCHA and there could be no argument in the propriety of the use of housing subsidy funds. The Board approved the recommendation as noted in the April 27, 2015 Executive Directors report.

Audit Fees (4171) shows as running over budget projections at 107% or \$118. This is due to the one time annual payment made for the FY 2014 Financial Audit.

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

Total Operating Expenditures are running 9% under budget projections at 41% or \$9,104.

**OPERATING SURPLUS/(DEFICIT)**

As of the June reporting period the development had total operating revenues of \$25,164 and total operating expenses of \$9,104 with an operating surplus of \$16,061.

BOARD ACTION:

Receive Report.

Statement of Operating Receipts and Expenditures  
 Lawrence Housing Authority-Peterson Acre  
 PHA: 18 Projects: ALL  
 Period Ending: 06/30/2015  
 Fiscal Year Ending: 12/31/2015  
 No. of Units: 8 No. of U/M Avail. 48 & 96

Account	-----Current-----		-----Y-T-D-----		-----Budget-----		Budget Status			
	Amount	P.U.M.	Amount	P.U.M.	Amount	P.U.M.				
=====										
OPERATING RECEIPTS										
RENTAL INCOME										
Dwelling Rental	18	3110	5	(4,166.00)	(520.75)	(25,004.00)	(520.92)	(49,020.00)	(510.63)	(24,016.00)
Total Rental Income:				(4,166.00)	(520.75)	(25,004.00)	(520.92)	(49,020.00)	(510.63)	(24,016.00)
OTHER INCOME										
Interest Earned On Gen Fu	18	3610	5	(15.25)	(1.91)	(85.47)	(1.78)	(170.00)	(1.77)	(84.53)
Other Income	18	3690	5	(25.00)	(3.13)	(75.00)	(1.56)	(100.00)	(1.04)	(25.00)
Total Other Income:				(40.25)	(5.03)	(160.47)	(3.34)	(270.00)	(2.81)	(109.53)
Total Income:				(4,206.25)	(525.78)	(25,164.47)	(524.26)	(49,290.00)	(513.44)	(24,125.53)
OTHER RECEIPTS										
Total Other Receipts:				0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Operating Receipts:				(4,206.25)	(525.78)	(25,164.47)	(524.26)	(49,290.00)	(513.44)	(24,125.53)
OPERATING EXPENDITURES										
ADMINISTRATIVE EXPENSE										
Administrative Salaries	18	4110	5	459.61	57.45	2,855.12	59.48	6,150.00	64.06	3,294.88
Longevity Payments	18	4110.3	5	0.00	0.00	0.00	0.00	70.00	0.73	70.00
Legal Expense	18	4130	5	2,000.00	250.00	2,000.40	41.68	30.00	0.31	(1,970.40)
Travel	18	4150	5	13.96	1.75	22.69	0.47	40.00	0.42	17.31
Accounting Fees	18	4170	5	60.00	7.50	360.00	7.50	720.00	7.50	360.00
Audit Fees	18	4171	5	0.00	0.00	118.00	2.46	110.00	1.15	(8.00)
Employee Benefit Contribu	18	4182	5	118.68	14.84	730.11	15.21	1,620.00	16.88	889.89
Employee Benefits - Longe	18	4182.3	5	0.00	0.00	0.00	0.00	20.00	0.21	20.00
Publications	18	4190.11	5	1.25	0.16	1.25	0.03	0.00	0.00	(1.25)
Membership Dues And Fees	18	4190.12	5	0.00	0.00	18.64	0.39	40.00	0.42	21.36
Telephone Expense	18	4190.13	5	0.00	0.00	11.78	0.25	70.00	0.73	58.22
Coll Agent Fees And Court	18	4190.15	5	0.00	0.00	0.00	0.00	10.00	0.10	10.00
Forms & Office Supplies	18	4190.17	5	0.00	0.00	0.00	0.00	20.00	0.21	20.00
Sundry Expenses	18	4190.18	5	10.61	1.33	74.71	1.56	170.00	1.77	95.29
Administrative Contracts	18	4190.19	5	4.73	0.59	209.19	4.36	530.00	5.52	320.81
Managment Fees	18	4190.40	5	19.77	2.47	94.66	1.97	1,000.00	10.42	905.34
Total Administrative Expense:				2,688.61	336.08	6,496.55	135.34	10,600.00	110.42	4,103.45
TENANT SERVICES										
Total Tenant Services:				0.00	0.00	0.00	0.00	0.00	0.00	0.00
UTILITIES EXPENSE										
Water	18	4310	5	0.00	0.00	0.00	0.00	20.00	0.21	20.00

Statement of Operating Receipts and Expenditures  
 Lawrence Housing Authority-Peterson Acre  
 PHA: 18 Projects: ALL  
 Period Ending: 06/30/2015  
 Fiscal Year Ending: 12/31/2015  
 No. of Units: 8 No. of U/M Avail. 48 & 96

Account	-----Current-----		-----Y-T-D-----		-----Budget-----		Budget Status			
	Amount	P.U.M.	Amount	P.U.M.	Amount	P.U.M.				
Electricity	18	4320	5	0.00	0.00	0.00	0.00	100.00	1.04	100.00
Gas	18	4330	5	0.00	0.00	0.00	0.00	70.00	0.73	70.00
Sewer	18	4390	5	0.00	0.00	0.00	0.00	30.00	0.31	30.00
Total Utilities Expense:				0.00	0.00	0.00	0.00	220.00	2.29	220.00
ORDINARY MAINTENANCE AND OPERATION										
Labor	18	4410	5	40.36	5.05	247.99	5.17	550.00	5.73	302.01
Materials	18	4420	5	9.07	1.13	106.48	2.22	670.00	6.98	563.52
Contract Costs	18	4430	5	401.04	50.13	807.12	16.82	2,760.00	28.75	1,952.88
Garbage Removal	18	4431	5	0.00	0.00	0.00	0.00	30.00	0.31	30.00
Employee Benefit-ord. Mai	18	4433	5	9.31	1.16	58.30	1.21	170.00	1.77	111.70
Total Ord. Maint. & Operations:				459.78	57.47	1,219.89	25.41	4,180.00	43.54	2,960.11
PROTECTIVE SERVICES										
Total Protective Services:				0.00	0.00	0.00	0.00	0.00	0.00	0.00
GENERAL EXPENSE										
Insurance	18	4510	5	192.64	24.08	1,386.83	28.89	2,750.00	28.65	1,363.17
Collection Losses	18	4570	5	0.00	0.00	0.00	0.00	200.00	2.08	200.00
Total General Expense:				192.64	24.08	1,386.83	28.89	2,950.00	30.73	1,563.17
Total Routine Expense:				3,341.03	417.63	9,103.27	189.65	17,950.00	186.98	8,846.73
OTHER EXPENDITURES										
Extraordinary Maintenance	18	4610	5	0.00	0.00	0.00	0.00	2,000.00	20.83	2,000.00
Replacement Of Nonexp Equ	18	7520.93	5	0.00	0.00	0.49	0.01	2,000.00	20.83	1,999.51
Total Other Expenditures:				0.00	0.00	0.49	0.01	4,000.00	41.67	3,999.51
Total Operating Expenditures, Including Prior Year Adj. And Other Deductions:				3,341.03	417.63	9,103.76	189.66	21,950.00	228.65	12,846.24
RESIDUAL BEFORE DEPRECIATION				(865.22)	(108.15)	(16,060.71)	(334.60)	(27,340.00)	(284.79)	(11,279.29)
RESIDUAL AFTER DEPRECIATION				(865.22)	(108.15)	(16,060.71)	(334.60)	(27,340.00)	(284.79)	(11,279.29)

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 4E: Receive VASH 1 Vouchers Financial Report.

BACKGROUND:

In Fiscal Year 2013 LDCHA was awarded \$137,758 in budget authority for a twelve month term to support 20 HUD –Veterans Affairs Supportive Housing (HUD VASH 1) vouchers from the Fiscal Year (FY) 2013 allocation. The vouchers are to be administered in partnership with Eastern KS Health Care System (HCS) Topeka Division serving veterans identified in Lawrence.

For the first twelve months HUD used the leasing schedules submitted by PHA's to determine the amount of HUD-VASH funding disbursed to PHA'S on a monthly basis. The initial twelve month leasing schedule ran from July, 2013 to June, 2014. Renewal of VASH 1 vouchers in FY 2014 (effective 07/01/14) was based on VMS HAP costs for all VASH 1 vouchers for the re-benchmarking period (CY 2013). Renewal of VASH 1 vouchers in FY 2015 (effective 01/01/15) was based on VMS HAP Costs for all VASH 1 vouchers for the re-benchmarking period (CY 2014). Based on 2014 reported HAP costs in VMS the Budget Authority for the FY 2015 renewal period is \$105,452. This amount was further increased to a prorated eligibility of 1.01249 or \$106,769 for Calendar Year 2015.

Additionally, beginning with the July, 2014 renewal period monthly disbursement of funds for VASH 1 vouchers were required to follow cash management procedures which disburses funds on the basis of need (as reported in VMS).

CURRENT ISSUE:

At 58% through the budget year the Section 8 VASH 1 program shows a total of \$76,398 in total operating revenues (HUD obligated budget authority) and \$60,659 in total operating expenses (HAP).

**Operating Income**

Total operating revenues are running 14% over budget projections at 72% or \$76,398. This is because of budget authority disbursed through cash management (based on reported VMS HAP Expenses through April, 2015). We expect total operating revenues to come in line as we continue throughout the budget year.

**Operating Expenses**

On the expense side, total Housing Assistance Payments (HAP) is running on line budget projections at 58% or \$60,659. At the end of July the program had a total of 134 unit months under lease as of the first day of July 1, 2015. This is an aggregate total of 19 units under lease as of the first day of each month or 96% occupancy. In addition we expect to be at 20 units under lease on September 1, 2015.

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

**Operating Surplus/(Deficit)**

As of the July reporting period the Section 8 VASH 1 program has a total of \$76,398 in operating income. Total HAP expenses show a total of \$60,659. When looking at this the Section 8 VASH 1 Program has an operating surplus of \$15,739.

We do not expect to end the year with a large surplus and estimate any surplus at FYE 2015 to be approximately \$1,735 (provided all 20 units remain under lease through the end of FY 2015). In the event the program has a shortfall funding we are told that HUD will require us to cover this with unused VASH 1 HAP Reserve from CY 2013 and CY 2014 that is being held at the PHA level.

Unused VASH 1 HAP Reserve (held at the PHA level) at FYE 2013 was \$16,698.  
Unused VASH 1 HAP Reserve (held at the PHA level) at FYE 2014 was \$10,765.

Recall the reason for the large operating reserve surplus (held at the PHA level) at FYE 2013 and FYE 2014 was due to budget authority disbursements received from June, 2013 through June 30, 2014 (that did not fall under cash management rules).

In addition, the agency was awarded an additional 10 units (from the FY 2014 allocation) known as VASH 2 on October 1, 2014. These will be reported on at FYE 12/31/15. Lastly, the agency was awarded an additional 15 units (from the FY 2015 allocation) known as VASH 3 on May 1, 2015. These will be reported on in FYE 2016.

Board Action:

Receive Report.

<b>LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY</b>						
<b>JULY, 2015 VASH 1 FINANCIAL REPORT (58% THROUGH THE BUDGET YEAR)</b>						
<b>OPERATING INCOME:</b>						
<u>ACCOUNT NAME</u>	<u>A/C #</u>	<u>CURRENT</u>	<u>YEAR-TO-DATE</u>	<u>BUDGET</u>	<u>BUDGET STATUS</u>	<u>% OF BUDGET YEAR</u>
2015 VASH 1 HUD Allocation	2210	10,896.00	76,398.00	106,769.00	30,371.00	72%
<b>TOTAL OPERATING RECEIPTS</b>		<b>10,896.00</b>	<b>76,398.00</b>	<b>106,769.00</b>	<b>30,371.00</b>	<b>72%</b>
<b>OPERATING EXPENDITURES:</b>						
<b>HOUSING ASSISTANCE PAYMENTS</b>						
Total Housing Assistance Payments	4715	8,875.00	60,659.00	105,034.00	44,375.00	58%
Total Utility Allowance Payments	4715.4	0.00	0.00	0.00	0.00	0%
<b>TOTAL HOUSING ASSISTANCE PAYMENTS</b>		<b>8,875.00</b>	<b>60,659.00</b>	<b>105,034.00</b>	<b>44,375.00</b>	<b>58%</b>
<b>OPERATING SURPLUS/(DEFICIT)</b>		<b>2,021.00</b>	<b>15,739.00</b>	<b>1,735.00</b>	<b>14,004.00</b>	
includes VMS corrections through June, 2015						

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 4F: Receive LDCHA Quarterly Demographic Report

BACKGROUND:

Staff compiles a report of the demographics of the various LDCHA programs for each quarter of the fiscal year. This can be considered a snapshot of the programs when the report is compiled and may help to identify trends over time. The report includes the number of units under lease, basic household composition, household composition by race or ethnicity (this is voluntarily self-reported), income information, and the status of the heads of household of both current tenants and those on the waiting list. Pie charts have been included to better illustrate selected statistics.

CURRENT ISSUE:

The Quarterly Demographic Report is attached.

BOARD ACTION:

Receive report.

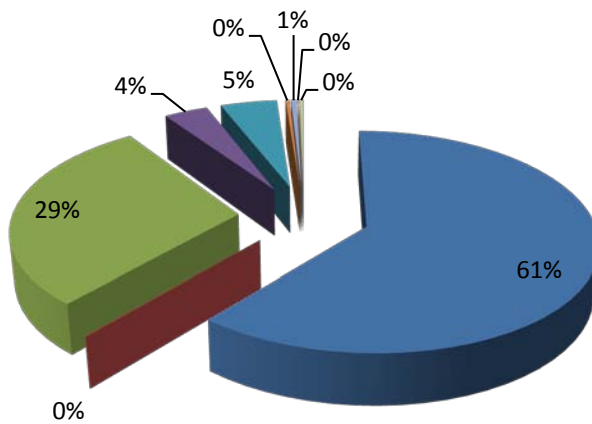


DEMOGRAPHICS OF LDCHA PROGRAMS  
Quarter 2: Based on July 10, 2015 Data

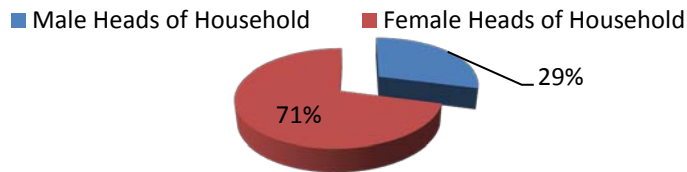
Description	Total	Percent
<b>Units Under Lease by Program</b>		
Section 8 Units	748	
Port-Outs	7	
Total Section 8 Units and Port-Outs	<u>755</u>	
Section 8 Portable Vouchers Administered (Port-Ins)	1	
Public Housing Units	360	
HOME Units	45	
Section 8 New Construction (Clinton Place)	58	
Supported Housing Program Units	4	
Affordable Elderly Units (Peterson II which are not vouchers)	6	
Douglas County Reentry Program Vouchers	1	
Building for Independence - Bert Nash Baldwin Units	4	
<b>Total Units Under Lease by Program</b>	<b><u>1,234</u></b>	
<b>All Active Tenants (Excludes Port-Outs)</b>	<b>1,227</b>	
<b>Active Section 8 Tenants</b>		
Section 8 Units: Excluding VASH	724	
Section 8 Units: VASH Only	24	
Total Active Section 8 Tenants	<u>748</u>	
Port-Ins	1	
Douglas County Reentry Program Vouchers	1	
<b>Total Active Section 8 Tenants</b>	<b><u>750</u></b>	
MTW Households	<b>419</b>	
Average Gross Income - MTW Rent Structure Households	<b>\$24,298</b>	
<b>Head of Household Information</b>		
Male Heads of Household	358	29%
Female Heads of Household	873	71%
<b>Total Heads of Household</b>	<b><u>1,231</u></b>	
Couples	<b>89</b>	
Family Members	<b>2,388</b>	
Children	<b>884</b>	
Average Age of Children	<b>9</b>	
Average Family Members/Household	<b>1.94</b>	
<b>Households by Race/Ethnicity</b>		
White	<b>935</b>	76%
Black	<b>185</b>	15%
Native American	<b>62</b>	5%
Asian/ Hawaiian/Pacific Islander	<b>15</b>	1%
Mixed/Other	<b>34</b>	3%
Hispanic	<b>52</b>	4%
Non Hispanic	<b>1,179</b>	96%
<b>Gross Income Information</b>		
0% AMI To 29% AMI	726	59%
30% AMI To 49% AMI	356	29%
50% AMI To 79% AMI	130	11%
80% AMI To 99% AMI	14	1%
100% AMI And Over	3	0%
<b>Total Households</b>	<b><u>1,229</u></b>	
Average Gross Household Income - ALL HOUSEHOLDS	<b>\$17,075</b>	

## LDCHA PROGRAM UTILIZATION

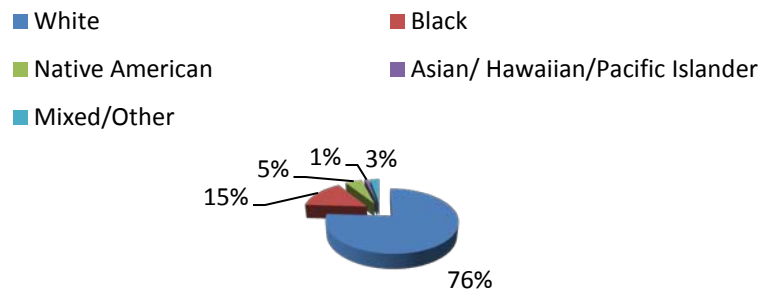
- Total Section 8 Units and Port-Outs
- Section 8 Portable Vouchers Administered (Port-Ins)
- Public Housing Units
- HOME Units
- Section 8 New Construction (Clinton Place)
- Supported Housing Program Units



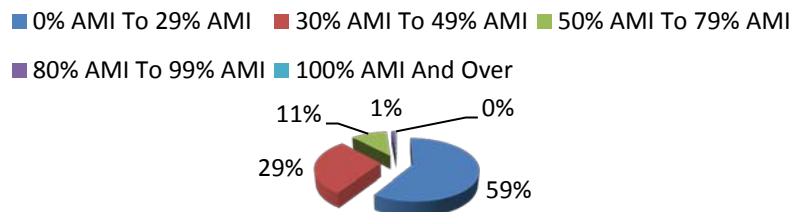
## HEAD OF HOUSEHOLD GENDER



## HEAD OF HOUSEHOLD REPORTED RACE



## INCOME OF ASSISTED HOUSEHOLD - ALL PROGRAMS



DEMOGRAPHICS OF LDCHA PROGRAMS

Quarter 2: Based on July 10, 2015 Data

**LDCHA Active Tenants by Head of Household Status**

Active Residents	Total	Pct	Section 8				+Public Housing & Affordable Elderly	Pct	HOME	Pct	**Section 8 New Const - CLINTON & BALDWIN	Pct	Supported Housing	Pct
			*Section 8 Vouchers	Pct	Section 8 VASH	Pct								
Program Total	1227	100%	726	59%	24	2%	366	33%	45	4%	62	5%	4	0%
Elderly Heads of Household	356	29%	159	22%	3	13%	146	39%	0	0%	48	77%	0	0%
Non-Elderly Disabled Heads of Household	456	37%	317	44%	16	67%	75	20%	30	67%	14	23%	4	100%
Non-Elderly Non-Disabled Heads of Household	415	34%	250	34%	5	21%	145	40%	15	33%	0	0%	0	0%

\*Includes Port-Ins and Douglas County Reentry, but not Port-outs.

+ Includes Units at Peterson Acres II rented under Affordable Senior Housing Sliding Scale Rents.

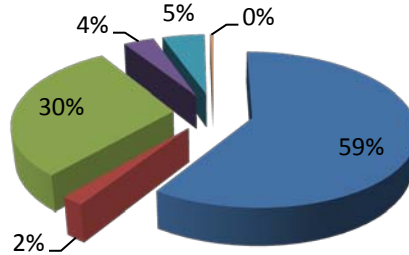
\*\* Includes Units at Clinton Place and Bert Nash Building for Independence

**LDCHA Waiting Lists by Head of Household Status**

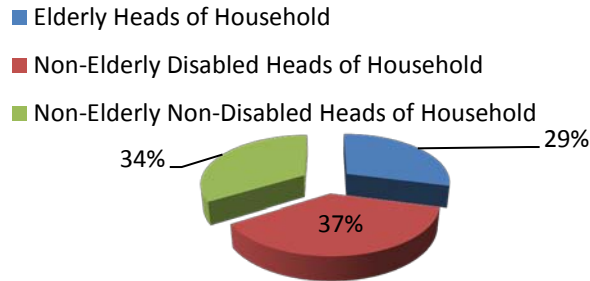
Applicants on Waiting Lists	Total	Pct	General Housing & Incoming Portable Vouchers	Pct	Babcock Place & Peterson Acres	Pct	HOME - City Homeless Transitional & Bert Nash CSS	Pct	Clinton Place & Bert Nash Building Indep.	Pct	Hope Building Supported Housing	Pct
Totals	609	100%	384	63%	104	17%	59	10%	62	10%	0	0%
Elderly Heads of Household	122	20%	51	13%	46	44%	0	0%	25	40%	0	0%
Non-Elderly Disabled Heads of Household	150	25%	82	21%	31	30%	15	25%	22	35%	0	0%
Non-Elderly Non-Disabled Heads of Household	337	55%	251	65%	27	26%	44	75%	15	24%	0	0%

**ACTIVE RESIDENTS BY PROGRAM**

- \*Section 8 Vouchers
- Section 8 VASH
- +Public Housing & Affordable Elderly
- HOME
- \*\*Section 8 New Const - CLINTON & BALDWIN
- Supported Housing

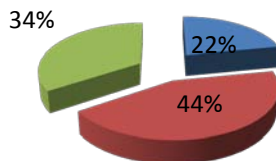


**ACTIVE RESIDENTS BY ELDERLY/DISABLED STATUS  
ALL PROGRAMS**



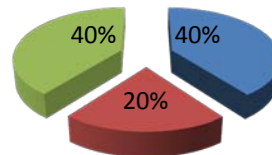
**SECTION 8 RESIDENTS BY  
 ELDERLY/DISABILITY STATUS**

- Elderly Heads of Household
- Non-Elderly Disabled Heads of Household
- Non-Elderly Non-Disabled Heads of Household



**PUBLIC HOUSING RESIDENTS BY  
 ELDERLY/DISABILITY STATUS**

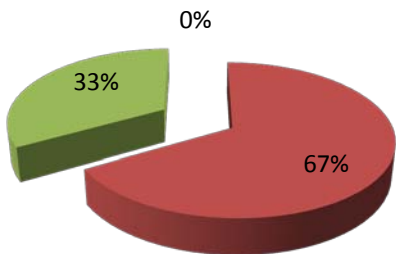
- Elderly Heads of Household
- Non-Elderly Disabled Heads of Household
- Non-Elderly Non-Disabled Heads of Household



DEMOGRAPHICS OF LDCHA PROGRAMS  
Quarter 2: Based on July 10, 2015 Data

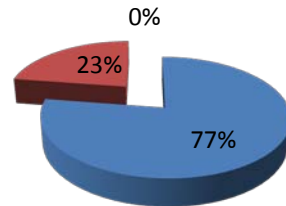
**HOME RESIDENTS BY  
ELDERLY/DISABILITY STATUS**

- Elderly Heads of Household
- Non-Elderly Disabled Heads of Household
- Non-Elderly Non-Disabled Heads of Household



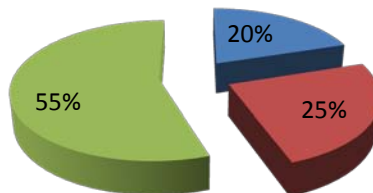
**CLINTON PLACE RESIDENTS BY  
ELDERLY/DISABILITY STATUS**

- Elderly Heads of Household
- Non-Elderly Disabled Heads of Household
- Non-Elderly Non-Disabled Heads of Household



**APPLICANTS BY ELDERLY/DISABILITY STATUS**

- Elderly Heads of Household
- Non-Elderly Disabled Heads of Household
- Non-Elderly Non-Disabled Heads of Household



LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 4G: Resolution 2015-14: Revise LDCHA Maintenance Schedule of Charges for Tenant Caused Damages

BACKGROUND:

Annually the LDCHA must review its Schedule of Maintenance Charges for damages caused by tenants, turnover charges at move-out, and for calls made to maintenance staff after normal working hours. The last revision was made in August 2013. Tenants are notified of the proposed changes and provided an opportunity to submit questions.

CURRENT ISSUE:

Attached is an updated Maintenance Schedule of Charges for Tenant Caused Damages with the proposed changes marked. Some items needed to be changed to reflect the actual cost of supplies and materials for repair and replacement. Most items that were changed reflect minor increases or decreases in price as indicated on the list. The revised schedule of charges will become effective one month after Board Approval.

BOARD ACTION:

Approve Resolution 2015-14 if appropriate.

RESOLUTION 2015-14  
August 24, 2015

**BE IT RESOLVED** that the Board of Commissioners of the Lawrence-Douglas County Housing Authority (LDCHA) approves **Resolution 2015-14: Revise LDCHA Maintenance Schedule of Charges for Tenant Caused Damages** as presented to the Board of Commissioners this **24th** day of **August, 2015**.

**NOW THEREFORE** the Board of Commissioners does hereby approve Resolution 2015-14.





Dear LDCHA Tenants:

July 15, 2015

At least annually, the LDCHA staff reviews the Maintenance Schedule of Charges for Tenant Caused Damages for costs associated with damages incurred by tenants, and for calls made to maintenance staff after regular business hours. The LDCHA Board of Commissioners will consider for approval the revised maintenance charges at the Board Meeting on **August 24, 2015**. The revised schedule of will become effective October 1, 2015. The new information will be posted at the LDCHA main administrative office building at 1600 Haskell Ave, Babcock Place: 1700 Massachusetts, and at the LDCHA Resident Service Office at 1600 Haskell #186/187.

In reviewing the charges, listed are the items that need to be changed to reflect actual cost of supplies and materials for repair and replacement. The proposed charges are listed next to the old charge that has a strike through line.

<u>Item</u>	<u>Current Charge/New Charge</u>	<u>Item</u>	<u>Current Charge/New Charge</u>
Carpet replacement with pad		Drip pans for elec. range (large)	<del>\$4.00</del> <b>4.50</b>
Carpet (Studio)	<del>\$585.00</del> <b>697.00</b>	Ice cube tray	<del>.50</del> <b>.75</b>
Carpet (1 bedroom)	<del>655.00</del> <b>901.00</b>	Range hood	<del>40.00</del> <b>46.50</b>
Carpet (2 Bedroom)	<del>825.00</del> <b>1271.00</b>	Refrigerator door shelf bar bracket	<del>6.00</del> <b>7.50</b>
Appliance light bulb	<del>0.50</del> <b>0.60</b>	Faucet handle: Crane	<del>16.00</del> <b>6.50</b>
Broiler pan	<del>30.00</del> <b>15.00</b>	Delta-tub/shower	<del>27.00</del> <b>8.00</b>
Guide	<del>4.00</del> <b>5.50</b>		
Drip pans for elec. range (small)	<del>2.50</del> <b>3.70</b>		

**LOCKOUTS**

**After Hours and Weekends (5 PM to 8AM) **\*\*Tenants will be billed according to the Holiday rate per hour after 2 occurrences in 60 day period.****

Edgewood Homes	\$ 55.00**
Scattered Sites	55.00**

Some item(s) have been deleted as they are no longer a part of the LDCHA inventory.

~~Toilet handle - Kohler (BP) 18.00 (Delete)~~

If you have any questions or would like a copy, you may contact Milton Scott, Director of Program and Property Management, at 842-8110; Sandra Bradshaw, Director of Senior Housing, at 842-8358; and Lori Dalrymple, Property Manager Clinton Place at 841-1000. For your convenience as well, the complete list including unchanged charges is posted on the LDCHA website: **www.LDCHA.org**

Thank you,

Lawrence-Douglas County Housing Authority Management

1600 Haskell Avenue ▲ Lawrence, KS 66044 ▲ phone: 785-842-8110 ▲ fax: 785-842-9596 ▲ housing@ldcha.org



**LAWRENCE – DOUGLAS COUNTY HOUSING AUTHORITY  
 MAINTENANCE SCHEDULE OF CHARGES FOR TENANT CAUSED DAMAGES  
 RESOLUTION 657 January 27, 1998**

Revised: RESOLUTION 717 January 25, 2000	Revised: RESOLUTION 786 February 26, 2002
Revised: RESOLUTION 805 January 28, 2003	Revised: RESOLUTION 847 February 23, 2004
Revised: RESOLUTION 918 February 27, 2006	Revised: RESOLUTION 958 February 26, 2007
Revised: RESOLUTION 993 February 25, 2008	Revised: RESOLUTION 1023 February 23, 2009
Revised: RESOLUTION 2010-13 June 28, 2010	Revised: RESOLUTION 2011-12 June 27, 2011
Revised: RESOLUTION 2013-13 August 26, 2013	Revised: RESOLUTION 2015-14 August 24, 2015

1. Charges listed are costs for the most commonly used items.
2. Labor charges for work done by LDCHA Maintenance staff is calculated at \$22.00 per hour for normal business hours. It will cost \$33.00 per hour for after-hours, evenings, and weekends. Charges will be \$55 per hour for holidays and emergency calls after 10:00 p.m. There will be a 1 hour minimum charge then 15 minute increments thereafter.
3. All charges for work performed by outside contractors will be charged to the tenant for the full amount of the bill, plus the time accrued by the LDCHA Maintenance Staff.
4. Charges for services and items not listed here will be billed according to time and materials. (See #2)
5. All after-hours work will be billed at the cost of labor plus materials if not otherwise indicated.
6. If it is determined that a vacated unit must be painted and the tenant has occupied the unit less than one year, the cost of repainting shall be prorated and charged to the tenant based on the length of occupancy. The tenant shall also be charged for any repairs, materials used and wall preparation.
7. If, on the basis of an inspection, it is determined that an occupied unit must be painted and if the tenant has occupied the unit less than five years, the cost of repainting shall be prorated and charged to the tenant based on the length of occupancy. The tenant shall also be charged for any repairs, material used and wall preparation.
8. These charges apply to tenant damages or tenant caused conditions.
9. Labor and materials are documented on the work order generated for each repair.
10. LDCHA makes every effort to keep replacement costs related to tenant damages or tenant caused conditions to a minimum. The charges listed are subject to change in cases where the actual cost to the LDCHA has been changed by the vendor.

**TURNOVER CLEANING & SERVICES (Costs include Labor and Materials)**

Kitchen (complete)	\$198.00	Bathroom (complete per bathroom)	\$72.00
Stove & oven only	54.00	Tub/shower & tile (per bathroom)	36.00
Refrigerator only	54.00	Toilet, Sink, Mirror (Per bathroom)	18.00
Kitchen cabinets	72.00	Vinyl tile (sweep/mop)	36.00
Sink & countertops	18.00	Abandoned Unit Item Removal/Trip to Dump	147.50
Carpet replacement with pad			
Carpet (Studio)	<del>\$585.00</del> <b>697.00</b>		
Carpet (1 bedroom)	<del>655.00</del> <b>901.00</b>		
Carpet (2 Bedroom)	<del>825.00</del> <b>1271.00</b>		

**CLOGGED PLUMBING**

Repairs for clogged plumbing will be billed at labor charges identified under #2 above.

**LOCK CHANGES (Typical Costs include Labor and Materials)**

Rekey & master locks	\$ 36.00	Dummy door knob – closet	\$29.00
Replace key	6.50	Security chain	13.00
After hours rekey	66.00	Deadbolt (001)	60.50
Exterior door knob	115.00-150.00	Dead Bolt (003-004)	37.00
Interior door knob	32.00	Dead Bolt (006-007-008)	60.50
Mailbox lock replacement	7.50	One sided deadbolt w/cover	35.00
Key fob replacement	10.00	Replace lock cylinder	34.00

**LOCKOUTS**

**During Office Hours (8 AM – 5 PM)**

Edgewood Homes	\$ 5.50
Scattered Sites	11.00
Babcock Place	no charge

**\*After Hours and Weekends (5 PM to 8AM) \*\*Tenants will be billed according to the Holiday rate per hour after 2 occurrences in a 60 day period.**

	Regular Rate	Holiday Rate
Edgewood Homes	\$ 33.00	\$55.00**
Scattered Sites	33.00	\$55.00**
Babcock Place	33.00 when in-house security is <b>NOT</b> available	
Babcock Place	5.00 when in-house security is available	

(\*After 10 PM charges will be \$55 per hour same as per holiday rate. See above #2.)

**WINDOWS (Includes Labor and Materials)**

Cost of windows will be vendor charge plus charge for securing the property.

**GLASS: (These items will be contracted out. The actual charge including labor and materials will be assessed to the tenant)**

- Bath or Kitchen
- Bedroom or Dining Room
- Living room
- Storm door window
- Patio Door Glass

**SCREENS: REPLACEMENT DAMAGED FRAMES/SCREENS**

	<u>REPAIR</u>	<u>REPLACE</u>
Bath or Kitchen	\$ 20.00	\$ 41.00
Bedroom or Dining Room	20.00	41.00
Living room	20.00	41.00
Storm door screen	20.00	41.00
Sliding door screen	38.00	95.00

See #3 above –Contract work

**BLIND REPLACEMENT:**

Door blinds	\$ 21.00
Sliding patio door blinds	41.00
Mini blind (each window)	21.00
Mini blind wand	2.00

<b>DOOR REPLACEMENT</b>	<b>MATERIALS</b>	<b>LABOR</b>
Prehung Hollow Core Door	\$69.00-\$147.00	1.5 hour remove & install/2 hours to stain & seal.
Hollow Core Slab Door only	\$42.00-\$57.00	1 hour paint /2.5 hours stain & seal/1 hour installation.
Bifold closet door (001, 006, 007)	\$116.00 (per set)	2-3 hours to stain/1 hour installation.
Prehung Metal Door	\$200.00 – 260.00	4 – 6 hours paint and installation.

	<u>MATERIALS</u>
<b>Door trim</b>	\$ 20.00
Paint door	3.00
Cabinet door	37.00
Storm Door	160.00

**REPLACEMENT AND/OR REPAIR (for tenant caused damages)**

	<u>MATERIALS</u>	
Nightlight bulbs (BP)	\$0.70	
Appliance light bulb	<del>0.50</del>	<b>0.60</b>
Broiler pan	<del>30.00</del>	<b>15.00</b>
Guide	<del>4.00</del>	<b>5.50</b>
Drip pans for elec. range (small)	<del>2.50</del>	<b>3.70</b>
Drip pans for elec. range (large)	<del>4.00</del>	<b>4.50</b>
Ice cube tray	<del>.50</del>	<b>.75</b>
Range hood	<del>40.00</del>	<b>46.50</b>
Refrigerator door shelf bar bracket	<del>6.00</del>	<b>7.50</b>
Faucet handle: Crane	<del>16.00</del>	<b>6.50</b>
Delta-tub/shower	<del>27.00</del>	<b>8.00</b>
Medicine chest w/ mirror	50.00	
Plexiglas medicine shelf	6.00	
Bathroom vanity w/ sink	90.00	
Shower curtain rod	\$3.50	
Shower head	6.00 – 10.00	(Depending on site location)
Shower head – hand held	18.00 – 25.00	(Depending on site location)
Soap dish	8.00	
Toilet – regular	60.00	
Toilet – handicapped	120.00	
Toilet handle	3.00	
<del>Toilet handle – Kohler (BP)</del>	<del>18.00</del>	<del>(Delete)</del>
Toilet paper holder-recessed	18.00	
Toilet paper holder roller	1.00	
Toilet seat - regular	11.00	
Toilet seat - handicapped	16.00	
Toilet tank lid	28.00	
Toilet wax ring	1.25	
Toilet bolts (2 per package)	1.50	
Towel bar	3.00	
Towel bar bracket	3.50	
Attic fan knob	2.00	
Closet bar	5.00	
Closet shelf replacement	25.00	
Closet door closer – heavy duty magnet	3.50	

**REPLACEMENT AND/OR REPAIR (for tenant caused damages)**

	<u>MATERIALS</u>
Closet door guide	3.00
Cove base (up to 4' + glue)	5.00
Door weather strip	8.50
Door viewer	5.00
Floor tile (Up to 6 tiles in one area)	10.00
Kilz spray can	3.75
Outlet 15amp	1.00
Outlet 20amp	3.00
Outlet Plate	.60
GFCI outlet (ground fault circuit interrupter)	10.00
GFCI plate	1.00
GFCI plate w/ switch	1.00
Phone jack	3.00
Stair handrail bracket	1.75
Light switch	1.00
3-way light switch	1.50
Switch plate – single or double	.50
Cable TV wall plate w/ connector	3.00
Wall repair – cut hole out	10.00
Wall repair – patch hole	5.00
Window sill replacement	5.00
Window lock	3.00
Floor vents (All)	3.50
Thermostat (digital)	35.00
Downspout - 10' section	9.00
Downspout adapter (splice, straps, end caps, hopper)	3.00

Downspout elbow or corner	4.00
Guttering - 10' section	9.00
Splash blocks	12.00
Strike plate	3.00
Storm door handle	10.00
Storm door closure	10.00
Storm door brace	8.00
Washing machine valve cap	1.25
Compact Fluorescent bulb	5.00
Locking device for fixture	2.00
Vanity Fixture (EW)	47.00
Replacement shade for vanity fixture (EW)	22.00
Vanity Fixture (BP)	55.00
Replacement shade for vanity fixture (BP)	26.00
Fluorescent Tubes	3.50
Outdoor Fixture	42.00
Replacement lens for outdoor fixture	26.00
Ceiling Fixture - 1 lamp	40.00
Ceiling Fixture - 2 lamp	41.00
Replacement lens (clear glass globe)	19.00

**SCATTERED SITE TENANTS WILL BE CHARGED A FLAT RATE OF \$44.00 FOR LAWN MOWING.**

**TENANTS WHOSE HOUSEKEEPING HABITS CAUSE PEST INFESTATION WILL BE CHARGED AT THE CONTRACTOR'S COST FOR PEST CONTROL SERVICES PER TREATMENT.**

**Babcock Place (BP) and Edgewood Homes (EW)**

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Instructions on the meaning of the changes in the document

**Red** indicates that there is a proposed change in the charge

**Blue** indicates that the item has been deleted – no longer in LDCHA inventory

AGENDA ITEM 5A  
**Executive Director's Report**

**MTW Contract Extension Update**

The negotiations regarding the MTW agreement extension with HUD is currently focused on one major issue, the requirement to serve substantially the same number of households. The parties are still exchanging proposals and reviewing data on the calculations of which households to count. There is a very complex formula proposed by HUD that will be significant for the LDCHA because the projects we have purchased or developed may not count for households served. HUD is proposing to calculate an average HAP for each agency and then divide that into the annual subsidy to get a number that should be served each year. Agreeing on how to count developed units, homeownership, and shallow subsidy households is proving difficult. HUD stated that the goal is to have the extension agreement completed by the end of 2015.

**2014 MTW Annual Plan Preliminary Initiatives**

Attached is a draft of the 2016 MTW Plan that was posted for public comment on August 3. The Resident Advisory Council met on July 30 and the Council recommended approval of the 2016 MTW Plan to the Board. The major program changes involve the creation of two local voucher programs. One directed at victims of domestic violence, Activity 16-1 and the other at youth aging out of foster care, Activity 16-2. Additionally, the modifications to the Hardship Policy are proposed on pages 45-46. It also includes the proposal to use funds from the MTW reserve for the Babcock bus replacement. (See page 59).

The Council also recommended for approval by the Board the attached amendments to Combined Admin/ACOP. The public hearing for the 2016 MTW Plan and amendments to the Combined Admin/ACOP is scheduled for September 4. A final version of all the documents with a report on any comments received will be brought back to the Board for final approval at the September meeting.

**Governance and Financial Management**

HUD has announced the launch of an important new educational resource available to new and experienced PHA Board members and Executive Staff. ***Lead the Way: Governance and Financial Management*** is a dynamic and interactive curriculum and training tool that will be available through the HUD Exchange. Attached is a letter that explains how to access this training.

Additionally, Commissioner Star is attending Commissioner Training at the Kansas NAHRO meeting in September. Several commissioners attended this training several years ago. The agency is supportive of funding any similar training a Commissioner would like to attend that enables them to better perform the oversight responsibilities for the LDCHA.

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

**HOPE**

The contract for the 2014 HOPE program renewal grant was issued to LDCHA to fund the program for 2015 in the amount of \$96,052 for operations that began in April. This grant is slightly more than the \$95,562 for the prior year. This resulted in LDCHA's final match being \$13,845. The grant agreement has been received and executed.

**Babcock Place Meal Site Changes**

The Douglas County Senior Services has run a congregate meal site for many years at Babcock Place. Last week staff was notified that the Senior Services is discontinuing its congregate meal program and will transition to the Jayhawk Area Agency on Aging CHAMPSS meal program on October 1, 2015. Staff will work with Senior Services and our residents to make this transition. Hopefully, the tenants who currently use the dining room (around 8-10 regulars) will still choose to eat their lunch in the dining room. Staff will be looking into establishing a volunteer system to pick up the lunches for tenants not wanting to walk over to Dillon's. This could possibly encourage more tenants to use the dining room. Senior Services asked if they could still use our dining room to disperse the homebound meals, and staff will work with Senior Services to utilize Babcock Place's meal site in the best way to ensure residents have access to meals.



Lawrence-Douglas County Housing Authority

Draft

2016 MTW Plan

# Table of Contents

<b>I. <u>Introduction</u></b> .....	2	Activity 11-1: Financial assistance for vehicle repair . . .	52
<b>II. <u>General Housing Authority Operating Information</u></b> .....	7	Activity 11-2: Partner with DCHI for youth programs . . .	52
A. Housing Stock Information .....	7	Activity 11-3: Combine Administrative Plan and ACOP into one policy statement .....	53
B: Leasing Information .....	11	Activity 10-2: Expand employment related services to MTW households .....	53
C: Waitlist Information .....	13	Activity 10-3: Energy Conservation Improvements .....	54
<b>III: <u>Proposed MTW Activities</u></b> .....	17	Activity 09-2: Mandatory orientation .....	54
Activity 16-1: Safe Housing Program .....	17	Activity 09-3: Expand case management services to MTW households .....	55
Activity 16-2: Next Step Vouchers .....	21	Activity 09-4: Biennial recertifications for MTW house- holds .....	55
<b>IV: <u>Approved MTW Activities</u></b> .....	26	Activity 09-7: Homeless to Housed: Housing stabilization case management .....	55
A. Implemented Activities .....	26	<b>V: <u>Sources and Uses of MTW Funds</u></b> .....	57
Activity 14-1: Biennial Section 8 HQS inspections . . . . .	26	A. Sources and Uses of MTW Funds .....	57
Activity 14-2: Landlord on-site self-certification .....	28	B. Local Asset Management Plan .....	62
Activity 14-3: Change effective dates of rent calculation variables .....	30	<b>VI: <u>Administrative</u></b> .....	
Activity 13-1: Create an Affordable Housing Acquisition and Development Fund .....	32	A. Board Resolution adopting 2016 MTW Plan .....	
Activity 10-1: Biennial recertification for public housing & Section 8 elderly and disabled households. ....	34	B. Public Participation / Comment on the 2016 MTW Plan ..	
Activity 09-5: Homeownership matching grant .....	36	C. Agency Directed Evaluation of the Demonstration .....	
Activity 09-6: Exclude earned income of adult children . .	38	D. Statement of Significant Amendment or Modification . . . .	
Activity 09-6.1: Eliminate the 12:12:48 month earned in- come disallowance rule .....	40	E. Declaration of Trusts .....	
Activity 09-8: Prisoner re-entry housing program .....	42	F. Resident Commissioner .....	
Activity 99-1: Combined Public Housing and Section 8 HCV programs and operations .....	45	<b><u>Additional Appendix Items</u></b> .....	
Activity 99-2: Alternative rent structure .....	46	Appendix I: LDCHA's MTW Demonstration Program .....	
Activity 99-3: Work requirement .....	48	Appendix II: Certifications, Declarations, and Forms .....	
B. Not Yet Implemented Activities .....	51	Appendix III: Capital Fund Grant P&E Reports .....	
C. Activities On Hold .....	52		
D. Closed Out Activities .....	52		
Activity 12-1: Biennial Recertification for Section 8 elderly and disabled households .....	52		



## Section I: Introduction

The Lawrence-Douglas County Housing Authority (LDCHA) is proud to submit this 2016 MTW Plan that provides the strategy for continuing the remarkable success the MTW Demonstration has had in creating a locally driven housing program that increases the self-sufficiency of participants and housing choices in Lawrence, Kansas.

The LDCHA was created in 2001 through the merger of the Lawrence Housing Authority (KS053) and the Douglas County Housing Authority (KS160). The predecessor, Lawrence Housing Authority, was created in 1968 under the Kansas Municipal Housing Act as an independent agency of the City of Lawrence charged with developing, operating and managing low rent housing for the low income population of Lawrence, Kansas. The Douglas County Housing Authority was created in 1983 by the Douglas County Commission for the purposes of administering the Section 8 Certificate Program in Douglas County, Kansas, that was administered by the Lawrence Housing Authority. With the passage of the Quality Housing and Work Responsibility Act of 1998 the dual administration of these programs became impractical, and consequently on January 1, 2001, through a joint resolution of the City of Lawrence and Douglas County and with the approval of HUD, the two housing authorities merged as KS053, and KS160 was dissolved.

The LDCHA is governed by a five member board of commissioners, two appointed by the Douglas County Commission and three by the Mayor of the City of Lawrence. One member must be a LDCHA participant and is an appointee of the City of Lawrence. The LDCHA is operated by 40 dedicated staff members and administers combined a budget in excess of \$8 million.

### Innovation Through Moving To Work

The LDCHA was selected by HUD as one of the original 23 housing authorities to participate in the Moving to Work Demonstration program in 1998. The agency began implementation of the program on June 1, 1999, by adopting the following program initiatives to meet the Congressional MTW Objectives:

1. Abolish the separate public housing and Section 8 program administrative structure and create a new program of housing assistance called General Housing assistance which combines the family housing units of the public housing program and Section 8 Housing Choice Voucher (HCV) programs.
2. Change or eliminate four basic federal rules under the 1937 Housing Act that contradict customary social and economic norms and create administrative expense. The changes include:
  - The institution of suitability criteria as a part of eligibility criteria.
  - Modifying the definition of countable income and adjusted income.

- The establishment of the concept of annual rent and abolishing (with some exceptions) interim re-examinations.
  - Instituting sweeping and comprehensive changes in the rent structure.
3. Establish a rent structure that provides affordability while it:
    - Values the unit.
    - Creates incentives to work.
    - Motivates households to work through a work requirement for all work able adults.
    - Establishes meaningful minimum and maximum rents.
    - Increases PHA income thereby reducing federal subsidy or increasing housing assistance without additional subsidy.
  4. Increase Housing Choice:
    - For all Section 8 participants increase housing choice by permitting full discretion as to location, size and cost without regard to local Fair Market Rents.
    - For public housing residents of Edgewood Homes, increase housing choice by vouchering out up to 50 percent of the units over a 3 year period freeing units to rent to moderate income households thus creating a mixed income development. (*This was later eliminated in subsequent Plans.*)
  5. Increase usage of existing federal funds:
    - Increase public housing rental income by \$150,000 per year.
    - Free \$500,000 per year of Section 8 subsidy.
    - Using these amounts to serve an additional 100 low income households without additional federal subsidy.
  6. Expand by at least 100%, the Family Self Sufficiency program to require participation of non-exempt public housing and Section 8 households.
  7. Provide homeownership opportunities including a \$3000 down payment match with local HOME funds. (*This was later modified in subsequent MTW Plans.*)

The above initiatives created a locally driven housing program, and all of these initiatives continue to be the foundation of LDCHA's MTW program.

In April 2008 the agency signed a new 10 year standardized agreement extending the program to 2018. The new agreement provided expanded authorities for the agency, most significantly the establishment of LDCHA's MTW single fund

budget with full flexibility that permits LDCHA through adoption of Activity 09-1 to combine its public housing operation, Capital Funds subsidies, and Section 8 HCV assistance into a single source to carry out its approved MTW activities.

The regulatory flexibility granted allows LDCHA to develop and implement innovative, market-based solutions to pursue and fulfill the three MTW statutory objectives:

- Reduce cost and achieve greater cost effectiveness in Federal expenditures;
- Give incentives to families with children whose heads of households are either working, seeking work, or participating in job training, educational or other programs that assist in obtaining employments and becoming economically self sufficient; and
- Increase housing choices for low-income families.

LDCHA elected to participate in the MTW demonstration to make system-wide progressive changes to its housing programs in a way that allows the agency to provide the educational, vocational, and social supports that low-income households need to increase their opportunities to become self-sufficient. The MTW program has been more successful than initially envisioned and LDCHA remains committed to the innovative changes and progress this program has made possible for participants.

#### **Mission**

To promote quality affordable housing, economic opportunity and a suitable living environment free from discrimination.

#### **LDCHA Short-Term MTW Goals**

- Retain and successfully administer all proposed and previously approved Activities.
- Implement any necessary operation modifications to qualify for the MTW contract extension to 2028.

## **LDCHA Long-Term MTW Goals**

- The agency's long-term MTW plan is to continue to institute policies and programs that create incentives for households to work, to increase household income and to become self-sufficient. In so doing, the agency will continue to promote homeownership and create additional housing opportunities for households.
- The agency will look for ways to reduce administrative burden, focusing on enhanced customer service and increased automation.
- LDCHA is committed to expanding the stock of affordable housing through the acquisition, new construction, reconstruction or moderate or substantial rehabilitation of housing (including, but not limited to, assisted living or other housing as deemed appropriate by LDCHA, in accordance with its mission), or commercial facilities consistent with the objectives of the demonstration. LDCHA plans to meet this goal through leveraging its MTW reserve funds to create innovative financing and development strategies through joint ventures or other partnerships.
- LDCHA is committed to being a good steward of the housing programs it is charged with administering. The agency will explore creative ways to continue to meet the statutory objectives of the MTW Demonstration while sustaining the long term financial viability of the LDCHA.

## **Non-MTW Related Housing Authority Programs and Partnerships**

The LDCHA operates several other housing programs besides the public housing and Section 8 HCV programs, and has developed several other partnerships that support LDCHA's MTW program.

### **Clinton Place**

The largest is a 58-unit Section 8 project based multi-family development for the elderly which the agency purchased in late 2006 and significantly renovated in 2007 with MTW funds.

### **Peterson Acres II**

The agency owns a second smaller 8-unit senior development that is fully handicapped accessible. This development is unsubsidized and operates with a below market sliding scale rate rent structure based on income.

### **HOME - State**

LDCHA administers a grant that funds an estimated 15 - 20 unit Tenant-based Rental Assistance (TBRA) program funded by the State of Kansas with state HOME funds. The grantee for this program is the Bert Nash Community Mental Health Center. The LDCHA administers the program on behalf of the Bert Nash Center. Admission is restricted to Bert Nash clients.

### **HOME – City – Transitional Housing**

The LDCHA administers a Transitional Housing program that issues an estimated 25 - 30 units of TBRA and is grant funded annually by the City of Lawrence's HOME allocation. This program is restricted to homeless families and individuals who do not otherwise qualify for public housing or Section 8 assistance. In both the Bert Nash program and the City HOME program, participants must enter into a support service agreement and participate in the activities contained in the agreement. Participants have up to two years to meet the qualifications for public housing or Section 8 assistance. At the end of the two year period they are transferred to either public housing or Section 8 assistance if they meet the eligibility qualifications, or, if not, their assistance is terminated. After their completion of the Transitional Housing program, many participants are then prepared to enter LDCHA's MTW program.

### **HOPE Building**

The LDCHA also operates 6 units of permanent housing under the Continuum of Care Permanent Supportive Housing program for chronically homeless individuals who are dual diagnosed with mental health and substance abuse problems.

### **Building Independence III**

Building Independence III is a Section 811 PRAC 4-unit property located in Baldwin City, Kansas. The property is owned by the Bert Nash Community Mental Health Center and operates under an annual housing assistance payment contract with HUD. The LDCHA is the owner's management agent responsible for all aspects of administration, management, operations and maintenance of the property.

### **Partnership with Douglas County Child Development Association (DCCDA)**

The LDCHA leases Units 159 and 160 at Edgewood Homes without a fee to the DCCDA to operate an early childhood education program called "Positive Bright Start". The lease requires that at least 16 children of LDCHA residents be enrolled per year in a DCCDA program. This space is also used for special educational services for these students and for providing evening childcare services for LDCHA parent/guardian MTW training opportunities. This program supports LDCHA's MTW program by providing convenient and affordable childcare for parents who are required to meet the MTW work requirement.

## **HUD-VASH Vouchers**

The HUD-Veterans Affairs Supportive Housing Program (HUD-VASH) combines Housing Choice Voucher rental assistance for homeless veterans with case management and clinical services provided by the U.S. Department of Veterans Affairs (VA). LDCHA was given the opportunity to join in this effort in 2013 and to expand its participation in 2014 and 2015. In 2014, LDCHA successfully housed 27 veterans and their families using HUD-VASH vouchers. The LDCHA readily accepted this opportunity to serve our veterans, and for 2016 will administer a total of 45 VASH vouchers.

## Section II: General Housing Authority Operating Information

### Section II.A: Housing Stock Information

#### Annual MTW Plan

#### II.1.Plan.HousingStock

#### A. MTW Plan: Housing Stock Information

#### Planned New Public Housing Units to be Added During the Fiscal Year

AMP Name and Number	Bedroom Size							Total Units	Population Type *	# of UFAS Units	
	0	1	2	3	4	5	6+			Fully Ac- cessible	Adaptable
PIC Dev. # /AMP PIC Dev. Name	0	0	0	0	0	0	0	0	Type Noted *	0	0
PIC Dev. # /AMP PIC Dev. Name	0	0	0	0	0	0	0	0	Type Noted *	0	0
PIC Dev. # /AMP PIC Dev. Name	0	0	0	0	0	0	0	0	Type Noted *	0	0
PIC Dev. # /AMP PIC Dev. Name	0	0	0	0	0	0	0	0	Type Noted *	0	0

**Total Public Housing Units to be Added**

**0**

\* **Select Population Type from:** Elderly, Disabled, General, Elderly/Disabled, Other

If Other, please describe: **N/A**

**Planned Public Housing Units to be Removed During the Fiscal Year**

<b>PIC Dev. # / AMP and PIC Dev. Name</b>	<b>Number of Units to be Removed</b>	<b>Explanation for Removal</b>
---	--	--------------------------------

PIC Dev. # /AMP PIC Dev. Name	0	N/A
PIC Dev. # /AMP PIC Dev. Name	0	N/A
PIC Dev. # /AMP PIC Dev. Name	0	N/A

**Total Number of  
Units to be Removed**

**0**

**New Housing Choice Vouchers to be Project-Based During the Fiscal Year**

<b>Property Name</b>	<b>Anticipated Number</b>	<b>Description of Project</b>
----------------------	---------------------------	-------------------------------



**of New Vouchers to  
be Project-Based \***

N/A	0	N/A
N/A	0	N/A
N/A	0	N/A
N/A	0	N/A

**Anticipated Total  
New Vouchers to be  
Project-Based**

**0**

Anticipated Total Number of Project-Based  
Vouchers Committed at the End of the Fiscal  
Year

**0**

Anticipated Total Number of Project-Based  
Vouchers Leased Up or Issued to a Potential  
Tenant at the End of the Fiscal Year

**0**

\*New refers to tenant-based vouchers that are being project-based for the first time. The count should only include agreements in which a HAP agreement will be in place by the end of the year.

**Other Changes to the Housing Stock Anticipated During the Fiscal Year**

NONE.

N/A

N/A

Examples of the types of other changes can include but are not limited to units that are held off-line due to the relocation of residents, units that are off-line due to substantial rehabilitation and potential plans for acquiring units.

**General Description of All Planned Capital Fund Expenditures During the Plan Year**

**LDCHA will use its 2016 Capital Funds grant exclusively for maintenance and improvements to public housing developments. The agency anticipates major expenditure for upgrades at turnover to the interiors of all its developments to include new kitchens and baths. Additionally the agency will spend an estimated \$50,000 for HVAC replacement at Edgewood Homes, and \$40,000 to replace hot water tanks and boilers at Babcock Place. LDCHA will also spend \$70,000 to replace exterior siding for 46 public housing scattered site units identified as projects 03-04 built in 1984.**

**Section II.B: Leasing Information**

**B. MTW Plan: Leasing Information**

**Planned Number of Households Served at the End of the Fiscal Year**

**MTW Households to be Served Through:**

**Planned Number of Households to be Served\***      **Planned Number of Unit Months Occupied/ Leased\*\*\***

Federal MTW Public Housing Units to be Leased	<b>356</b>	<b>4,272</b>
Federal MTW Voucher (HCV) Units to be Utilized	<b>725</b>	<b>8,700</b>
Number of Units to be Occupied/Leased through Local, Non-Traditional, MTW Funded, Property-Based Assistance Programs **	<b>70</b>	<b>840</b>
Number of Units to be Occupied/Leased through Local, Non-Traditional, MTW Funded, Tenant-Based Assistance Programs **	<b>10</b>	<b>120</b>
<b>Total Households Projected to be Served</b>	<b>1,170</b>	<b>13,932</b>

\* Calculated by dividing the planned number of unit months occupied/leased by 12.

\*\* In instances when a local, non-traditional program provides a certain subsidy level but does not specify a number of units/households to be served, the PHA should estimate the number of households to be served.

\*\*\*Unit Months Occupied/Leased is the total number of months the PHA has leased/occupied units, according to unit category during the fiscal year.

**Reporting Compliance with Statutory MTW Requirements**

If the PHA has been out of compliance with any of the required statutory MTW requirements listed in Section II(C) of the Standard MTW Agreement, the PHA will provide a narrative discussion and a plan as to how it will return to compliance. If the PHA is currently in compliance, no discussion or reporting is necessary.

N/A

**Description of any Anticipated Issues Related to Leasing of Public Housing, Housing Choice Vouchers and/or Local, Non-Traditional Units and Possible Solutions**

**Housing Program**

**Description of Anticipated Leasing Issues and Possible Solutions**

Public Housing

The Public Housing occupancy rate averages 97% to 98%. There is a high turnover rate at the family developments as a result of LDCHA's strict enforcement of rent payment and anti-crime policies. The LDCHA has experienced difficulty filling 3 and 4 bedroom units due to lack of sufficient applicants. The Kansas Residential Landlord Tenant Act requires all lease holders to give 30 day notice of termination of the lease. This state law notice provision creates a 30 day delay from when a tenant accepts a public housing unit to when they can take occupancy. Vacancy days created by state law are beyond the ability of the agency to control.

Public Housing

Leasing issues may arise depending on funding that is actually provided under budget authority.

Section 8 HCV Program

Leasing issues may arise depending on funding that is actually provided under budget authority.

**Section II.C: Waitlist Information**

**C. MTW Plan: Wait List Information**

**Wait List Information Projected for the Beginning of the Fiscal Year**

Housing Program(s) *	Wait List Type**	Number of Households on Wait List	Wait List Open, Partially Open or Closed***	Are There Plans to Open the Wait List During the Fiscal Year
General Housing Federal MTW Public Housing - Section 8 HCV	Community-Wide Combined/Merged	384	Open	N/A
Babcock Place / Peterson Acres I Federal MTW Public Housing Units	Site Based	104	Open	N/A
Clinton Place Project Based Local Non-traditional MTW	Site Based	62	Open	N/A
Peterson Acres II Project Based Local Non-Traditional MTW	Site Based	8	Open	NA

Rows for additional waiting lists may be added, if needed.

\* *Select Housing Program:* Federal MTW Public Housing Units; Federal MTW Housing Choice Voucher Program; Federal non-MTW Housing Choice Voucher Units; Tenant-Based Local, Non-Traditional MTW Housing Assistance Program; Project-Based Local, Non-Traditional MTW Housing Assistance Program; and Combined Tenant-Based and Project-Based Local, Non-Traditional MTW Housing Assistance Program.

\*\* *Select Wait List Types:* Community-Wide, Site-Based, Merged (Combined Public Housing or Voucher Wait List), Program Specific (Limited by HUD or Local PHA Rules to Certain Categories of Households which are Described in the Rules for Program Participation), None (If the Program is a New Wait List, Not an Existing Wait List), or Other (Please Provide a Brief Description of this Wait List Type).

\*\*\* For Partially Open Wait Lists, provide a description of the populations for which the waiting list is open.

N/A
N/A
N/A

If Local, Non-Traditional Housing Program, please describe:

<b>Clinton Parkway Apartments - HUD Multifamily - Site based elderly and near elderly - open</b>
<b>Peterson Acres II -Site based non-subsidized LDCHA-owned affordable housing, all handicapped accessible units - open</b>
N/A

If Other Wait List Type, please describe:

N/A

N/A

N/A

If there are any changes to the organizational structure of the wait list or policy changes regarding the wait list, provide a narrative detailing these changes.

N/A

### Section III: Proposed MTW Activities: HUD Approval Requested

A.	B.	C.	D.
<b>Activity 16-1</b>	<b>How Proposed Activity will meet Statutory Ob- jective(s)</b>	<b>Anticipated impact of pro- posed MTW activity of the stated objective(s)</b>	<b>Anticipated sched- ules for achieving the stated objective(s)</b>
<p><b>Safe Housing Program (SHP)</b> Rent Assistance for Victims of Domestic Violence</p> <p>The LDCHA will provide ten (10) Tenant Based Rental Assistance (TBRA) vouchers issued to eligible households / individuals in the Willow Domestic Violence Center Program, or another service provider who certifies the applicant's status as a victim of domestic violence, and is a Douglas County, Kansas resident. To be eligible a SHP participant must meet the LDCHA General Housing eligibility requirements, except the good residential history.</p> <p>The SHP participant must be in a support services agreement while receiving SHP housing assistance. Support services will be administered by the Willow Domestic Violence Center (WDVC) or another provider. Participants refusing to participate in a support service agreement will not have their housing assistance renewed.</p> <p>The SHP participant must find a rental unit in Lawrence or Douglas County, Kansas, with a landlord who will enter into a lease and a rent subsidy contract with the LDCHA. The unit must be able to pass an inspection by the LDCHA.</p> <p>The LDCHA will pay:</p>	<p>This Activity will fill a void in Transitional Housing in the area and achieves statutory objective #3 Increase housing choice for low-income families.</p>	<p>LDCHA anticipates that the impact of the activity will offer additional transitional housing options in Lawrence-Douglas County, KS to a vulnerable population and reduce homelessness or alleviate the tendency for the family returning to the perpetrator.</p> <p>There has been a significant reduction in HOME funds which has reduced the available transitional housing options in the community.</p>	<p>LDCHA anticipates issuing at least five (5) SHP vouchers during fiscal year 2016:</p> <ul style="list-style-type: none"> <li>• October – February, receive plan approval;</li> <li>• February – April, develop a Memorandum of Agreement (MOA) with WDVC and/or other providers;</li> <li>• May – July, meet, train, and cross-train LDCHA, WDVC and other provider employees;</li> <li>• July, begin to receive referrals and issue RFTAs.</li> </ul>



<ul style="list-style-type: none"> <li>• A security deposit up to the amount of the first month's rent;</li> <li>• Deposits to utility companies to establish utility service;</li> <li>• The total rent for the first month, for units that rent for equal to or less than the applicable LDCHA Section 8 Voucher Program Payment Standard. If the unit rents for more than the payment standard, the SHP will pay the payment standard for the first month and the tenant will be responsible to pay the balance of the rent.</li> <li>• Beginning the 2nd month from move-in and continuing for up to 22 more months, the SHP rent subsidy will be determined under the Section 8 Housing Choice Voucher income based or Moving to Work (MTW) formulas used in the LDCHA's General Housing program.</li> </ul> <p>Vouchers issued under this activity are not portable. SHP voucher-holders that are in good standing, which includes stabilization, working at least 15 hours per week, landlord recommendation, and similar factors at the end of the 24 month period will be transferred to a standard Section 8 voucher.</p>			
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## ***Housing Choice***

When citing the statutory objective to “increase housing choices for low-income families,” include all of the following metrics that apply:

**HC #1: Additional Units of Housing Made Available**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of new housing units made available for households at or below 80% AMI as a result of the activity (increase). If units reach a specific type of household, give that type in this box.	Housing units of this type prior to implementation of the activity (number) = <b>0</b>	Expected housing units of this type after implementation of the activity (number) = <b>10</b>	Actual housing units of this type after implementation of the activity (number).	Whether the outcome meets or exceeds the benchmark.

**HC #3: Decrease in Wait List Time**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average applicant time on wait list in months (decrease).	Average applicant time on wait list prior to implementation of the activity (in months). Transitional Housing wait-list wait time = <b>24 months.</b>	Expected average applicant time on wait list after implementation of the activity (in months). <b>Begin tracking in FY 2016 to establish benchmark.</b>	Actual average applicant time on wait list after implementation of the activity (in months).	Whether the outcome meets or exceeds the benchmark.

**HC #5: Increase in Resident Mobility**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of households able to move to a better unit and/or neighborhood of opportunity as a result of the activity (increase).	Households able to move to a better unit and/or neighborhood of opportunity prior to implementation of the activity (number). <b>Begin tracking in FY 2016 to establish baseline.</b>	Expected households able to move to a better unit and/or neighborhood of opportunity after implementation of the activity (number). <b>Begin tracking in FY 2016 to establish benchmark.</b>	Actual increase in households able to move to a better unit and/or neighborhood of opportunity after implementation of the activity (number).	Whether the outcome meets or exceeds the benchmark.

**HC #7: Households Assisted by Services that Increase Housing Choice**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of households receiving services aimed to increase housing choice (increase).	Households receiving this type of service prior to implementation of the activity (number) = <b>0</b>	Expected number of households receiving these services after implementation of the activity (number) = <b>10</b>	Actual number of households receiving these services after implementation of the activity (number).	Whether the outcome meets or exceeds the benchmark.

**J. Authorization for Proposed Activity**

MTW Agreement, Attachment C: Section B Authorizations Related to Both Public Housing and Section 8 Housing Choice Vouchers (4) Transitional/Conditional Housing Program. The agency may develop and adopt new short-term transitional housing programs consistent with the eligible use of Section 8 and 9 funds with supportive services...in collaboration with local community based organizations and government agencies. Successful participants in these programs will be eligible for transfer to the Agency's public housing or housing choice voucher programs. The Agency will ensure that these programs do not have a disparate impact on protected classes, and will be operated in a manner that is consistent with the requirements of Section 504 of the Rehabilitation Act. More specifically, under no circumstances will residents of such programs be required to participate in supportive services that are targeted at persons with disabilities in general, or persons with any specific disability. In addition, admission to any of the programs developed under this section will not be conditioned on the presence of a disability or a particular disability. This section is not intended to govern the designation of housing that is subject to Section 7 of the 1937 Act. *This authorization waives certain provisions of Sections 3, 4, 5, 8, and 9 of the 1937 Act and 24 C.F.R. 941, and 960 Subpart B as necessary to implement the Agency's Annual MTW Plan.*

**K. Explanation of why cited authorization is needed**

LDCHA needs MTW authorization to create local non-traditional MTW funded Tenant-Based Rental Assistance programs.

A.	B.	C.	D.
<b>Activity 16-2</b>	<b>How Proposed Activity will meet Statutory Objective(s)</b>	<b>Anticipated impact of proposed MTW activity of the stated objective(s)</b>	<b>Anticipated schedules for achieving the stated objective(s)</b>
<p><b>Next Step Vouchers (NSV)</b> Housing Assistance for Youth who have Aged Out of Foster Care</p> <p>In its continued efforts to reduce the homeless population and meet local housing needs, LDCHA will offer five (5) Tenant Based Rental Assistance (TBRA) vouchers to eligible young adults aging out of foster care. The LDCHA will partner with the Lawrence office of the Department of Children and Families (DCF) and the KVC Kansas to house properly referred, eligible youth.</p> <p>LDCHA introduces this activity to reduce homelessness created by foster youth who have aged out of foster care. These households will be allowed to utilize the NSV vouchers in the LDCHA's 1725 New Hampshire property and a preference for NSVs will be given this population for that property. In general terms, when a foster youth reaches 18 years of age and exits the system they often lack the independent living skills and guidance to "make it" on their own, and some end up homeless.</p> <p>LDCHA will create up to five vouchers depending on available funding to house aged out foster youth for up to 36 months or until age 23, whichever comes first.</p> <p>To be eligible a youth must meet the LDCHA General Housing eligibility requirements except</p>	<p>This activity will fill a void in the foster care placement options in the area and achieves statutory objective #3, Increase Housing Choices for low-income families.</p>	<p>LDCHA anticipates that the impact of the activity will offer a local placement option to increase consistency and stability for some foster youth and positively fills a void in the foster care placement process. The activity increases the housing choice in the area and the local housing option to prevent homelessness. The impact of the activity may also prevent long-term homelessness as the reduction in moves may allow foster youth to "stabilize" and build upon the support group established in the area.</p>	<p>LDCHA anticipates issuing at least three (3) NSVs during fiscal year 2016:</p> <ul style="list-style-type: none"> <li>• October – February, receive plan approval;</li> <li>• February – April, develop a Memorandum of Agreement (MOA) with DCF / KVC;</li> <li>• May – July, meet, train, and cross-train LDCHA, KVC and DCF employees;</li> <li>• July, conduct joint orientation with KVC and DCF, begin to receive referrals, and issue RFTAs.</li> </ul>

the good residential history.

The NSV participant must find a rental unit in Lawrence or Douglas County, Kansas, with a landlord who will enter into a lease and a rent subsidy contract with the LDCHA. The unit must be able to pass an inspection by the LDCHA.

The LDCHA will pay:

- A security deposit up to the amount of the first month's rent;
- Deposits to utility companies to establish utility service;
- The total rent for the first month, for units that rent for equal to or less than the applicable LDCHA Section 8 Voucher Program Payment Standard. If the unit rents for more than the payment standard, the NSV will pay the payment standard for the first month and the tenant will be responsible to pay the balance of the rent.
- Beginning the 2nd month from move-in and continuing for up to 22 more months, the NSV rent subsidy will be determined under the Section 8 Housing Choice Voucher income based or Moving to Work (MTW) formulas used in the LDCHA's General Housing program.

Vouchers issued under this activity are not portable. NSV voucher-holders that are in good standing, which includes stabilization, working at least 15 hours per week, landlord recommendation, and similar factors at the end of the 36

<p>month period, or longer if required for educational purposes, will be transferred to a standard Section 8 voucher.</p> <p>All NSV participants must complete the LDCHA Renters Education program. LDCHA will also require voucher-holders under this activity to begin, continue, and/or maintain appointments and visits with social service providers as recommended by assessment to assist these households in the preparation of living independently and creating a stable living environment.</p> <p>LDCHA will not issue any vouchers, nor renew any voucher contracts to households (foster youth) that refuse or withdraw from appropriate service-level case management, including the refusal to become employed for at least 15 hours per week and/or enroll in and actively attend school or a job training program or any combination that achieves the 15 hour minimum. LDCHA will give voucher holding youths under this activity up to 6 months to meet the requirements. Youths that refuse to meet or withdraw from the employment / enrollment requirement will not have their housing assistance renewed.</p> <p>Vouchers issued under this activity are not portable. LDCHA reserves the authority to extend NSVs up to 12 months to allow full time students to complete their degree.</p>			
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***Housing Choice***

When citing the statutory objective to “increase housing choices for low-income families,” include all of the following metrics that apply:

**HC #1: Additional Units of Housing Made Available**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of new housing units made available for households at or below 80% AMI as a result of the activity (increase). If units reach a specific type of household, give that type in this box.	Housing units of this type prior to implementation of the activity (number) = <b>0</b>	Expected housing units of this type after implementation of the activity (number) = <b>10</b>	Actual housing units of this type after implementation of the activity (number).	Whether the outcome meets or exceeds the benchmark.

**HC #3: Decrease in Wait List Time**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average applicant time on wait list in months (decrease).	Average applicant time on wait list prior to implementation of the activity (in months). <b>Transitional Housing waitlist wait time = 24 months</b>	Expected average applicant time on wait list after implementation of the activity (in months). <b>Begin tracking in FY2016 to establish benchmark</b>	Actual average applicant time on wait list after implementation of the activity (in months).	Whether the outcome meets or exceeds the benchmark.

**HC #5: Increase in Resident Mobility**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of households able to move to a better unit and/or neighborhood of opportunity as a result of the activity (increase).	Households able to move to a better unit and/or neighborhood of opportunity prior to implementation of the activity (number). <b>Begin tracking in FY2016 to establish baseline</b>	Expected households able to move to a better unit and/or neighborhood of opportunity after implementation of the activity (number). <b>Begin tracking in FY2016 to establish benchmark</b>	Actual increase in households able to move to a better unit and/or neighborhood of opportunity after implementation of the activity (number).	Whether the outcome meets or exceeds the benchmark.

**HC #7: Households Assisted by Services that Increase Housing Choice**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of households receiving services aimed to increase housing choice (increase).	Households receiving this type of service prior to implementation of the activity (number) = <b>0</b>	Expected number of households receiving these services after implementation of the activity (number) = <b>10</b>	Actual number of households receiving these services after implementation of the activity (number).	Whether the outcome meets or exceeds the benchmark.

**J. Authorization for Proposed Activity**

MTW Agreement, Attachment C: Section B Authorizations Related to Both Public Housing and Section 8 Housing Choice Vouchers (4) Transitional/Conditional Housing Program. The agency may develop and adopt new short-term transitional housing programs consistent with the eligible use of Section 8 and 9 funds with supportive services...in collaboration with local community based organizations and government agencies. Successful participants in these programs will be eligible for transfer to the Agency's public housing or housing choice voucher programs. The Agency will ensure that these programs will be operated in a manner that is consistent with the requirements of Section 504 of the Rehabilitation Act. More specifically, under no circumstances will residents of such programs be required to participate in supportive services that are targeted at persons with disabilities in general, or persons with any specific disability. In addition, admission to any of the programs developed under this section will not be conditioned on the presence of a disability or a particular disability. This section is not intended to govern the designation of housing that is subject to Section 7 of the 1937 Act. *This authorization waives certain provisions of Sections 3, 4, 5, 8, and 9 of the 1937 Act and 24 C.F.R. 941, and 960 Subpart B as necessary to implement the Agency's Annual MTW Plan.*

**K. Explanation of why cited authorization is needed**

LDCHA needs MTW authorization to create local non-traditional MTW funded Tenant-Based Rental Assistance programs.



## Section IV: Approved MTW Activities: HUD approval previously granted

### A. IMPLEMENTED ACTIVITIES

<b>Activity 14-1</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2014 Plan Implemented 2014</b></p> <p>Create a Biennial Housing Quality Standards (HQS) Inspection process for existing Housing Choice Voucher (HCV) properties.</p>	<p>This Activity uses MTW flexibility to revise the HQS certification to permit biennial HQS inspections for units that have a record of good property maintenance, a history of making repairs in a timely manner, and have passed HQS on the first inspection for two consecutive annual inspections. If the unit does not pass on the biennial first inspection it will return to the annual inspection schedule. The unit must also have the same resident for 36 months. Special inspections will continue, including at the request of a resident.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

### **Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

#### **CE #1: Agency Cost Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Total cost of inspections in dollars (decrease) = <b>\$9,226.</b>	Cost of annual inspections prior to implementation of the activity = <b>\$36,906.</b>	Expected cost of inspections after implementation of the activity = <b>\$27,680.</b>		

**CE #2: Staff Time Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Units inspected biennially will result in 173 fewer units inspected annually x 2 hours per unit. Total time to complete the task in staff hours (decrease) = <b>346</b> .	Staff spent <b>1,388 hours</b> on annual inspections x 2 hours per inspection.	Expected amount of total staff time dedicated to the task after implementation of the activity (in hours) = <b>1,042</b> annually.		

**CE #3: Decrease in Error Rate of Task Execution**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average error rate in completing a task as a percentage (decrease). <b>LDCHA has not previously tracked an error rate for this activity.</b>	Average error rate of task prior to implementation of the activity (percentage). <b>Begin tracking in FY 2015 to establish baseline.</b>	Expected average error rate of task after implementation of the activity (percentage). <b>Begin tracking in FY 2015 to establish benchmark.</b>		

<b>Activity 14-2</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2014 Plan Implemented 2014</b></p> <p>Create a Landlord On-Site Self-Certification that minor repairs are complete.</p>	<p>This Activity uses MTW flexibility to revise the HQS certification to allow Landlord Self-Certification of Correction at LDCHA's discretion and in cases where all deficiencies are minor non-life-threatening, non-safety-hazard deficiencies as determined by an approved list maintained by LDCHA. The "Landlord On-Site Verification and Re-Inspection Form" is included in Appendix II.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

### **Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

#### **CE #1: Agency Cost Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
<p>Reduce the total cost of re-inspections by 25%. Total cost of task in dollars (decrease) = <b>\$5,158.</b></p>	<p>Cost of re-inspections prior to implementation of the activity = <b>\$20,634.</b></p>	<p>Expected cost of re-inspections after implementation of the activity = <b>\$15,476.</b></p>		

#### **CE #2: Staff Time Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?

Reduced re-inspections will result in 97 fewer units re-inspected x 1.5 hours per unit. Total time to complete the task in staff hours (decrease) = **145.5**.

Staff re-inspected 388 units x 1.5 hours per unit = **582 hours**.

Expected hours for re-inspections after implementation of this activity = **436.50 hours**.

***CE #3: Decrease in Error Rate of Task Execution***

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average error rate in completing a task as a percentage (decrease). <b>LDCHA has not previously tracked an error rate for this activity.</b>	Average error rate of task prior to implementation of the activity (percentage). <b>Begin tracking in FY 2015 to establish baseline.</b>	Expected average error rate of task after implementation of the activity (percentage). <b>Begin tracking in FY 2015 to establish benchmark.</b>		

<b>Activity 14-3</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2014 Plan Implemented 2014</b></p> <p>Change the effective dates of variables affecting rent calculations to January 1.</p>	<p>This Activity uses MTW flexibility to change the effective dates for program changes that affect rent calculations such as Fair Market Rent, Voucher Payment Standard and Utility Allowance, etc., to correspond with the beginning of LDCHA's fiscal year, January 1. This will reduce cost and achieve greater cost effectiveness by eliminating unnecessary reprinting of key agency documents.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

### **Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

#### **CE #1: Agency Cost Savings**

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
<p>Cost of staff time: \$33.13 per hour x 15 hours x 2 = <b>\$994.</b>            Cost of reprinting fact sheets, applications, information sheets, briefing materials, orientation materials: 2 x 1,000 pages x \$.059 per page = <b>\$118.</b>            Total cost of task in dollars (decrease) = <b>\$1,112.</b></p>	<p>Cost of staff time = <b>\$1,491</b>            Cost of reprinting = <b>\$177</b> Cost of task prior to implementation of the activity = <b>\$1,668.</b></p>	<p>Expected cost of staff time = <b>\$497.</b>            Expected cost of printing = <b>\$59.</b>            Expected cost of task after implementation of the activity (in dollars) = <b>\$556.</b></p>		

#### **CE #2: Staff Time Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Total time to complete the task in staff hours (decrease) = <b>30</b> .	General Housing Director time: 10 hours x 3 = 30 Data Analyst Time: 3 hours x 3 = 9 Clerk time: 2 hours x 3 = 6 Total amount of staff time dedicated to the task prior to implementation of the activity = <b>45 hours</b> .	Expected amount of total staff time dedicated to the task after implementation of the activity (in hours) = <b>15</b> .		

***CE #5: Increase in Agency Rental Revenue***

**This Activity is meant to be revenue neutral; increase in agency rental revenue is not applicable so there is no baseline or benchmark data. This metric does not apply.**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Rental revenue in dollars (increase).	Rental revenue prior to implementation of the activity (in dollars) = <b>0</b> .	Expected rental revenue after implementation of the activity (in dollars) = <b>0</b> .	<b>To be provided in Annual MTW Report</b>	<b>To be provided in Annual MTW Report</b>

<b>Activity 13-1</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2013 Plan Implemented 2013</b> Create an Affordable Housing Acquisition and Development Fund.</p>	<p>The LDCHA Board of Commissioners authorized the use of up to \$1 million for the development of new low income affordable housing, and LDCHA may use its MTW flexibility to purchase land and/or improvements, or participate in project ownership and/or development by providing financing for direct construction or rehabilitation costs. LDCHA may leverage, where possible, additional funds from private and public sources (including Low Income Housing Tax Credits, Private Activity Bonds, or other available financing methods). This activity is designed to increase housing choice for low-income households utilizing MTW reserves. The increase for 2015 is reflected in Section II, MTW Households Served, due to a pending acquisition of an existing property.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

## **Housing Choice**

When citing the statutory objective to “increase housing choices for low-income families,” include all of the following metrics that apply:

<b>HC #1: Additional Units of Housing Made Available</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
<p>Number of new housing units made available for households at or below 80% AMI as a result of the activity (increase). If units reach a specific type of household, give that type in this box.</p>	<p>Housing units of this type prior to implementation of the activity = <b>0</b>.</p>	<p>Expected housing units of this type after implementation of the activity for 2016 = <b>0</b>.</p>		

**HC #2: Units of Housing Preserved**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of housing units preserved for households at or below 80% AMI that would otherwise not be available (increase). If units reach a specific type of household, give that type in this box.	Housing units preserved prior to implementation of the activity (number) = <b>0</b> .	Expected housing units preserved after implementation of the activity for 2016 = <b>6</b> .		

**HC #5: Increase in Resident Mobility**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of households able to move to a better unit and/or neighborhood of opportunity as a result of the activity (increase).	Households able to move to a better unit and/or neighborhood of opportunity prior to implementation of the activity = <b>0</b>	Expected households able to move to a better unit and/or neighborhood of opportunity after implementation of the activity (number) = <b>0</b> .		

**Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

**CE #4: Increase in Resources Leveraged**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Amount of funds leveraged in dollars (increase).	Amount leveraged prior to implementation of the activity (in dollars) = <b>0</b> .	Expected amount leveraged after implementation of the activity (in dollars) = <b>0</b> .		



<b>Activity 10-1</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2010 Plan Implemented 2010</b></p> <p>Biennial recertification for public housing and Section 8 elderly and disabled households.</p>	<p>Adopt alternative recertification schedule to conduct biennial recertification for all elderly and disabled public housing and Section 8 households on fixed incomes, to reduce the total number of annual recertifications processed to reduce cost and achieve greater administrative efficiencies.</p> <p><b>Hardship Policy:</b> Participants may request a hardship and be recertified in the year identified to skip if their annual medical expenses have increased by 10% in the previous 12 months.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

### **Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

#### **CE #1: Agency Cost Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Total staff cost eliminated for biennial recertification of 48% of eligible households in dollars (decrease) = <b>\$31,484.</b>	Staffing cost for 2011 annual recertification of 613 public housing and Section 8 eligible elderly/disabled households x \$107 per recertification = <b>\$65,591.</b>	Expected staff cost for recertification of 52% of eligible households after implementation of biennial recertification = <b>\$34,107.</b>		

#### **CE #2: Staff Time Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Total time eliminated to complete the biennial recertification of 48% of eligible households in staff hours (decrease) = <b>1,177</b> .	Staff time for 2011 annual recertification of 613 public housing eligible elderly/disabled households x 4 hours per recertification (in hours) = <b>2,452</b> .	Expected staff time for recertification of 52% of eligible households after implementation of biennial recertification (in hours) = <b>1,275</b> .		

***CE #5: Increase in Agency Rental Revenue***

**This Activity is meant to be revenue neutral; increase in agency rental revenue is not applicable so there is no baseline or benchmark data. This metric does not apply.**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Rental revenue in dollars (increase).	Rental revenue prior to implementation of the activity (in dollars) = <b>0</b> .	Expected rental revenue after implementation of the activity (in dollars) = <b>0</b> .	<b>To be provided in Annual MTW Report</b>	<b>To be provided in Annual MTW Report</b>

<b>Activity 09-5</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modi- fications to metrics, base- lines or benchmarks</b>
<b>Approved for 2009 Plan, implemented 2009:</b> Homeownership matching grant.	Revised original MTW Homeownership Program to create equity between Public Housing and Section 8 to provide up to \$3000 matching grant for MTW households that purchase a home.	Modify Homeownership Program to specify that public housing households that reach 100% of AMI at the annual recertification will be given a 6 month notice to vacate. This will result in Section 8 HCV and public housing households being treated the same.	No changes or modifications are planned.

### **Self Sufficiency**

When citing the statutory objective to “give incentives to families...whose heads of household are either working, seeking work, or are participating in job training educational or other programs to assist in obtaining employment and becoming economically self-sufficient,” include all of the following metrics that apply:

#### **SS #8: Households Transitioned to Self Sufficiency**

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households transitioned to self sufficiency (increase) = <b>3</b> .  <b>For this metric, LDCHA is defining self-sufficiency as families who voluntarily end participation in the voucher or public housing programs.</b>	2000 - Households purchasing a home = <b>0</b> .	2016 - Expected households purchasing a home = <b>3</b> .		

### **Housing Choice**

When citing the statutory objective to “increase housing choices for low-income families,” include all of the following metrics that apply:

***HC #6: Increase in Homeownership Opportunities***

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households that purchased a home as a result of the activity (increase).	2000 - Households purchasing a home = <b>0</b> .	2016 - Expected households purchasing a home = <b>3</b> .		

<b>Activity 09-6</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2009 Plan Implemented 2009</b></p> <p>Revise definition of countable income.</p>	<p>Excluded earned income of young adult children between the ages of 18 and 21 not enrolled full-time in school, and excluded earned income of young adult children between 18-24 if enrolled full-time as a student, while retaining the work requirement for these groups. This Activity is authorized by the MTW flexibility to establish alternate definitions of income, and to encourage work. This Activity was designed to not penalize the entire household for the fluctuations in employment of young adult children. Additionally it reduces administrative cost by eliminating the need for frequent rent recalculations and encourages work through program enforcement for this population.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

### **Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

#### **CE #1: Agency Cost Savings**

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
<p>Total cost of eliminating staff time required for rent recalculation for adult children 18-21 income in dollars (decrease) = <b>\$819</b>.</p>	<p>2009 - Cost of task prior to implementation: 63 x .50 x \$26 per hour (in dollars) = <b>\$819</b>.</p>	<p>Expected cost after implementation of Activity 09-6 (in dollars) = <b>\$0</b>.</p>		

#### **CE #2: Staff Time Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Total time to complete the task in staff hours = (decrease) = <b>31.5</b> .	Eliminate staff time required for rent recalculation for adult children 18-21 income (in hours) = <b>31.5</b> .	Expected staff hours after implementation of Activity 09-6 (in hours) = <b>0</b> .		

### *Self Sufficiency*

When citing the statutory objective to “give incentives to families...whose heads of household are either working, seeking work, or are participating in job training educational or other programs to assist in obtaining employment and becoming economically self-sufficient,” include all of the following metrics that apply:

#### *SS #5: Households Assisted by Services that Increase Self Sufficiency*

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of households receiving services aimed to increase self sufficiency (increase) = <b>5</b> .	2009 - Work requirement actions for failure to meet work requirement = <b>5</b> .	Expected households meeting the work requirement = <b>100%</b> ; terminations or evictions for failure to meet work requirements = <b>0</b> .		

<b>Activity 09-6.1</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2009 Plan Implemented 2009</b></p> <p>Revise definition of countable income.</p>	<p>This Activity is designed to achieve greater administrative efficiency by eliminating the 12:12:48 month Earned Income Disallowance rule, and including those amounts as income, as permitted by the MTW flexibility that allows LDCHA to establish alternate definitions of income.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

### **Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

#### **CE #1: Agency Cost Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
<p>Total cost of task in dollars (decrease) = <b>\$8,892.</b></p>	<p>2009 - 19 households x 1.5 hours x 12 months = 342 hrs x \$26. Cost of task prior to implementation of the activity (in dollars) = <b>\$8,892.</b></p>	<p>Elimination of 100% of staff cost to calculate the earned income disallowance. Expected cost (in dollars) = <b>\$0.</b></p>		

#### **CE #2: Staff Time Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
<p>Total staff time to complete the task in hours (decrease) = <b>342.</b></p>	<p>2009 - 19 households x 1.5 hours x 12 months. Total amount of staff time dedicated to the task prior to implementation of the activity (in hours) = <b>342.</b></p>	<p>Eliminated 100% of staff hours to calculate the earned income disallowance. Expected staff time (in hours) = <b>0.</b></p>		

***CE #5: Increase in Agency Rental Revenue***

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Public Housing rental revenue per year in dollars (increase) = <b>\$150,000.</b>	1998 - Rental revenue prior to implementation of the activity (in dollars) = <b>\$758,485.</b>	Expected Public Housing rental revenue increase of \$150,000 per year (in dollars) = <b>\$908, 485.</b>		



<b>Activity 09-8</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 2009 Plan Implemented 2010</b> Create a jail re-entry housing program</p>	<p>Create 5 units of TBRA in partnership with Douglas County Sheriff's Office for inmates participating in a re-entry program. The Sheriff's Office provides the services for this program. To be eligible for referral to the LDCHA the inmate being released from Douglas County jail must meet performance criteria established by the Jail Re-entry Program. To qualify for assistance the inmate must be a Douglas County resident and must not be excluded under the federal housing mandatory prohibition rules.</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

## *Self Sufficiency*

Report the Baseline, Benchmark and Outcome data for each type of employment status for those head(s) of households affected by the self-sufficiency Activity.

<b><i>SS #: Increase in Positive Outcomes in Employment Status</i></b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
<p>Number of new housing units made available for households at or below 80% AMI as a result of the activity (increase).</p>	<p>Housing units of this type prior to implementation of the activity = <b>0</b>.</p>	<p>Expected housing units of this type after implementation of the activity: number of Re-entry Vouchers = <b>3</b>.</p>		

<b>Activity 99-1</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<b>Approved for 1999 Plan Implemented 1999</b> Combined Public Housing and Section 8 HCV programs and operations	This Activity uses MTW flexibility to establish a locally designed waiting list and tenant selection criteria by combining the public housing family housing units and Section 8 HCV into one program called General Housing with one waiting list and single organizational program structure. The objective of this Activity was to decrease the vacancy rate by using the same suitability criteria for both programs and offering the next available unit to the applicant at the top of the waiting list. Additionally it decreases administrative burden by reducing voluntary unit turnover cost.	No changes or modifications are planned.	No changes or modifications are planned.

### **Cost Effectiveness**

When citing the statutory objective to “reduce cost and achieve greater cost effectiveness in federal expenditures,” include all of the following metrics that apply:

#### **CE #1: Agency Cost Savings**

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total cost of task in dollars (decrease).	Cost of task prior to implementation of the activity (in dollars). In 1998 there were approximately 58 Public Housing tenants on the Section 8 waiting list that would result in a voluntary turnover. Turnover cost the agency 58 x 2.5 x \$22 = <b>\$3,190.</b>	Begin tracking transfer to Section 8 program requests from Public Housing participants in FY 2015 to establish benchmark.		

#### **CE #2: Staff Time Savings**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Total time to complete the task in staff hours (decrease).	Total amount of staff time dedicated to the task prior to implementation of the activity (in hours) = <b>145</b> .	Will be established in 2015.		

***CE #3: Decrease in Error Rate of Task Execution***

**Error rates for voluntary turnovers are neither tracked nor applicable so there is no baseline or benchmark data. This outcome measure will be reported as 0. This metric does not apply.**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average error rate in turnover and administration.	Average error rate of task prior to implementation of the activity (percentage) = <b>0</b> .	Expected average error rate of task after implementation of the activity (percentage) = <b>0</b> .		

***CE #5: Increase in Agency Rental Revenue***

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Public Housing rental revenue per year in dollars (increase) = <b>\$150,000</b> .	1998 - Rental revenue prior to implementation of the activity (in dollars) = <b>\$758,485</b> .	Expected Public Housing rental revenue increase of \$150,000 per year (in dollars) = <b>\$908,485</b> .		

<b>Activity 99-2</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>																		
<p><b>Approved for 1999 Plan Implemented 1999</b> Alternative rent structure.</p>	<p>Developed alternative MTW rent structure with minimum and maximum annual rents that are adjusted periodically and applied to all non-disabled/non-elderly households in the General Housing program. The rent structure requires all non-elderly, non-disabled adults to pay a significant minimum amount of rent regardless of their income. To reward work, the agency set a maximum rent for each size unit.</p> <table border="1" data-bbox="495 630 1184 852"> <thead> <tr> <th>Bedroom Size</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>1 Bedroom</td> <td>\$ 185</td> <td>\$ 435</td> </tr> <tr> <td>2 Bedroom</td> <td>\$ 215</td> <td>\$ 500</td> </tr> <tr> <td>3 Bedroom</td> <td>\$ 255</td> <td>\$ 575</td> </tr> <tr> <td>4 Bedroom</td> <td>\$ 275</td> <td>\$ 665</td> </tr> <tr> <td>5 Bedroom</td> <td>\$ 315</td> <td>\$ 690</td> </tr> </tbody> </table> <p>To encourage employment advancement the agency established a system of income deductions that increase as hours of work increase.</p> <p>Special income deductions for MTW households include:</p> <ul style="list-style-type: none"> <li>• 10% earned income deduction for those working at least 35 hours/week</li> <li>• \$2,000 medical deduction for those working at least 35 hours/week</li> <li>• full out-of-pocket dependent care deduction necessary to allow work or school attendance</li> <li>• utility allowance as an annual income deduction, not as a monthly deduction from rent</li> </ul>	Bedroom Size	Minimum	Maximum	1 Bedroom	\$ 185	\$ 435	2 Bedroom	\$ 215	\$ 500	3 Bedroom	\$ 255	\$ 575	4 Bedroom	\$ 275	\$ 665	5 Bedroom	\$ 315	\$ 690	<ol style="list-style-type: none"> <li>1. Amend the hardship policy to permit residents who are at the minimum rent for their respective bedroom size to be eligible for a hardship rent reduction. <p>If loss of earned income equals or is greater than 50% of total reported earned income, then the MTW Hardship Rent shall be reset to \$50 a month for the household for a three consecutive month period.</p> <p style="text-align: center;">Or</p> <p>If loss of earned income is at least 25% but is less than 50% of total reported earned income, the MTW Hardship Rent shall be reset \$100 a month for the household for a three consecutive month period.</p> </li> <li>2. Amend the policy to clarify that the number of hardships will be limited to one per household per 12 months from the end of an approved hardship request.</li> <li>3. Amend the policy to establish that hardships requests may be denied based upon a pattern of policy abuse per the LDCHA Fraud Policy - Resolution 539, as amended.</li> </ol>	<p>No changes or modifications are planned.</p>
Bedroom Size	Minimum	Maximum																			
1 Bedroom	\$ 185	\$ 435																			
2 Bedroom	\$ 215	\$ 500																			
3 Bedroom	\$ 255	\$ 575																			
4 Bedroom	\$ 275	\$ 665																			
5 Bedroom	\$ 315	\$ 690																			

<b>Activity 99-2</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
	<ul style="list-style-type: none"> <li>increase in the child dependent deduction to \$840 per child capped at \$1,680 per household</li> </ul> <p>The LDCHA's Rent Hardship Policy permits a degree of rent relief if the household experiences a loss in income due to lay-offs, business closing, or medical illness. Under the policy, a household may be recertified <u>to the MTW minimum rent</u> based on the nature and amount of the income loss. The rent reduction is for a period not to exceed three months. A household may have a hardship rent reduction only once every 12 months. If the household's income loss is due to a condition that qualifies the individual for a disability under ADA, the household's designation is changed from MTW to income-based and they are then recertified. The alternative rent structure and hardship policies are more fully outlined in Appendix I.</p>	<p>4. Amend the policy to eliminate the requirement that households be in "good standing" and instead that the household not be under termination to be eligible for the MTW rent reduction policy.</p> <p>The remainder of the Hardship Policy will not be changed, including the requirement for households receiving a hardship to participate in an Intensive Employment Replacement program through the Resident Services Office (RSO). This amendment will result in all MTW households having access to the Hardship Policy.</p>	

### **Self Sufficiency**

When citing the statutory objective to “give incentives to families...whose heads of household are either working, seeking work, or are participating in job training educational or other programs to assist in obtaining employment and becoming economically self-sufficient,” include all of the following metrics that apply:

#### **SS #7: Increase in Agency Rental Revenue**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?

PHA rental revenue per year in dollars (increase) = <b>\$150,000.</b>	1998 - PHA rental revenue prior to im- plementation of the activity (in dollars) = <b>\$758,485.</b>	Expected PHA rental revenue after im- plementation of the activity (in dollars) = <b>\$908,485.</b>		
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<b>Activity 99-3</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications dur- ing Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
<p><b>Approved for 1999 Plan Implemented 1999</b> Work requirement.</p>	<p>This Activity establishes an MTW work requirement which applies to all households in the General Housing program with a non-elderly non-disabled adult in the household. Failure to meet the work requirement is a major program breach. Following are the exemptions to the work requirement.</p> <ul style="list-style-type: none"> <li>• A person over age 62 or person who has a permanent disability that prevents them from getting and/or keeping employment.</li> <li>• A person under age 62 and over 18 who is the only caretaker for a disabled/elderly family member.</li> <li>• Discretionary exemption for households with only one adult who does not have disability status, who is over age 40, and/or who, due to limitations of employment experience, education or training, is unable to earn sufficient income to meet the rent requirement.</li> <li>• Households with one or two adults, neither of whom have disability status, who are over age 50, and who do not have children residing in the household.</li> <li>• Households receiving TANF Cash Assistance with one adult member who has been determined "not mandatory for work" by DCF. The household will receive assistance under the MTW rent structure, but the person will not be subject to the work requirement</li> </ul> <p>Exempt households may elect annually to participate in the MTW rent structure if they meet the work requirement through employment income.</p> <p>Failure to meet the work requirement results in a lease vio-</p>	<p>No changes or modifications are planned.</p>	<p>No changes or modifications are planned.</p>

<b>Activity 99-3</b>	<b>Description and Update on Status</b>	<b>Planned changes or modifications during Plan year</b>	<b>Planned changes or modifications to metrics, baselines or benchmarks</b>
	lation. If not corrected, tenant rent goes to full market rate for the unit.		

### *Self Sufficiency*

When citing the statutory objective to “give incentives to families...whose heads of household are either working, seeking work, or are participating in job training educational or other programs to assist in obtaining employment and becoming economically self-sufficient,” include all of the following metrics that apply:

#### **SS #1: Increase in Household Income**

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Average earned income of households participating in MTW rent structure affected by this policy in dollars (increase) = <b>\$186.</b>	2013 - Average earned income of current MTW rent structure participants is <b>\$18,596.</b> <ul style="list-style-type: none"> <li>Data on income did not separate out earned income until 2013. Historical data reflects an average annual change of 2% in gross household income from \$16,434 in 2000 to \$21,060 in 2013.</li> </ul>	Expected increase in total average earned income of MTW Rent Structure participant = <b>\$18,782.</b>  <b>1% per year increase in average earned income.</b>		

#### **SS #3: Increase in Positive Outcomes in Employment Status**

*Report the Baseline, Benchmark and Outcome data for each type of employment status for those head(s) of households affected by the self-sufficiency activity.*

<b>Unit of Measurement</b>	<b>Baseline - Public Housing</b>	<b>Benchmark - Public Housing</b>		<b>Outcome</b>	<b>Benchmark Achieved?</b>
Report the following information separately for each category:	Head(s) of households in MTW rent structure prior to implementation of the activity in 1998:	Expected head(s) of households in MTW rent structure after implementation of the activity:			
(1) Employed Full-Time	N/A [Data not available until 2013]	<u>2000</u> N/A	<u>2013</u> 100		



(2) Employed Part-Time <b>(1 &amp; 2 Combined) Employed MTW rent structure participants</b>	N/A [Data not available until 2013]  119	N/A  133	24		
(3) Enrolled in an Educational Program - data not available	15	33	28		
(4) Enrolled in Job Training Program - data not available	N/A		22		
(5) Unemployed	49	1	6		
(6) Other - Discretionary Exemptions	N/A	0	6		
		* Total exceeds 100%, some participants are captured in multiple categories.			
	Percentage of total work-able households in the MTW rent structure per category prior to implementation of activity (percent).  (1) Data not available (2) Data not available (1 & 2) 65% (3) 9% (4) Data not available until 2013 (5) 27% (6) 0%	Expected percentage of total work-able households in the MTW rent structure per category after implementation of the activity (percent).  <u>2000</u> (1) 25% (2) 25%  (3) 20% (4) 10% (5) 10% (6) 10%	<u>2013</u> (1) 25% (2) 25%  (3) 20% (4) 10% (5) 10% (6) 10%		
<b>Unit of Measurement</b>	<b>Baseline - Section 8 HCV</b>	<b>Benchmark - Section 8 HCV</b>		<b>Outcome</b>	<b>Benchmark Achieved?</b>
Report the following information separately for each category:	Head(s) of households in MTW rent structure prior to implementation of the activity in 1998:	Expected head(s) of households in MTW rent structure after implementation of the activity:			
		<u>2000</u>	<u>2013</u>		
(1) Employed Full-Time	N/A [Data not available until 2013]	N/A	147		
(2) Employed Part-Time	N/A [Data not available until 2013]	N/A	79		
<b>(1 &amp; 2) Employed MTW rent</b>	172	119			

<p><b>structure participants</b></p> <p>(3) Enrolled in an Educational Program - data not available</p> <p>(4) Enrolled in Job Training Program - data not available</p> <p>(5) Unemployed</p> <p>(6) Other - Discretionary Exemptions</p>	<p>60</p> <p>0</p> <p>63</p> <p>0</p>	<p>19</p> <p>N/A</p> <p>4</p> <p>5</p>	<p>55</p> <p>25</p> <p>22</p> <p>8</p>	<p>* Total exceeds 100%, some participants are captured in multiple categories.</p>																					
	<p>Percentage of total work-able households in the MTW rent structure prior to implementation of activity (percent).</p> <p>(1) N/A</p> <p>(2) N/A</p> <p>(1 &amp; 2) 58%</p> <p>(3) 20%</p> <p>(4) N/A</p> <p>(5) 21%</p> <p>(6) 0%</p>	<p>Expected percentage of total work-able households in the MTW rent structure after implementation of the activity (percent).</p> <table border="1"> <thead> <tr> <th></th> <th><u>2000</u></th> <th><u>2013</u></th> </tr> </thead> <tbody> <tr> <td>(1)</td> <td>25%</td> <td>25%</td> </tr> <tr> <td>(2)</td> <td>25%</td> <td>25%</td> </tr> <tr> <td>(3)</td> <td>20%</td> <td>20%</td> </tr> <tr> <td>(4)</td> <td>10%</td> <td>10%</td> </tr> <tr> <td>(5)</td> <td>10%</td> <td>10%</td> </tr> <tr> <td>(6)</td> <td>10%</td> <td>10%</td> </tr> </tbody> </table>			<u>2000</u>	<u>2013</u>	(1)	25%	25%	(2)	25%	25%	(3)	20%	20%	(4)	10%	10%	(5)	10%	10%	(6)	10%	10%	
	<u>2000</u>	<u>2013</u>																							
(1)	25%	25%																							
(2)	25%	25%																							
(3)	20%	20%																							
(4)	10%	10%																							
(5)	10%	10%																							
(6)	10%	10%																							

**B. NOT YET IMPLEMENTED ACTIVITIES**

All Activities have been implemented.

### C. ACTIVITIES ON HOLD

It is anticipated that no activities will be on hold for the 2016 Plan year, unless funding becomes an issue.

### D. CLOSED OUT ACTIVITIES

<b>Activity 12-1</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2012 Plan, implemented 2012:</b> Biennial recertification for Section 8 elderly and disabled households. Closed out 2015.	Conduct biennial recertification for all elderly and disabled Section 8 households.	Combined with Activity 10-1, and closed out 12-1.

<b>Activity 11-1</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2011 Plan Implemented 2011:</b> Provide financial assistance for vehicle repair.	Provide up to \$500 per household for vehicle repair to assist MTW households with children to obtain or retain employment, employment training, or attend post secondary education.	This Activity requires only the MTW Single Fund Authorization. It is being closed out and discussion of annual outcomes will be included in Section V under "Activities that Will Use Only MTW Single Fund Flexibility."

<b>Activity 11-2</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2011 Plan Implemented 2011:</b>	Use DCHI, an affiliated nonprofit, to pursue private and public foundation grant	This Activity requires only the MTW Single Fund Authorization. It is being closed out and discussion of annual out-

<b>Activity 11-2</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
Partner with Douglas County Housing Incorporated (DCHI), to create the Full Circle youth program.	funding that is restricted to nonprofit organizations in order to expand program opportunities and activities for LDCHA youth, particularly the children of parents participating in the MTW program. The Full Circle youth program provides year-round social, educational, health and recreational opportunities for youth.	comes will be included in Section V under "Activities that Will Use Only MTW Single Fund Flexibility."

<b>Activity 11-3</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2011 Plan, implemented 2013:</b> Combine the Administrative Plan and the Public Housing ACOP into one policy statement. Closed out 2013.	Combine Section 8 Housing Choice Voucher Administrative Plan and public housing Admissions and Continued Occupancy policy and Methods of Administration to create consistency and safeguard staff accuracy in the application of MTW policies under the public housing and Section 8 HCV programs.	Activity was completed, published for public comment and adopted by the Board of Commissioners on August 26, 2013.

<b>Activity 10-2</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2009 Plan Implemented 2009:</b> Expand employment related services to MTW households.	Provide funding for technical training, education, certifications, employment counseling and childcare services to permit heads of household to seek, obtain and retain employment. This Activity is designed to reduce the barriers to employment and underemployment, to maximize a house-	This Activity requires only the MTW Single Fund Authorization. It is being closed out and discussion of annual outcomes will be included in Section V under "Activities that Will Use Only MTW Single Fund Flexibility."

<b>Activity 10-2</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
	hold's potential for securing long-term employment.	

<b>Activity 10-3</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2010 Plan, implemented 2010-2011</b> Energy Conservation Improvements. Closed out 2011.	Provided \$1.5 million from the single fund MTW budget to finance comprehensive energy improvements under HUD Energy Performance Contracting, resulting in guaranteed annual cost savings sufficient to provide funding for the 20 year investment.	The Energy Performance Contract was completed in 2011, and yearly reporting is provided to HUD Field Office to verify utility savings.

<b>Activity 09-2</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2010 Plan Implemented 2010:</b> Mandatory Orientation.	Required mandatory orientation program for all new residents on the services and programs offered by the LDCHA Resident Services Office. This Activity educates residents about available services to access in times of crisis that could lead to termination of their housing assistance, or as a resource for households motivated toward upward mobility, economic self sufficiency and homeownership.	This Activity requires only the MTW Single Fund Authorization. It is being closed out and discussion of annual outcomes will be included in Section V under "Activities that Will Use Only MTW Single Fund Flexibility."

<b>Activity 09-3</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2009 Plan Implemented 2009:</b> Expand case management services to MTW households. Closed out 2013.	Provide case management for households below 40% AMI to reduce barriers to employment and underemployment to maximize household's potential for securing long-term employment.	Activity 09-3 will be absorbed into Activity 10-2 to encompass a broader scope of employment support. Previous benchmark of Activity 09-3, AMI increase, will report as income per SS #1.

<b>Activity 09-4</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2009 Plan Implemented 2009:</b> Biennial recertifications for MTW households. Closed out 2015.	Conduct biennial recertifications for public housing and Section 8 participants in the MTW rent structure who are at maximum rent or 50% AMI.	This Activity has never had the anticipated impact and it resulted in increasing complexity rather than reducing staff time and achieving greater cost efficiency. This initiative is a voluntary election and is subject to fluctuating tenant income resulting in too many mid-year recertifications. In 2012 there were 102 eligible to participate and only 24 elected to skip recertification. In 2013 there were only 70 eligible households and 38 elected to skip. In 2014 it is projected there will be 111 eligible for MTW biennial recertification and only 37 will skip. This Initiative is difficult to track and creates additional administrative complexity to our program without resulting in a significant benefit to participants.

<b>Activity 09-7</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
<b>Approved for 2009 Plan I Implemented 2009:</b> Homeless to Housed.	Provide housing stabilization case management for recently homeless individuals who are housed in the LDCHA's Transi-	This Activity requires only the MTW Single Fund Authorization. It is being closed out and discussion of annual outcomes will be included in Section V under "Activities

<b>Activity 09-7</b>	<b>Description</b>	<b>Reason Activity is closed out</b>
	tional Housing (TH) program and the Jail Re-Entry (JRE) program.	that Will Use Only MTW Single Fund Flexibility."

## Section V: MTW Sources and Uses of Funds

### A. MTW Plan: Sources and Uses of MTW Funds

#### Estimated Sources of MTW Funding for the Fiscal Year

PHAs shall provide the estimated sources and amounts of MTW funding by FDS line item.

#### Sources

FDS Line Item	FDS Line Item Name	Dollar Amount
70500 (70300+70400)	Total Tenant Revenue	1,260,465
70600	HUD PHA Operating Grants	5,749,528
70610	Capital Grants	495,675
70700 (70710+70720+70730+70740+70750)	Total Fee Revenue	0
71100+72000	Interest Income	17,500
71600	Gain or Loss on Sale of Capital Assets	0
71200+71300+71310+71400+71500	Other Income	171,506
70000	Total Revenue	7,694,674



**Estimated Uses of MTW Funding for the Fiscal Year**

PHAs shall provide the estimated uses and amounts of MTW spending by FDS line item.

**Uses**

FDS Line Item	FDS Line Item Name	Dollar Amount
91000 (91100+91200+91400+91500+91600+91700+91800+91900)	Total Operating - Administrative	1,432,327
91300+91310+92000	Management Fee Expense	0
91810	Allocated Overhead	0
92500 (92100+92200+92300+92400)	Total Tenant Services	94,070
93000 (93100+93600+93200+93300+93400+93800)	Total Utilities	314,160
93500+93700	Labor	0
94000 (94100+94200+94300+94500)	Total Ordinary Maintenance	873,090
95000 (95100+95200+95300+95500)	Total Protective Services	27,060
96100 (96110+96120+96130+96140)	Total insurance Premiums	178,590
96000 (96200+96210+96300+96400+96500+96600+96800)	Total Other General Expenses	109,630
96700 (96710+96720+96730)	Total Interest Expense and Amortization Cost	0
97100+97200	Total Extraordinary Maintenance	175,228
97300+97350	Housing Assistance Payments + HAP Portability-In	3,992,352
97400	Depreciation Expense	0
97500+97600+97700+97800	All Other Expenses	0
90000	<b>Total Expenses</b>	<b>7,196,507</b>

## Describe the Activities that Will Use Only MTW Single Fund Flexibility

### 2016 Sources and Uses of Funds Details

Lawrence-Douglas County Housing Authority has set aside MTW reserves to implement the following activity using the single fund flexibility:

**Activity: Babcock Bus Replacement**

Program Affected: Public Housing  
Year Identified: September, 2015  
Effective Date: January 10, 2016  
Funding Allocated: \$50,000 - \$60,000

Description of Activity:

Use the MTW Single Fund reserves to fund the replacement of the Babcock Bus, which is a 2004 Ford E-Series, 12 passenger vehicle with approximately 150,000 miles. The replacement vehicle is estimated at approximately \$50,000-\$60,000 depending on trade-in value of current vehicle. The bus must be equipped with a special lift to service the individuals with mobility issues. The Babcock Bus is a critical element to permit the participants in the LDCHA senior housing program to age in place and for LDCHA to successfully serve this population.

**Activity: Provide Financial Assistance for Vehicle Repair**

Program Affected: Public Housing, Housing Choice Voucher, VASH  
Year Identified: September 2010  
Effective Date: January 1, 2011  
Funding Allocated: \$10,000 (estimated)

Description of Activity:

Provide up to \$500 per household for vehicle repair to assist MTW households to obtain or retain employment, employment training, or attend post secondary education.

**Activity: Partner with Douglas County Housing Incorporated (DCHI), to create the Full Circle youth program.**

Program Affected: Public Housing, Housing Choice Voucher, VASH  
Year Identified: September 2010  
Effective Date: January 1, 2011

Funding Allocated: \$50,000 (estimated)

Description of Activity:

Use DCHI, an affiliated nonprofit, to pursue private and public foundation grant funding that is restricted to nonprofit organizations in order to expand program opportunities and activities for LDCHA youth, particularly the children of parents participating in the MTW program. The Full Circle youth program provides year-round social, educational, health and recreational opportunities for youth.

**Activity: Expand employment related services to MTW households.**

Program Affected: Public Housing, Housing Choice Voucher, VASH

Year Identified: September 2008  
Effective Date: January 1, 2009  
Funding Allocated: \$175,000 (estimated)

Description of Activity:

Provide funding for technical training, education, certifications, employment counseling and childcare services to permit heads of household to seek, obtain and retain employment. This Activity is designed to reduce the barriers to employment and under-employment, to maximize a household's potential for securing long-term employment.

**Activity: Homeless to Housed.**

Program Affected: Public Housing and Housing Choice Voucher  
Year Identified: September 2008  
Effective Date: January 1, 2009  
Funding Allocated: \$40,000 (estimated)

Description of Activity:

Provide housing stabilization case management for recently homeless individuals who are housed in the LDCHA's Transitional Housing (TH) program and the Jail Re-Entry (JRE) program.

**Activity: Mandatory Orientation**

Program Affected: Public Housing and Housing Choice Voucher  
Year Identified: September 2008  
Effective Date: January 1, 2009  
Funding Allocated: \$300 (estimated)

**Description of Activity:**

Required mandatory orientation program for all new residents outlining the services and programs offered by the LDCHA Resident Services Office. This Activity educates residents about available services to access in times of crisis that could lead to termination of their housing assistance, or as a resource for households motivated toward upward mobility, economic self sufficiency and homeownership.

**General Statement on Sources of Funds**

Public Housing Authorities are again facing a high level of uncertainty regarding funding, making the 2016 sources of funding that the LDCHA anticipates difficult to forecast with precision. Since the 2016 allocation for HUD funded programs cannot be known at this time, the amounts listed for Public Housing Operating Subsidy and Section 8 HCV Budget Authority Renewal are based on 2015 funding allocations. For Capital Funds the allocation is based on the 2015 grant funding award.

The 2016 Public Housing funding sources and amounts are an estimate based on the most recently approved federal allocations included in the 2015 budget of \$707,600. This is based on the initial 2015 Public Housing Operating Subsidy eligibility of \$862,927 and further reduced at an 82% proration level.

The 2016 Section 8 HCV HUD funding allocation estimate is a projection based on a Per Unit Cost (PUC) formula using the final renewal eligibility for CY 2015. The 2015 PUC final renewal eligibility was  $\$573.99 \times 732 \times 12 \text{ months} = \$5,041,928$ .

The 2016 Capital Fund program is an estimate based on the 2015 grant funding award of \$495,675.

**General Statement on Uses of Funds**

The uses of funds shows the aggregate expenses for all MTW programs the agency will operate by account and not program. However each individual program operated by the LDCHA contains a program specific budget.

The LDCHA plans to use funds in 2016 for intended purposes of the specific federal and resident services programs even though it will operate its Public Housing, Section 8 assistance and Capital Fund as a single fund budget with full flexibility. The agency will not reduce the number of public housing and Section 8 assisted units it has in 2016. Any development will be paid for through MTW reserves. Public Housing, Section 8 and Capital Funds, as a single fund will be used to pay for the administrative, operational, maintenance costs and capital fund improvements of the respective program which includes previously approved MTW Activities.

Since all of the agency's public housing and Section 8 HCV units/households are in the MTW program, even though not all households participate in the alternative rent structure and work requirement, these programs are listed as MTW activities in the sources and uses.

Any surplus funds remaining at the end of 2016 will be used for MTW purposes in the 2017 and subsequent years.

**V.2.Plan.Local Asset Management Plan**

**B. MTW Plan: Local Asset Management Plan**

**Asset Management**

The LDCHA has 369 public housing units and opted out of the asset management requirement under the 2008, 2009, 2010 and 2011 HUD appropriations Act, and as provided for in 2012 and 2013 Continuing Resolutions. LDCHA elected to opt out of asset management for 2014 and 2015 pursuant to the FY 2014 Omnibus Appropriations Act and to the Consolidated and Further Continuing Appropriations Act of 2015. The agency will continue to elect to opt out again if provided that opportunity for 2016. The LDCHA uses a cost allocation system to prorate expenses among the different programs it administers.

Is the PHA allocating costs within statute?

YES	or	NA
N/A	or	NO

Is the PHA implementing a local asset management plan (LAMP)?

If the PHA is implementing a LAMP, it shall be described in an appendix every year beginning with the year it is proposed and approved. The narrative shall explain the deviations from existing HUD requirements and should be updated if any changes are made to the LAMP.

Has the PHA provided a LAMP in the appendix?

N/A	or	No
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N/A
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## **Section VI: Administrative**

### **A. Board Resolution**

Resolution 2015-\_\_ was approved by the Board of Commissioners adopting the 2016 Annual MTW Plan on September 28, 2015. It and the Certification of Compliance are included in Appendix II.

### **B. Public Participation / Comment on the 2016 MTW Plan**

#### Resident Advisory Committee, June 17 and July 30, 2015

The LDCHA Resident Advisory Committee participated in the development of this plan and recommended this Plan for approval on July 30, 2015.

#### Notice of Public Hearing and Comment Period

#### PUBLIC NOTICE

Additionally, the LDCHA's Draft MTW Annual Plan for 2016 was available to the public for review and comment during a 30-day period beginning August 3, 2015 and ending at 4:00 pm September 3, 2015.

During the public comment periods the Draft MTW Annual Plan for 2016 was available on the LDCHA website and printed copies of the Plan were available at City and County Offices and all the agency's administrative and management offices. The location of copies and the public hearing were advertised in public notices published in the Lawrence-Journal World newspaper and the LDCHA website on August 3, 2015.

The public was invited to comment on the Plan in writing, delivered or mailed to Lawrence-Douglas County Housing Authority, 1600 Haskell Avenue, faxed to 842-9596, or emailed to [housing@ldcha.org](mailto:housing@ldcha.org). Comments were received up to 4:00 p.m. September 3, 2015.

A public hearing on the Plan was held September 3, 2015 at 5:00 pm at the Administrative Offices of the agency at 1600 Haskell Avenue.

\_\_\_\_\_ comments were received during the comment period. \_\_\_\_\_ members of the public attended the public hearing which was opened at 5:00 pm and closed at \_\_\_\_\_ pm.

### **C. Agency Directed Evaluation of the Demonstration**

None at this time.

#### **D. Statement of Significant Amendment or Modification**

LDCHA considers a "significant amendment or modification" as a discretionary change in a plan or policy of the agency that fundamentally alters the plan or policy, and which will require the formal approval of the Board of Commissioners. Specifically the following will be considered to constitute a significant amendment:

- A material change in the policies regarding the manner which tenant rent is calculated,
- A material change in the admissions policy, or
- Any change with regard to demolition or disposition, homeownership, Capital Fund financing, conventional or mixed financing development are considered significant amendments to the Capital Fund 5-Year Action Plan.

Changes that result from HUD regulatory requirements will not be considered a significant amendment or modification to either the 5-Year Capital Fund Action or MTW Annual plans.

#### **E. Declaration of Trusts**

The LDCHA filed Declaration of Trusts with the Douglas County Register of Deeds on all its public housing and agency owned housing on different dates over the years at the time the deeds were first filed with the registrar. The LDCHA has nine separate housing developments. Each deed was filed with a Declaration of Trust.

#### **F. Resident Commissioner**

The LDCHA is in compliance with the requirement that the agency have a commissioner who is a resident of one of the agency's housing programs. Brenda O'Keefe, who is a Section 8 HCV participant, is the resident commissioner. Ms. O'Keefe was appointed to the Board by the Mayor of Lawrence for a four year term in July 2008 and was reappointed for an additional four year term in June 2012.

## **Additional Appendix Items**

- Appendix I      LDCHA's MTW Demonstration Program**
- Appendix II     Certifications and Declarations, and Forms**
- Appendix III    Capital Fund Performance and Evaluation Reports**



## Appendix I:

### LDCHA's MTW DEMONSTRATION PROGRAM

The LDCHA submits Appendix I to provide a comprehensive outline of its Moving to Work (MTW) program elements that have been developed over its 15 years of participation in the MTW Demonstration through various MTW Plans submitted to HUD. Additionally, significant data of its MTW Program, maintained since the inception in 1999, will continue to be collected and presented with its annual reports.

The LDCHA merged the Public Housing and Section 8 Housing Assistance programs into one housing program called General Housing Assistance with one waiting list and two forms of assistance. A household whose name comes to the top of the waiting list is offered the first form of assistance available. An applicant is allowed to pass but will be assessed a pass penalty and moved down the waiting list to the date of the offer. Once an applicant has received an offer of all forms of housing and passes they are dropped from the waiting list.

All applicants for General Housing Assistance must meet suitability criteria as well as income eligibility criteria. Applicants with no prior rental experience can qualify by completing the Renter Education Program, the goal of which is to teach applicants various duties, responsibilities and rights as a leaseholder.

The agency developed an MTW rent structure that requires all non-elderly, non-disabled adults to pay a significant minimum rent regardless of their income. The LDCHA's rent structure goal was intended to move participants to work by making them responsible for paying a meaningful rent, high enough to require work but low enough to be affordable. To reward work, the agency set a maximum, or ceiling, rent for each unit by bedroom size. To encourage employment advancement the agency established a system of income deductions that increase as hours of work increase. The LDCHA's MTW rent structure requires a significant minimum payment regardless of income and caps rent as income rises to encourage upward economic mobility. The minimum and maximum MTW rents are adjusted periodically by Board resolution.

Minimum and maximum MTW rents are:

Bedroom Size	Minimum	Maximum
1 Bedroom	\$ 185	\$ 435
2 Bedroom	\$ 215	\$ 500
3 Bedroom	\$ 255	\$ 575
4 Bedroom	\$ 275	\$ 665
5 Bedroom	\$ 315	\$ 690

Actual MTW monthly rent is determined by:

- annualizing total household income
- subtracting allowable deductions
- multiplying the sum by 30%

- dividing the amount by 12

Income deductions for MTW households include:

- 10% earned income deduction for those working at least 35 hours/week
- \$2,000 medical deduction for those working at least 35 hours/week
- full out-of-pocket dependent care deduction necessary to allow work or school attendance
- utility allowance as an annual income deduction, not as a monthly deduction from rent
- increase in the child dependent deduction to \$840 per child capped at \$1,680 per household

If the final amount is less than the minimum rent for the bedroom size occupied by the household, the annual rent is increased to the minimum. If it is higher than the maximum rent, it is lowered to the maximum. If it falls between the minimum and maximum, it is set where it falls. Section 8 households may pay a rent higher than the maximum if they select a unit with a contract rent that exceeds the payment standard.

#### Application of MTW Rent Structure

The alternative MTW rent policy and work requirement apply to all households in the General Housing program with a non-disabled adult age 50 or younger in the household. Exempt households may elect to participate in the MTW rent structure if they meet the work requirement through employment income. There are limited exemptions permitted, as follows:

- A person over age 62 or who has a permanent disability that prevents them from getting and/or keeping employment.
- A person under age 62 and over 18 who is the only caretaker for a disabled/elderly household member.
- Discretionary exemption for households with only one adult who does not have disability status, who is over age 40, and/or who, due to limitations of employment experience, education or training, is unable to earn sufficient income to meet the rent requirement.
- Households with one or two adults, neither of whom have disability status, who are over age 50, and who do not have children residing in the household.
- Households receiving TANF Cash Assistance with one adult member who has been determined "not mandatory for work" by SRS. The household will receive assistance under the MTW rent structure, but the person will not be subject to the work requirement. This includes persons receiving TANF Cash with a child under 6 months of age and households with more than one adult when one of the adults is needed in the home to care for a person with disabilities.

#### Annual Rent

An important component of the LDCHA's MTW rent structure is the feature of Annual Rent or Fixed Rent. Rent is fixed for one year and does not change, regardless of changes in household income or composition except in instances where a household permanently loses

income through death, divorce, or when an income producing adult child whose income was included in the rent calculation moves out of the household.

#### Work Requirement

The work requirement mandates that all able-bodied adults age 18 and older work a minimum of 15 hours a week. For a two-adult household with minor children, the work requirement can be met if one adult works 35 hours per week. Enrollment in a post secondary education program or Work Training Program satisfies the work requirement. An adult child in the household is also subject to the work requirement. Residents who fail to meet the work requirement must participate in the LDCHA's Family Self-Sufficiency Program 15 hours per week. Failure to meet the work requirement is a major program breach.

#### Other Approved Rent Reform Elements of the Rent Structure

Section 8 portability is restricted. MTW households may not move outside the LDCHA's jurisdiction unless the household applies for and receives an exception from this rule as a reasonable accommodation for a disability or other good cause, such as taking a job in a different city, education, or other household need. Households porting into the LDCHA's jurisdiction must participate in the MTW program.

Households that have both elderly/disabled members and non-disabled adult members are considered mixed eligibility households and are placed in the MTW rent structure.

Flat rents are not applied in the MTW rent structure, and MTW participants are not eligible for the flat rent option.

#### Rent Hardship Policy - Subject to the pending modification, see page 45

The LDCHA's Rent Hardship Policy permits a degree of rent relief if the household experiences a loss in employment income or medical illness. Under the policy, a household may be re-certified to the MTW minimum rent based on the nature and amount of the income loss. The rent reduction is for a period not to exceed three months. A household may have a hardship rent reduction only once every 12 months.

If the household's income loss is due to a condition that then qualifies the individual for a disability under ADA, the household's designation is changed from MTW to income-based and they are then recertified.

#### Homeownership - Subject to the pending modification, see page 36

Households who have an annual gross income that exceeds 50% of the Area Median Income (AMI) are offered an opportunity to join the homeownership program.

The LDCHA will provide a \$3,000 matching grant for down payment or closing costs for households that complete the Homeownership Program and purchase a house. Households participating in the Homeownership Program that have income between 80%-99% of AMI are allowed to pay the MTW maximum rent for three to five years or until they purchase a home. Households who do not join the homeownership program may remain in their public housing unit until their gross annual income reaches 80% AMI at which time they

become responsible for paying the full market rent without subsidy. The LDCHA encourages households to leave the housing assistance program when a household's gross annual income reaches 100% AMI, so that higher income households not interested in purchasing a home will move into the private rental market, thereby opening up units of affordable housing for households at or below 80% of AMI.

Households participating in Section 8 voucher must leave the program when their rent obligation equals the full contract rent for their unit for six consecutive months. This is a provision of the Section 8 Housing Assistance Payment contract which serves as a term limit for higher income households.

Alternate Rent Historic Outcomes

Avg Gross Income / Participants / Homeownership	MTW YEAR	AVG GROSS INCOME	AVG TENANT RENT	AVG HAP TO OWNER	AVG CONTRACT RENT	AVG FAMILY SIZE	MTW RENT PARTICIPANTS	HOME-OWNER-SHIP
<b>BASELINE</b> Year 2	2000 - 2001 YR 2	16,434	296	213	622	3	391	
	2001 - 2002 YR 3	16,660	303	223	653	3	401	1
	2002 - 2003 YR 4	17,967	288	375	676	3	517	5
<b>BENCHMARK</b> Increase metrics over time	2003 - 2004 YR 5	19,564	329	378	731	3	492	5
	2004 - 2005 YR 6	19,901	332	403	737	3	479	5
	2005 - 2006 YR 7	19,274	324	436	768	3	450	2
	2006 - 2007 YR 8	20,372	349	422	786	3	456	9
	2007 - 2008 YR 9	21,625	368	439	814	3	440	5
	2008 - 2009 YR 10	20,446	367	499	874	3	426	7
	2010 YR 11	19,776	358	510	872	3	411	7
	2011 YR 12	19,793	355	513	870	3	411	3
	2012 YR 13	21,060	376	551	929	3	477	8
	2013 YR 14	22,558	388	539	937	3	478	7
OUTCOME	2014 YR 15	23,937	411	521	950	3	472	5
	<b>OVERALL AVERAGE</b>	19,955	346	430	801	3	450	5

## Appendix II

### Certifications and Declarations

- Board Resolution 2015-\_\_ Adopting 2016 Annual MTW Plan
- Certification of Meeting MTW Statutory Requirements and Public Notices
- Disclosure of Lobbying Activities
- Certification of a Drug-Free Workplace
- Affidavit of Publication for Public Notice Ad

# Administrative / ACOP Plan

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Combined Administrative Plan and Admission  
& Continued Occupancy Policies and Methods of  
Administration for All LDCHA Programs.

Approved by LDCHA Board August 26, 2013, Resolution 2013-14  
Amended September 22, 2014, Resolution 2014-17

**Proposed Amendments**  
**August 3, 2015**



The mission of the Lawrence-Douglas County Housing Authority is to promote quality affordable housing, economic opportunity, and a suitable living environment free from discrimination.

1600 Haskell Avenue, Lawrence, KS 66044 / 785-842-8110 / [www.ldcha.or](http://www.ldcha.or)



## Tenant Based Program - Contracts

### Rent Comparability / Reasonableness Determination - Page 48

LDCHA staff will make a determination as to the reasonableness of the rent the owner is proposing in comparison to rent for other comparable rents of unassisted units in the private market. The market area for rent comparable and reasonableness comparisons is the corporate limits of Lawrence, Kansas and Douglas County, Kansas and is defined by their census track. Units can only be compared to other units in the same census track if available, otherwise adjoining census tracks as outlined below.

~~A determination of rent comparable and reasonableness will be made before approval of an initial lease, before any increase in rent to owner if the Douglas County, Kansas published FMR in effect 60 days before the contract anniversary is reduced by 5% or more, if directed by HUD, or as necessary for program operations.~~

A determination of rent comparability and reasonableness will be made before approval of an initial lease or before any increase in rent to owner or if the Douglas County, Kansas published FMR is reduced by 5% as directed by HUD (which will be in effect 60 days before the contract anniversary) or as necessary for program operations.

Documentation of the basis for a comparable and reasonable rent determination will be kept in the tenant file with the initial HQS inspection and each annual HQS inspection, or other required determination of rent comparable and reasonableness.

The following elements of a unit will be considered in a determination of comparability as part of rent reasonableness:

1. Location - including type of neighborhood and availability and accessibility of transportation, schools, shopping and medical facilities.
2. Size - including square feet of living space, number of bedrooms and number of bathrooms.
3. Unit type - such as garden apartment, elevator building, townhouse, single household house, duplex, etc.
4. Quality - the extent to which the unit meets or exceeds Housing Quality Standards and local code requirements.
5. Handicapped accessibility.
6. Amenities - including air conditioning, flooring, dishwasher, washer/dryer hookups, garbage disposal, location within a building or complex, etc.
7. Facilities - including availability of playgrounds, storage units, parking, etc.
8. Management and maintenance services - including frequency of grounds and unit upkeep, availability of on-site resident manager and services.
9. Age - date unit was available for occupancy after construction or substantial rehabilitation.
10. Gross rent - rent charged by owner plus estimated utility allowance for tenant supplied utilities and appliances (stove and refrigerator).

The following information sources will be used to secure data for determining rent reasonableness:

1. Market rents obtained from real estate agents and rental property owners in the jurisdiction.
2. Rents published in the classified section of local newspapers.
3. In geographic areas where there are few rental units it may be difficult to identify units for rent comparison that match on location, building type and number of bedrooms. In these cases, the HQS Inspector may need to conduct research to locate comparable units. The research may include:
  - a. Comparing units which have the same number of bedrooms and type of building structure but are located in a broader geographic region by first looking at adjoining census tracts but in no case outside of the LDCHA's jurisdiction, or
  - b. Comparing units which are in the same geographic location and have the same number of bedrooms but are in other types of building structure, or
  - c. Obtaining a previous signed lease agreement for the unit when it was rented at fair market rent and not subsidized.
  - d. Using HUD's FMR formula for unit sizes larger than four bedrooms by adding 15 percent to the 4-bedroom FMR for each extra bedroom.
    - ▶ The FMR for a five bedroom unit is 1.15 times the four bedroom FMR.
    - ▶ The FMR for a six bedroom unit is 1.30 times the four bedroom FMR.
2. ▶ The FMR for a single-room occupancy unit is 0.75 times the zero bedroom (efficiency) FMR.



## Rent Structures, Income, Calculation and Payment Procedures

### Maximum Rents, Flat Rents and Market Rents - Page 69

#### MTW Rent Structure

Flat rents are not applied in the MTW rent structure, and MTW participants are not eligible for the flat rent option.

Households in the MTW rent structure have a maximum rent based upon the approved MTW rent structure for the bedroom size of the unit the household occupies.

Maximum rents are reviewed and, if necessary, adjusted annually. Current MTW maximum rent amounts are provided to all LDCHA residents and program participants with all notices of scheduled examinations, are posted in all LDCHA offices, and on the LDCHA web site.

The MTW maximum rent is the most a household in the MTW rent structure will pay as rent, unless the household is a voucher participant and is renting a unit that costs more than the MTW maximum subsidy/Voucher Payment Standard. When the rent charged by the owner is higher than the MTW maximum subsidy, the overage is added to the tenant rent. In some cases this will cause the tenant rent to be higher than the MTW maximum rent.

The LDCHA has established market rents for its public housing units to serve as the rent applied when housing assistance must be suspended as a result of work requirement enforcement actions or when a household has reached 100% over 80% of area median income for their household size and is not a participant in the LDCHA Homeownership program.

LDCHA established market rents do not apply to households in the MTW rent structure with voucher assistance as the rent charged by the owner is a market based rent.

### Higher Income Households - Homeownership - Page 70

~~Households in the LDCHA HCV and public housing programs with gross countable income at or over 50% of area median income (AMI) are invited to join the LDCHA homeownership program, regardless of the rent structure applied to their assistance.~~

~~The homeownership program, conducted by the LDCHA Resident Services Office, provides activities designed to increase credit scores, help households repair credit, assist households with~~

~~budgeting, provide information on home loan applications and ownership options available in the community, provide or facilitate first time homeowner training, and other activities. Households successfully completing homeownership program activities and purchasing a home qualify for a matching grant of up to \$3,000 toward their down payment or closing costs from a LDCHA MTW initiative.~~

~~Households who participate in the LDCHA homeownership program while their income is between 50 and 80 percent of AMI can remain in housing assistance at their MTW maximum rent (plus any voucher overage) for a period of up to five years once their gross countable income is over 80% of area median income. After five consecutive years, households that have not purchased a home and have had an income over 80% of area median income for the five consecutive years must leave the program.~~

~~The LDCHA considers households with a gross countable income over 80% of AMI for their household size to no longer be low-income households. If the household is in the MTW rent structure and not a participant in the LDCHA Homeownership Program, they are recertified to market rent. MTW rent structure households renting LDCHA public housing units who have gross countable income over 80% of AMI are not eligible for the flat rent option.~~

~~The LDCHA will end contracts for all voucher households that have been at zero assistance for six (6) consecutive months, as provided in the HAP contract. Public housing households may continue in their unit at the market rent until their income reaches 100% AMI at which time they will be given a 90-day notice to vacate.~~

Households in LDCHA's Housing Choice Voucher (HCV) and Public Housing programs (regardless of the rent structure applied to their assistance) with gross countable income at or over 50% of area median income (AMI) are invited to join the LDCHA Homeownership program through a Homeownership Contract at their regularly scheduled annual or biennial recertification of eligibility by General Housing. Homeownership Contracts are for three years with a possible two-year extension if progress toward homeownership is demonstrated. LDCHA Resident Services Office's Homeownership Program provides activities designed to address credit scores, assists households with budgeting, provides information on home loan applications and ownership options available in the community, provides or facilitates first-time homeowner training, and offers additional activities. Households successfully completing the Homeownership Program and purchasing a home qualify for a matching grant of up to \$3,000 as part of LDCHA's Moving to Work (MTW) program.

The LDCHA considers all households with a gross countable income over 80% of AMI for their household size to no longer be low-income families.

Households whose AMI moves from below 50 to over 80% who have never been offered an opportunity to join the Homeownership Program will be given the opportunity to do so at their regularly scheduled recertification. If they join the Homeownership Program, they have three to five years per the Homeownership Contract to remain on housing assistance under the Homeownership Program while working toward homeownership.

#### Income-based Rent Structure Households

Income-based rent structure households who sign a Homeownership Contract and participate in the LDCHA Homeownership Program while household income is between 50 and 80% of AMI can remain in housing assistance under the Homeownership Program for a period of up to three years per the Homeownership Contract, with a possible two-year extension. Rent options and calculations are not affected by participation.

#### MTW Rent Structure Households

MTW rent structure households who sign a Homeownership Contract and participate in the LDCHA Homeownership program while their income is between 50 and 80% of AMI can remain in housing assistance at no more than MTW maximum rent (plus any voucher overage if applicable) for a period of up to three years per the Homeownership Contract, with a possible two-year extension. If a household has chosen not to sign a Homeownership Contract, when household income is above 80% of AMI the household will be recertified to the applicable contract or market rent. Contract or market rent will also be applied at recertification should a MTW rent structure household be above 80% of AMI upon expiration of the Homeownership Contract.

Exception for All Households at 100% of AMI or Above

Regardless of Homeownership Program status, households that reach 100% of AMI will be recertified to the applicable contract or market rent at their next recertification should AMI remain at or above 100%.

Program Phase-Out, Occurs Regardless of Homeownership Program Status

LDCHA must end contracts for all HCV households regardless of rent structure or Homeownership Program status that have been at zero assistance for six consecutive months, as provided in the HAP contract.

Per LDCHA's MTW program discretion, Public Housing households may continue residing in LDCHA-owned units until their income reaches 100% of AMI as calculated at their regularly scheduled annual or biennial recertification, at which time they will be given notice that their lease will only be renewed for a final six-month period. This occurs regardless of rent structure or Homeownership Program status. An interim reexamination for income-based rent structure households during this six-month period reflecting a drop to under 100% of AMI may result in revocation of the non-renew lease notice and removal from market rent rate. Notice will be final for all MTW rent structure households.

## Recertification & Continued Eligibility

### Interim Recertification - Page 78

#### MTW Hardship

An approved MTW Hardship Rent Reduction:

MTW rent structure households with a loss of income between annual recertification dates may request a 3-month hardship rent reduction ~~to the higher of the minimum rent for their unit or 30% of their monthly adjusted income after their lost income has been removed.~~ The LDCHA MTW Hardship Policy is incorporated in this Plan and is attached as Appendix VII.

Eligibility for a MTW hardship rent reduction requires the household:

- ▶ Be in the Moving to Work rent structure
- ▶ Not have had a hardship rent reduction in the past 12 months
- ~~▶ Has a Tenant Rent above the MTW minimum rent~~
- ▶ Has lost income that is included in the most recent rent calculation
- ▶ Not have a pending annual recertification for the next month
- ~~▶ Be in good standing with landlord~~
- ▶ Not be under termination by the LDCHA for program violation
- ▶ Participate in intensive re-employment counseling through the LDCHA Resident Services Office

MTW hardship rent reduction changes will be effective the first of the month after the month in which the reduction is requested, providing the request is made before the 23<sup>rd</sup> of the month. Hardship rent reductions requested after the 23<sup>rd</sup> of any month will not be processed until after the first of the following month and, if approved, the hardship rent reductions will be effective the first of the month following the month in which the hardship is processed.

The 23<sup>rd</sup> of the month cut off is necessary to allow LDCHA staff time to verify loss of income and participation in re-employment activities prior to approval of a rent reduction.

### Changes in Household Members - Page 79

The LDCHA requires that all persons living in the assisted unit be members of the assisted household. New household members must be reported to the LDCHA in writing and if they are over age 18, an eligibility determination must be completed before the person can move in to the assisted unit.

Adults being added to assisted households must complete an application packet, sign all releases, report their past three years of residential history, report their current income, and obtain the signature of the

owner or manager of the assisted rental unit. Minors being added must be verified as dependents by appropriate legal or court documents establishing residential custody.

The LDCHA will verify income, residential history and all other eligibility related information prior to approval of the request to add an adult.

Requests to remove a household member must be submitted in writing by the head of household. Verification of alternative residency of the removed member must be provided.

## Terminations

### LDCHA Owned Units - Page 88

#### Types of Notices

LDCHA will issue written notices of Lease termination. All notices shall state the reasons for the termination.

- ▶ A 14-Day Notice in the case of failure to pay rent.
- ▶ A reasonable time considering the seriousness of the situation, but not to exceed 30 Days Notice to terminate, when the health or safety of other Tenant(s) or LDCHA employees is threatened, and;
- ▶ A 30-Day Notice in all other cases.

#### Installment Payment of Rent

In order to assist LDCHA Moving to Work (MTW) households to maintain their housing, it shall be LDCHA's policy to allow households to enter into a rental payment agreement to divide their monthly rent into two equal payments. The agreement shall be in writing signed by the LDCHA staff and tenant which specify the method, amount and time of payments. The agreement will be effective the month after it has been executed and signed.

Rent must be paid in full by the 20th day of the current rent paying period. MTW households under a rental payment agreement based on this policy will not be assessed late fees as long as they make their payments on time per the agreement, and will be exempted from the late fee provision of the LDCHA Rent Collection Policy, Resolution 70, as amended.

The household will waive the right to a 14-day notice as granted by 24 CFR 966.4(3) in exchange for the benefits of being allowed to pay in installments and not be charged a late fee. The tenant will be issued a 3-Days Notice for each occurrence which is consistent with state law on termination of tenancy for non-payment of rent.

After failure to abide by the rental payment agreement on three occurrences the rental payment agreement will be automatically terminated and the tenant will again be bound by the LDCHA Rent Collection Policy, Resolution 70, as amended. Delinquent rent shall not be carried into the second month.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-5000

PRINCIPAL DEPUTY ASSISTANT SECRETARY  
FOR PUBLIC AND INDIAN HOUSING

July 9, 2015

Dear PHA Board Members and Executive Staff,

HUD recognizes and appreciates the responsibilities that Public Housing Authority (PHA) Board Members and Executive Staff are entrusted with in meeting the affordable housing goals of your community.

To complement and further your efforts to build stronger capacity, HUD is pleased to announce the launch of an important new educational resource available to new and experienced PHA Board members and Executive Staff. ***Lead the Way: Governance and Financial Management*** is a dynamic and interactive curriculum and training tool that will be available through the HUD Exchange. The training can be used in self-paced learning or in group settings, and focuses on Fundamentals of Oversight, PHA Roles and Responsibilities, and PHA Basics, and engages learners in building skills around Asset Management, Housing Choice Voucher Programs, Budgets, and Ethics.

This training is free and may be accessed wherever you can connect on-line -- and with video vignettes, audio case studies, interactive worksheets, and on-line quizzes, ***Lead the Way*** reinforces learning with first-hand experiences of your peers at five PHAs from across the country who participated in the development of this training series.

Over the next few weeks you will receive promotional materials, see postings about this exciting new tool on HUD and industry web pages, and be invited to participate in instructor-led webinars. I invite you to share this free resource, available through this link:  
[www.hudexchange.info/public-housing](http://www.hudexchange.info/public-housing)

Thank you for your service and dedication to furthering efforts to provide quality affordable housing and opportunities in your community. We hope you find ***Lead the Way*** a helpful resource as you "Lead the Way" in your community.

Sincerely,

A handwritten signature in black ink, appearing to read "Lourdes", with a long horizontal flourish extending to the right.

Lourdes Castro Ramírez  
Principal Deputy Assistant Secretary

## Lead the Way: PHA Governance and Financial Management - A Training for Board Members

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In July 2015, HUD's Office of Public and Indian Housing launched *Lead the Way: PHA Governance and Financial Management*. This informational resource is designed to help PHA Boards and staff fulfill their responsibilities in providing effective governance and oversight.

*Lead the Way* is designed primarily for PHA board members/commissioners. New and experienced board members alike can benefit from the curriculum. Additionally, executive staff - CEOs, CFOs, finance teams, program managers - can use the tool to hone their skills and improve PHA operations.

The first three sections cover PHA foundations:

- **Fundamentals of Oversight** presents the history and context of public housing.
- **Roles and Responsibilities** addresses PHA board and staff functions.
- **Public Housing Basics** outlines key components of public housing.

*Lead the Way* then helps enhance skills in six key aspects of PHA governance and financial management:

- Asset Management
- Housing Choice Voucher Program
- Budgets
- Ethics
- Assessing Your PHA
- Know Your PHA

## Access the Training

1. Click Go to Training.
2. You will be prompted to either create or log into your HUD Exchange Learn account.
3. If you need to create an account, click **Create an Account**.
4. Fill out the Personal Information and Login Information sections.
5. Click the **Step 2** button.
6. Click the **Register** button. *(All fields in Step 2 are optional, and you may register without completing this section.)*
7. Your account has been created. You will receive a confirmation email.
8. After creating an account or logging in, the training will launch in a new window. Make sure your pop-up blockers are turned off.

## Training Resources

In addition to *Lead the Way*, HUD is offering various supporting resources that you can use to accompany and supplement the curriculum. In this Training Resources section you will find quick references and handouts to support *Lead the Way*. Additionally, this section contains links to other existing HUD training resources such as those found on the HUD YouTube Channel.

### Quick Reference Documents

These documents outline the need-to-know information for each section. Print them as a reference tool and keep with you.



- Public Housing Basics (/onecpd/assets/File/PHA-Lead-the-Way-Basics-Quick-Reference.pdf )
- Roles and Responsibilities (/onecpd/assets/File/PHA-Lead-the-Way-Roles-Responsibilities-Quick-Reference.pdf)
- Asset Management (/onecpd/assets/File/PHA-Lead-the-Way-Asset-Management-Quick-Reference.pdf)
- Housing Choice Voucher Program (/onecpd/assets/File/PHA-Lead-the-Way-HCV-Quick-Reference.pdf)
- Budgets (/onecpd/assets/File/PHA-Lead-the-Way-Budgets-Quick-Reference.pdf)
- Ethics (/onecpd/assets/File/PHA-Lead-the-Way-Ethics-Quick-Reference.pdf)
- Assessing your PHA (/onecpd/assets/File/PHA-Lead-the-Way-Assessing-Your-PHA-Quick-Reference.pdf)

## Worksheets

You can complete the following worksheets on your own or as a group. These worksheets will help you better know your PHA and your fellow Board Members.

- Know your PHA (/onecpd/assets/File/PHA-Lead-the-Way-Know-Your-PHA.pdf)
- My Board (/onecpd/assets/File/PHA-Lead-the-Way-Handout-My-Board.pdf)

## Handouts

Go deeper into the information and learn more about the issues important to your PHA.

- Asset Management Fees (/onecpd/assets/File/PHA-Lead-the-Way-Asset-Management-Fees.pdf)
- Understanding SEMAP (/onecpd/assets/File/PHA-Lead-the-Way-Understanding-SEMAP.pdf)
- Understanding PHAS (/onecpd/assets/File/PHA-Lead-the-Way-Understanding-PHAS.pdf)
- Procurement (/onecpd/assets/File/PHA-Lead-the-Way-Ethics-Handout-Procurement.pdf)

## Story-Led Activities

Some of the sections in Lead the Way share stories about fictional PHAs to help you apply what you learned. If you would like to complete these activities as a group, download and print the following documents, read the stories together, and answer the questions. An answer key is included with each activity.

- Carter Housing Authority (Asset Management) (/onecpd/assets/File/PHA-Lead-the-Way-Asset-Management-Story-Led-Activity.pdf)
- Mesa Glen Housing Authority (HCV Program) (/onecpd/assets/File/PHA-Lead-the-Way-HCV-Story-Led-Activity.pdf)
- Harrisboro Housing Authority (Ethics) (/onecpd/assets/File/PHA-Lead-the-Way-Ethics-Story-Led-Activity.pdf)
- Denton County Housing Authority (Assessing your PHA) (/onecpd/assets/File/PHA-Lead-the-Way-Assessing-Your-PHA-Story-Led-Activity.pdf)

## HUD PHA Board Training Videos

If you would like to watch videos of HUD experts discussing the topics reviewed in Lead the Way, you can access them via YouTube (<https://www.youtube.com/playlist?list=PLDYbj6cykYZ95fLhXb4D5ky3uYxOwMqpY>) to supplement your learning.

## Training Guides and PowerPoint Slides

This training is for all staff members of a public housing agency (PHA) particularly those with any financial management responsibility. Typically this includes the Executive Director or the CEO, the Chief Financial Officer, Chief Operations Officer or administrator, other executive staff, and program heads. This training should be completed over the course of five days. Sample agendas for each day are provided for your reference. The goal of this training is to provide staff with essential financial management and oversight information, in a format that is group-based, PHA-directed, and successful without an external facilitator or trainer. Training guides and PowerPoint slides for each day are included below.

### Day One - An Introduction to Financial Management

- Curriculum Guide (/onecpd/assets/File/PHA-Lead-the-Way-Pathways-Through-the-Curriculum.pdf)
- PowerPoint Presentation ([http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day1\\_FINAL.pptx](http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day1_FINAL.pptx))

### **Day Two - Internal Controls and Financial Management**

- Curriculum Guide (/onecpd/assets/File/PHA-Lead-the-Way-Pathways-Through-the-Curriculum.pdf)
- PowerPoint Presentation ([http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day2\\_FINAL.pptx](http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day2_FINAL.pptx))

### **Day Three - Financial Performance Monitoring**

- Curriculum Guide (/onecpd/assets/File/PHA-Lead-the-Way-Pathways-Through-the-Curriculum.pdf)
- PowerPoint Presentation ([http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day3\\_FINAL.pptx](http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day3_FINAL.pptx))

### **Day Four - Project-Based Budget Development and Analysis**

- Curriculum Guide (/onecpd/assets/File/PHA-Lead-the-Way-Pathways-Through-the-Curriculum.pdf)
- PowerPoint Presentation ([http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day4\\_FINAL.pptx](http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day4_FINAL.pptx))

### **Day Five - Capital Fund Planning, Implementation, and Reporting**

- Curriculum Guide (/onecpd/assets/File/PHA-Lead-the-Way-Pathways-Through-the-Curriculum.pdf)
- PowerPoint Presentation ([http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day5\\_FINAL.pptx](http://media.c4designlabs.com/courseware/content/HUD/pih-module-1/files/Day5_FINAL.pptx))

**Topics: Choice Neighborhoods, FSS: Family Self-Sufficiency Program, Housing Choice Voucher Program, Jobs Plus Program, MTW: Moving to Work Demonstration, Public Housing Capital Fund, Public Housing Operating Fund, ROSS: Resident Opportunity and Self-Sufficiency Program, Financial and Grants Management**

## **Related Materials and Resources**



Public Housing and Voucher Programs Web Page (<https://www.hudexchange.info/programs/public-housing/>)

### **Hosted By:**

Housing and Urban Development (HUD)

### **For more information, please contact:**

HUD Exchange Learn Technical Questions: <https://www.hudexchange.info/contact-us/>

## **Go to this Training**

To enroll in this training or access it if already registered, select the button below:

[Go to Training](#)

PRESS RELEASE: Contact: Judy Bellome 785-842-0543

Douglas County Senior Services (DCSS) has been working with Jayhawk Area Agency on Aging (JAAA) over the past several months to improve our congregate meal program and to eliminate duplication of services already provided by JAAA. Based on the review of options, the DCSS board has decided to relinquish the agency's role of providing congregate meals and transition to the superior JAAA CHAMPSS program on October 1, 2015. CHAMPSS stands for **C**hoosing **H**ealthy **A**ppetizing **M**eal **P**lan **S**olutions for **S**eniors. JAAA will be holding orientations for the CHAMPSS program on September 1, October 5, November 2 and December 7 at 2:00 PM at the Lawrence Public Library, 707 Vermont St. For additional information on CHAMPSS, contact: Jayhawk Area Agency on Aging, 785-235-1367.

There have been CHAMPSS sites at both Lawrence Hy-Vee's that have worked very successfully since October 1, 2014. Beginning October 1, 2015, three Dillons grocery stores will also become CHAMPSS meal sites. CHAMPSS meals are available 7 days a week and the participant may choose breakfast, lunch or dinner. In contrast, DCCS provides congregate meals only 5 days a week and only at noon.

Federal and state funding for nutrition services has been reduced year after year, and the number of people participating in the congregate meal program has steadily declined both locally and nationally. The contributions per meal cover less and less of the cost of the meals. For these reasons, the DCSS board has explored options to improve services while reducing cost so that seniors can continue to receive appropriate nutrition.

The transition to CHAMPSS will take time. DCSS has worked with JAAA to anticipate these transitional issues and find solutions for them, especially solving transportation issues for current congregate participants and finding appropriate alternative CHAMPSS sites in Eudora and Baldwin City. We will work to find solutions to these and other problems. The home delivery of meals will continue and is anticipated to grow as the need arises. Please contact me with questions or suggestions during these next 90 days before this transition begins.

Judy Bellome

Deputy Interim Executive Director

Douglas County Senior Services

785-842-0543

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 5B: Review Proposed 2016 Utility Rates Public Housing and Tenant Based Programs (Section 8 and HOME) Utility Allowances.

BACKGROUND:

Public Housing, Section 8 and HOME provide a utility allowance for tenants who pay their own utility costs to help pay for “reasonable and conservative” utility usage. The tenant rent is reduced by the utility allowance amount in the income based rent structure and is annualized and used as a deduction from income for participants in the MTW rent structure. Each year the agency must review the utility allowances based upon current rates. The utility rates are based on the average actual consumption for the primary types of rental units (apartment, house and mobile home) in every location served by different utility suppliers and for the Public Housing units (Edgewood Homes, Scattered Sites and Peterson Acres). Clinton Place utility allowance is updated annually when rent rates are approved and Babcock Place tenants do not pay utilities, so these properties are not included in this review.

Also LDCHA can approve a higher utility allowance if requested as a reasonable accommodation (24 CFR 982.517). For example, a household in which a family member uses extensive medical equipment – such as lifts or monitors – may make a request for an increase in the electricity allowance.

CURRENT ISSUE:

**Public Housing:**

Housing authorities are required to review utility allowances annually and revise their schedules before the end of the year if there is a change greater than 10% per 24 CFR § 965.507(b). The proposed 2016 rates are applied to the consumption for each utility then added together to determine the cumulative rate change. The consumption and utility rates being proposed for public housing are ones that Siemens provided in the annual Utility Allowance Study that reflect the changes made by the energy performance contract.

LDCHA must make any proposed utility allowance change available for inspection by the public housing residents, no later than 60 days before the proposed effective date of the revision. Residents must be provided with an opportunity to make comments 30 days before the proposed effective date of the revised schedule. Attached is the notice provided to residents. Any comments received from residents will be provided to the Board at the September meeting and final action will be taken on these changes.

The proposed increase in the utility allowance will have a negative impact on Public Housing rental income. The LDCHA’s rental income will decrease by an estimated \$14,976 a year.

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
 BOARD OF COMMISSIONERS MEETING  
 August 24, 2015

The implementation date for the new rates will be October 1, 2015 for certifications of new participants and January 1, 2016 for re-certifications of existing participants according to our MTW Activity 14-3.

The 2016 allowances will affect rent at **Edgewood Homes, Scattered Sites and Peterson Acres** as follows:

2015 UTILITY ALLOWANCE STUDY

Project Name/Number	UNIT	ELECTRIC		GAS		WATER/SEWER		TRASH/STORM		TOTAL ALLOWANCE		sub-total	# UNIT	# MONTH	\$ TOTAL
		2014	2015	2014	2015	2014	2015	2014	2015	2014	2015				
Edgewood Homes Project 001	1 BR	\$32	\$36	\$0	\$0	\$0	\$0	\$0	\$0	\$32	\$36	\$4	26	12	\$ 1,248
	2 BR	\$36	\$40	\$0	\$0	\$0	\$0	\$0	\$0	\$36	\$40	\$4	54	12	\$ 2,592
	3 BR	\$41	\$44	\$0	\$0	\$0	\$0	\$0	\$0	\$41	\$44	\$3	34	12	\$ 1,224
	4 BR	\$45	\$49	\$0	\$0	\$0	\$0	\$0	\$0	\$45	\$49	\$4	10	12	\$ 480
												sub-total annual decrease in rent:		\$ 5,544	
Scattered Sites Projects 003-004	1 BR	\$33	\$36	\$41	\$41	\$26	\$25	\$21	\$20	\$121	\$122	\$1	5	12	\$ 60
	2 BR	\$37	\$40	\$47	\$48	\$38	\$46	\$21	\$20	\$143	\$154	\$11	29	12	\$ 3,828
	3 BR	\$41	\$44	\$53	\$54	\$51	\$56	\$21	\$20	\$166	\$174	\$8	10	12	\$ 960
	4 BR	\$45	\$48	\$62	\$63	\$63	\$66	\$21	\$20	\$191	\$197	\$6	2	12	\$ 144
												sub-total annual decrease in rent:		\$ 4,992	
Scattered Sites Project 006	3 BR	\$40	\$44	\$54	\$54	\$51	\$56	\$21	\$20	\$166	\$174	\$8	17	12	\$ 1,632
	4 BR	\$46	\$50	\$60	\$61	\$63	\$66	\$21	\$20	\$190	\$197	\$7	5	12	\$ 420
	5 BR	\$49	\$53	\$65	\$66	\$75	\$76	\$21	\$20	\$210	\$215	\$5	1	12	\$ 60
												sub-total annual decrease in rent:		\$ 2,112	
Scattered Sites Project 007	3 BR	\$41	\$45	\$57	\$57	\$51	\$56	\$21	\$20	\$170	\$178	\$8	22	12	\$ 2,112
	4 BR	\$46	\$49	\$63	\$64	\$63	\$66	\$21	\$20	\$193	\$199	\$6	3	12	\$ 216
												sub-total annual decrease in rent:		\$ 2,328	
Peterson Acres Project 008	1 BR	\$38	\$41	\$36	\$37	\$26	\$25	\$21	\$20	\$121	\$123	\$2	25	12	\$ 600
												sub-total annual decrease in rent:		\$ 600	
												<b>TOTAL:</b>		<b>\$ 14,976</b>	

DATED 7/7/15

**SECTION 8, Tenant-Based Rental Assistance (Section 8, HOME and HOPE Building Programs):**

As required, LDCHA also reviews utility allowances annually and revises the utility allowance schedules and updates the Form HUD-52667 for the Section 8, HOPE Building and HOME programs. The LDCHA uses rates based on locality to determine utility allowance for each different type of structure (apartments, houses, and mobile homes) and unit size.

The review of the current rates resulted in a change greater than 10% for only one locality, in Rural Water District 3 (see attached worksheet). The allowance for these utilities will be adjusted in the appropriate allowance schedules for these areas and presented for final adoption at the September meeting. The proposed rate changes do not affect agency income under the Section 8 Program. Under this program they affect the amount of overall housing subsidy available to participants. There is no comment period required.

**BOARD ACTION:**

Review the proposed changes to the utility allowance for Public Housing participants submitted to residents for comment.

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

**SECTION 8, Tenant-Based Rental Assistance  
(Section 8, HOME and HOPE Building Programs:**

2016 Proposed Utility Allowance Changes

<b>OTHER</b>	
<b>RURAL WATER #3</b>	
<b>RATE</b>	7.00000
<b>ADD'T FEES</b>	\$26.00
<b>0 BR CONSUMPTION</b>	2000 Gallons
<b>0 BD</b>	\$40.00
<b>1 BR CONSUMPTION</b>	2000 Gallons
<b>1BD</b>	\$40.00
<b>2 BR CONSUMPTION</b>	3000 Gallons
<b>2 BD</b>	\$47.00
<b>3 BR CONSUMPTION</b>	4000 Gallons
<b>3 BD</b>	\$54.00
<b>4 BR CONSUMPTION</b>	5000 Gallons
<b>4 BD</b>	\$61.00
<b>5BR CONSUMPTION</b>	6000 Gallons
<b>5 BD</b>	\$68.00



**NOTICE OF ANNUAL UTILITY ALLOWANCE ADJUSTMENT**  
**Proposed 2016 Utility Rates**

Housing authorities provide for all public housing residents to receive an allowance toward the cost of tenant-paid utilities, which is intended to cover reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. In compliance with these regulations, the LDCHA calculates utility allowances based on consumption data for essential appliances and services.

Utility allowance rates are reviewed annually. The tenant rent is reduced by the utility allowance amount in the income based rent structure and is annualized and used as a deduction from income for participants in the MTW rent structure. After the Board of Commissioners grants final approval, the new utility allowance will go into effect on January 1, 2016 or immediately for new move-ins or transfers. Residents have an opportunity to make comments 30 days before the proposed implementation date for the new rates which will be October 1, 2015. Residents should submit comments in writing to Milton Scott at mscott@ldcha.org or at the LDCHA Main Administrative Office at 1600 Haskell Ave Lawrence, Kansas 66044.

The Utility allowance for Edgewood Homes Project 001

	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
2015 Allowance	\$ 32	\$ 36	\$ 41	\$ 45
<b>2016 Allowance</b>	<b>\$ 36</b>	<b>\$ 40</b>	<b>\$ 44</b>	<b>\$ 49</b>

The Utility allowance for Scattered Site Projects 003 and 004

	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
2015 Allowance	\$ 121	\$ 143	\$ 166	\$ 191
<b>2016 Allowance</b>	<b>\$ 122</b>	<b>\$ 154</b>	<b>\$ 174</b>	<b>\$ 197</b>

The utility allowance for Scattered Site Project 006

	3 Bedroom	4 Bedroom	5 Bedroom
2015 Allowance	\$ 166	\$ 190	\$ 210
<b>2016 Allowance</b>	<b>\$ 174</b>	<b>\$ 197</b>	<b>\$ 215</b>

The utility allowance for Scattered Site Project 007

	3 Bedroom	4 Bedroom
2015 Allowance	\$ 170	\$ 193
<b>2016 Allowance</b>	<b>\$ 178</b>	<b>\$ 199</b>

The Utility allowance for Scattered Site Project 008 (Peterson Acres)

	1 Bedroom
2015 Allowance	\$ 121
<b>2016 Allowance</b>	<b>\$ 123</b>

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
 BOARD OF COMMISSIONERS MEETING  
 August 24, 2015

**Allowances for Tenant-Furnished Utilities and Other Services**

**U.S. Department of Housing and Urban Development**  
 Office of Public and Indian Housing

OMB Approval No. 2577-0169  
 (exp. 04/30/2018)

Locality <b>RURAL WATER #3 RESOLUTION 2015-15</b>		Unit Type <b>ALL TYPES</b>				Date (mm/dd/yyyy) <b>10/1/2015</b>	
Utility or Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	
Heating	a. Natural Gas						
	b. Bottle Gas						
	c. Oil / Electric						
	d. Coal / Other						
Cooking	a. Natural Gas						
	b. Bottle Gas						
	c. Oil / Electric						
	d. Coal / Other						
Other Electric							
Air Conditioning							
Water Heating	a. Natural Gas						
	b. Bottle Gas						
	c. Oil / Electric						
	d. Coal / Other						
Water		40	40	47	54	61	68
Sewer							
Trash Collection							
Range/Microwave							
Refrigerator							
Other -- specify							
<b>Actual Family Allowances</b> To be used by the family to compute allowance. Complete below for the actual unit rented.						Utility or Service	per month cost
Name of Family  Address of Unit  Number of Bedrooms						Heating	\$
						Cooking	
						Other Electric	
						Air Conditioning	
						Water Heating	
						Water	
						Sewer	
						Trash Collection	
						Range/Microwave	
						Refrigerator	
						Other	
						<b>Total</b>	\$

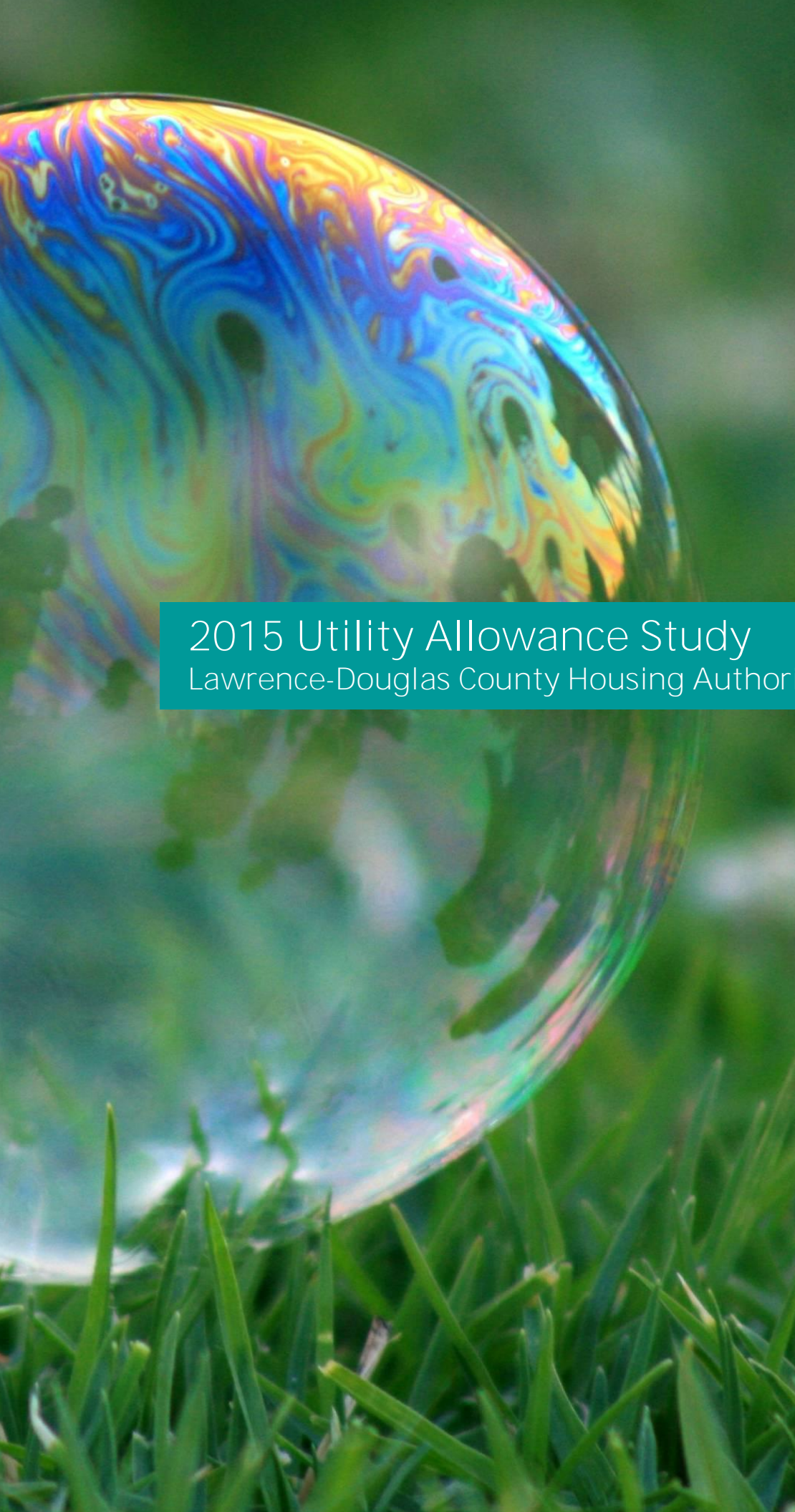
Agenda Item:5B Review Proposed 2016 Utility Rates Tenant-Based Rental Assistance Programs  
(Section 8, HOME and HOPE Building) Utility Allowances

**UTILITY RATE WORKSHEET**

SUPPLIER	PER	LDCHA ADOPTED RATES	SUPPLIER PROPOSED RATES	TOTAL RATE CHANGE %	LDCHA ADOPTED FEES	SUPPLIER PROPOSED FEES	TOTAL FEE CHANGE %
<b>BALDWIN CITY</b>							
BALDWIN CITY [electric]	kwh	0.1154	<b>0.1154</b>		\$12.00	<b>\$12.00</b>	
KGS [gas]	mcf	0.7546	<b>0.7546</b>		\$15.35	<b>\$15.35</b>	
BALDWIN CITY [sewer]	100 cf	3.8500	<b>3.8500</b>		\$16.00	<b>\$16.00</b>	
BALDWIN CITY [water]	100 cf	7.5300	<b>7.5300</b>		\$10.00	<b>\$10.00</b>	
BALDWIN CITY [trash]	month				\$12.50	<b>\$12.75</b>	
<b>TOTAL RATES/FEES*</b>		12.2500	<b>12.2500</b>	<b>0%</b>	\$65.85	<b>\$66.10</b>	<b>0%</b>
<b>EUDORA</b>							
EUDORA [electric]	kwh	0.0957	<b>0.0957</b>		\$7.00	<b>\$7.00</b>	
ATMOS ENERGY [gas]	ccf	0.5419	<b>0.4969</b>		\$15.50	<b>\$15.50</b>	
EUDORA [sewer]	1000 gallons	20.9300	<b>21.5600</b>		\$3.94	<b>\$4.06</b>	
EUDORA [water]	1000 gallons	13.2100	<b>13.6100</b>		\$5.07	<b>\$5.22</b>	
EUDORA [trash]	month				\$14.25	<b>\$14.25</b>	
<b>TOTAL RATES/FEES*</b>		34.7776	<b>35.7626</b>	<b>3%</b>	\$45.76	<b>\$46.03</b>	<b>1%</b>
<b>LAWRENCE</b>							
WESTAR [electric]	kwh	0.0643	<b>0.0643</b>		\$12.00	<b>\$12.00</b>	
BLACKHILLS [gas]	ccf	0.5290	<b>0.5248</b>		\$16.00	<b>\$17.25</b>	
LAWRENCE [sewer]	1000 gallons	5.2200	<b>5.4500</b>		\$10.78	<b>\$11.14</b>	
LAWRENCE [water]	1000 gallons	4.5100	<b>4.8200</b>		\$3.25	<b>\$3.35</b>	
LAWRENCE [trash]	month				\$16.94	<b>\$16.25</b>	
<b>TOTAL RATES/FEES*</b>		10.3233	<b>10.8591</b>	<b>5%</b>	\$58.97	<b>\$59.99</b>	<b>2%</b>
<b>LECOMPTON</b>							
WESTAR [electric]	kwh	0.0643	<b>0.0643</b>		\$12.00	<b>\$12.00</b>	
KGS [gas]	mcf	0.7546	<b>0.7546</b>		\$15.35	<b>\$15.35</b>	
LECOMPTON [sewer]	2000 gallons	17.8600	<b>17.8600</b>		\$0.00	<b>\$0.00</b>	
LECOMPTON [water]	2000 gallons	39.4000	<b>39.4000</b>		\$12.34	<b>\$12.34</b>	
LECOMPTON [trash]	month				\$13.20	<b>\$13.20</b>	
<b>TOTAL RATES/FEES*</b>		58.0789	<b>58.0789</b>	<b>0%</b>	\$52.89	<b>\$52.89</b>	<b>0%</b>
<b>RURAL WATER DISTRICTS</b>							
RWD 1 [water]	2000 gallons	21.40	<b>21.40</b>		\$7.40	<b>\$7.40</b>	
HEET-CO [propane]	per gallon	1.69	<b>1.49</b>		\$0.00	<b>\$0.00</b>	
<b>TOTAL RATES/FEES*</b>		23.09	<b>22.89</b>	<b>-1%</b>	\$7.40	<b>\$7.40</b>	<b>0%</b>
RWD 3 [water]	1000 gallons	6.00	<b>7.00</b>		\$24.00	<b>\$26.00</b>	
HEET-CO [propane]	per gallon	1.69	<b>1.49</b>		\$0.00	<b>\$0.00</b>	
<b>TOTAL RATES/FEES*</b>		7.69	<b>8.49</b>	<b>10%</b>	\$24.00	<b>\$26.00</b>	<b>8%</b>
RWD 4 [water]	1000 gallons	8.00	<b>8.00</b>		\$31.00	<b>\$33.00</b>	
HEET-CO [propane]	per gallon	1.69	<b>1.69</b>		\$0.00	<b>\$0.00</b>	
<b>TOTAL RATES/FEES*</b>		9.69	<b>9.69</b>	<b>0%</b>	\$31.00	<b>\$33.00</b>	<b>6%</b>
<b>OTHER UTILITIES</b>							
RANGE/MICROWAVE	Flat Fee	6.00	<b>6.00</b>	<b>0%</b>	NA	<b>NA</b>	NA
REFRIGERATOR	Flat Fee	8.00	<b>8.00</b>	<b>0%</b>	NA	<b>NA</b>	NA

\*LDCHA MUST REVIEW UTILITY ALLOWANCES ON AN ANNUAL BASIS, WHEN UTILITY RATES AND CHARGES CHANGE BY 10% OR MORE (INCREASE OR DECREASE) THE HOUSING AUTHORITY MUST REVISE ALLOWANCES ACCORDINGLY

**EFFECTIVE FOR JANUARY 2016 ANNUAL RECERTIFICATIONS AND IMMEDIATELY FOR TRANSFERS & NEW LEASE-UPS**



July 2015

2015 Utility Allowance Study  
Lawrence-Douglas County Housing Authority

**SIEMENS**

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## Table of Contents

1.0	Executive Summary.....	1
2.0	Allowance Study Methodology.....	2
3.0	2015 Post-Project Utility Allowance Summary.....	3
4.0	Post-Project Electric Allowances.....	5
5.0	Post-Project Gas Allowances.....	8
6.0	Post-Project Water/Sewer Allowances.....	11
7.0	Appendix	
7.1	Annual Heating Degree Days.....	12
7.2	Annual Lighting Use Tables.....	13
7.3	Annual Domestic Water Heating Tables.....	22
7.4	Annual Space Heating Tables.....	29
7.5	Water Consumption Calculations.....	32
7.6	Electricity Rates: 2015 Westar Rates and Tariffs.....	33
7.7	Natural Gas Rates: 2015 Black Hill Energy Rates and Tariffs.....	39
7.8	Water, Sewer, Sanitation and Storm Water Rates: 2015 City of Lawrence, KS.....	43
7.9	2015 Pre vs Post Project Utility Allowances.....	44

## Executive Summary

### Section 1.0

This report presents utility allowances for the public housing developments managed by the **Lawrence-Douglas County Housing Authority (LDCHA)** on a monthly and annual basis for each unit type.

#### Our Process

The establishment of the building allowances is based on accepted engineering heat loss/gain calculation methods that recognize the thermal design characteristics of each representative unit type. The utility allowances are based on all building related requirements including heating, lighting, refrigeration, small appliances, domestic water heating, and cooking, as required in 24 CFR, Part 965 of the Code of Federal Regulations.

This study is a result of two interrelated phases; the on-site survey and the analysis completed by Siemens industries. The on-site survey entails a combination of management and staff interviews, representative unit surveys to include but not be limited to: standard of living; building construction; type of HVAC equipment; peripheral equipment; use of building plans to determine wall, roof, ceiling and window areas; local climatological data; and operating hours for lighting, HVAC equipment, and Authority and tenant-supplied appliances. The on-site data is in turn analyzed combining essential as well as specific "standard of living" allowances to determine the total utility allowances for each particular unit type.

#### Report Overview

This utility allowance report is divided into the following sections:

- **Methodology** – This section presents a detailed overview of how the allowances were created.
- **Proposed Monthly Allowances** – This section includes summary tables of the 2015 updated, post-project utility allowances.
- **Electric Allowances** – Tables incorporating monthly and annual electrical consumption and cost allowances with itemized listings for each typical unit.
- **Natural Gas Allowances** – Tables incorporating monthly and annual natural gas consumption and cost allowances with itemized listings for each typical unit.
- **Water Allowances** – Tables incorporating monthly water consumption and cost allowances for each typical unit.
- **Appendix** – All back-up data, including 2015 utility rates, hot water, space heating, and lighting use tables.

## Allowance Study Methodology

### Section 2.0

There are several factors to be taken into account when creating utility allowances. The first of which is what type of methodology to use. There are two generally accepted approaches:

1. **Engineering-Based Methodology** – Allowances based on engineering calculations and standard consumption tables.
2. **Average Consumption-Based Methodology** – Allowances based on actual resident utility bills.

The second important consideration when creating an allowance study is to follow HUD's Federal Regulations concerning Resident Paid Utility Allowances. HUD gives the freedom to each housing authority to develop their allowances choosing the methodology that works best for their organization, however requirements are placed on which end uses are covered by the allowances.

The main goal of the allowances should be to encourage energy conservative households; the residents should be consuming energy in a fashion that meets their needs and affords them to live comfortably, while staying within the guidelines or regulations established by HUD.

### Operational Standards

Operational standards can be implemented as guidelines by each housing authority. For example, some operational characteristics that were standardized for LDCHA were:

Gallons per person per day of hot water    Domestic hot water heating set-point temperatures  
Lighting burn-hours

Regardless of which methodology is chosen, steps have to be followed in developing the utility allowances. The first is identification of the equipment and allowable end-uses covered in the allowances. The equipment was identified by visiting each type of floor plan at all developments. After surveying these units, we developed an understanding of the most typical heating, cooking, lighting, and water heating equipment in each unit.

### Unit Data

Another factor considered when developing the allowances were the size of each unit, their construction type, and occupancy. Occupancy is important when developing a water consumption allowance and/or determining the energy consumed for water heating, because the amount of water required for a household rests heavily on its occupancy.

Below is a sample of the list of criteria examined while developing the LDCHA 2015 Utility Allowances:

Construction type of each dwelling unit	Design heating temperature
Energy efficiency of retrofitted appliances & equipment	Water heating design temperature
Condition and age of dwelling unit	Occupancy

For a detailed overview of the Engineering Based Methodology used to create this study, please refer to the U.S. Department of Housing and Urban Development's "*Utility Allowance Guidebook*," 1998.

## 2015 Post-Project Utility Allowances

### Section 3.0

Tables 3.1 and 3.2 in this section reflect the proposed, Post-Project monthly dollar and consumption allowances, which will update the existing allowances implemented by LDCHA. For a detailed breakdown of how values in Tables 3.1 and 3.2 were calculated, approved HUD end-uses, and utility rate application, please see Section 7.0 of this report. Post-Project utility allowances in this section reflect allowance levels representative of the energy conservation measures installed through the Energy Performance Contract between Siemens and LDCHA.

**Table 3.1: Average Monthly Post-Project Dollar Allowances**

Project Number	Project Name	Unit Type	Avg Monthly Gas	Avg Monthly Electric	Monthly Water/Sewer	Monthly Trash	Monthly Storm water	Total Monthly Allowances
Proj 001	Edgewood Homes	1 BR	\$0	\$36	\$0	\$0	\$0	\$36
		2 BR	\$0	\$40	\$0	\$0	\$0	\$40
		3 BR	\$0	\$44	\$0	\$0	\$0	\$44
		4 BR	\$0	\$49	\$0	\$0	\$0	\$49
Proj 003	Scattered Sites	1 BR	\$41	\$36	\$25	\$16	\$4	\$122
		2 BR	\$48	\$40	\$45	\$16	\$4	\$154
		3 BR	\$54	\$44	\$56	\$16	\$4	\$174
Proj 004	Scattered Sites	1 BR	\$41	\$36	\$25	\$16	\$4	\$122
		2 BR	\$48	\$40	\$45	\$16	\$4	\$154
		3 BR	\$54	\$44	\$56	\$16	\$4	\$174
		4 BR	\$63	\$48	\$66	\$16	\$4	\$197
Proj 006	Scattered Sites	3 BR	\$54	\$44	\$56	\$16	\$4	\$174
		4 BR	\$61	\$50	\$66	\$16	\$4	\$197
		5 BR	\$66	\$53	\$76	\$16	\$4	\$215
Proj 007	Scattered Sites	3 BR	\$57	\$45	\$56	\$16	\$4	\$178
		4 BR	\$64	\$49	\$66	\$16	\$4	\$199
Proj 008	Peterson Acres	1 BR	\$37	\$41	\$25	\$16	\$4	\$123

**Table 3.1a: Example of Dollar Allowances without Rounded Values**

Project Number	Project Name	Unit Type	Avg Monthly Gas	Avg Monthly Electric	Monthly Water/Sewer	Monthly Trash	Monthly Storm water	Total Monthly Allowances
Proj 003	Scattered Sites	1 BR	\$41.28	\$36.05	\$24.76	\$16.25	\$4.00	\$122.34
		2 BR	\$47.83	\$40.22	\$45.30	\$16.25	\$4.00	\$153.60
		3 BR	\$54.10	\$44.32	\$55.57	\$16.25	\$4.00	\$174.24



**Table 3.2: Post-Project Average Monthly Consumption Allowances**

<b>Project Number</b>	<b>Project Name</b>	<b>Unit Type</b>	<b>Avg Monthly Natural Gas (ccf)</b>	<b>Avg Monthly Electricity (kWh)</b>	<b>Avg Monthly Water/Sewer (Gallons)</b>
Proj 001	Edgewood Homes	1 BR	0	203	0
		2 BR	0	239	0
		3 BR	0	277	0
		4 BR	0	318	0
Proj 003	Scattered Sites	1 BR	35	206	1252
		2 BR	44	243	2504
		3 BR	53	278	3756
Proj 004	Scattered Sites	1 BR	35	206	1252
		2 BR	44	239	2504
		3 BR	53	278	3756
		4 BR	66	315	5008
Proj 006	Scattered Sites	3 BR	54	276	3756
		4 BR	63	326	5008
		5 BR	71	354	6260
Proj 007	Scattered Sites	3 BR	58	283	3756
		4 BR	67	321	5008
Proj 008	Peterson Acres	1 BR	28	251	1252

# Post-Project Monthly and Annual Electric Allowances

## Section 4.0

The following describes the tables found in this section:

**Table 4.1: Annual Electric Consumption Allowances** – This table combines the information calculated in the domestic hot water tables, lighting tables, and HUD standard consumption averages for cooking and small appliance loads. The total yearly consumption for each unit type is the combination of calculated and standard consumption levels.

**Table 4.2: Consumption Allowances by Month** – This table shows the annual electrical usage from Table 4.1 was prorated for each month for all weather dependant equipment and plug loads. The prorated monthly loads were then averaged to create the allowances presented in Section 3.0 of this report, the proposed monthly utility allowances.

**Table 4.3: Dollar Allowances by Month** – This table takes the monthly consumption allotments from Table 4.2 and applies the 2015 Westar rates to calculate the monthly dollar allowances.

**Table 4.1: Annual Electricity Consumption Allowances**

Project Number	Project Name	Unit Type	Heating (kWh)	Hot Water (kWh)	Range (kWh)	Lighting (kWh)	Refrig (kWh)	Sm. Appl (kWh)	Total Annual (kWh)
Proj 001	Edgewood Homes	1 BR	Gas	Gas	Gas	532	800	1100	2432
		2 BR	Gas	Gas	Gas	570	900	1400	2870
		3 BR	Gas	Gas	Gas	630	1000	1700	3330
		4 BR	Gas	Gas	Gas	717	1100	2000	3817
Proj 003	Scattered Sites	1 BR	Gas	Gas	Gas	573	800	1100	2473
		2 BR	Gas	Gas	Gas	611	900	1400	2911
		3 BR	Gas	Gas	Gas	641	1000	1700	3341
Proj 004	Scattered Sites	1 BR	Gas	Gas	Gas	573	800	1100	2473
		2 BR	Gas	Gas	Gas	611	900	1400	2911
		3 BR	Gas	Gas	Gas	641	1000	1700	3341
		4 BR	Gas	Gas	Gas	679	1100	2000	3779
Proj 006	Scattered Sites	3 BR	Gas	Gas	Gas	612	1000	1700	3312
		4 BR	Gas	Gas	Gas	807	1100	2000	3907
		5 BR	Gas	Gas	Gas	845	1200	2200	4245
Proj 007	Scattered Sites	3 BR	Gas	Gas	Gas	691	1000	1700	3391
		4 BR	Gas	Gas	Gas	755	1100	2000	3855
Proj 008	Peterson Acres	1 BR	Gas	Gas	624	488	800	1100	3012

**Table 4.2: Monthly Electricity Consumption Allowances**

Project Number	Project Name	Unit Type	Jan kWh	Feb kWh	Mar kWh	Apr kWh	May kWh	Jun kWh	Jul kWh	Aug kWh	Sep kWh	Oct kWh	Nov kWh	Dec kWh	Avg kWh	
Proj 001	Edgewood Homes	1 BR	203	203	203	203	203	203	203	203	203	203	203	203	203	
		2 BR	239	239	239	239	239	239	239	239	239	239	239	239	239	239
		3 BR	277	277	277	277	277	277	277	277	277	277	277	277	277	277
		4 BR	318	318	318	318	318	318	318	318	318	318	318	318	318	318
Proj 003	Scattered Sites	1 BR	206	206	206	206	206	206	206	206	206	206	206	206	206	
		2 BR	243	243	243	243	243	243	243	243	243	243	243	243	243	
		3 BR	278	278	278	278	278	278	278	278	278	278	278	278	278	
Proj 004	Scattered Sites	1 BR	206	206	206	206	206	206	206	206	206	206	206	206	206	
		2 BR	239	239	239	239	239	239	239	239	239	239	239	239	239	
		3 BR	278	278	278	278	278	278	278	278	278	278	278	278	278	
		4 BR	315	315	315	315	315	315	315	315	315	315	315	315	315	
Proj 006	Scattered Sites	3 BR	276	276	276	276	276	276	276	276	276	276	276	276	276	
		4 BR	326	326	326	326	326	326	326	326	326	326	326	326	326	
		5 BR	354	354	354	354	354	354	354	354	354	354	354	354	354	
Proj 007	Scattered Sites	3 BR	283	283	283	283	283	283	283	283	283	283	283	283	283	
		4 BR	321	321	321	321	321	321	321	321	321	321	321	321	321	
Proj 008	Peterson Acres	1 BR	251	251	251	251	251	251	251	251	251	251	251	251	251	

Example Electricity calculation:

Customer Charge (with Tax): \$12.48

0-500 kWh (with Tax): \$0.114354

1 BR Unit: 203 kWh X \$0.114354 = \$23.21385

\$23.21385 + \$12.48 = \$35.69745

Rounds up to \$36.

Table 4.3: Monthly Electricity Dollar Allowances

Project Number	Project Name	Unit Type	Jan \$	Feb \$	Mar \$	Apr \$	May \$	Jun \$	Jul \$	Aug \$	Sep \$	Oct \$	Nov \$	Dec \$	Avg \$		
Proj 001	Edgewood Homes	1 BR	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	
		2 BR	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40
		3 BR	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44
		4 BR	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49
Proj 003	Scattered Sites	1 BR	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	
		2 BR	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	
		3 BR	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	
Proj 004	Scattered Sites	1 BR	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	\$36	
		2 BR	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	
		3 BR	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	
		4 BR	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48
Proj 006	Scattered Sites	3 BR	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	\$44	
		4 BR	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	
		5 BR	\$53	\$53	\$53	\$53	\$53	\$53	\$53	\$53	\$53	\$53	\$53	\$53	\$53	\$53	
Proj 007	Scattered Sites	3 BR	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	
		4 BR	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	
Proj 008	Peterson Acres	1 BR	\$41	\$41	\$41	\$41	\$41	\$41	\$41	\$41	\$41	\$41	\$41	\$41	\$41	\$41	

# Post-Project Monthly and Annual Gas Allowances

## Section 5.0

The following describes the tables found in this section:

**Table 5.1: Annual Gas Consumption Allowances** – This table combines the information calculated in the domestic hot water tables, furnaces, and HUD standard consumption averages for cooking. The total yearly consumption for each unit type is the combination of calculated and standard consumption levels.

**Table 5.2: Consumption Allowances by Month** – This table shows the annual gas usage from Table 5.1 was prorated for each month for all weather dependant equipment (gas furnaces) and gas loads mentioned above. The prorated monthly loads were then averaged to create the allowances presented in Section 3.0 of this report, the proposed monthly utility allowances.

**Table 5.3: Dollar Allowances by Month** – This table takes the monthly consumption allotments from Table 5.2 and applies the 2015 Black Hills Energy rates to calculate the monthly dollar allowances.

**Table 5.1: Annual Natural Gas Consumption Allowances**

	Project Name	Unit Type	Heating (ccf)	Hot Water (ccf)	Range (ccf)	Total Annual (ccf)
Proj 001	Edgewood Homes	1 BR	AP	AP	AP	0
		2 BR	AP	AP	AP	0
		3 BR	AP	AP	AP	0
		4 BR	AP	AP	AP	0
Proj 003	Scattered Sites	1 BR	286	65	65	416
		2 BR	318	130	78	526
		3 BR	354	195	89	638
Proj 004	Scattered Sites	1 BR	286	65	65	416
		2 BR	318	130	78	526
		3 BR	354	195	89	638
		4 BR	431	260	97	788
Proj 006	Scattered Sites	3 BR	359	195	89	643
		4 BR	399	260	97	756
		5 BR	418	325	106	849
Proj 007	Scattered Sites	3 BR	409	195	89	693
		4 BR	444	260	97	801
Proj 008	Peterson Acres	1 BR	271	65	Elec	336

Table 5.2: Monthly Natural Gas Consumption Allowances

Project Number	Project Name	Unit Type	Jan ccf	Feb ccf	Mar ccf	Apr ccf	May ccf	Jun ccf	Jul ccf	Aug ccf	Sep ccf	Oct ccf	Nov ccf	Dec ccf	Avg ccf
Proj 001	Edgewood Homes	1 BR	0	0	0	0	0	0	0	0	0	0	0	0	0
		2 BR	0	0	0	0	0	0	0	0	0	0	0	0	0
		3 BR	0	0	0	0	0	0	0	0	0	0	0	0	0
		4 BR	0	0	0	0	0	0	0	0	0	0	0	0	0
Proj 003	Scattered Sites	1 BR	75	60	46	29	17	11	11	11	15	27	47	67	35
		2 BR	89	72	57	38	24	18	17	17	22	35	58	80	44
		3 BR	103	85	68	46	31	24	24	24	29	43	69	93	53
Proj 004	Scattered Sites	1 BR	75	60	46	29	17	11	11	11	15	27	47	67	35
		2 BR	89	72	57	38	24	18	17	17	22	35	58	80	44
		3 BR	103	85	68	46	31	24	24	24	29	43	69	93	53
		4 BR	127	104	83	57	38	30	30	30	36	53	85	115	66
Proj 006	Scattered Sites	3 BR	104	85	68	47	31	24	24	24	29	43	69	94	54
		4 BR	119	98	79	55	38	30	30	30	35	52	81	108	63
		5 BR	130	108	88	63	44	36	36	36	42	59	89	118	71
Proj 007	Scattered Sites	3 BR	116	94	74	50	32	24	24	24	29	46	76	104	58
		4 BR	130	106	85	58	39	30	30	30	36	54	86	117	67
Proj 008	Peterson Acres	1 BR	66	52	39	23	11	6	5	5	9	20	40	59	28

Example Gas calculation:

Customer Charge: \$17.25

Cost per therm: \$0.6932

1 BR Unit: 75 ccf X \$0.6932 = \$51.988 (for January)

\$51.988 + \$17.25 = \$69.24

Rounds to \$69.

Table 5.3: Monthly Natural Gas Dollar Allowances

Project Number	Project Name	Unit Type	Jan \$	Feb \$	Mar \$	Apr \$	May \$	Jun \$	Jul \$	Aug \$	Sep \$	Oct \$	Nov \$	Dec \$	Avg \$	
Proj 001	Edgewood Homes	1 BR	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
		2 BR	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
		3 BR	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
		4 BR	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Proj 003	Scattered Sites	1 BR	\$69	\$59	\$49	\$38	\$29	\$25	\$25	\$25	\$28	\$36	\$50	\$64	\$41	
		2 BR	\$79	\$67	\$57	\$43	\$34	\$30	\$29	\$29	\$32	\$41	\$57	\$73	\$48	
		3 BR	\$89	\$76	\$64	\$49	\$39	\$34	\$34	\$34	\$37	\$47	\$65	\$82	\$54	
Proj 004	Scattered Sites	1 BR	\$69	\$59	\$49	\$38	\$29	\$25	\$25	\$25	\$28	\$36	\$50	\$64	\$41	
		2 BR	\$79	\$67	\$57	\$43	\$34	\$30	\$29	\$29	\$32	\$41	\$57	\$73	\$48	
		3 BR	\$89	\$76	\$64	\$49	\$39	\$34	\$34	\$34	\$37	\$47	\$65	\$82	\$54	
		4 BR	\$105	\$89	\$75	\$57	\$44	\$38	\$38	\$38	\$42	\$54	\$76	\$97	\$63	
Proj 006	Scattered Sites	3 BR	\$90	\$76	\$64	\$50	\$39	\$34	\$34	\$34	\$37	\$47	\$65	\$83	\$54	
		4 BR	\$100	\$85	\$72	\$56	\$43	\$38	\$38	\$38	\$42	\$53	\$73	\$92	\$61	
		5 BR	\$107	\$92	\$78	\$61	\$48	\$43	\$42	\$42	\$46	\$58	\$79	\$99	\$66	
Proj 007	Scattered Sites	3 BR	\$97	\$82	\$69	\$52	\$39	\$34	\$34	\$34	\$38	\$49	\$70	\$90	\$57	
		4 BR	\$107	\$91	\$76	\$58	\$44	\$38	\$38	\$38	\$42	\$55	\$77	\$99	\$64	
Proj 008	Peterson Acres	1 BR	\$63	\$53	\$44	\$33	\$25	\$21	\$21	\$21	\$24	\$31	\$45	\$58	\$37	

# Post-Project Monthly and Annual Water Allowances

## Section 6.0

Table 6.1 below displays average monthly cost and consumption for water at sites where residents pay for their water. Water allowances were based on the average consumption of fifty-five gallons of water per person per day. This benchmarked per person per day consumption multiplied by the number of tenants in each bedroom (1.0 persons per bedroom – this number was adjusted down from 1.5 in August 2014) times the number of days per month yields monthly water gallons per bedroom type. Dollar allowances were derived by applying current water rates to the average monthly consumption. Water and sewer rates can be found in Section 7.6.

**Table 6.1: Monthly Water Allowances**

Project Number	Project Name	Unit Type	# of People	Water (Gal)	Water in Units of Kgal	Water Cost \$	Sewer Cost \$	Total Cost \$
Proj 001	Edgewood Homes	1 BR	1	0	0	\$0	\$0	\$0
		2 BR	2	0	0	\$0	\$0	\$0
		3 BR	3	0	0	\$0	\$0	\$0
		4 BR	4	0	0	\$0	\$0	\$0
Proj 003	Scattered Sites	1 BR	1	1252	1	\$8	\$17	\$25
		2 BR	2	2504	3	\$18	\$27	\$45
		3 BR	3	3756	4	\$23	\$33	\$56
Proj 004	Scattered Sites	1 BR	1	1252	1	\$8	\$17	\$25
		2 BR	2	2504	3	\$18	\$27	\$45
		3 BR	3	3756	4	\$23	\$33	\$56
		4 BR	4	5008	5	\$27	\$38	\$66
Proj 006	Scattered Sites	3 BR	3	3756	4	\$23	\$33	\$56
		4 BR	4	5008	5	\$27	\$38	\$66
		5 BR	5	6260	6	\$32	\$44	\$76
Proj 007	Scattered Sites	3 BR	3	3756	4	\$23	\$33	\$56
		4 BR	4	5008	5	\$27	\$38	\$66
Proj 008	Peterson Acres	1 BR	1	1252	1	\$8	\$17	\$25

Example Water/Sewer Rate Calculation:

	Water	Sewer	Total
Service Charge	<b>\$3.35 / month</b>	<b>\$11.14 / month</b>	<b>\$14.49 / month</b>
Consumption Rate	\$4.82/kgal	\$5.45/kgal	\$10.47/kgal
2 BR Unit = 3 kgal	3 kgal X \$4.82/kgal = <b>\$14.46</b>	3 kgal X \$5.45/kgal = <b>\$16.35</b>	<b>\$30.81</b>
Total Costs	<b>\$17.81</b>	<b>\$27.49</b>	<b>\$45.30</b>



## Appendix 7.1: 30 Normal Heating Degree Days

### 1981 – 2010 for Lawrence KS

JANUARY	1108
FEBRUARY	864
MARCH	641
APRIL	323
MAY	105
JUNE	8
JULY	1
AUGUST	2
SEPTEMBER	60
OCTOBER	301
NOVEMBER	644
DECEMBER	1035
<b>TOTAL</b>	<b>5092</b>

## Appendix 7.2: Annual Lighting Use Tables

<b>PROJECT NAME:</b>		Edgewood Homes			
<b>PROJECT NUMBER:</b>		Proj 001			
<b>NUMBER OF BEDROOMS:</b>		1			
AREA NAME	NUMBER OF FIXTURES	WATTS/ FIXTURE	HOURS /DAY	HOURS/Y EAR	KWH/Y EAR
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	1	26	4	1460	38
Kitchen Sink	1	34	2	730	25
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	0	0	1	365	0
Dining Room	1	26	3	1095	28
Utility	0	0	1	365	0
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
				<b>TOTAL...</b>	<b>532</b>

<b>PROJECT NAME:</b>		Edgewood Homes			
<b>PROJECT NUMBER:</b>		Proj 001			
<b>NUMBER OF BEDROOMS:</b>		2			
AREA NAME	NUMBER OF FIXTURES	WATTS/ FIXTURE	HOURS /DAY	HOURS/ YEAR	KWH/ YEAR
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	2	26	4	1460	76
Kitchen Sink	1	34	2	730	25
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	0	0	1	365	0
Dining Room	1	26	3	1095	28
Utility	0	0	1	365	0
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
				<b>TOTAL...</b>	<b>570</b>

<b>PROJECT NAME:</b>		Edgewood Homes			
<b>PROJECT NUMBER:</b>		Proj 001			
<b>NUMBER OF BEDROOMS:</b>		3			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	3	26	4	1460	114
Kitchen Sink	1	34	2	730	25
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	0	0	1	365	0
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
				TOTAL...	630

<b>PROJECT NAME:</b>		Edgewood Homes			
<b>PROJECT NUMBER:</b>		Proj 001			
<b>NUMBER OF BEDROOMS:</b>		4			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	2	34	4	1460	99
Bedroom	4	26	4	1460	152
Kitchen Sink	1	34	2	730	25
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	0	0	1	365	0
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
				TOTAL...	717

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 003			
<b>NUMBER OF BEDROOMS:</b>		1			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	1	26	4	1460	38
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	1	60	1	365	22
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	0
				TOTAL...	573

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 003			
<b>NUMBER OF BEDROOMS:</b>		2			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	2	26	4	1460	76
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	1	60	1	365	22
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	0
				TOTAL...	611

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 003			
<b>NUMBER OF BEDROOMS:</b>		3			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	3	26	4	1460	114
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Hall/Stairs	1	13	3	1095	14
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	0
				TOTAL...	641

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 004			
<b>NUMBER OF BEDROOMS:</b>		1			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	1	26	4	1460	38
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	1	60	1	365	22
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	76
				TOTAL...	573

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 004			
<b>NUMBER OF BEDROOMS:</b>		2			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	2	26	4	1460	76
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	1	60	1	365	22
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	0
				TOTAL...	611

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 004			
<b>NUMBER OF BEDROOMS:</b>		3			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	3	26	4	1460	114
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Hall/Stairs	1	13	3	1095	14
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	0
				TOTAL...	641

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 004			
<b>NUMBER OF BEDROOMS:</b>		4			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	4	26	4	1460	152
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Hall/Stairs	1	13	3	1095	14
Dining Room	1	26	3	1095	28
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	0
				TOTAL...	679

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 006			
<b>NUMBER OF BEDROOMS:</b>		3			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	3	26	4	1460	114
Lamps	0	0	4	1460	0
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Hall/Stairs	1	13	3	1095	14
Dining Room	0	0	3	1095	0
Utility	1	60	1	365	22
Storage	1	60	1	365	22
Pantry	0	0	2	730	0
					612

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 006			
<b>NUMBER OF BEDROOMS:</b>		4			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	2	34	4	1460	99
Bedroom	4	26	4	1460	152
Kitchen Sink	1	34	4	1460	50
LR Lamps	2	60	5	1825	219
Hall/Stairs	3	26	3	1095	85
Closet	0	0	1	365	0
Dining Room	0	0	3	1095	0
Laundry	1	120	1	365	44
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
					807

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 006			
<b>NUMBER OF BEDROOMS:</b>		5			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/Y EAR</b>	<b>KWH/Y EAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	2	34	4	1460	99
Bedroom	5	26	4	1460	190
Kitchen Sink	1	34	4	1460	50
LR Lamps	2	60	5	1825	219
Hall/Stairs	3	26	3	1095	85
Closet	0	0	1	365	0
Dining Room	0	0	3	1095	0
Laundry	1	120	1	365	44
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
					845



<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 007			
<b>NUMBER OF BEDROOMS:</b>		3			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/Y EAR</b>	<b>KWH/Y EAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	1	34	4	1460	50
Bedroom	3	26	4	1460	114
Kitchen Sink	1	34	4	1460	50
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	26	3	1095	28
Closet	0	0	3	1095	0
Dining Room	1	26	3	1095	28
Utility	1	120	1	365	44
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
					691

<b>PROJECT NAME:</b>		Scattered Sites			
<b>PROJECT NUMBER:</b>		Proj 007			
<b>NUMBER OF BEDROOMS:</b>		4			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	2	13	8	2920	76
Kitchen	1	56	4	1460	82
Bathroom	2	26	4	1460	76
Bedroom	4	26	4	1460	152
Kitchen Sink	1	34	4	1460	50
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	26	3	1095	28
Closet	0	0	3	1095	0
Dining Room	1	26	3	1095	28
Utility	1	120	1	365	44
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
					755

<b>PROJECT NAME:</b>		Peterson Acres			
<b>PROJECT NUMBER:</b>		Proj 008			
<b>NUMBER OF BEDROOMS:</b>		1			
<b>AREA NAME</b>	<b>NUMBER OF FIXTURES</b>	<b>WATTS/ FIXTURE</b>	<b>HOURS /DAY</b>	<b>HOURS/ YEAR</b>	<b>KWH/ YEAR</b>
Porches	1	13	8	2920	38
Kitchen	1	56	4	1460	82
Bathroom	1	26	4	1460	38
Bedroom	1	34	4	1460	50
Bathroom	1	13	4	1460	19
LR Lamps	2	60	5	1825	219
Hall/Stairs	1	13	3	1095	14
Closet	0	0	1	365	0
Dining Room	1	26	3	1095	28
Utility	0	0	1	365	0
Storage	0	0	1	365	0
Pantry	0	0	2	730	0
				TOTAL...	488

## APPENDIX 7.3: Domestic Water Heating Tables

<b>Project Name: Proj 003</b>		
<b>Project Number: Scattered Sites</b>		
Unit Type:	1 BR	
Number of Bedrooms:	1	Bedrooms
Estimated Number of Occupants:	1	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	<u>6,693</u>	kBtu/yr
Total Energy Required:	6,693	kBtu/yr
<b>Primary Fuel Required:</b>	<b>65</b>	<b>CCF/Year</b>

<b>Project Name: Proj 003</b>		
<b>Project Number: Scattered Sites</b>		
Unit Type:	2 BR	
Number of Bedrooms:	2	Bedrooms
Estimated Number of Occupants:	2	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	13,386	kBtu/yr
Total Energy Required:	13,386	kBtu/yr
<b>Primary Fuel Required:</b>	<b>130</b>	<b>CCF/Year</b>

**Project Name: Proj 003****Project Number: Scattered Sites**

Unit Type:	3 BR	
Number of Bedrooms:	3	Bedrooms
Estimated Number of Occupants:	3	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	20,080	kBtu/yr
Total Energy Required:	20,080	kBtu/yr
Primary Fuel Required:	195	CCF/Year

**Project Name: Proj 004****Project Number: Scattered Sites**

Unit Type:	1 BR	
Number of Bedrooms:	1	Bedrooms
Estimated Number of Occupants:	1	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	<u>6,693</u>	kBtu/yr
Total Energy Required:	6,693	kBtu/yr
<b>Primary Fuel Required:</b>	<b>65</b>	<b>CCF/Year</b>

**Project Name: Proj 004****Project Number: Scattered Sites**

Unit Type:	2 BR	
Number of Bedrooms:	2	Bedrooms
Estimated Number of Occupants:	2	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	13,386	kBtu/yr
Total Energy Required:	13,386	kBtu/yr
<b>Primary Fuel Required:</b>	130	<b>CCF/Year</b>

**Project Name: Proj 004****Project Number: Scattered Sites**

Unit Type:	3 BR	
Number of Bedrooms:	3	Bedrooms
Estimated Number of Occupants:	3	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	20,080	kBtu/yr
Total Energy Required:	20,080	kBtu/yr
<b>Primary Fuel Required:</b>	195	<b>CCF/Year</b>

**Project Name: Proj 004****Project Number: Scattered Sites**

Unit Type:	4 BR	
Number of Bedrooms:	4	Bedrooms
Estimated Number of Occupants:	4	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	26,773	kBtu/yr
Total Energy Required:	26,773	kBtu/yr
Primary Fuel Required:	260	CCF/Year

**Project Name: Proj 006****Project Number: Scattered Sites**

Unit Type:	3 BR	
Number of Bedrooms:	3	Bedrooms
Estimated Number of Occupants:	3	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	20,080	kBtu/yr
Total Energy Required:	20,080	kBtu/yr
Primary Fuel Required:	195	CCF/Year

**Project Name: Proj 006****Project Number: Scattered Sites**

Unit Type:	4 BR	
Number of Bedrooms:	4	Bedrooms
Estimated Number of Occupants:	4	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	26,773	kBtu/yr
Total Energy Required:	26,773	kBtu/yr
Primary Fuel Required:	260	CCF/Year

**Project Name: Proj 006****Project Number: Scattered Sites**

Unit Type:	5 BR	
Number of Bedrooms:	5	Bedrooms
Estimated Number of Occupants:	5	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	33,466	kBtu/yr
Total Energy Required:	33,466	kBtu/yr
Primary Fuel Required:	325	CCF/Year

**Project Name: Proj 007****Project Number: Scattered Sites**

Unit Type:	3 BR	
Number of Bedrooms:	3	Bedrooms
Estimated Number of Occupants:	3	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	20,080	kBtu/yr
Total Energy Required:	20,080	kBtu/yr
Primary Fuel Required:	195	CCF/Year

**Project Name: Proj 007****Project Number: Scattered Sites**

Unit Type:	4 BR	
Number of Bedrooms:	4	Bedrooms
Estimated Number of Occupants:	4	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	33,466	kBtu/yr
Total Energy Required:	33,466	kBtu/yr
Primary Fuel Required:	325	CCF/Year



<b>Project Name: Proj 008</b>		
<b>Project Number: Peterson Acres</b>		
Unit Type:	1 BR	
Number of Bedrooms:	1	Bedrooms
Estimated Number of Occupants:	1	Occupants
Estimated Consumption Rate:	20	Gallons/Occupant/Day
Specific Heat of Water:	1.00	Btu/lb/F
Specific Volume of Water:	62.32	lb/cf
Volume Conversion:	7.48	gal/cf
Heuristic Exponent:	0.68	
Estimated Service Water Inlet Temperature:	55	F
Hot Water Supply Temperature:	120	F
Delta T:	65	F
Calendar Schedule:	365	days/yr
Daily Schedule:	24	hrs/day
Total Operating Hours:	8,760	hrs/yr
Estimated Air Temperature At Tank:	70	F
Water Heater Energy Factor:	0.59	
Assumed Standing Pilot?	yes	
Pilot Consumption Rate:	400	Btu/hr
Fuel Type:	Natural Gas	
Pilot Consumption Rate:	3504	kBtu/yr
Consumption Energy Required:	<u>6,693</u>	kBtu/yr
Total Energy Required:	6,693	kBtu/yr
<b>Primary Fuel Required:</b>	<b>65</b>	<b>CCF/Year</b>

## Appendix 7.4: Annual Space Heating Tables

### Pre/Post Heat Load Calculation

PROJECT NAME: <b>Scattered Sites</b>	Heating Degree Days =	<b>5092</b>
PROJECT NUMBER: <b>Proj 006</b>	Balance Pt. Temp Diff.(F)=	<b>61</b>
UNIT TYPE: <b>3 BR</b>	Design Temp. Diff.(F) =	<b>66</b>
	Correction Factor (CD) =	<b>0.77</b>
APARTMENT DATA:		
Number of Stories:	<b>1</b>	
Perimeter Linear Footage:	<b>126</b>	ft.
Perimeter HTM:	<b>33</b>	Btuh/lf
Perimeter Heat Loss:	<b>4174</b>	Btu/h
Roof Square Footage:	<b>1000</b>	ft <sup>2</sup>
Roof U-Value:	<b>0.022</b>	Btuh/F- ft <sup>2</sup>
Roof Heat Loss:	<b>1467</b>	Btu/h
Exterior Wall Area:	<b>897</b>	ft <sup>2</sup> .
Wall U-Value:	<b>0.091</b>	Btuh/F- ft <sup>2</sup>
Wall Heat Loss	<b>5380</b>	Btu/h
Window Area:	<b>75</b>	ft <sup>2</sup> .
Window U-Value:	<b>0.333</b>	Btuh/F- ft <sup>2</sup>
Window Heat Loss:	<b>1657</b>	Btu/h
Door Area:	<b>40</b>	sq.ft.
Door U-Value:	<b>0.250</b>	Btuh/F- ft <sup>2</sup>
Door Heat Loss:	<b>660</b>	Btu/h
Air Changes Per Hour	<b>0.57</b>	AC/H
Apt Volume	<b>8000.00</b>	ft <sup>3</sup>
Infiltration Loss:	<b>5417.28</b>	ft <sup>3</sup> /min
Total Apartment Heat Loss Rate:	<b>18755</b>	Btu/h
Estimated Heating System Overall Efficiency:	<b>80%</b>	
Standing Pilot?	<b>Yes</b>	
Pilot BTU/hr.:	<b>400</b>	Btu/h
Pilot Operating Hours:	<b>8760</b>	hrs/yr
Pilot Consumption:	<b>3504</b>	kBTU/yr
Heating Fuel? (Natural Gas, Electric, Propane)	<b>Natural Gas</b>	
Estimated Heating System Consumption:	<b>359</b>	CCF
Heating System Fan?	<b>Yes</b>	
Heating Output:	<b>40000</b>	Btu/h
Fan Size:	<b>200</b>	Watts
Fan Operating Hours:	<b>836</b>	hours
Fan Energy:	<b>167</b>	KWH

## Pre/Post Heat Load Calculation

PROJECT NAME: <a href="#">Scattered Sites</a>	Heating Degree Days =	<a href="#">5092</a>
PROJECT NUMBER: <a href="#">Proj 006</a>	Balance Pt. Temp Diff.(F)=	<a href="#">61</a>
UNIT TYPE: <a href="#">4 BR</a>	Design Temp. Diff.(F) =	<a href="#">66</a>
	Correction Factor (CD) =	<a href="#">0.77</a>
APARTMENT DATA:		
Number of Stories:		<a href="#">1</a>
Perimeter Linear Footage:		139 ft.
Perimeter HTM:		33 Btuh/lf
Perimeter Heat Loss:		4573 Btu/h
Roof Square Footage:		<a href="#">1200</a> ft <sup>2</sup>
Roof U-Value:		<a href="#">0.022</a> Btuh/F ft <sup>2</sup>
Roof Heat Loss:		1760 Btu/h
Exterior Wall Area:		<a href="#">994</a> ft <sup>2</sup>
Wall U-Value:		<a href="#">0.091</a> Btuh/F- ft <sup>2</sup>
Wall Heat Loss		5966 Btu/h
Window Area:		<a href="#">74</a> ft <sup>2</sup>
Window U-Value:		<a href="#">0.333</a> Btuh/F- ft <sup>2</sup>
Window Heat Loss:		1630 Btu/h
Door Area:		<a href="#">40</a> ft <sup>2</sup>
Door U-Value:		<a href="#">0.250</a> Btuh/F- ft <sup>2</sup>
Door Heat Loss:		660 Btu/h
Air Changes Per Hour		0.57 AC/H
Apt Volume		<a href="#">9600.00</a> ft <sup>3</sup>
Infiltration Loss:		6500.736 ft <sup>3</sup> /min
Total Apartment Heat Loss Rate:		21090 Btu/h
Estimated Heating System Overall Efficiency:		<a href="#">80%</a>
Standing Pilot?		<a href="#">Yes</a>
Pilot BTU/hr.:		400 Btu/h
Pilot Operating Hours:		8760 hrs/yr
Pilot Consumption:		<a href="#">3504</a> kBtu/yr
Heating Fuel? (Natural Gas, Electric, Propane)		Natural Gas
Estimated Heating System Consumption:		399 CCF
Heating System Fan?		Yes
Heating Output:		<a href="#">40000</a> Btu/h
Fan Size:		<a href="#">200</a> Watts
Fan Operating Hours:		940 hours
Fan Energy:		<a href="#">188</a> KWH

## Pre/Post Heat Load Calculation

PROJECT NAME: <a href="#">Scattered Sites</a>	Heating Degree Days =	<a href="#">5092</a>
PROJECT NUMBER: <a href="#">Proj 006</a>	Balance Pt. Temp Diff.(F)=	<a href="#">61</a>
UNIT TYPE: <a href="#">5 BR</a>	Design Temp. Diff.(F) =	<a href="#">66</a>
	Correction Factor (CD) =	<a href="#">0.77</a>
APARTMENT DATA:		
Number of Stories:		<a href="#">1</a>
Perimeter Linear Footage:	150	ft.
Perimeter HTM:	33	Btuh/lf
Perimeter Heat Loss:	4939	Btu/h
Roof Square Footage:	<a href="#">1400</a>	ft <sup>2</sup>
Roof U-Value:	<a href="#">0.022</a>	Btuh/F ft <sup>2</sup>
Roof Heat Loss:	2053	Btu/h
Exterior Wall Area:	<a href="#">1157</a>	ft <sup>2</sup>
Wall U-Value:	<a href="#">0.091</a>	Btuh/F- ft <sup>2</sup>
Wall Heat Loss	6944	Btu/h
Window Area:	<a href="#">0</a>	ft <sup>2</sup>
Window U-Value:	<a href="#">0.333</a>	Btuh/F- ft <sup>2</sup>
Window Heat Loss:	0	Btu/h
Door Area:	<a href="#">40</a>	ft <sup>2</sup>
Door U-Value:	<a href="#">0.250</a>	Btuh/F- ft <sup>2</sup>
Door Heat Loss:	660	Btu/h
Air Changes Per Hour	1	AC/H
Apt Volume	<a href="#">11200.00</a>	ft <sup>3</sup>
Infiltration Loss:	7584.192	ft <sup>3</sup> /min
Total Apartment Heat Loss Rate:	22180	Btu/h
Estimated Heating System Overall Efficiency:	<a href="#">80%</a>	
Standing Pilot?	<a href="#">Yes</a>	
Pilot BTU/hr.:	400	Btu/h
Pilot Operating Hours:	8760	hrs/yr
Pilot Consumption:	<a href="#">3504</a>	kBTU/yr
Heating Fuel? (Natural Gas, Electric, Propane)	Natural Gas	
Estimated Heating System Consumption:	418	CCF
Heating System Fan?	Yes	
Heating Output:	<a href="#">40000</a>	Btu/h
Fan Size:	<a href="#">200</a>	Watts
Fan Operating Hours:	988	hours
Fan Energy:	<a href="#">198</a>	KWH

## Appendix 7.5: Water Consumption Calculation

Type	GPM	GALL	Times	Usage	
Toilet Flush	1.28		x	7	Flushes per person per day
Shower	2.5		x	8	Minutes of showers per day
Dishload		5	x	0.5	Dishloads per person per day
Laundry		10	x	0.2	Clothesloads per person per day
Cooking		0.1	x	2	Meals per person per day
Sink	1.5		x	5	Minutes of usage per day

# of BR	PEOPLE / UNIT	TOILET	SHOWER	DISHES	LAUNDRY	COOKING	SINK	GAL/DAY	GAL / PERSON / DAY	GALLONS /MONTH
1	1.0	9.0	20.0	2.5	2.0	0.2	7.5	41.2	41.2	1,251.95
2	2.0	17.9	40.0	5.0	4.0	0.4	15.0	82.3	41.2	2,503.90
3	3.0	26.9	60.0	7.5	6.0	0.6	22.5	123.5	41.2	3,755.85
4	4.0	35.8	80.0	10.0	8.0	0.8	30.0	164.6	41.2	5,007.80
5	5.0	44.8	100.0	12.5	10.0	1.0	37.5	205.8	41.2	6,259.75

## Appendix 7.6: Westar 2015 Electricity Rates

### Winter Electric Rate Summary (October – May)

	<b>New 2015</b>		<b>OLD 2014</b>
1 Customer Charge	\$12.00	/bill/month	\$12.00
2 <b>Energy Charge</b>			
0-500 kwh	\$0.064313	/kWh	\$0.064313
500-900 kwh	\$0.064313	/kWh	\$0.064313
over 900 kwh	\$0.052575	/kWh	\$0.052575
3 Fuel Charge (April 2 2014 – June 30, 2015)	\$0.025158	/kWh	\$0.024476
4 Transmission Charge (April 2, 2015)	\$0.014302	/kWh	\$0.014042
5 Environmental Cost Recovery Rider (June 2014)	\$0.003910	/kWh	\$0.003136
6 Property Tax Surcharge (January 2015)	\$0.001961	/kWh	\$0.001759
7 Energy Efficiency Rider (Nov '14 – Oct '15)	\$0.000280	/kWh	\$0.000538
<b>Total Before Taxes:</b>	<b>\$0.109924</b>	<b>/kWh</b>	

Franchise Fee = 3% of subtotal of the above including customer charge

Tax = 1% of all charges including franchise fees

0-500 kwh	<b>\$0.114354</b>	/kWh	\$0.108264
500-900 kwh	<b>\$0.114354</b>	/kWh	\$0.108264
over 900 kwh	<b>\$0.102143</b>	/kWh	\$0.096526

### Summer Electric Rate Summary (June - September)

	<b>New 2015</b>		<b>OLD 2014</b>
1 Customer Charge	\$12.00	/bill/month	\$12.00
2 <b>Energy Charge</b>			
0-500 kwh	\$0.064313	/kWh	\$0.064313
500-900 kwh	\$0.064313	/kWh	\$0.064313
over 900 kwh	\$0.075589	/kWh	\$0.075589
3 Fuel Charge (April 2 2014 – June 30, 2015)	\$0.025158	/kWh	\$0.024476
4 Transmission Charge (April 2, 2015)	\$0.014302	/kWh	\$0.014042
5 Environmental Cost Recovery Rider (June 2014)	\$0.003910	/kWh	\$0.003136
6 Property Tax Surcharge (January 2015)	\$0.001961	/kWh	\$0.001759
7 Energy Efficiency Rider (Nov '14 – Oct '15)	\$0.000280	/kWh	\$0.000538
<b>Total Before Taxes:</b>	<b>\$0.109924</b>	<b>/kWh</b>	

Franchise Fee = 3% of subtotal of the above including customer charge

Tax = 1% of all charges including franchise fees

0-500 kwh	<b>\$0.114354</b>	/kWh	\$0.108264
500-900 kwh	<b>\$0.114354</b>	/kWh	\$0.108264
over 900 kwh	<b>\$0.125387</b>	/kWh	\$0.119540

# Residential electric rates summary.

Residential electric customers (individual homes or separately metered apartments) may purchase electricity under the Standard Service Rate.

## Standard Service Rate

*This rate structure applies to most residential customers.*

Customer Charge.....\$12.00

### Winter Period Rate

#### Energy Charge

*For the months of October through May:*

*\$0.064313 per kWh for the first 500 kWh*

*\$0.064313 per kWh for the next 400 kWh*

*\$0.052575 per kWh for all additional kWh*

**Plus applicable adjustments and surcharges.**

### Summer Period Rate

#### Energy Charge

*For the months of June through September:*

*\$0.064313 per kWh for the first 500 kWh*

*\$0.064313 per kWh for the next 400 kWh*

*\$0.075589 per kWh for all additional kWh*

**Plus applicable adjustments and surcharges.**

## Fuel Charge/Retail Energy Adjustment Charge

The fuel charge encompasses the cost of fuel to produce electricity and the cost of electricity we buy from other entities. These costs are reduced by the profit we make selling electricity to wholesale entities, such as neighboring utilities, municipalities and power marketers.

Westar submits an estimate of the fuel charge to the Kansas Corporation Commission. The charge adjusts quarterly.

- Annually, Westar will compare the estimates with the actual costs and make an adjustment to ensure customers are paying only actual fuel costs.
- The adjustment will be paid or credited over the next 12 months.

Meter readings between	Price per kilowatt-hour
April 2, 2015 to June 30, 2015	\$0.021201
January 5, 2015 to April 1, 2015	\$0.022222
September 30, 2014 to January 2, 2015	\$0.025527
July 1, 2014 to September 29, 2014	\$0.025158
April 2, 2014 to June 30, 2014	\$0.024476

**THE STATE CORPORATION COMMISSION OF KANSAS**

WESTAR ENERGY, INC & KANSAS GAS & ELECTRIC COMPANY, d.b.a. WESTAR ENERGY

(Name of Issuing Utility)

**WESTAR RATE AREA**

(Territory to which schedule is applicable)

HMCA \_\_\_\_\_

SCHEDULE TDC

Replacing Schedule TDC Sheet 4

which was filed April 2, 2014

No supplement or separate understanding shall modify the tariff as shown hereon.

Sheet 4 of 5 Sheets

**TRANSMISSION DELIVERY CHARGE**

**TDC UNIT CHARGES**

The TDC Unit Charges in the following table shall be applied to a customer's demand, energy or bill of each rate schedule as indicated. The amount determined by applying the TDC Unit Charge shall become part of the total bill for electric service furnished and will be itemized separately on customer's bill.

<u>Rate Schedule</u>	<u>\$ per kW</u>	<u>\$ per kWh</u>
Special Contracts		\$0.008029
Dedicated Off-Peak Service		\$0.014982
Generation Substitution Service		\$0.014982
High Load Factor Service	\$4.503300	
Interruptible Contract Service		\$0.009591
Large Tire Manufacturing (per KVa)	\$4.267782	
Medium General Service	\$3.616006	
Off-Peak Service		\$0.014982
Pilot LED Street Lighting		\$0.005208
Private Area Lighting Service		\$0.005208
Religious Institution Time of Day Service		\$0.009346
Residential Service		\$0.014302
Restricted Educational Institution Service		\$0.007209

Issued \_\_\_\_\_  
 Month Day Year

Effective April 2, 2015  
 Month Day Year

By Jeffrey L. Martin  
 Jeffrey L. Martin, Vice President

15-WSEE-366-TAR *AF*  
 Approved  
 Kansas Corporation Commission  
 March 12, 2015  
 /S/ Neysa Thomas



Index \_\_\_\_\_

**THE STATE CORPORATION COMMISSION OF KANSAS**

WESTAR ENERGY, INC & KANSAS GAS & ELECTRIC COMPANY, d.b.a. WESTAR ENERGY

(Name of Issuing Utility)

WESTAR RATE AREA

(Territory to which schedule is applicable)

SCHEDULE ECRR

Replacing Schedule ECRR Sheet 4

which was filed May 29, 2013

No supplement or separate understanding shall modify the tariff as shown hereon.

Sheet 4 of 4 Sheets

**ENVIRONMENTAL COST RECOVERY RIDER**

<u>Rate schedule (Cont)</u>	<u>\$ per kW</u>	<u>\$ per kWh</u>
Private Area Lights		\$0.000040
Religious Institution Time of Day		\$0.002697
Residential Service		\$0.003910
Restricted Educational Institution Service		\$0.001803
Restricted Service to Schools		\$0.001803
Restricted Total Electric – School and Church Service		\$0.001803
Short-Term Service		\$0.003772
Small General Service		\$0.003772
Small General Service – Church Option		\$0.003772
Standard Educational Service		\$0.001803
Street Lighting		\$0.000040
Time of Use – Pilot		\$0.003910
Traffic Signal Service		\$0.000040

**DEFINITIONS AND CONDITIONS**

Company for the purposes of this rate schedule or rider is defined as Westar Energy, Inc. and Kansas Gas and Electric Company.

Issued \_\_\_\_\_  
Month Day Year

Effective June 1, 2014  
Month Day Year

By   
Jeffrey L. Martin, Vice President

*C21*

Index \_\_\_\_\_

**THE STATE CORPORATION COMMISSION OF KANSAS**

WESTAR ENERGY, INC & KANSAS GAS & ELECTRIC COMPANY, d.b.a. WESTAR ENERGY  
(Name of Issuing Utility)

SCHEDULE \_\_\_\_\_ PTS \_\_\_\_\_

WESTAR RATE AREA

Replacing Schedule \_\_\_\_\_ PTS \_\_\_\_\_ Sheet \_\_\_\_\_ 2 \_\_\_\_\_

(Territory to which schedule is applicable)

which was filed \_\_\_\_\_ December 19, 2013 \_\_\_\_\_

No supplement or separate understanding shall modify the tariff as shown hereon.

Sheet 2 of 2 Sheets

**PROPERTY TAX SURCHARGE**

- 3. A unit adjustment per customer (billable meter) added to the price of each applicable customer's bill, except duplicate customer categories (e.g. Private Area Lights) and Street Light customers, shall be determined by dividing a portion of the increase in property tax by the annualized applicable customer count.

The amount determined by the application of such unit adjustments shall become a part of the total bill for electric service furnished and need not be itemized separately on the customer's bill.

**BILLING ADJUSTMENT FACTOR**

The following charges shall be applied to a customer's energy of each rate schedule as indicated below. The amount determined by the surcharge or application of such unit adjustment shall become a part of the total bill for electric service furnished and will be itemized separately on the customer's bill, but shall not be deemed to be a rate for purposes of the Public Utilities Act.

All Rate Schedules                      \$0.001961 per kWh

**ANNUAL TRUE-UP**

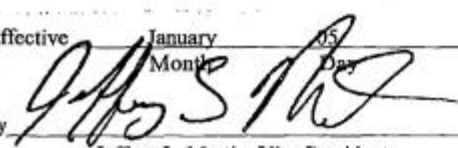
Any over or under collection of the actual ad valorem tax increase/decrease charged to expense on Westar's books shall be either credited or collected through a surcharge, known as the billing adjustment factor, in subsequent periods pursuant to K.S.A. 66-117(f).

**DEFINITIONS AND CONDITIONS**

Company for the purposes of this rate schedule or rider is defined as Westar Energy, Inc. and Kansas Gas and Electric Company.

Issued \_\_\_\_\_  
Month Day Year

Effective January 05 2015  
Month Day Year

By  \_\_\_\_\_  
Jeffrey L. Martin, Vice President

15-WSEE-227-TAR

Approved

Kansas Corporation Commission

December 23, 2014

/s/ Thomas A. Day

*KALF*

THE STATE CORPORATION COMMISSION OF KANSAS

WESTAR ENERGY, INC. & KANSAS GAS & ELECTRIC COMPANY, d.b.a. WESTAR ENERGY  
 (Name of Issuing Utility)

WESTAR RATE AREA

(Territory to which schedule is applicable)

Index \_\_\_\_\_

SCHEDULE EER

Replacing Schedule EER Sheet 2

which was filed October 15, 2013

No supplement or separate understanding shall modify the tariff as shown hereon.

Sheet 2 of 2 Sheets

ENERGY EFFICIENCY RIDER

ENERGY EFFICIENCY RIDER AMOUNT CALCULATION

The initial EE factor will be calculated to recover actual program costs deferred for Commission approved Energy Efficiency programs deferred over a 12 month period ending in June of each year plus any true up amount from the prior period divided by the total applicable kWh as follows:

$$EE \text{ factor} = EE \text{ costs} + \text{True} / kWh$$

Where:

EE costs = The actual costs associated with Commission approved Energy Efficiency programs. These costs are recorded in separate sub-accounts of Account 182.3 Other Regulatory Assets for each approved Energy Efficiency or Demand Response Program and for demand response credits provided to customers under approved Demand Response Programs.

True = The annual true-up amount for an Energy Efficiency Rider year, to be determined prior to filing the next EE Rider and to be applied to the subsequent EE Factor calculation. The true-up will be the difference between the approved recovery amount and the actual recovery amount during the time the EE Factor was in effect.

kWh = The estimated kilowatt-hours for the period this EE factor will be applied to customers' monthly bills.

EE FACTOR

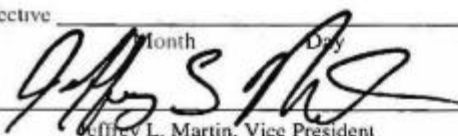
\$0.000280 / kWh effective for the billing months of November 2014 through October 2015.

DEFINITIONS AND CONDITIONS

1. All provisions of this Rider are subject to changes made by order of the regulatory authority having jurisdiction.

Issued \_\_\_\_\_  
 Month Day Year

Effective \_\_\_\_\_  
 Month Day Year

By   
 Jeffrey L. Martin, Vice President

KLF

## Appendix 7.7: Black Hills Energy 2015 Gas Rates

	<b>New 2015 Rates</b>	Old 2014 Rates
Customer Charge	<b>\$17.25</b> /month	\$16.00
Gas System Reliability Surcharge (GSRS)	\$0.00 /meter/month	\$1.53
Commodity Charge	\$0.1683 /therm	\$0.1452
Purchase Gas Adjustment Charge	\$0.5248 /therm	\$0.5290
<b>Total Monthly Charge</b>	<b>\$0.6932</b> /therm	<b>\$0.6742</b>

Month	Purchase Gas Adjustment Charge
Jun-2014	\$0.5569
Jul-2014	\$0.5628
Aug-2014	\$0.4897
Sep-2014	\$0.5033
Oct-2014	\$0.4976
Nov-2014	\$0.5711
Dec-2014	\$0.6344
Jan-2015	\$0.5401
Feb-2015	\$0.5208
Mar-2015	\$0.5391
Apr-2015	\$0.4612
May-2015	\$0.4213
<b>12 mo avg.</b>	<b>\$0.5248</b>

**THE STATE CORPORATION COMMISSION OF KANSAS**

Index No. 15

**BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC**  
**d/b/a BLACK HILLS ENERGY**

Schedule: RS-1, Fifth Revised

(Name of Issuing Utility)

**KANSAS SERVICE AREA**

Replacing: Index No. 15, Schedule RS-1, 4<sup>th</sup> Revised, Sheet 1 of 1  
 which was filed 2/20/2009

(Territory to which schedule is applicable)

No supplement or separate understanding  
 shall modify the tariff as shown hereon.

1 of 1 Sheets

**RESIDENTIAL SERVICE (RS-1)**

**1. AVAILABILITY**

This rate schedule is available to any individually metered, single-family residential Customer who uses the Company's gas service primarily for residential use. Residential use is defined as direct gas usage in a residential dwelling for space heating, air conditioning, cooking, water heating, refueling natural gas vehicles and other residential purposes. Service is not available under this rate schedule for resale to others or for standby service.

**2. RATE**

Customer Charge: \$17.25 per month  
 Commodity Charge: All consumption \$0.16833 per Therm, plus Cost of Gas

**3. PENALTY FOR DELINQUENT PAYMENT**

A late payment charge in an amount equal to two percent (2%) of the delinquent amount owed for current utility service will be added to the bill if payment is not received on or before the net due date stated on the bill. For residential Customers, the net due date shall be the last date on which payments can, in the normal and reasonable course of Company's procedures, be credited to the Customer's account in preparing next normal billing

**4. GENERAL RULES AND REGULATIONS**

Service hereunder is subject to the Company's Rules and Regulations on file with the State Corporation Commission.

**5. COST OF GAS**

Service hereunder is subject to the terms of Company's Purchased Gas Cost Adjustment on tariff schedule PGA-96. The cost of gas is in addition to the above rates.

Issued \_\_\_\_\_  
Month Day Year

Effective January 1, 2015  
Month Day Year

By \_\_\_\_\_  
Signature

Steven M. Jurek, Vice President – Regulatory Services

14-BHCG-502-RTS  
 Approved  
 Kansas Corporation Commission  
 December 16, 2014  
 /S/ Thomas A. Day

**THE STATE CORPORATION COMMISSION OF KANSAS**

Index No. 17B

**BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC**  
**d/b/a BLACK HILLS ENERGY**

Schedule GSRs Rider, Sixth Revised

(Name of Issuing Utility)

**KANSAS SERVICE AREA**

Replacing: Index No. 17B, GSRs Rider, 5<sup>th</sup> Revised, Sheet 1 of 1  
 which was filed 11/1/2014

No supplement or separate understanding  
 shall modify the tariff as shown hereon.

Sheet 1 of 1 Sheets

**GAS SYSTEM RELIABILITY SURCHARGE RIDER**

**APPLICABILITY**

This rider is applicable to every bill for service provided under each of the Company's sales and transportation rate schedules except where not permitted under a separately negotiated contract with a customer.

**RATE**

The Gas System Reliability Surcharge (GSRs) shall be applied to each monthly bill. The surcharge shall be as follows:

- RS-1: \$0.00 per meter per month
- SC-1, SCTs-A: \$0.00 per meter per month
- SVF, SVI, and SVTS-A: \$0.00 per meter per month
- LVF, LVI, LVTS-A, OLVTS-A, and LVTS: \$0.00 per meter per month
- IR, ITS-A: \$0.00 per meter per month

**DEFINITIONS AND CONDITIONS**

4. The GSRs is intended to recover charges for natural gas public utility plant projects pursuant to K.S.A. 66-2001 through 66-2204.
5. The monthly GSRs charge shall be allocated among customers in the same manner as approved in Docket No. 14-BHCG-502-RTS.
6. The GSRs shall be charged to customers as a monthly fixed charge and not based on volumetric consumption. Such monthly charge shall not increase more than \$0.40 per residential customer over the base rates in effect for the initial filing of a GSRs. Thereafter, each filing shall not increase the monthly charge for more than \$0.40 per residential customer over the most recent filing of a GSRs.
7. At the end of each twelve-month calendar period the GSRs is in effect, the utility shall reconcile the differences between the revenues resulting from a GSRs and the appropriate pretax revenues as found by the Commission for that period and shall submit the reconciliation and a proposed GSRs adjustment to the Commission for approval to recover or refund the difference through adjustments of the GSRs charge.
8. All provisions of this rider are subject to changes made by order of the Commission.

Issued \_\_\_\_\_  
 Month Day Year

Effective January 1, 2015  
 Month Day Year

By \_\_\_\_\_  
 Signature

Steven M. Jurek, Vice President – Regulatory Services

14-BHCG-502-RTS  
 Approved  
 Kansas Corporation Commission  
 December 16, 2014  
 /S/ Thomas A. Day

**'Black Hills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy**  
**Purchased Gas Adjustment (PGA)**

<u>MONTH</u>	<u>Firm PGA \$/Therm</u>	<u>Interruptible PGA \$/Therm</u>	<u>Irrigation PGA \$/Therm</u>
May 2015	0.42133	0.26430	0.26430
April 2015	0.46118	0.30415	0.30415
March 2015	0.53907	0.38204	0.38204
February 2015	0.52082	0.36379	0.36379
January 2015	0.54005	0.38302	0.38302
December 2014	0.63436	0.47695	0.47766
November 2014	0.57111	0.41370	0.41370
October 2014	0.49755	0.38808	0.38808
September 2014	0.50332	0.39385	0.39385
August 2014	0.48965	0.38018	0.38018
July 2014	0.56282	0.45336	0.45336
June 2014	0.55688	0.44741	0.44741
May 2014	0.56379	0.45432	0.45432

\*Interruptible PGA for small volume interruptible and large volume interruptible sales schedules.  
 Irrigation PGA is for irrigation sales rate schedules only.  
 Firm PGA for all other sales rate schedules.

Copies of the official PGA sheets are on file and available at the Kansas Corporation Commission. Should there be any discrepancies, the official sheets on file with the commission will hold over this sheet.

Other Billing Factors per therm :	WNA	-0.00694
	Hedge Factor	0.07817
	AVTS Factor	0.01374

## Appendix 7.8: City of Lawrence 2015 Water, Sewer, Sanitation, and Storm Water Rates

Monthly Water Charge		
Customer Class	Inside City	Outside City
Residential	\$4.82/1,000 gal	\$5.22/1,000 gal
Multifamily	\$3.20/1,000 gal	\$5.12/1,000 gal
Commercial	\$3.96/1,000 gal	\$3.99/1,000 gal
Industrial	\$3.39/1,000 gal	\$3.61/1,000 gal
Monthly Water Service Charge		
Meter Size	Inside City	Outside City
¾"	\$3.35	\$3.40
Monthly Sewer Charge		
	Inside City	Outside City
Volume Charge	\$5.45/ 1,000 gal	\$7.18/ 1,000 gal
Monthly Sewer Service Charge		
All sizes of meters	Inside City	Outside City
All sizes of meters	\$11.14	\$11.89
Sanitation (Trash) charge is a flat fee of \$16.25/month		
Storm water is a flat fee of \$4.00/month		



## Appendix 7.9: 2015 Pre vs. Post-Project Utility Allowances

**Table 7.9.1: 2015 Pre (Baseline) vs. Post-Project (Proposed) Dollar Allowances**

Project Number	Project Name	Unit Type	Gas		Electricity		Water /Sewer		Trash	Storm Water	Total	
			Pre	Post	Pre	Post	Pre	Post			Pre	Post
Proj 001	Edgewood Homes	1 BR	\$0	\$0	\$44	\$36	\$0	\$0	\$0	\$0	\$44	\$36
		2 BR	\$0	\$0	\$49	\$40	\$0	\$0	\$0	\$0	\$49	\$40
		3 BR	\$0	\$0	\$55	\$44	\$0	\$0	\$0	\$0	\$55	\$44
		4 BR	\$0	\$0	\$62	\$49	\$0	\$0	\$0	\$0	\$62	\$49
Proj 003	Scattered Sites	1 BR	\$41	\$41	\$44	\$36	\$28	\$25	\$16	\$4	\$133	\$122
		2 BR	\$48	\$48	\$49	\$40	\$40	\$45	\$16	\$4	\$157	\$154
		3 BR	\$54	\$54	\$55	\$44	\$54	\$56	\$16	\$4	\$183	\$174
Proj 004	Scattered Sites	1 BR	\$41	\$41	\$44	\$36	\$28	\$25	\$16	\$4	\$133	\$122
		2 BR	\$48	\$48	\$49	\$40	\$40	\$45	\$16	\$4	\$157	\$154
		3 BR	\$54	\$54	\$55	\$44	\$54	\$56	\$16	\$4	\$183	\$174
		4 BR	\$63	\$63	\$62	\$48	\$66	\$66	\$16	\$4	\$211	\$197
Proj 006	Scattered Sites	3 BR	\$57	\$54	\$54	\$44	\$54	\$56	\$16	\$4	\$185	\$174
		4 BR	\$64	\$61	\$66	\$50	\$66	\$66	\$16	\$4	\$216	\$197
		5 BR	\$70	\$66	\$70	\$53	\$79	\$76	\$16	\$4	\$239	\$215
Proj 007	Scattered Sites	3 BR	\$57	\$57	\$57	\$45	\$54	\$56	\$16	\$4	\$188	\$178
		4 BR	\$64	\$64	\$64	\$49	\$66	\$66	\$16	\$4	\$214	\$199
Proj 008	Peterson Acres	1 BR	\$37	\$37	\$50	\$41	\$33	\$25	\$16	\$4	\$140	\$123

**Table 7.9.2: Pre (Baseline) vs. Post-Project (Proposed) Consumption Allowances**

Project Number	Project Name	Unit Type	Gas			Electricity			Water /Sewer		
			Pre	Post	Difference	Pre	Post	Difference	Pre	Post	Difference
Proj 001	Edgewood Homes	1 BR	0	0	0%	277	203	27%	0	0	0%
		2 BR	0	0	0%	323	239	26%	0	0	0%
		3 BR	0	0	0%	373	277	26%	0	0	0%
		4 BR	0	0	0%	435	318	27%	0	0	0%
Proj 003	Scattered Sites	1 BR	35	35	0%	271	206	24%	1252	1252	0%
		2 BR	44	44	0%	319	243	24%	2504	2504	0%
		3 BR	53	53	0%	371	278	25%	3756	3756	0%
Proj 004	Scattered Sites	1 BR	35	35	0%	271	206	24%	1252	1252	0%
		2 BR	44	44	0%	319	239	25%	2504	2504	0%
		3 BR	53	53	0%	371	278	25%	3756	3756	0%
		4 BR	66	66	0%	437	315	28%	5008	5008	0%
Proj 006	Scattered Sites	3 BR	58	54	6%	360	276	23%	3756	3756	0%
		4 BR	68	63	7%	466	326	30%	5008	5008	0%
		5 BR	77	71	7%	506	354	30%	6260	6260	0%
Proj 007	Scattered Sites	3 BR	58	58	0%	386	283	27%	3756	3756	0%
		4 BR	67	67	0%	448	321	28%	5008	5008	0%
Proj 008	Peterson Acres	1 BR	28	28	0%	332	251	24%	1831	1525	32%

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 5C: Discuss Proposed New Funding for Transitional Housing Vouchers for participants from the Lawrence Community Shelter.

BACKGROUND:

City Commissioner Stuart Boley, County Commissioner Nancy Thellman and County Administrator Craig Weinaug approached the agency about whether the LDCHA could administer a program to house current guests of the Lawrence Community Shelter if it was given \$100,000. Staff confirmed that we could set up and run a program similar to the HOME Transitional Housing program. The Transitional Housing program currently has 50 households on the waiting list and 17 of those households reside at the Shelter.

CURRENT ISSUE:

On August 11, 2015 the City Commission allocated \$100,000 in funding in the 2016 budget for a housing program that will be aimed at reducing the homeless population now being served at the Lawrence Community Shelter. The commissioners agreed to identify the program requirements at a later date with a focus on housing as many households as possible with this funding.

The Douglas County Commission is exploring the possibility of adding funding to this initiative for 2015 and possibility 2017.

Staff met with City and County Commissioners to discuss the possible parameters of this program. Currently staff is working with the Shelter to identify how many households at the Shelter have income that could assist in maximizing the impact of this program. We are also identifying the number of families with children and how many of those families could be housed with the funding identified. Additionally, we are identifying the households working with Bert Nash and whether those households have income from work or social security disability income. Once the data is gathered the LDCHA will report back to the elected officials so the process of setting priorities can proceed.

BOARD ACTION:

Discuss this proposed initiative, identify any parameters necessary for the LDCHA to participate, and consider authorizing the Executive Director to work with the City and/or County to develop this program.

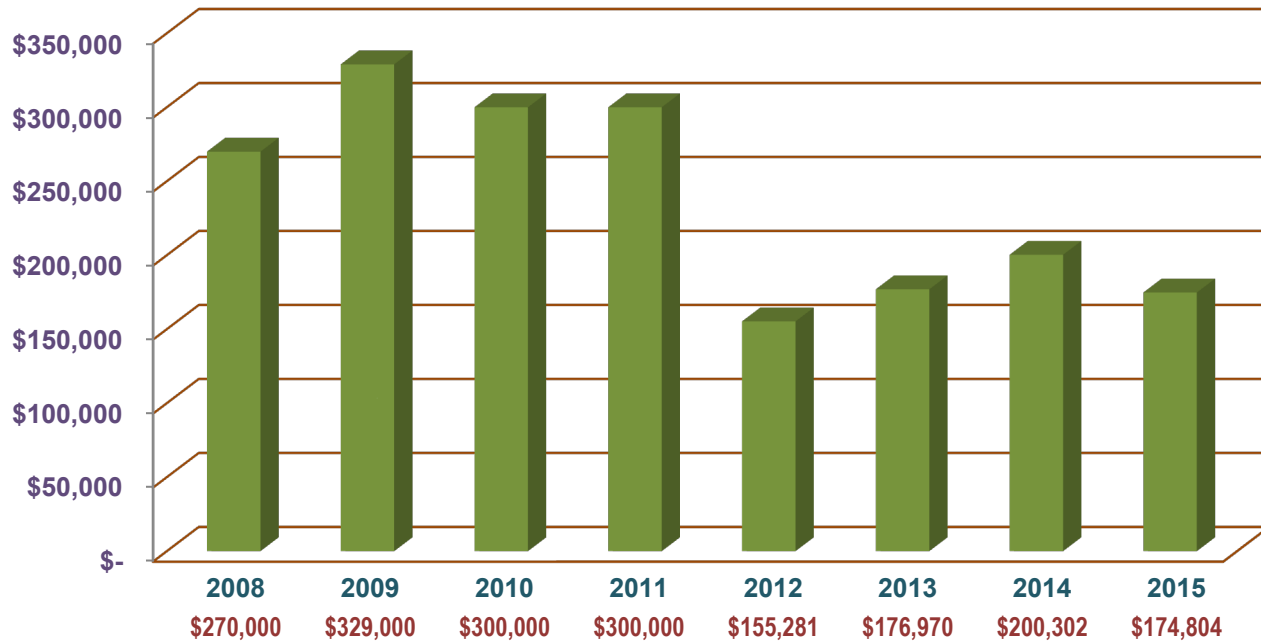
Lawrence-Douglas County Housing Authority  
Transitional Housing Program

HOME Grants	2008	2009	2010	2011	2012	2013	TOTAL
Transferred to Permanent Housing	17	18	18	13	11	0	<b>77</b>
Exited HOME Early: Favorable	2	3	1	2	0	2	<b>10</b>
<b>TOTAL</b>	<b>19</b>	<b>21</b>	<b>19</b>	<b>15</b>	<b>11</b>	<b>2</b>	<b>87</b>
Exited HOME Early: Unfavorable	2	7	2	5	0	2	<b>18</b>
<b>TOTAL</b>	<b>21</b>	<b>28</b>	<b>21</b>	<b>20</b>	<b>11</b>	<b>4</b>	<b>105</b>

	2013	2014	2015	TOTAL
Current HOME Tenants	7	15	0	<b>22</b>

Lawrence-Douglas County Housing Authority  
Transitional Housing Program

**HOME Grant Amounts**



HOME Grants are funded by HUD and allocated by the City.

Lawrence-Douglas County Housing Authority  
 Transitional Housing Program  
 For Years 2008 - 2014

Description	Total	%
Favorable		
Favorable Early Exit	12	
Transfer to Permanent	<u>77</u>	
Total Favorable	89	83.2%
Unfavorable		
Unfavorable Early Exit	18	16.8%
Total Tenants	107	

LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
August 24, 2015

AGENDA ITEM 5D: Consider an Offer to Donate Property at 826 Oak Street.

BACKGROUND:

Staff has been contacted by a private citizen who would like to donate a one bedroom home to the LDCHA. See attached letter and map.

CURRENT ISSUE:

The LDCHA has been successful in running Peterson Acers II with a sliding scale rent structure. That property pays for itself and has allowed the LDCHA to develop a reserve which will be sufficient to address any capital needs going forward. A similar structure is being considered for the 1725 New Hampshire property.

This property is different in that it is a single unit rather than a multi-unit property so the cost of maintenance is slightly increased for travel to north Lawrence. However, the LDCHA currently owns and maintains 14 units in north Lawrence so the cost could be efficiently controlled. This property will also require flood insurance which is \$596. The LDCHA has seven properties that require flood insurance. Staff recommends accepting this property contingent on the results of a physical inspection.

Additionally, this offer raises the issue brought up by Commissioner Hack at the July 23<sup>rd</sup> meeting regarding developing a matrix for property development or acquisition. Staff is seeking input from the Board on whether a study session should be scheduled to develop this matrix or if the Board would like the staff to create a draft and then the Board could finalize the matrix at a monthly meeting or several meetings.

BOARD ACTION:

Discuss this offer and instruct the Executive Director on how to proceed.

8-14-2015

Douglas County Housing Authority,

My name is Mary Chaney, and my husband is John M. Chaney. A couple of weeks ago my husband met with Shannon Oury about donating a house we own to the housing authority, the house is at 826 Oak st.

We bought the house in 1998, built in the 70's, it was the Corp of Engineers office for years. My husband was a builder at the time so he gutted it, replaced the sheetrock, roof, outside siding, windows,, doors, cabinets, plumb fixtures, added a utility room off kitchen, and an oversized garage.

We bought it so my brother who has been on disability at least 20 years would have a better place to live, but we are moving on with our lives and are looking to move out of state, and are not willing to deal with the house anymore.

We paid cash for the house, nothing owed on it, and less than 2 months ago replaced roof, all the windows, but the one off garage, trim and new back door, and new a/c furnace unit. We had hoped to talk my brother into owning the house, as we quitdeeded it to him and at first he wanted it, but then quitdeeded it back to me.

We would prefer he not be homeless, and told him to look for something else, but he has no phone or computer, and he went to salvation army, they said they could not help, and when went to Douglas County House Authority, was told is a 6 month waiting list, so no luck.

What we would like in donating this house to you is that you let him live there, till there is an opening, he has always paid rent, his utilities are included in it, just water and electricity, and pays 400.00/month, but was paying 500.00/month, for lawn mowing, until he got mower, now mows himself.

If you are not interested in helping my brother on disability, by helping find him a place and let him live there till can find another place for him, then we will find another charity that wants it.

Sincerely,

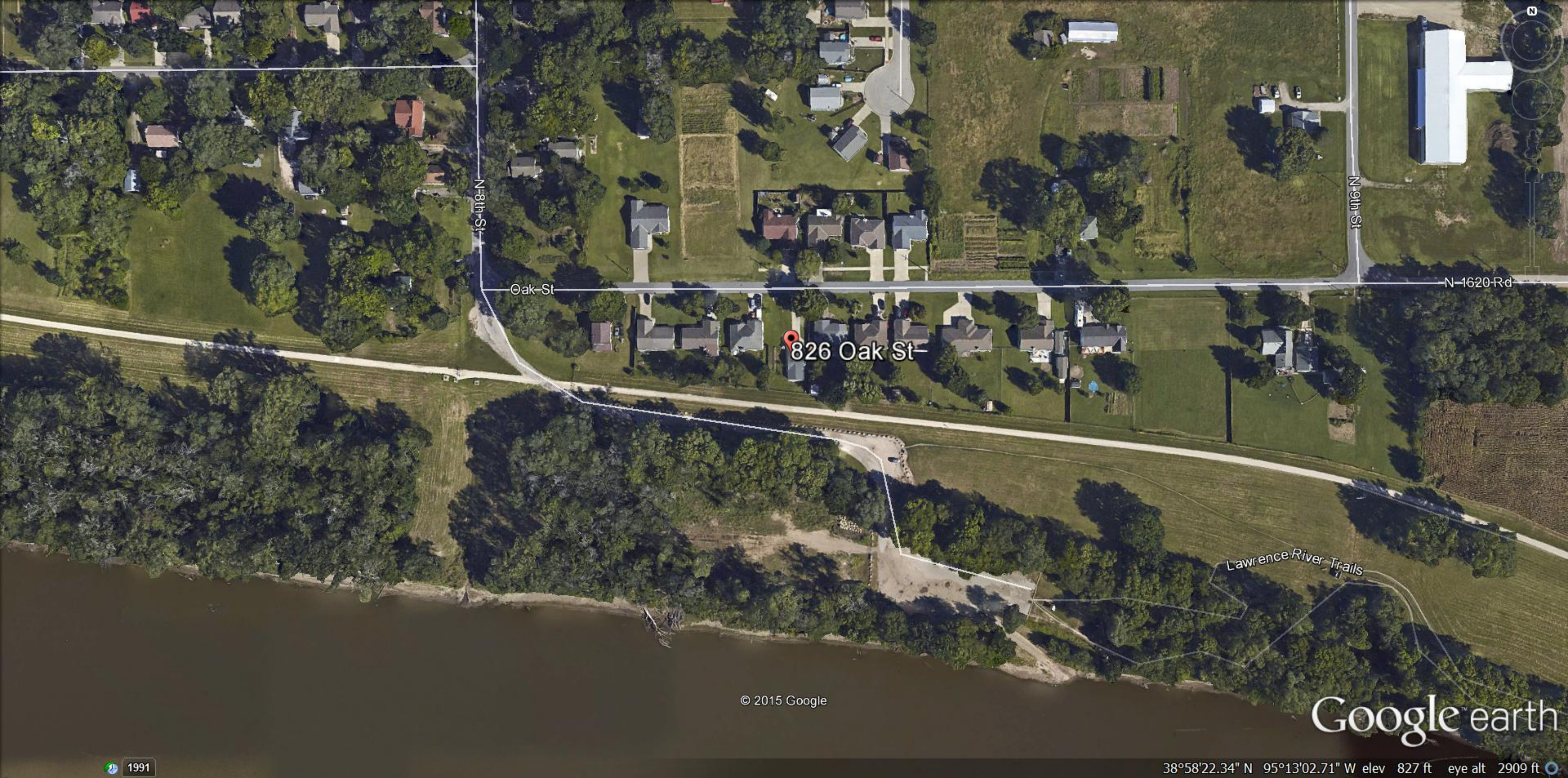
Mary C. Chaney,  
John M. Chaney  
785-393-8058

RECEIVED  
STAFF *BAM*

AUG 17 2015

FRONT DESK  
LDCHA





N-1620-Rd

N-9th-St

N-8th-St

Oak-St

826 Oak St

Lawrence River Trails

© 2015 Google

Google earth



1991

38°58'22.34" N 95°13'02.71" W elev 827 ft eye alt 2909 ft

## **Bobbie Walthall**

---

**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Sent:** Wednesday, December 09, 2015 12:33 PM  
**To:** Help Desk  
**Cc:** Diane Stoddard; Mike Amyx  
**Subject:** Fw: 1725 New Hampshire St

Note the coding error on the url below and the reality EDGE will NOT open the links in the downloaded memo.

Please advise.

thank you

steven c. watts

Lawrence, Kansas

----- Forwarded Message -----

**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**To:** Diane Stoddard <[dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)>  
**Cc:** Leslie Soden <[lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org)>; Stuart Boley <[sboley@lawrenceks.org](mailto:sboley@lawrenceks.org)>; Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>; Lisa Larsen <[llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)>; Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>; "[jwisdom@lawrenceks.org](mailto:jwisdom@lawrenceks.org)" <[jwisdom@lawrenceks.org](mailto:jwisdom@lawrenceks.org)>; "[thanzlik@lawrenceks.org](mailto:thanzlik@lawrenceks.org)" <[thanzlik@lawrenceks.org](mailto:thanzlik@lawrenceks.org)>  
**Sent:** Wednesday, December 9, 2015 12:29 PM  
**Subject:** Re: 1725 New Hampshire St

Again,

After extensive testing the link you provide below does not work with computers using Windows 10 and the Microsoft EDGE browser. These are the newest systems from Microsoft.

The link DOES work when using Windows 10 and a different browser, such as MSIE 11.

The people who do the coding for the City need to make accessing information an easy process for ALL. That means when they upload data and "code", they make certain the data is available for download by ALL operating systems (MAC and Windows and, I suppose Linux) and, even more importantly, ALL BROWSERS.

The fact the documents do not open when using EDGE denotes the IT section of the City did not properly prepare and code the documents. I submit a good many of the citizens of Lawrence can't access them and don't know to switch browsers.

Too, where does one find the url: [http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15\\_cc\\_agenda.html](http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15_cc_agenda.html) ?? If it is not available to the general public, how can one keep up with the ever changing and dynamic environment which City government is???

Thank you

Steven C. Watts, MSW

**From:** Diane Stoddard <[dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)>  
**To:** 'steven c. watts' <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Cc:** Leslie Soden <[lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org)>; Stuart Boley <[sboley@lawrenceks.org](mailto:sboley@lawrenceks.org)>; Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>; Lisa Larsen <[llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)>; Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>  
**Sent:** Tuesday, December 8, 2015 1:49 PM  
**Subject:** RE: 1725 New Hampshire St

This is the future agendas item section of the City Commission meeting agenda and is available as Item F on the agenda here:

[http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15\\_cc\\_agenda.html](http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15_cc_agenda.html)

Thanks, Diane



**Diane Stoddard**, Interim City Manager – [dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)  
City Manager's Office | [City of Lawrence, KS](http://CityofLawrenceKS.com)  
P.O Box 708, Lawrence, KS 66044  
office (785) 832-3413| fax (785) 832-3405

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**From:** steven c. watts [<mailto:scajj@sbcglobal.net>]  
**Sent:** Tuesday, December 08, 2015 1:46 PM  
**To:** Diane Stoddard  
**Cc:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Subject:** 1725 New Hampshire St

Please refer to:

[Cost of affordable housing project likely to be debated again; update on senior living project; Downtown Lawrence Inc. launches new gift card program | Town Talk / LJWorld.com](#)

	<p><b>Cost of affordable housing project likely to be debated ...</b></p> <p>This is the season where I'm reminded that we definitely can have differences of opinion about the idea of what's affordable.</p> <p>View on <a href="http://www2.ljworld.com">www2.ljworld.com</a>      Preview by Yahoo</p>
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From the above article I quote *"I've seen a city memo that indicates city commissioners next week once again will consider allowing the Lawrence-Douglas County Housing Authority to purchase a six-unit apartment building at 1725 New Hampshire St., near Dillons, to convert into rent-controlled housing units."*

May I please be sent a copy of the above referenced memo?

Thank you

Steven C. Watts  
Lawrence, Kansas

## **Bobbie Walthall**

---

**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Wednesday, December 09, 2015 12:30 PM  
**To:** Diane Stoddard  
**Cc:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx; James Wisdom; Tim Hanzlik  
**Subject:** Re: 1725 New Hampshire St

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After extensive testing the link you provide below does not work with computers using Windows 10 and the Microsoft EDGE browser. These are the newest systems from Microsoft.

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Steven C. Watts, MSW

---

**From:** Diane Stoddard <[dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)>  
**To:** 'steven c. watts' <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Cc:** Leslie Soden <[lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org)>; Stuart Boley <[sboley@lawrenceks.org](mailto:sboley@lawrenceks.org)>; Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>; Lisa Larsen <[llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)>; Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>  
**Sent:** Tuesday, December 8, 2015 1:49 PM  
**Subject:** RE: 1725 New Hampshire St

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[http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15\\_cc\\_agenda.html](http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15_cc_agenda.html)

Thanks, Diane



**Diane Stoddard**, Interim City Manager – [dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)  
City Manager's Office | [City of Lawrence, KS](#)  
P.O Box 708, Lawrence, KS 66044  
office (785) 832-3413| fax (785) 832-3405

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**Sent:** Tuesday, December 08, 2015 1:46 PM  
**To:** Diane Stoddard  
**Cc:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Subject:** 1725 New Hampshire St

Please refer to:

[Cost of affordable housing project likely to be debated again; update on senior living project; Downtown Lawrence Inc. launches new gift card program | Town Talk / LJWorld.com](#)

	<p><b>Cost of affordable housing project likely to be debated ...</b></p> <p>This is the season where I'm reminded that we definitely can have differences of opinion about the idea of what's affordable.</p> <p><small>View on <a href="http://www2.ljworld.com">www2.ljworld.com</a>      Preview by Yahoo</small></p>
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From the above article I quote "*I've seen a city memo that indicates city commissioners next week once again will consider allowing the Lawrence-Douglas County Housing Authority to purchase a six-unit apartment building at 1725 New Hampshire St., near Dillons, to convert into rent-controlled housing units.*"

May I please be sent a copy of the above referenced memo?

Thank you

Steven C. Watts  
Lawrence, Kansas

## **Bobbie Walthall**

---

**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Tuesday, December 08, 2015 5:23 PM  
**To:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx; Ms. Nancy Thellman; Mr. Mike Gaughan; Mr. Jim Flory  
**Cc:** Diane Stoddard; Mr. Craig Weinaug  
**Subject:** Housing Authority Chair and the necessary City Commission approval for the purchase of 1725 New Hampshire

Mr. Mayor and Commissioners:

I believe the Chair of the Housing Authority is William Fleming, a lawyer, with at Treanor Architects, P.A. He recently appeared before the City Commission begging for money for Doug Compton if I am correct.

Is this the same Bill Fleming who said at that City Commission meeting words to the effect "...."\$1200 rent for a 2-bedroom apartment is affordable housing"??????

How can a person with that type of perspective be the chair to our community's Housing Authority?? How and why should anything such a person opines on relative to affordable housing for the disenfranchised; the working poor; those living at or below the poverty level; those who qualify for public housing after passing a means test to prove their "status" of being poor; be taken seriously? Such specious and unctuous thinking is beyond mendacious "...."\$1200 rent for a 2-bedroom apartment is affordable housing" is mendacity at its finest and is, further, meretricious.

How can such thinking exist on a public housing authority board: ".....\$1200 rent for a 2-bedroom apartment is affordable housing."???

Thank you

Steven C. Watts, MSW  
Lawrence, Kansas

## Bobbie Walthall

---

**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Tuesday, December 08, 2015 3:08 PM  
**To:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Cc:** Diane Stoddard  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase  
**Attachments:** ILDesk\_Guide.pdf; pi1011.pdf; transitional\_plan.pdf; FosterCareProblems.pdf; caseagainstcasa.pdf; Appendix\_7A.pdf; Bill%20of%20Rights%20for%20Foster%20Youth.pdf

Fleming never responded to my email of October 20, 2015. Yes, Lawrence, Kansas REALLY desires citizen participation, right? Evidently the correct answer is WRONG.

Steven C. Watts, MSW

----- Forwarded Message -----

**From:** steven c. watts <scajj@sbcglobal.net>  
**To:** William Fleming <wfleming@TreanorArchitects.com>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>; "brenda.okeefe64@gmail.com" <brenda.okeefe@dcf.ks.gov>  
**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <rlichtwardt@ldcha.org>; Commissioner Leslie Soden <lsoden@lawrenceks.org>; Commissioner Stuart Boley <sboley@lawrenceks.org>; Commissioner Matthew Herbert <matthewjherbert@gmail.com>; Commissioner Leslie Larsen <llarsen@lawrenceks.org>; Mr. Craig Weinaug <weinaug@douglas-county.com>; Craig AD - Weinaug <cweinaug@douglas-county.com>  
**Sent:** Tuesday, October 20, 2015 6:14 AM  
**Subject:** Re: Special Meeting on 1725 New Hampshire St. purchase

Hello Mr. Fleming:

I'm not sure I appreciate the tone of your email despite the fact it is typical in "Lawrence circles". Sir, I don't need to attend meetings in order to participate. Bluntly, they're a waste of time and I believe the Just Food saga proves this fact: That organization had a board and purportedly had meetings and yet failed, miserably. There are many ways to participate and help and while attending meetings may be one way, it is not the only way.

I follow the actions of my local housing commission, funded exclusively with and by tax payer dollars via this new fangled communication's device called the internet which has many sub features. One of them is an electronic/digital record of board meetings via the published minutes. However, if the minutes are inaccurate or exclusive or grossly lacking in detail, they're of little or no value and make the entire process a sham.

The housing commission board meeting to justify it's own actions in support of its own decision to purchase a building at 2+x the appraised value is but one example: Nobody attended that meeting other than board members and some people from Babcock Place who were interested in parking spaces for their building and not interested in the fiscally irresponsible thought of paying an ungodly sum of money for an old, non-elevator equipped building.

You write: "We do not have any obligation that I am aware to include your e-mail transmissions in our board minutes." I find this remark shocking and fraught with hubris and arrogance. Why wouldn't you want the minutes to accurately reflect the operations of the organization? Why wouldn't you want the data I sent relative



to children aging out of foster care included in the official record of the housing authority given that is a major rationale for the proposed purchase of this building? Are you desiring to hide something? The minutes, as they are at present, are incomplete and paint a one-sided picture. What is your resistance to including correspondence which was sent to all Board members in the official record?

Boards and government in this town have for far too long been permitted to function in their own vacuum with but 180° of opinion.....the official party line. Sir, that is not how government works. It may be the way you want it to work and it may be the way your private firm works, but it is not the way government works when it is all said and done. One does not have to attend a meeting to demonstrate and document concern as well as to express ideas and help the board in many, many other ways. Your apparent belief that the only way one can participate is to attend a silly meeting is boring and antiquated.

Comments from the public for quasi-governmental entities include written statements sent to all board members. Look it up. My written statements to the Board on the matter of the proposed purchase are for the official record and are not to be buried in some pile somewhere or, worse, simply thrown away. They're an official part of the process and I expect them to be included in the official record, which means the minutes. You are obligated by law to include those written remarks. Perhaps a complaint with the state of Kansas Ethics Commission is in order here. Is that what you want? Let's include the folks at HUD in Kansas City while we're at it.

Sir, I sense you don't like participation unless it is to slap you on the back and tell you just what a great guy you are and what a swell job you're doing on the commission. Your prior failure to respond to a single one of my earlier emails denotes a lack of concern for what the tax paying public thinks and believes. Your failure and seeming refusal to make alternative viewpoints a part of the official, permanent record is duly noted. You're seeking to craft a phony "consensus"; I get it. That's the issue, isn't it?: I get it. Frankly, it is disgusting.

Kindly make my emails a part of the official record. In other words, do your job. If you can't stand the heat, get out of the kitchen, eh?

Steven C. Watts, MSW

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**From:** William Fleming <wfleming@TreanorArchitects.com>  
**To:** steven c. watts <scajj@sbcglobal.net>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>; "brenda.okeefe64@gmail.com" <brenda.okeefe@dcf.ks.gov>  
**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <rlichtwardt@ldcha.org>; Mayor Mike Amyx <mikeamyx515@hotmail.com>; Commissioner Leslie Larsen <llarsen@lawrenceks.org>  
**Sent:** Monday, October 19, 2015 6:26 PM  
**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

Mr. Watts – your concerns about this transaction have been duly noted. We even held a special meeting of the Board to discuss just this issue and invited all member of the public to attend (which we usually never do). You did not attend. We do not have any obligation that I am aware to include your e-mail transmissions in our board minutes. You are, however, invited to attend any meeting of the LDHA that you would like. All meeting are open to the public, and we invite comments from the public at the beginning of each meeting. Any material you want to present at such time would become part of the public record of the meeting. Our meetings are generally the last Monday of each month. You can either check our web-site or contact Ruth Lichtwardt and she can provide you more information about the time of our meetings. While as a board member I may not agree with all of your comments, nonetheless, we do appreciate your input on this decision.

-

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**From:** steven c. watts [mailto:[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)]  
**Sent:** Monday, October 19, 2015 5:57 PM  
**To:** William Fleming; "[star@lkpd.org](mailto:star@lkpd.org)"; "[suehack@sunflower.com](mailto:suehack@sunflower.com)"; "[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)";  
[brenda.okeefe64@gmail.com](mailto:brenda.okeefe64@gmail.com)  
**Cc:** Shannon Oury; Ruth Lichtwardt; Mayor Mike Amyx; Commissioner Leslie Larsen  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Hello LDCHA:

I have had no response to the email below and it has been over a week since it was sent and received by you.

Why are you violating state law and not including select correspondence in the Board Meeting materials or their subsequent minutes?

Do you not believe in an open and transparent government??

Please address the issue.

Thank you

Steven C. Watts

----- Forwarded Message -----

**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**To:** "[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)" <[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)>; "[star@lkpd.org](mailto:star@lkpd.org)" <[star@lkpd.org](mailto:star@lkpd.org)>; "[suehack@sunflower.com](mailto:suehack@sunflower.com)" <[suehack@sunflower.com](mailto:suehack@sunflower.com)>; "[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)" <[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)>; "[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)" <[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)>  
**Cc:** Shannon Oury <[soury@ldcha.org](mailto:soury@ldcha.org)>; Ruth Lichtwardt <[lichtwardt@ldcha.org](mailto:lichtwardt@ldcha.org)>; Acting Mayor Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>  
**Sent:** Tuesday, October 13, 2015 8:36 PM  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Housing Authority:

I need to be informed as to WHY the email I am forwarding to you via this email along with the attachments was not included in the official record via the minutes of either the September or August minutes of the Housing Authority Board meetings. Also, there were two other emails I sent which were intended to be included in the record. Why were these excluded? What are you attempting to hide?

Too, via this email, I call for the resignation of Ms. Hack as a member of the Board given her dismal performance as a Board member for Just Food. Her lackluster and totally "hands off" LACK of work on that board was and is a material fact as to why the organization is on the brink of failure and folding. She will do the exact same thing to the Housing Authority and, in fact, has already demonstrated an addle brained decision making process when one closely examines the purchase of the New Hampshire Street property.

Too, a 5% pay increase for the director of the housing authority in these lean times? Ms. Oury is paid well over \$100,000.00 per year plus an approximate 33% fringe package: An obscene amount of money for Lawrence, Kansas. People are not meant to get rich in public service and civil service positions. What are you people doing?

Thank you

Steven C. Watts  
Lawrence, Kansas

----- Forwarded Message -----

**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**To:** "[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)" <[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)>; "[star@lkpd.org](mailto:star@lkpd.org)" <[star@lkpd.org](mailto:star@lkpd.org)>; "[suehack@sunflower.com](mailto:suehack@sunflower.com)" <[suehack@sunflower.com](mailto:suehack@sunflower.com)>; "[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)" <[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)>;

"joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>

**Cc:** Commissioner Mike Amyx <mikeamyx515@hotmail.com>; Commissioner Matthew Herbert <matthewjherbert@gmail.com>; Ms. Nancy Thellman <nthellman@douglas-county.com>; Mr. Mike Gaughan <mgaughan@douglas-county.com>; Craig AD - Weinaug <cweinaug@douglas-county.com>

**Sent:** Monday, August 17, 2015 11:03 AM

**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Board of Commissioners of the LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY; City Commissioners:

Please find three attachments with this electronic mail.

I have read the minutes and am taken aback by the back slapping, "...gosh we make good decisions...." orientation of the Board in it's rubber stamping of a fiscally ridiculous decision to continue support spending money simply because it is there (tax payer funds at that...) on a building that the Housing Authority itself has had appraised at a valuation FAR BELOW that of the proposed purchase price of the building at 1725 New Hampshire St.

There is mention, on page two of the July 23 Housing Authority minutes (attached) of an email and I assume that is the email I sent to Mr. Fleming given I could not attend the meeting. Hack is out in left field when she suggests I am "confused". No, I'm not. I know where the money is coming from. The fact it's been sitting in the same place (FOR HOW LONG?????) instead of being utilized is something the Housing Authority and it's \$120,000.00 per year "Director" need to take responsibility for and own their error. Spending the money simply because it will be returned to HUD is utter folly. Utter. And suggesting to spend just to spend documents and demonstrates just how bankrupt the decision making "process" within the Authority must be. Incredible. I am grossly taken aback by Hack's remarks: How many public boards is this individual on, by the way? One would think her pompousness would be muted given her record on the Just Food board and her "hosting" of a charlatan to the People of Lawrence what with her "mentoring" of one Jeremy Farmer whom I trust you've read a sentence or two about in the LJ World newspaper.

Again, the purchase of property at 2.4x the appraised rate and well over \$200,000.00 of the board's OWN APPRAISAL is patently silly.

I trust and hope Mr. Fleming shared my prior emails to him with the rest of the board. Was that email shared as it contained information as to the responsibility and legal requirements of the state of Kansas DCF relative to children in the state's abysmal foster care program. Too be advised with all due respect that board member O'Keefe is no "professional" in the field of social work or social welfare. It is my understanding she is employed by DCF as a human services specialist which means she processes applications for public assistance. She is not a professional social worker and does not work in any way, shape, or form with same. As I understand it, she is a public assistance recipient via way of housing authority program monies and is the "consumer" member of the board. Please be advised I was a credentialed social worker from 1974-----2014. I hold the BSW degree and the MSW degree (both from the University of Kansas) and was licensed at the highest level available in the state of Kansas with the LSCSW. Under Kansas law I am not permitted to hold myself out as a social worker as I do not presently hold a license. I allowed the license to lapse in 2014 as I am retired. Prior to retirement, however, I REBUILT the foster care program in the state of Mississippi (1988-1989) and REBUILT the foster care system in Maui County, Hawaii. My model for rebuilding was used to rebuild the entire state of Hawaii's foster care program given that the rest of the state of Hawaii failed two consecutive HHS compliance audits in the early 2000's. The state of Hawaii was slapped with millions of dollars in fines from HHS due to the states refusal to get into compliance. Independent living is a CRITICAL and INTEGRAL aspect of foster care services. Why doesn't DCF buy the building at 2.4x the county's appraised value??

The issue here is the stewardship of public funds. Again, if our local housing authority is so ill run by \$100k+ per annum political appointees, it is the responsibility of the board to find out why and have individuals who are pro-active, innovative, thoughtful and just simply going about business as had been done before. HOW LONG HAS THAT MONEY BEEN SITTING "NEEDING" TO BE UTILIZED BEFORE HUD WAS/IS REQUIRED TO HAVE IT RETURNED? Is the Housing Authority board simply the classic "blue ribbon panel" it typically is Nationwide; is it similar in its lack of "hands on" board activity similar to the JUST FOOD board of directors Hack is on?

Spending money simply to spend money is just plain dumb. Too, holding a meeting just to continue forward with a bad idea to "secure support" is just as dumb. The parking issue at Babcock Place has nothing to do with the expenditure of the publics' money (see attached minutes and comments).

Using foster children who are abused by a brutal system (and trust me, brutal it is....) is wrong. I see the housing authority's director has backed off somewhat from the idea that the building's purpose is for providing housing for children out of foster care, but the issue of the reality that DCF needs to be focused on this critical aspect of foster care is poignant. Moving from foster care into subsidized public housing provides a distinct message: IT SYSTEMATICALLY DISEMPOWERS THESE YOUNG ADULTS AND TEACHES THEM TO (through no fault of their own given Kansas refuses to address the topic of independent living for children aging out of foster care just as it refuses to "do the right thing" as many states have done: Allowing children to

stay under the protection of the "system" in order to obtain the training and education needed in todays real world....but that's another subject ....)BE EXPECTANT AND DEPENDENT.

Irrespective, the black and white of this matter is that the Lawrence, Kansas/Douglas County housing authority is attempting to spend money just to spend it because it sat too long. Bad idea.

Steven C. Watts, MSW  
Lawrence, Kansas

----- Forwarded Message -----

**From:** Ruth Lichtwardt <[rlichtwardt@ldcha.org](mailto:rlichtwardt@ldcha.org)>  
**To:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Sent:** Thursday, August 13, 2015 12:59 PM  
**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

Dear Mr. Watts,

Attached are the Minutes for the July 23 LDCHA special board meeting. This will be presented to the LDCHA board for approval at the August regular meeting and will be posted on our website as part of the board packet several days before the meeting.

Best,  
Ruth

Ruth Lichtwardt  
Executive Assistant  
Lawrence-Douglas County Housing Authority  
1600 Haskell Ave.  
Lawrence, KS 66044  
785-842-8110 (main)  
785-830-2253 (direct)  
785-842-9596 (fax)  
[rlichtwardt@ldcha.org](mailto:rlichtwardt@ldcha.org)

# Independent Living/Self-Sufficiency Desk Guide



Figure 1

# Independent Living/Self-Sufficiency Desk Guide

Kansas Department for Children and Families  
Prevention and Protection Services

## Basic Chafee Eligibility: PPS PPM 7110

Youth who were in custody and in out of home placement for any length of time on or after their 15th birthday may be eligible for specific Independent Living/Self-Sufficiency services.

Youth may access Basic Chafee up until 21 years of age.

Marital status does not impact eligibility.

Specific requirements may apply to specific services/programs.

Youth in custody of Juvenile Justice Authority or Tribal jurisdiction must meet same criteria for eligibility for specific IL/Self-Sufficiency services.

Eligible Out of Home Placements include:

- resource homes
- relative and kin placements
- group homes
- independent living settings
- Secure Care as CINC
- trial home visits
- run status on 18th birthday

\* Detention and locked facilities are ineligible placement types.

## Basic Chafee Services/Supports: PPS PPM 7200

May include but not limited to:

- Assistance with completion of high school or GED requirements
- Training in daily living skills (i.e. cooking, household skills, banking)
- Budgeting and money management
- Locating and maintaining housing
- Career Planning
- Job Search and Resume
- Assistance with funds to provide clothing for interviews, uniforms, etc.
- Transportation for education or employment purposes
- Adult education classes
- College Classes/Credits prior to completion of secondary education
- Expenses related to mentors
- Assistance with post secondary education and/or certified training
- Medical Card Extension Program
- Medical Policies, prescriptions and medical services (Not to be used for youth eligible for Medical Card Extension Program)
- SSI referral under Prevention and Protection Services contract with Kansas Legal Services
- Youth Leadership training and opportunities
- Other training or services identified by the youth to help the youth transition to self-sufficiency
- IL Subsidy payment for room and board



## Referrals to and from Other States: PPS PPM 7021

The state in which an eligible youth currently resides is responsible for providing Chafee and ETV services.

**Exception:** Original state with placement and care responsibility will continue to provide ETV services to a youth who is receiving ETV and who moves to another state for the sole purpose of attending post secondary education/training.

**Exception:** State with placement and care responsibility for youth currently in foster care is responsible for providing Chafee services including ETV to the youth.

States may have varying criteria for services. Youth must meet eligibility criteria of the state which has responsibility for providing services to the youth. Determination of placement and care responsibility in another state will need to be done through contact with coordinating state.

Contact information for State Independent Living Coordinators may be obtained from the National Resource Center for Youth Development website:

<http://www.nrcyd.ou.edu/>

## Life Skills Assessment: PPS PPM 7030

Youth served by DCF through the Independent Living program are required to complete an age appropriate Casey Life Skills Assessment (CLSA) within 60 days of completion of first Self-Sufficiency Case Plan, unless CLSA was completed within six (6) months of requesting services from DCF.

Youth in the custody of the Secretary of DCF are required to complete an age appropriate Casey Life Skills Assessment (CLSA) at a minimum of one (1) every twelve (12) months.

CLSA is to be used to help direct individual case planning and service delivery.

Needs identified by the assessment shall be addressed by DCF and the youth and included in case plan.

CLSA may be accessed at: [www.caseylifeskills.org](http://www.caseylifeskills.org)

For children/youth in out of home placement see PPS Policy and Procedure Manual 3000.

## Foster Care Medical Card Extension Program: PPS PPM 7220

Provides medical coverage for youth 18 to 21 years of age who were in custody and in eligible out of home placement on 18th birthday.

Eligible Out of Home Placements include:

- resource homes
- relative and kin placements
- group homes
- independent living settings
- Secure Care as CINC
- trial home visits
- run status on 18th birthday

Complete form PPS 7230 Application for Medical Card Extension Program.

Foster Care Medical Card Extension Program does not require participation of other DCF services.

Case plan required only if youth is receiving other DCF services.

## Independent Living Subsidy: PPS PPM 7230

Time limited financial plan for youth between the ages of 18 and 21, developed by youth and DCF.

Monthly subsidy at maximum step cannot exceed \$350.00. Monthly amount based upon youth income, resources and need; stepped down every six (6) months:

- Maximum Step: Months 1-6 100% of subsidy based on need (PPS 7000A)
- 80% Step: Months 7-12, 80% of initial subsidy amount
- 70% Step: Months 13-18, 70% of initial subsidy amount
- 60% Step: Months 19-24, 60% of initial subsidy amount
- 50% Step: Months 25 up to 36, 50 % of initial subsidy amount

Eligibility requirements:

- Custody on or after 18th birthday
- Eligible out of home placement
- No longer served by CWCBS provider, JJA or tribal authority
- Identified education or employment plan
- Mentor or Community Advisor
- Gross Monthly earnings less than \$1,500
- Apply for Foster Care Medical Card Extension Program
- Youth responsible for maintenance and expenses of living setting

Independent Living Subsidy may be sent directly to youth or mentor/community advisor as agreed to by all parties.  
Youth not eligible for IL Subsidy if receiving ETV which covers room/board or housing.

## One Time Start Up Costs: PPS PPM 7236

Must meet same eligibility as Independent Living Subsidy.

One time maximum payment of \$500.00 for life of the case allowed for:

- utility deposits
- furniture
- appliances
- household supplies

One time maximum payment of \$500.00 for life of the case allowed for:

- rent deposit
- first month's rent

Rent paid directly to the landlord.

Room/Board paid directly to youth for payment to landlord.

Not eligible if receiving room/board through ETV.

## Education and Training Voucher (ETV): PPS PPM 7260

Post Secondary Education or Certified Training Program only.

Maximum \$3,500 in all funds for one plan year.

### Eligibility Requirements:

- Graduated from high school or completed GED while in the custody of State of Kansas and in foster care placement; or
- In the custody of the State of Kansas and in foster care placement when attained the age of 18; or
- Finalized adoption from foster care after attaining age 16; or
- In the custody of the State of Kansas and in foster care placement between the ages of 16 and 18, with a permanent order of custodianship attained after the age of 16; or
- In out of home placement any length of time after 15th birthday: may be eligible through Kansas Basic Chafee eligibility.

### Youth must:

- reapply on a yearly basis,
- complete a minimum of five (5) scholarship applications with proof of documentation, and
- complete the Free Application for Federal Student Aid (FAFSA) prior to applying for ETV funds.

Youth enrolled in a Post Secondary Education or Certified Training Program on their 21st birthday are eligible until turning 23 years of age, as long as they are making satisfactory progress toward completion of that program (satisfactory progress is defined by individual program guidelines).

See next page for more ETV information

## Education and Training Voucher Eligible Program: PPS PPM 7260

Eligible Programs must meet all three of the following:

- Admit as regular students only persons with high school diploma or equivalent; or admit as regular students persons beyond age of compulsory school attendance; and
- Public, Private, or Non-Profit; and
- Accredited or pre-accredited and authorized to operate in state where located.

Youth who are beyond the age of compulsory school attendance who have not completed high school or GED requirements may be eligible based on education or training institution's criteria.

Youth under the responsibility of the CWCBS provider and/or in custody of the State of Kansas may be eligible for ETV funds if graduated from high school or completed GED before age 18, and are preparing for post secondary education or training.

Youth may apply or reapply for ETV funds anytime up until they are no longer eligible for the program.

Assistance shall be provided to youth to keep motivation towards completing their education or training goals.

ETV funds may be used for eligible education or training programs outside of Kansas.

## Education and Training Voucher Services and Supports: PPS PPM 7262

May include but not limited to:

- Tuition and fees for Post Secondary Education not included in Foster Care Tuition Waiver Program or Kansas Foster Child Educational Assistance Act
- Tuition and fees for Certified Training Programs (i.e. computer, cosmetology programs) not included in Foster Care Tuition Waiver Program or Kansas Foster Child Educational Assistance Act
- Room and board associated with post secondary education or certified training program (cannot receive IL Subsidy in addition to room and board through ETV)
- Special Fees related to specific education/training programs
- Books/materials related to post secondary education or certified training program
- Child Care
- Technical Equipment
- Tutoring for post secondary education or certified training program

Use of ETV funds is based on individual youth's needs for success in their education/training program.

Examples:

- special scissors for cosmetology program
- woodworking supplies
- calculators or special computer software



Kansas Foster Child Educational Assistance Act: PPS PPM 7264

Waives tuition and fees at Kansas educational institutions including any vocational school, area vocational-technical school, community college, state educational institution or technical college. Schools waive amount of tuition and fees. No payment from DCF required.

For complete list of individual schools go to: [http://www.kansasregents.org/interactive\\_map\\_listing](http://www.kansasregents.org/interactive_map_listing)

Waiver covers tuition and fees for undergraduate enrollment of eligible youth through the semester the eligible youth attains 23 years of age.

Eligibility Requirements:

Applicant has never received funds through any prior tuition waiver program, and

- In custody of Secretary of DCF and in a foster care placement on the date such applicant attained 18 years of age; or
- Released from custody of DCF Secretary prior to attaining 18 years of age, after having graduated from high school or fulfilled the requirements for a GED while in foster care placement and in the custody of the Secretary; or
- Adopted from a foster care placement on or after such applicant's 16th birthday; or
- Left a foster care placement subject to custodianship under chapter 38 or 59 of the Kansas Statutes Annotated on or after such applicant's 16th birthday.

See next page for more information

Kansas Foster Child Educational Assistance Act: PPS PPM 7264

Applicant responsible for:

- tuition for any course repeated or taken in excess of the requirements for completion of educational program
- fees not directly related to and required for the courses in the educational program (i.e. student fees, parking fees, etc.)
- notifying DCF IL Coordinator/Social Worker of current enrollment status and intended program of study within 30 days of enrollment

Applicant may be eligible for up to \$3,500 in ETV funds in addition to this program.

Allowable fees which may be paid with ETV funds through this program are fees directly related to required courses of the program (i.e. lab fees, special class fees, etc.).

DCF IL Coordinator responsible to report within 60 days of beginning of class:

- all current students receiving the Kansas Foster Child Educational Assistance Act
- current enrollment status for each student
- intended program of study for each student
- ETV and Chafee assistance provided for each student



PPS PPM: 7031

The National Youth in Transition Database (NYTD) is a data collection system that tracks independent living services provided to youth and helps Kansas measure success in preparing youth for transition from foster care to adult living. Data collected includes:

- Independent Living services provided by DCF to all youth age 15-23 , regardless of whether they are in foster care
- Surveys administered every three years to youth who are in DCF/JJA foster care at age 17 and when they turn 19 and 21

The NYTD system in Kansas has been designed to help locate youth and administer surveys. Youth can go to the [NYTD Public Web Survey](#) to take the survey.

DCF and child welfare provider survey workers go to [Kansas NYTD System](#) for access.

## What Youth Want Their Workers to Know:

- Believe In Me
- Treat Me With Fairness, Respect & Equality
  - Acknowledge My Differences
    - Recognize My Changes
    - Hear My Voice
  - Consistent & Clear Expectations
    - Talk to Me Frequently
  - You Are Important To Me
    - Help Me Be Prepared
    - Get to Know Me

KYAC 2006



Independent Living/Self-Sufficiency Services

July 2012

<http://www.dcf.ks.gov/services/PPS/Pages/IndependentLivingProgram.aspx>

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
	<b>1. Log No:</b> ACYF-CB-PI-10-11	<b>2. Issuance Date:</b> July 9, 2010
	<b>3. Originating Office:</b> Children's Bureau	
	<b>4. Key Words:</b> Guidance on Fostering Connections to Success and Increasing Adoptions Act of 2008	

**PROGRAM INSTRUCTION**

**To:** State, Tribal and Territorial Agencies Administering or Supervising the Administration of Title IV-E of the Social Security Act, Indian Tribes, Tribal Organizations and Tribal Consortia (Tribes)

**Subject:** Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351) Comprehensive Guidance, Titles IV-B and IV-E Plan Requirements, Title IV-E Plan Amendment – Definition of “Child”, Extension of Title IV-E Assistance, Patient Protection and Affordable Care Act (Public Law (P.L.) 111-148)

**Legal and Related References:** Titles IV-B and IV-E of the Social Security Act (the Act); P.L. 110-351; P.L. 111-148

**Purpose:** The purpose of this Program Instruction (PI) is to provide title IV-E agencies comprehensive information on the provisions of titles IV-B and IV-E as a result of the amendments made by the Fostering Connections to Success and Increasing Adoptions Act of 2008, P.L. 110-351. In addition to providing new guidance on the option for a title IV-E agency to extend assistance for the foster care maintenance, adoption assistance, and/or kinship guardianship programs to an eligible youth age 18 and older up to age 21, this instruction provides additional guidance on the other provisions of P.L. 110-351 and the flexibilities afforded to a title IV-E agency in complying with the law. We are also providing instruction on changes to the titles IV-B/IV-E plan requirements as a result of the Patient Protection and Affordable Care Act (P.L. 111-148).

**INFORMATION:**

- Section A: Title IV-E Definition of Child and Extending Assistance to Youth Age 18 and Older
- Section B: Provisions Specific to the Extension of Title IV-E Foster Care Age 18 and Older
- Section C: Transition Plan for Emancipating Youth
- Section D: Guardianship Assistance Program
- Section E: Enrolling Children in School, Educational Stability and Payments for School Transportation
- Section F: Health Care Oversight and Coordination Plan
- Section G: Sibling Placement
- Section H: Notifying Relatives
- Section I: Waiving Non-Safety Licensing Standards for Relatives

Section J: Adoption Assistance, Reinvestment, and Adoption Tax Credit  
Section K: Indian Tribes and Title IV-E  
Section L: Short-Term Training  
Section M: Funding and Administrative Costs  
Section N: Instructions for Amending the Title IV-E Plan

## **Section A: Title IV-E Definition of Child and Extending Assistance to Youth Age 18 and Older**

### Definition of Child for Title IV-E Foster Care, Adoption Assistance and, if applicable, Guardianship Assistance Programs

A title IV-E agency may exercise the option in section 475(8)(B) of the Act to adopt a definition of “child” for the title IV-E program that will allow it to provide foster care, adoption and, if applicable, guardianship assistance for eligible youth up to 21 years of age if the youth meets certain criteria established in section 475(8)(B) of the Act. The option is available at any time on or after October 1, 2010 to a title IV-E agency that elects to implement the option on a statewide/or service area wide basis per section 471(a)(3) of the Act. A title IV-E agency that does not extend assistance to a youth age 18 or older for a program must conform to the definition of “child” as an individual under age 18 as indicated in section 475(8)(A) of the Act, with exceptions. Those exceptions permit a title IV-E agency to provide title IV-E foster care maintenance payments to a youth who is age 18 and a full-time student completing secondary education or training per the State’s 1996 title IV-A Aid to Families with Dependent Children (AFDC) plan and permit a title IV-E agency to continue adoption or guardianship assistance to disabled youth between the ages 18 and 21 (under an agreement). Please see section B for more detailed information specific to the extension of title IV-E foster care to youth age 18 and older and sections D and J regarding providing assistance to disabled youth who are in guardianship or who have been adopted.

The statute affords the title IV-E agency the option to select an age up to age 21; however, we encourage a title IV-E agency to expand their definition of “child” to age 21. If an agency wants to extend assistance beyond age 18 but select a definition of “child” lower than age 21 (i.e., age 19 or 20), the agency must include a written description to the Regional Office (RO), in the title IV-E plan amendment, as to why the agency is choosing a lower age (see section N). This description should include the programmatic or practice rationale for the lower age. The age the agency selects for the definition of “child” must apply to the title IV-E foster care, adoption assistance, and if applicable, guardianship assistance programs.

As further discussed below, a title IV-E agency may establish different criteria for meeting the education and employment conditions associated with the participation of youth age 18 or older. The title IV-E plan requirements in section 471 of the Act apply to youth in extended title IV-E assistance to the same extent as they apply for a child under the age of 18.

A title IV-E agency providing title IV-E assistance to a youth age 18 or older per section 475(8)(B) of the Act must amend its title IV-E plan (see section N for instruction on amending the plan) to ensure that an otherwise eligible youth meets the criteria listed below:

1) *Title IV-E Program Participation:*

- The youth is in foster care under the responsibility of the title IV-E agency; or
- The youth is part of an adoption assistance agreement that is in effect under section 473 of the Act and the youth had attained 16 years of age before the agreement became effective; or
- The youth is part of a kinship guardianship agreement that is in effect under section 473(d) of the Act and the youth had attained 16 years of age before the agreement became effective; AND

2) *Age:* The youth has attained 18 years of age or older, up to age 21 (as elected by the title IV-E agency); AND

3) *Educational or Employment Conditions:* The youth meets at least one of the below listed conditions, as determined by the title IV-E agency:

- Completing secondary education or a program leading to an equivalent credential (section 475(8)(B)(iv)(I) of the Act), e.g., a youth age 18 and older is finishing high school or taking classes in preparation for a general equivalency diploma exam.
- Enrolled in an institution which provides post-secondary or vocational education (section 475(8)(B)(iv)(II) of the Act), e.g., a youth could be enrolled full-time or part-time in a university or college, or enrolled in a vocational or trade school.
- Participating in a program or activity designed to promote, or remove barriers to employment (section 475(8)(B)(iv)(III) of the Act), e.g., a youth could be in Job Corps or attending classes on resume writing and interview skills.
- Employed for at least 80 hours per month (section 475(8)(B)(iv)(IV) of the Act), e.g., a youth could be employed part time or full time, at one or more places of employment.
- Is incapable of doing any of the previously described educational or employment activities due to a medical condition (section 475(8)(B)(iv)(V) of the Act). If the youth is in foster care in this circumstance, the agency must provide regularly updated written or recorded information that addresses the medical condition and the youth's incapability in the youth's case plan. There is no requirement for the title IV-E agency to maintain a case plan on a youth who is adopted or in guardianship. We address documentation related to a youth who is adopted or in guardianship further below.



The title IV-E agency has the following discretion in relation to the employment and education conditions for extended assistance provided it is reasonable and consistent with Federal law:

- A title IV-E agency may include one or more of the above employment or education conditions for extended assistance in the definition of “child” for any of the title IV-E programs in operation. For example, a title IV-E agency may provide extended assistance to youth enrolled in post-secondary education only.
- The title IV-E agency will establish the criteria it will use to determine whether a youth meets the employment or education conditions above and/or whether a youth has a medical condition that renders him or her incapable of employment or education. The agency has the discretion to determine these criteria, with one caveat. The title IV-E agency must consider an otherwise enrolled youth on a semester, summer or other break to be enrolled in school for the purposes of this provision.
- The title IV-E agency will determine how it will verify or obtain assurances that the youth continues to meet the education or employment conditions and the frequency and nature of such verification.
- The title IV-E agency is not required to develop a case plan for an adopted youth or youth under a guardianship solely for the purpose of addressing why a youth is incapable of meeting the educational or employment activities due to a medical condition. The title IV-E agency has the flexibility to determine whether and how to document the medical condition for such youth once determined.

We are providing flexibility in applying the education and employment conditions because we want to encourage a title IV-E agency to take advantage of the option as soon as possible, even if the agency can do so on only a limited basis at this time. However, we encourage a title IV-E agency to consider how it can provide extended assistance to youth age 18 and older to the broadest population possible consistent with the law to ensure that there are ample supports for older youth. We also encourage a title IV-E agency to use the John H. Chafee Foster Care Independence Program and the Education and Training Voucher Program (section 477 of the Act) to provide additional supports to youth to prepare them for employment and education.

#### Medicaid Eligibility

Under sections 473(b)(1) and 473(b)(3) of the Act, a youth on whose behalf title IV-E foster care maintenance payments or guardianship assistance payments are made, or who is subject to an adoption assistance agreement is categorically eligible for the title XIX (Medicaid) program available in the State of residence, including a youth up to age 21 per section 475(8)(B) of the Act. Such a youth is eligible for Medicaid (if available for such youth) whether or not the title IV-E agency in the State of residence has taken the option to provide extended assistance per

section 475(8)(B) of the Act. A title IV-E agency should work with its Medicaid agency counterparts to learn about the Medicaid services available for older youth.<sup>1</sup>

### Statewide Automated Child Welfare Information System

A State or Tribe that has elected to implement a Statewide Automated Child Welfare Information System (SACWIS) must support the extension of title IV-E assistance and additional client population through that system, as applicable. All requirements at 45 CFR Part 1355.52 through 1355.56 applies to extended title IV-E assistance.

### Effective Date for the Definition of Child Age 18 and Older

A title IV-E agency may exercise the option to define “child” as age 18 or older (up to age 21) consistent with section 475(8) of the Act beginning on or after October 1, 2010. A title IV-E agency that exercises the option to provide title IV-E foster care, adoption and/or guardianship assistance for youth age 18 and older may claim allowable costs for the applicable title IV-E program option as early as the first day of the quarter in which the title IV-E agency submits an approvable title IV-E plan amendment to ACF (45 CFR 1356.20(d)(8)). Under title IV-E foster care, an agency may provide payments to older youth age 18 and older up to age 21 who were in foster care prior to October 1, 2010 as long as the youth meets all of the title IV-E eligibility requirements as explained below. Similarly, for title IV-E adoption and guardianship assistance, an agency may provide payments to adopted youth or youth in guardianship prior to October 1, 2010 who are age 18 and older up to age 21 for whom a title IV-E agreement under section 473 or 473(d) became effective after attaining age 16 and otherwise meet the title IV-E eligibility requirements.

## **Section B: Provisions Specific to the Extension of Title IV-E Foster Care to Youth Age 18 and Older**

The statutory amendments made to incorporate older youth up to age 21 into the title IV-E foster care maintenance payments program do not alter existing eligibility criteria with the exception of permitting title IV-E payments for a youth age 18 or older in a supervised setting in which the youth is living independently. However, we realize that States and Tribes with title IV-E plans may need to address the eligibility requirements in a different manner, as appropriate, for a youth age 18 or older. Therefore, we are providing the following information to explain the ways in which a title IV-E agency can take advantage of the option to extend assistance to youth age 18 or older consistent with the requirements of the law and the developmental needs of older youth.

A title IV-E agency can extend foster care assistance for a youth age 18 or older pursuant to section 475(8)(B) of the Act in a way that permits a youth to stay in foster care continuously or leave foster care for a period and return to foster care at some point after attaining age 18. In

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<sup>1</sup> The Patient Protection and Affordable Care Act (P.L. 111-148) extends Medicaid eligibility for certain former foster youth up to the age of 26. However, these provision go into effect beginning in 2014. We will work with our CMS counterparts to provide agencies with additional information on these provisions.

doing so, however, the eligibility criteria in section 472(a)(2)(A) and (B) of the Act must be satisfied. The information below describes the ways in which these criteria can be satisfied.

### Removal From Home

There are several ways to meet the removal from home criteria in section 472(a)(2)(A) of the Act for the youth age 18 or older depending on whether a youth is continuing in foster care after attaining age 18 or reentering foster care after attaining age 18:

- *Court ordered removal prior to age 18* – When a child is removed from home prior to age 18 pursuant to a judicial determination that it was contrary to the welfare of the child to remain in the home and that reasonable efforts have been made to keep the child in the home and the child remains in foster care continuously, no new court ordered removal is required at the age of 18, or older, to remain eligible for title IV-E foster care maintenance payments. Such a child will be considered to meet the criteria in section 472(a)(2)(ii) of the Act while remaining in foster care.
- *Voluntary placement agreement prior to age 18* – When a child is removed from home prior to age 18 pursuant to a voluntary placement agreement entered into between the child’s parents/legal guardian and the title IV-E agency, no new voluntary placement agreement is required after the youth attains the age of 18 for title IV-E purposes as long as the youth remains continuously in foster care. See below for additional details related to voluntary placement agreements.
- *Court ordered removal after attaining age 18* – A youth age 18 or older who is removed via court order with judicial determinations regarding contrary to the welfare and reasonable efforts can meet the criteria in section 472(a)(2)(ii) of the Act, to the extent that there is jurisdiction by the juvenile or other court to do so. Such judicial determinations may reflect the circumstances that are unique to a youth age 18 or older returning to foster care consistent with existing policy at Child Welfare Policy Manual (CWPM) 8.3A.7 Q/A #3. For example, a contrary to the welfare judicial determination may state that it is in the best interests of the youth to be placed in foster care and a reasonable efforts to prevent removal finding may state that the title IV-E agency made reasonable efforts to meet the youth’s needs prior to a foster care placement.
- *Voluntary placement agreement after attaining age 18* – A voluntary placement agreement entered into between the youth age 18 or older and the title IV-E agency can meet the removal criteria in section 472(a)(2)(A)(i) of the Act. In this situation the youth age 18 or older is able to sign the agreement as his/her own guardian. See below for additional details related to voluntary placement agreements.
- *Trial independence and breaks in foster care* – A title IV-E agency should follow existing Federal policy with regard to when to consider a child/youth as remaining in foster care versus when a break has occurred that warrants a new determination of title IV-E eligibility with new judicial determinations or a new voluntary placement agreement (see CWPM 8.3A.4, 8.3A.10 and 8.3C.5). A title IV-E agency is not required

to reestablish judicial determinations related to contrary to the welfare or reasonable efforts for a youth age 18 or older whose departure from foster care is consistent with 45 CFR 1356.21(e). For example, a youth age 17 who is title IV-E eligible decides to leave foster care upon attaining age 18. Three months after the youth's 18th birthday, the youth returns seeking the title IV-E agency's assistance. As the youth has tried independence for less than a six-month trial period, the title IV-E agency does not need new judicial determinations or a voluntary placement agreement to satisfy section 472(a)(2)(A) of the Act upon return. Similarly, if a court order authorized the youth's trial independence for a year after the youth's 18th birthday, title IV-E foster care maintenance payments may be made if the youth is otherwise eligible when returning to foster care during that year.

For title IV-E purposes, voluntary placement agreements must meet the requirements of sections 472(e) and (f) of the Act and 45 CFR 1356.22, including the requirement that there be a judicial determination that remaining in foster care is in the child's best interests if title IV-E foster care maintenance payments are to continue beyond the first 180 days of the voluntary placement. The title IV-E agency has the option whether to accept voluntary placement agreements for title IV-E purposes for a child/youth of any age up to age 21 (i.e., either on behalf of a child under age 18 or for youth age 18 or older). A title IV-E agency may elect to meet the criteria in section 472(a)(2)(A) of the Act by voluntary placements at any time by amending its title IV-E plan prior to claiming Federal reimbursement for such placements.

### Placement and Care Responsibility

There are several ways in which the title IV-E agency can obtain placement and care responsibility of youth age 18 or older pursuant to section 472(a)(2)(B) of the Act:

- *Written authorization prior to age 18* – The youth in foster care may provide written authorization giving the title IV-E agency continued placement and care responsibility for the youth after attaining age 18. Similar to existing policy, this written authorization must be provided before the youth ages out of foster care or court jurisdiction ends for the agency's placement and care responsibility to continue after reaching age 18.
- *Voluntary placement agreement after attaining age 18* – If the title IV-E agency accepts voluntary placement agreements from a child age 18 or older, this same voluntary placement agreement can authorize that the title IV-E agency have placement and care responsibility of the child.
- *Court orders after attaining age 18* – To the extent that court jurisdiction extends to a youth age 18 or older, court orders can provide the title IV-E agency with placement and care responsibility.

### AFDC Program Criteria

A child/youth must have met the AFDC eligibility requirements per section 472(a)(3) of the Act at the time of removal from the home to be eligible for title IV-E foster care. For a youth age 18

or older who is entering or reentering foster care after attaining age 18 consistent with the criteria above, AFDC eligibility is based on the youth without regard to the parents/legal guardians or others in the assistance unit in the home from which the youth was removed as a younger child (e.g., a child-only case).

*AFDC Redeterminations.* As indicated in policy issued at CWPM 8.3A.4, 8.3A.10, and 8.4A on April 8, 2010, we have eliminated AFDC redeterminations to ease an administrative burden we now believe is unnecessary. The title IV-E agency must establish AFDC eligibility at the time the child is removed from home or a voluntary placement agreement is entered. We note that it is not possible to implement the option to extend title IV-E assistance to youth in foster care who are age 18 or older as permitted by P.L. 110-351 and require such youth to be subject to AFDC redeterminations. Specifically, youth age 19 or older cannot meet the AFDC eligibility requirements because they would not be able to meet the definition of a “needy child” in former section 406 of the Act. This clearly is inconsistent with the law’s amendments to provide an option for extended title IV-E assistance to older youth. For the purpose of a title IV-E eligibility review, we will not review whether the title IV-E agency conducted annual AFDC redeterminations for a child in the sample.

*Title IV-A Option to Continue Title IV-E Foster Care to Certain Youth in School.* A title IV-E agency may provide foster care maintenance payments on behalf of youth who have attained age 18, but are under the age of 19, and who are full-time students expected to complete their secondary schooling or equivalent training before reaching age 19 whether or not the agency exercises the option to provide title IV-E payments to children over age 18 under section 475(8)(B) of the Act. An agency may continue to apply this policy only if it was contained in the agency’s title IV-A AFDC plan, as in effect on July 16, 1996, of the State the child was living in at removal; but is not required to continue this policy.

No further action is required for a title IV-E agency that provides title IV-E foster care payments through the title IV-A option for 18-year-olds in secondary school or equivalent training, but does not take the option to provide extended title IV-E foster care assistance under section 475(8)(B) of the Act. As such, the agency must continue to evaluate case by case whether to continue title IV-E foster care payments for the youth based on whether the youth is expected to finish secondary schooling or equivalent training before attaining age 19. An agency that continues the title IV-A option and also elects to provide extended title IV-E foster care assistance under section 475(8)(B) of the Act may do one of the following: 1) determine whether continued title IV-E foster care maintenance payments are warranted based on the title IV-A standard; or, 2) determine if extended title IV-E foster care assistance is warranted based on the education and employment conditions in section 475(8)(B)(iv) of the Act.

Please note that a Tribal title IV-E agency may either follow the AFDC option (if selected) in the State in which the child was removed (section 479B(c)(1)(C)(ii)(II) of the Act), or may choose to provide extended assistance per section 475(8)(B) of the Act as selected in the Tribal title IV-E plan.

### Supervised Independent Living Settings

In order for the title IV-E agency to provide title IV-E foster care maintenance payments, an otherwise eligible child age 18 or older must be placed in a licensed foster family home, child-care institution, or a supervised setting in which the individual is living independently per section 472(c)(2) of the Act. The title IV-E requirements for foster family homes and child care institutions apply if a youth age 18 or older is placed in such a setting, including provisions for licensure or approval, background checks and safety considerations (see sections 471(a)(10) and 471(a)(20)(A) and (B) of the Act and 45 CFR 1355.20 and 1356.30).

At this time, however, we have no forthcoming regulations that will prescribe the kinds of living arrangements considered a supervised setting, the parameters of supervision, or any other conditions for youth living independently. Therefore, a title IV-E agency has the discretion to develop a range of supervised independent living settings which can be reasonably interpreted as consistent with the law, including whether or not such settings need to be licensed and any safety protocols that may be needed. For example, a title IV-E agency may determine that when paired with a supervising agency or supervising worker, host homes, college dormitories, shared housing, semi-supervised apartments, supervised apartments or another housing arrangement meet the supervised setting requirement. We encourage the title IV-E agency to be innovative in determining the best living arrangements that could meet an older child's needs for supervision and support as he/she moves toward independence. Further, we note that a title IV-E agency should continue to work with youth who are in supervised independent living settings to form permanent connections with caring adults. This could take the form of determining whether guardianship, adoption or living with other caring adults remains appropriate options for an older youth, and if so, helping the youth to work towards those outcomes.

### Foster Care Maintenance Payments

The title IV-E agency must provide an eligible child a title IV-E foster care maintenance payment consistent with section 475(4)(A) of the Act and 45 CFR 1355.20. The items of cost in the foster care maintenance payment definition in the law and regulations are the same for a youth of any age. Such payments must be paid through a foster parent, child placement or child care agency, a child care institution or the supervised setting as required by section 472(b) of the Act. Foster care maintenance payments must be paid through the provider (i.e., the foster parent or child care institution) or child-placing/caring agency, unless the child is age 18 or older and living independently in a supervised setting in foster care. For a youth age 18 or older living independently in a supervised setting, there may be situations in which no actual provider or other child placing intermediary is involved. In those situations the title IV-E agency may (but is not required to) pay all or part of the foster care maintenance payment directly to the youth.

### Reasonable Efforts to Finalize a Permanency Plan

The provisions of section 472(a)(2)(A)(ii) of the Act and 45 CFR 1356.21(b)(2) which require the agency to obtain a judicial determination that the agency made reasonable efforts to finalize a permanency plan every 12 months apply to a child age 18 or older receiving title IV-E foster care maintenance payments who was removed due to a contrary to the welfare judicial determination

(i.e., a court-ordered placement), but not to a youth removed from home via a voluntary placement agreement. We expect most youth in extended foster care to have a permanency plan of emancipation or independence, and therefore, the agency's efforts toward that goal would include activities outlined in a youth's transition plan and/or case plan. Therefore, we will accept judicial determinations for reasonable efforts to finalize a permanency plan that address the agency's efforts to prepare the child for independence.

Finally, we note that while this finding is a judicial determination, there are no Federal requirements that prescribe the forum in which such findings are made for youth of any age. Accordingly, any duly authorized member of the judiciary consistent with State/Tribal law may make these judicial determinations and they may be done outside of a court hearing.

### Case Review Requirements

The case review requirements in section 471(a)(16) of the Act (which are defined further at section 475(5) of the Act) apply to all children under age 18 who are in foster care, under the placement and care of the title IV-E agency and those children age 18 or older on whose behalf a title IV-E foster care maintenance payment is made. We encourage the title IV-E agency to fulfill these requirements for older youth in a developmentally-appropriate manner which is responsive to a youth's needs. The following list provides some examples of ways in which a title IV-E agency could meet the law's case review requirements for youth age 18 or older:

- Case plans are developed jointly with the youth in foster care and include discussions which reflect the supervised settings, foster family homes or child care institutions the youth believes are consistent with what the youth needs to gain independence. The case plan reflects agreements made between the agency and the youth to obtain independent living skills and the benchmarks that indicate how both know when independence can be achieved (sections 471(a)(16) and 475(1) of the Act; 45 CFR 1356.21(g)).
- Periodic reviews involve youth and focus on whether the youth is safe in his/her placement, whether continued foster care is appropriate, whether appropriate and meaningful independent living skill services are being developed and the progress made towards achieving independence on a projected date. Periodic reviews are held by courts or by an administrative panel of appropriate persons, including at least one of whom is not responsible for case management (sections 475(5)(B) and 475(6) of the Act).
- Permanency hearings are held under conditions that support active engagement of the youth in key decisions. Permanency hearings can be held by a court or by an administrative body appointed or approved by the court. Permanency hearings provide ample time and opportunity for the youth to discuss his/her transition plan (section 475(5)(C) of the Act and 45 CFR 1356.21(h)).
- A title IV-E agency may make appropriate case-by-case decisions about filing petitions for termination of parental rights (TPR) and document such decisions in the case plan. Compelling reasons for not filing a TPR could include that adoption is not the appropriate

permanency goal or that no grounds to file a petition exist for an older child (sections 475(5)(E) and (F) of the Act; 45 CFR 1356.21(i)).

This above list is not exhaustive. See also section C that discusses the transition plan for emancipating youth.

### Caseworker Visits

*Monthly visit standard.* Section 422(b)(17) of the Act requires State and Tribal title IV-B/IV-E agencies to describe standards for monthly caseworker visits with children in foster care. This provision also applies to a youth in foster care age 18 or older per section 475(8)(B) of the Act on whose behalf a title IV-E foster care maintenance payment is made.

Consistent with the law, at a minimum, the standards are to ensure that caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency and well-being of the youth. Visits may be conducted by any caseworker with whom the title IV-B/IV-E agency has assigned or contracted case management or visitation responsibilities and must be held face-to-face. Within these parameters, the agency may determine which caseworkers are appropriate to conduct the visits. We encourage the title IV-E agency to engage youth fully in determining how to balance meeting the youth's needs with the requirement for the caseworker to visit the youth monthly. Further, we support practices which allow the youth and agency to determine jointly the content of the monthly visits. A State agency may use the funding provided under sections 433(e) and 436(b)(4) of the Act to support monthly caseworker visits to youth in foster care, including those age 18 or older. At this time, the law does not authorize this funding to a Tribal agency.

*State caseworker visit data.* States also are required to provide us with data on the percentage of children who are visited by their caseworkers on a monthly basis and establish targets to ensure that 90 percent of children in foster care are visited pursuant to sections 424(e)(1) and (2) of the Act. As all States had already established such baselines in 2007 and their annual targets, and we had previously instructed States to exclude youth age 18 and older from this data report in most circumstances (CWPM 7.3 Q/A #6) we will not require States that opt to extend title IV-E foster care assistance to include youth age 18 or older in such data reporting for Fiscal Year (FY) 2010 or 2011. However, we intend to reconsider this exception if the caseworker data provision is reauthorized or there is any other relevant change in law.

### Other provisions and requirements

We wanted to highlight some other provisions that apply to a youth in foster care age 18 and older receiving title IV-E foster care maintenance payments in response to questions that we have received. This list is not intended to be exhaustive and we encourage the title IV-E agency to work with the CB RO staff for additional clarifications:

*Adoption and Foster Care Analysis and Reporting System (AFCARS).* A title IV-E agency that exercises the option to extend assistance to youth age 18 or older must collect and report data to AFCARS on all youth receiving a title IV-E foster care maintenance payment (45 CFR 1355.40).



*National Youth in Transition Database (NYTD).* A title IV-E agency that exercises the option to extend title IV-E foster care assistance to youth age 18 or older must consider youth receiving a title IV-E foster care maintenance payment as in foster care for the purposes of the NYTD reporting (45 CFR 1356.81).

*Monitoring.* The child and family services review and title IV-E eligibility review samples are drawn from AFCARS, and therefore, will include a child/youth age 18 or older receiving a title IV-E foster care maintenance payment during the period under review (45 CFR 1355.31 – 37 and 1356.71).

*Child of a parent in foster care.* Section 475(4)(B) of the Act requires that foster care maintenance payments for a parent in foster care cover the foster care maintenance costs for the parent's child if that child is placed with the parent in the same foster family home or child care institution. For a title IV-E agency that extends title IV-E foster care assistance to youth age 18 or older, the requirement to cover the costs of the child of the parent in foster care will also apply to the youth age 18 or older in a foster family home, child care institution or supervised independent living setting. Further, consistent with section 472(h)(2) of the Act, a child of the youth in foster care whose costs are covered by the title IV-E foster care maintenance payment is categorically eligible for the title XIX Medicaid program available in the State of residence, regardless of whether the title IV-E agency in the State of residence has also elected to extend title IV-E foster care assistance to youth age 18 or older. See also CWPM Section 8.3A.5.

## **Section C: Transition Plan for Emancipating Youth**

The case review system at section 475(5)(H) of the Act requires that the title IV-E agency caseworker, or other child representatives as appropriate, assist and support a youth in developing a transition plan as he/she ages out of foster care. More specifically, the transition plan must be developed during the 90-day period before the youth attains age 18, or if applicable, before the later age, for a youth in extended foster care per section 475(8)(B) of the Act. Transition planning is for youth of these ages who are in foster care as defined in regulations at 45 CFR 1355.20.

The transition plan must be personalized at the direction of the child, be as detailed as he or she chooses, and include specific options regarding housing, health insurance, education, local opportunities for mentors and continuing support services, work force supports and employment services (section 475(5)(H) of the Act). We encourage the caseworker to include information in the plan relating to sexual health, services, and resources to ensure the youth is informed and prepared to make healthy decisions about their lives.

Further, as the title IV-E agency is aware, this provision prescribes transition plan details at a specific point in the youth's foster care experience, however, the law requires the title IV-E agency to conduct other planning activities for independent living for older youth. In particular:

- Case plans, where appropriate, must include a written or recorded description of the programs and services which will help a child age 16 or older prepare for the transition from foster care to independent living (sections 471(a)(16) and 475(1)(D) of the Act).
- Permanency hearings, in the case of a child age 16 or older, must determine the services needed to assist the child to make the transition from foster care to independent living (sections 471(a)(16) and 475(5)(C)(i) of the Act).

We encourage the title IV-E agency to use these and any other available opportunities to help youth plan for their future and to use the transition plan to build on these earlier planning efforts. The courts can play an important role in monitoring the development of the transition plan.

Further, we note that while the transition plan is developed during a particular period of time prior to aging out of foster care, the title IV-E agency should begin earlier to engage and prepare youth to develop the plan. Therefore, we expect the title IV-E agency to use the time well in advance of the 90-day period to prepare and fully engage a youth in his or her transition plan development. For example, an agency can best prepare the youth to direct their transition plan if the agency informs the youth ahead of time of the transition plan's purpose and importance, how they are expected to participate in the transition plan, who they can invite to the planning sessions to represent their needs, how it is different or similar to other planning activities, what options are available in the topics that must be covered (e.g., housing and health insurance) and how to ask questions that can uncover further information or options that may not have been raised by the agency. An agency could also encourage and support (e.g., through facilitation) the formation of youth peer groups to develop youth-led recommendations on what youth need to know prior to transition planning sessions and how to advocate for themselves.

The transition plan is not required should a youth leave foster care more than 90 days before his 18th birthday or older age designated in the IV-E plan pursuant to section 475(8)(B) of the Act, nor can it be delayed to the age of 18 or older age, as applicable.

Finally, section 2955(a) of the Patient Protection and Affordable Care Act (P.L. 111-148) amends the transition plan requirement effective October 1, 2010. This legislation will also require the transition plan to include information on the importance of designating someone to make health care treatment decisions on behalf of the youth in foster care if the youth is unable to do so and does not have or want a relative who would otherwise be so designated under State/Tribal law to make such decisions. The law provides the child with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State/Tribal law.

#### **Section D: Guardianship Assistance Program**

We have provided guidance in ACYF-CB-PI-10-01 and the CWPM regarding the option for a title IV-E agency to have a Guardianship Assistance Program (GAP). This option remains available to a title IV-E agency at any time that it elects to implement the GAP on a statewide/or service area wide basis per section 471(a)(3) of the Act. We are encouraged by the interest in

this option exemplified by the several title IV-E agencies to date that have chosen to submit a title IV-E plan to provide kinship guardianship assistance. To ensure that all title IV-E agencies are aware of how the GAP may work for its title IV-E program, please note the following additional information:

### Relative Guardians

A title IV-E agency has discretion to define the term “relative” for the purposes of the title IV-E GAP. This means that we will accept a title IV-E plan or amendment that contains a reasonable interpretation of a relative, including a plan that limits the term to include biological and legal familial ties or a plan that more broadly includes Tribal kin, extended family and friends, or other ‘fictive kin.’ Please note that this does not change the statutory and regulatory definition of a “specified relative” as used in sections 472 or 473 of the Act.

We believe it is ideal for the title IV-E agency to use a consistent definition of relative for the GAP and the relative notification provision at section 471(a)(29) of the Act, to the greatest extent possible. This will support the identification and notification of potential relatives and/or other kin, as applicable, who will be informed of their options to care for the child and, if appropriate, receive title IV-E kinship guardianship assistance on the child’s behalf. See also section H on notifying relatives of a child’s placement into foster care.

### Conditions for Guardians or Guardianship

A title IV-E agency has the discretion to establish the conditions in the State/Tribe under which a person may qualify to be a child’s guardian or enter into a legal guardianship arrangement with the title IV-E agency. The criteria in sections 473(d) and 471(a)(20)(C) of the Act are considered eligibility criteria for the title IV-E GAP. For example, a title IV-E agency may:

- Require a child to be in foster care for more than a consecutive six-month period, spend more than six-months living with the relative guardian in foster care, and/or meet the consecutive six-month period immediately prior to the guardianship;
- Target a certain age group for guardianship, such as children over the age of 12;
- Require the relative guardian to inform the agency if the child’s biological parents plan to stay with the guardian on a long term basis; or,
- Require cooperation with child support enforcement regarding the child’s parents.

We note that while all of the above conditions are allowable; when applied as a broad policy they may not always serve an individual child’s best interests. A title IV-E agency that sets policy narrowing the population of children or relative guardians that can be subsidized may be limiting its options to provide permanency for children who would otherwise remain in foster care. Rather, a title IV-E agency could accomplish similar goals of ensuring that guardianship is the appropriate permanency option by either establishing practice-level guidance that clarifies which children or relatives may be best suited for guardianship or otherwise making case-by-case

determinations of the following eligibility criteria in the law (section 473(d)(3)(A)(ii) through (iv) of the Act):

- being returned home or adopted are not appropriate permanency options for the child;
- the child demonstrates a strong attachment to the prospective relative guardian and the relative guardian has a strong commitment to caring permanently for the child; and,
- with respect to a child who has attained 14 years of age, the child has been consulted regarding the kinship guardianship arrangement.

#### Agreement Terms and Payments

The title IV-E agency must enter into guardianship agreements with the prospective guardians of eligible children and include specific terms in those agreements of the amount of payments and manner in which payments may be adjusted pursuant to section 473(d)(1)(A) and (B) of the Act. Agreement terms may include adjusting the guardianship payment amount as the child ages or as needs change, as long as the guardianship payment does not exceed the title IV-E foster care maintenance payment the child would have received if the child had remained in a foster family home (section 473(d)(2) of the Act). Per instruction in ACYF-CB-PI-10-01, the agency may also amend an existing agreement under certain conditions. Once a child is determined eligible for the GAP, payments can continue in accordance with the terms of the GAP agreement, unless the agency determines that one of the following conditions applies to require the termination of assistance under section 473(a)(4) of the Act:

- The title IV-E agency determines the relative guardian(s) are no longer legally responsible for a child under the age of 18.
- The agency determines that the relative guardian(s) are no longer providing any support for a child/youth of any age.
- The child attains age 18, or if applicable, the child:
  - attains the greater age of extended assistance to children in guardianship that the title IV-E agency implemented under section 475(8)(B)(i)(III) of the Act; or
  - attains 21 years of age if the title IV-E agency determined the child has a mental or physical handicap which warrants the continuation of assistance.

Please note that the title IV-E agency may provide title IV-E kinship guardianship assistance payments up to age 21 for a youth who has a physical or mental disability that warrants the continuation of assistance. The agency can continue assistance whether or not the agency has opted to extend title IV-E assistance to a youth age 18 or older for a child in guardianship per section 475(8)(B) of the Act.

The title IV-E agency has the discretion within the above broad parameters to establish how it will evaluate, reevaluate or terminate GAP agreements. For example, a title IV-E agency may establish agreements that:

- Specify how the agency defines whether a guardian is providing “any support to” or remains “legally responsible for the support of” the child so that it is clear under which circumstances the agreement will be terminated;
- allow the agency to suspend or discontinue guardianship assistance payments when a certain event occurs, such as when a child reenters foster care or another out-of-home setting;
- require annual or periodic renewals of agreements that confirm that the guardian continues to provide any support for GAP payments to continue;
- require the guardian to report how a youth age 18 or older meets the educational or employment conditions;
- require the guardian to report how a youth age 18 or older meets conditions for a disability;
- reduce GAP payments when other sources of income are received by the guardian on behalf of the child; and/or,
- clarify that GAP payments may continue to be paid on behalf of the child if the child moves to attend post-secondary school or otherwise lives independently of the guardian, as long as the guardian continues to provide any support to the child.

The above list is not exhaustive. Relative guardians receiving assistance must keep the title IV-E agency informed of circumstances that would make them ineligible for the payments or eligible for the payments in a different amount (section 473(a)(4) of the Act). We note that the flexibilities above are distinct from those of the title IV-E adoption assistance program because the GAP is an optional title IV-E program and there are different statutory language and purposes for each program.

### Siblings and GAP Payments

A title IV-E agency may, but is not required to, make GAP payments pursuant to a kinship guardianship agreement on behalf of each sibling of an eligible child who is placed with the same relative under the same kinship guardianship arrangement if the title IV-E agency and the relative guardian agree that the placement is appropriate (section 473(d)(3)(B) of the Act). For title IV-E GAP payments to be made on behalf of a sibling of an eligible child, the title IV-E agency must enter into a guardianship agreement that meets the requirements of section 473(d)(1) of the Act, including paying the total cost of nonrecurring expenses associated with obtaining legal guardianship of the child to the extent the total cost does not exceed \$2,000, prior to the guardian obtaining legal guardianship of the sibling. The amount of a title IV-E

guardianship assistance payment for a sibling of an eligible child may not exceed the title IV-E foster care maintenance payment the sibling would have received if the sibling had remained, or had the sibling been placed, in a foster family home (section 473(d)(2) of the Act). Per instruction in ACYF-CB-PI-10-01, the agency may also amend an existing agreement under certain conditions.

The sibling is not required to meet the eligibility criteria in section 473(d)(3)(A) of the Act to receive kinship guardianship assistance payments or for the legal guardian to be reimbursed for the nonrecurring expenses related to costs of the legal guardianship of the sibling to the eligible child. The order of sibling placement with the guardian and finalization of the guardianships does not matter.

A title IV-E agency has the discretion to reasonably define sibling for the purposes of the GAP program. This means that we will accept a title IV-E agency's plan amendment that: includes siblings related by biological, marital or legal ties (e.g., inclusive of step-siblings, half-siblings and adoptive siblings); considers as siblings only those children who were removed from the same household; or, limits siblings to those children who were in foster care at the same time and placed in the guardian's home simultaneously. This is not an exhaustive list of the possible options for defining siblings.

For example, a 14-year-old child is in the legal guardianship of his grandmother and has been for the past three years. The 14-year-old was not eligible for the GAP program at the time of the agreement and legal guardianship (for example, because the title IV-E agency did not have a GAP plan at the time or the grandmother was not a licensed foster family home). The grandmother is now a licensed foster family home providing care for the 12-year-old sibling to the 14-year-old child who has been eligible for title IV-E foster care maintenance payments for six consecutive months. The title IV-E agency determines that neither reunification nor adoption is appropriate for the 12-year old and all other eligibility factors are met. The title IV-E agency amends the agreement with the guardian of the 14-year-old to include the 12-year old sibling, and provides a title IV-E GAP payment to the grandmother on behalf of both children once the eligible child's legal guardianship is finalized.

Since the title IV-E agency is required to conduct Federal Bureau of Investigation (FBI) fingerprint-based checks of the National Crime Information Databases (NCID) on the guardian and child abuse and neglect registry checks on the relative guardian and other adults in the home in order to be eligible for GAP payments on behalf of an eligible child, the agency is not required to conduct these checks separately for the eligible child's sibling. A title IV-E agency may, however, conduct additional checks on the guardian if it so chooses.

### Consecutive Months

One of the eligibility criteria for title IV-E kinship guardianship assistance payments is that a child be eligible for title IV-E foster care maintenance payments during at least a consecutive six-month period during which the child resided in the home of the prospective relative guardian who was licensed or approved as a foster family home (section 473(d)(3)(A)(i)(II) of the Act). While the Act does not require title IV-E foster care maintenance payments be paid on behalf of

the child, it does require that such a child meet all eligibility criteria pursuant to section 472(a), (b) and (c) of the Act and 45 CFR 1356.21 while in the home of that fully licensed or approved relative foster parent for a consecutive six-month period.

A child is not required to be eligible for or receive title IV-E foster care maintenance payments for every day in a month for such a month to be considered ‘consecutive’ for the purposes of GAP eligibility. The title IV-E agency can follow our existing policy guidance for title IV-E foster care maintenance payments eligibility to determine whether a child could be eligible in a given month. For example, in the CWPM 8.3B Q/A #7, we explain that an otherwise eligible child who is absent from the home due to running away or hospitalization, among other reasons, for up to 14 days in a month and returns to the same provider is eligible for a title IV-E payment for the entire month, but one who is absent for more than 14 days is eligible for only the portion of the month that he was with the provider. Also, in CWPM 8.3A.4 Q/A #1 we explain the circumstances in which title IV-E foster care eligibility may continue for a child who returns to a foster care placement after an interruption due to detention or hospitalization.

### Medicaid

Please note that the law at section 473(b)(3)(C) of the Act requires that a title IV-E guardianship assistance payment be made to an eligible child, or a sibling to an eligible child, for a child to be categorically eligible for the title XIX Medicaid program available in the child’s State of residence. This means that a payment of any amount must be paid on an ongoing basis (e.g., a dollar each month), for the title XIX Medicaid agency to consider the child categorically eligible for Medicaid.

## **Section E: Enrolling Children in School, Educational Stability and Payments for School Transportation**

### School Enrollment

A title IV-E agency must assure in the title IV-E plan that each child receiving a title IV-E payment who has attained the age for compulsory school attendance is a full-time elementary or secondary student in a school, in an authorized independent study program, or is being home schooled consistent with the law of the State or other jurisdiction in which the school, program or home is located. Alternatively, the title IV-E agency must assure that such a child has completed secondary school or is incapable of attending school full time due to a medical condition as established in section 471(a)(30) of the Act.

To be considered a full-time student at a school, the child has to be enrolled or in the process of enrolling in the school. We encourage the title IV-E agency to work with their local educational agency to identify and address any barriers to expeditious enrollment in schools for children and consider further efforts that may be necessary to enroll children who must be moved across jurisdictions. For example, a title IV-E agency may address school enrollment by creating an “education passport” or an education file for the child which includes all essential documents needed to enroll the child in a school. It may also be helpful for a title IV-E agency to identify

those who have expertise on educational issues who can serve as points of contact and may aid in the continuity of services when addressing educational stability for children in foster care. The courts can also play an important role in educational stability.

If a child in foster care is incapable of attending school full time due to a medical condition, the title IV-E agency must regularly (as determined by the title IV-E agency) document and update the incapability in the child's case plan. The agency should update the status of the child's medical condition whenever the child's case plan is updated. The title IV-E agency is not required to develop a case plan for an adopted child or a child under a guardianship solely for the purpose of documenting the child's medical condition and therefore, the agency may determine whether and how to document the child's medical condition.

This is a title IV-E plan requirement, and therefore, does not place conditions on a child's title IV-E eligibility. A title IV-E agency has the flexibility to determine how to assure that it is meeting these requirements, the frequency of any procedures for doing so, and how the requirements are documented (see CWPM section 8.4 Q/A #3). As part of this assurance, we encourage an agency to work to ensure that children are not only enrolled, but are in fact attending school. This could be accomplished by documenting children's attendance or establishing methods to identify patterns of chronic absence from school. We also encourage the title IV-E agency to monitor the progress the child is making in school consistent with case plan requirements in section 475(1)(C) of the Act.

### Educational Stability

A title IV-E agency is required to include a plan for ensuring the educational stability of a child in foster care in the child's case plan as established in section 475(1)(G) of the Act. The plan must include:

- 1) an assurance that the child's placement in foster care takes into account the appropriateness of the current educational setting and the proximity to the school the child was enrolled in at the time of placement; and,
- 2) an assurance that the title IV-E agency has coordinated with the local education agency or agencies to ensure the child can remain in that school, or if remaining in that school is not in the best interests of the child, an assurance to enroll the child immediately in a new school with all of his or her educational records.

These assurances relate to the circumstances at the time of the child's initial placement into foster care, however, we encourage the title IV-E agency to update educational stability plans whenever a child changes schools during his/her stay in foster care. As part of the update process, the agency should determine if remaining in the same school is in the child's best interests. If it is in the child's best interests, the agency should coordinate with the local education agency to ensure the child can remain in the same school. If remaining in the same school is not in the child's best interests, the agency should coordinate with the local education agency to ensure that the child is immediately enrolled in a new school. While we are not setting specific time limits for enrollment, we expect the title IV-E agency to assure that children are



enrolled or re-enrolled without delay both when the child is initially placed into foster care and, when applicable, each time the child is moved to a different foster care placement.

Section 475(1)(G) of the Act is a case plan requirement that falls under the guidance provided in 45 CFR 1356.21(g), and as such, the educational stability plan must be a written part of the child's case record which is jointly developed with the child's parents or guardians no later than 60 days after a child's removal from the home, and every six months thereafter. We encourage the title IV-E agency to specify the parties other than the caseworker and the child's parents who should participate in discussions or decisions related to the educational stability plan. For example, the agency could delineate the circumstances in which the youth, school personnel or education advocates, foster parents, the child's attorney, guardian ad litem, and other persons involved in case planning for the child are a part of the educational stability planning process. If the agency determines that it is not in the child's best interests to remain in the same school, the rationale for this decision must be documented in the case plan. We encourage the title IV-E agency to develop a standard and deliberate process for determining best interests for this provision, guiding who is responsible for decision-making, and properly documenting the steps taken to make the determination.

The title IV-E agency is vested with the responsibility for making individual placement decisions on a case-by-case basis on behalf of a child in foster care. As such, we realize that the agency will be balancing the child's needs for proximity to the family, the available foster care resources, along with the appropriateness of the child's current educational setting, among other things. The title IV-E agency also has the flexibility to determine which factors will be examined in determining whether remaining in the school of origin is in the child's best interests. Some examples of factors the agency may consider are: the child's preference to change schools or remain in the current school; the safety of the child; and the appropriateness of educational programs in the current school or another school and how each school serves or can serve the child's needs (including special education and other interests). It should be noted that the cost of school transportation should not be a factor in determining the best interest of the child for school selection. (See *Payments for School Transportation* below.)

### Payments for School Transportation

The definition of foster care maintenance payments now includes the cost of reasonable travel for the child to remain in the same school he or she was attending prior to placement in foster care (section 475(4) of the Act). The payment may include these costs regardless of whether the child is in his or her initial foster care placement or subsequently moves to another foster care placement. The title IV-E agency has the discretion to determine what is considered reasonable travel in examining factors such as cost, distance, and length of travel. As with any cost enumerated in the definition of foster care maintenance payments in section 475(4) of the Act, the title IV-E agency may decide which of the enumerated costs to include in a child's foster care maintenance payment. The title IV-E agency may include the cost of reasonable travel for the child to remain in the same school in the child's foster care maintenance payment paid to the child's provider or may make a separate payment directly to the transportation provider. In addition, transportation costs associated with the child's attendance at his or her school of origin remain allowable administrative costs under title IV-E because such transportation is related to

case management and is therefore necessary for the proper and efficient administration of the title IV-E plan (see CWPM section 8.1B and 45 CFR 1356.60(c)(2)).

## **Section F: Health Care Oversight and Coordination Plan**

As part of the title IV-B plan, State and Tribal agencies are required to develop a plan for ongoing oversight and coordination of health care services for children in foster care, including mental health and dental health needs, in coordination with the State Medicaid agency, pediatricians, general practitioners and specialists (for example, obstetrics and gynecology (OB/GYN) doctors), other health care experts and child welfare experts (section 422(b)(15) of the Act). The plan must include an outline of a schedule for initial and follow-up health screenings (inclusive of age-appropriate sexual health screenings for youth); how medical information for children will be updated and shared (which may include the development of an electronic health record); steps to ensure the continuity of health care services (which may include the establishment of a medical home for every child in care and, as appropriate, a plan to transition from pediatric care); the oversight of prescription medicines; and how the agency actively consults and involves physicians and other professionals in assessing the health and well-being of children in foster care and in determining appropriate medical treatment for the children.

As part of the Child and Family Services Plan, the agency is required to submit a copy of the health care oversight and coordination plan, and provide an explanation of how health care experts were selected and how they and the Medicaid agency were involved in developing the health care oversight and coordination plan (ACYF-CB-PI-09-06 and ACYF-CB-PI-09-07). While we expect the agency to establish a health care oversight and coordination plan to fully comply with the statutory requirements, no changes have or will be made in connection with this requirement to the Round 2 Child and Family Service Review (CFSR) items for Well-Being Outcome 3 (children receive adequate services to meet their physical and mental health needs).

In general, a title IV-B agency has flexibility in how to implement the specific requirements of the plan and to decide whether to implement a single, agency-wide health care monitoring entity as part of this plan or put into place another mechanism to allow the agency to oversee and coordinate health care for children in foster care. The agency must include a schedule for health screenings that meets standards of medical practice. The schedule should mirror or incorporate elements of existing professional guidelines for physical, mental, and dental health screenings and standards of care into the plan to meet this requirement. In addition, as part of the plan for responding to the mental health needs of children and for providing oversight for prescription medicines, we encourage the agency to pay particular attention to oversight of the use of psychotropic medicines in treating the mental health care needs of children. We also encourage the agency to think about the needs that may be unique to particular populations. For example, for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth, the agency could include steps in the plan to ensure that such youth receive competent, affirming, and confidential mental health and medical services.

The agency must include the health records of each child in foster care in the child's case plan, including the names and addresses of the child's health providers, a record of immunizations, the child's known medical problems, medications and other relevant health information (section 475(1)(C) of the Act). In addition, the agency must ensure that each child's health records are reviewed and updated at the time of each placement of the child in foster care and that such records are supplied to the foster parent or foster care provider with whom the child is placed at the time of each placement and at no cost to the child if the child exits foster care through emancipation (section 475(5)(D) of the Act). Therefore, we expect the agency to take an active role in both coordinating appropriate health care and maintaining regularly updated medical records for children in foster care. The courts can play an important role in health oversight and coordination.

Finally, the agency should be aware that section 2955(c) of P.L. 111-148 amends the health care oversight and coordination plan effective October 1, 2010. The amendments require the title IV-B/IV-E agency to outline in the health care oversight and coordination plan the steps the agency will take to meet the health care components (i.e., options for health insurance and health care treatment decisions) of the transition plan development process for youth aging out of foster care in section 475(5)(H) of the Act. We will provide guidance at a later date on this provision.

### **Section G: Sibling Placement**

Under section 471(a)(31) of the Act, a title IV-E agency must make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or to facilitate frequent visitation or ongoing interactions (for example, letters, phone calls, text, email and other electronic communication) for those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so. If the agency determines that the siblings cannot be placed together and/or cannot have frequent visitation, the agency must document the reasons that it is contrary to the safety or well-being of the siblings to be placed together or to have frequent visitation. We encourage the agency to develop standard protocols for caseworkers to use in making decisions about when it would be contrary to a child's well-being or safety to place siblings together or provide for frequent visitation. A standard decision making tool could assist workers with guidelines in making this important decision, and address difficult situations, such as a sibling's refusal for visitation. We also encourage the agency to periodically reassess sibling visitation and placement decisions in cases where siblings are separated or not visiting to determine if a change is warranted.

At this time, we have no plans to issue regulations or policy that will define siblings or sibling groups, therefore, a title IV-E agency has the flexibility to define these terms for the purpose of this provision. (See also Section D of this document.) A title IV-E agency may establish its own standards for visitation and contact between siblings consistent with the law; however, sibling visitation or other ongoing interactions must be frequent. The agency can determine the most appropriate settings for visitations and protocols for supervision. For example, the facilitation of visits and ongoing interactions may be through other relatives, foster parents or mentors. We expect decisions on the frequency of sibling visitation and contact to be on a case by case basis, however, frequently means at least monthly.

We expect the agency will revisit its existing sibling visitation and placement policies to determine if there are ways to bolster them to ensure that siblings are always placed together unless there is a bona fide safety or well-being concern that prevents placement together or frequent visitation. We also encourage the agency to review their foster family home recruitment strategies to determine if there are ways to increase the number of resource homes available for sibling groups. The courts can play an important role in sibling placement and sibling visitation.

## **Section H: Notifying Relatives**

A title IV-E agency must have a mechanism in place to exercise due diligence to identify and notify all adult relatives of a child's removal from his parents within 30 days of that removal (subject to exceptions due to family or domestic violence) (section 471(a)(29) of the Act). The notice must specify that the child has been or is being removed from the custody of the parent, the relative's options to participate in the care and placement of the child (pursuant to Federal, State and local law), any options that may be lost by not responding to the notice, the agency's requirements for becoming a foster family home and the additional services and supports for children in foster family homes. If the title IV-E agency has elected to operate a title IV-E guardianship assistance program, the notice also must describe how a relative guardian may receive such assistance on the child's behalf. We encourage the agency to develop protocols for caseworkers that describe the steps that should be taken to identify and notify relatives when a child is removed from his or her home. Further, we encourage the agency to go beyond this requirement to specify ways to identify and work with relatives when the agency first becomes involved with a child at risk of removal.

The title IV-E agency has the flexibility to determine what constitutes "due diligence" and when exceptions are appropriate. The title IV-E agency also has discretion to determine the scope of the terminology "all other adult relatives" and may also consult with the youth in identifying relatives. However, to the extent that it is practical, we suggest that the agency use the same definition of "relative" for the relative notification provision and the title IV-E guardianship assistance program option (if the agency elects the guardianship option). We realize this approach may not work for all agencies; however, we want to encourage practices that would lead to early identification of relatives who could be potential guardians if reunification or adoption is ruled out. Further, the title IV-E agency may determine the method to use to provide relative notification of a child's removal, as long as that notification meets the specifications of the provision outlined above. We encourage the notice to be made via several different methods, such as in writing and orally. We also encourage the agency to carefully examine existing protocols for notifying relatives in the context of this provision to determine if there are ways to improve the agency's relative notification process generally, or in relation to specific groups of relatives, e.g., noncustodial parents and paternal relatives. The courts can play an important role in relative notification. This provision to notify relatives does not alter or supersede in any way the notice provisions of the Indian Child Welfare Act of 1978 (25 U.S.C 1912).

## **Section I: Waiving Non-Safety Licensing Standards for Relatives**

Section 471(a)(10) of the Act permits the title IV-E agency to waive, on a case-by-case basis, a State/Tribal non-safety licensing standard for a relative foster family home. A title IV-E agency has the discretion to determine what constitutes a non-safety standard for the purpose of meeting this requirement. A State or Tribe also has the discretion to establish licensing standards as long as they are applied equally (see ACYF-CB-IM-01-05). We expect the reason for the waiver to be clearly documented in the licensing/approval record for the relative foster home and the certification of licensure/approval to indicate its applicability to the specific relative child (see CWPM 8.3A.8c Q/A #1).

While the title IV-E agency has discretion to establish licensing standards and to determine which licensing standards are considered non-safety standards, the agency must still adhere to the Federal requirements under section 471(a)(20) of the Act (concerning criminal background and child abuse and neglect checks for relative foster and adoptive parents, and guardians, and disqualifying crimes).

Existing policy allows a title IV-E agency to claim title IV-E reimbursement on behalf of an otherwise eligible child when a State/Tribe's licensure requirement is met through a "variance." For title IV-E purposes, a "variance" is a mechanism that allows the State/Tribe to meet a standard for licensure in a way other than that specified in the State or Tribe's rule that governs licensure. A "variance" is acceptable on a case-by-case basis only if the State/Tribe has the authority to permit "variances," the purpose of the State/Tribe's licensing standard is achieved, and the safety of the child is maintained (see CWPM 8.3A.8c Q/A #14). A "variance" is different from a waiver in that it constitutes an alternative equivalent method to meet the standard, whereas a waiver disregards a set of specified requirements. For example, a "variance" may be granted when a foster family's well does not have potable water, and the family purchases bottled water for drinking. The "variance" from the original rule still meets the licensing requirement that the home is able to provide safe drinking water.

We encourage the title IV-E agency to use a variety of means to ensure that, when appropriate, relatives are able to meet licensing standards and provide a foster family home to a child safely. Relative foster parents are essential in keeping sibling groups together and for a title IV-E agency that has a GAP program, a licensed/approved relative allows an eligible child to move to permanency with the support of a subsidized guardianship, if appropriate. For example, a title IV-E agency may use title IV-E administrative funds to assist a relative foster family home to become licensed without the need for a waiver. The agency may claim administrative funds pursuant to section 472(i) of the Act for a child placed in a relative foster home whose application for licensure is pending. Further, policy allows a title IV-E agency to claim title IV-E administrative costs for items such as beds, cribs, and smoke detectors that are needed in order to license or approve a foster family home, but not for the costs of construction and renovation (CWPM 8.1 Q/A #3). Examples of the ways in which title IV-E agencies have waived non-safety licensing standards will be available in the Report to Congress on licensing standards for relatives, as mandated by section 104(b) of the Fostering Connections to Success and Increasing Adoptions Act of 2008.

## **Section J: Adoption Assistance, Reinvestment, and Adoption Tax Credit**

### Adoption Assistance Eligibility

We have provided guidance in ACYF-CB-PI-09-10 on the revised eligibility criteria for the title IV-E adoption assistance program. Consistent with that guidance, a title IV-E agency must determine a child's eligibility for title IV-E adoption assistance based on whether the child is either an "applicable child" or not an "applicable child." Two sets of eligibility criteria will continue until Federal fiscal year (FFY) 2018, when the eligibility criteria related to a child who is not an "applicable child" is phased out. We provide additional clarification below of the "applicable child" criteria.

*Applicable child criteria.* For the upcoming FFY 2011, which begins on October 1, 2010, an "applicable child" includes:

- a child who will reach age 14 or older any time before the end of FFY 2011 and for whom an adoption assistance agreement is entered into during the FFY.
- a child who has been in foster care under the responsibility of the title IV-E agency for 60 consecutive months. The 60 consecutive-month period is any 60 consecutive months prior to the finalization of the adoption. We will not prescribe how a title IV-E agency must calculate this period. The title IV-E agency is responsible for adhering to a reasonable method of calculating the consecutive-month period for the purposes of this provision.
- a child who is a sibling of an "applicable child" by virtue of age or time in foster care and is placed in the same adoption arrangement as his/her sibling. We will not prescribe who is a sibling; rather the title IV-E agency may define "sibling" in a reasonable manner for the purposes of the adoption assistance program.

A title IV-E agency that identifies an "applicable child" as above must apply the applicable child eligibility requirements, inclusive of the special needs criteria, as described in section 473(a)(2)(A)(ii) of the Act. Most notably, the title IV-E agency may not apply AFDC eligibility criteria to a child who is an "applicable child." For each subsequent fiscal year, the age for an "applicable child" decreases by two years (i.e., age 12 in FFY 2012). We encourage the title IV-E agency to begin planning for children who will be eligible in coming years as the requirements are phased in.

Please note that if a child does not meet the "applicable child" definition in section 473(e) of the Act in the FFY in which the title IV-E agency enters into an adoption assistance agreement at the time of or prior to finalization, there is no opportunity for such a child to be determined title IV-E eligible as an "applicable child" during that adoption. As adoption assistance agreements under title IV-E must be in effect at the time of or prior to the finalization of adoption (45 CFR 1356.40(b)(1)), terminating an adoption assistance agreement done at the time of or prior to finalization and entering into a new agreement when the child turns an older age, will not result in title IV-E eligibility.

*Assistance to adopted youth ages 18 to 21 with disabilities.* P.L. 110-351 made conforming changes to section 473(a)(4) of the Act to restate that a title IV-E agency can continue title IV-E adoption assistance to youth between the ages of 18 and 21, if the title IV-E agency determines that the youth has a mental or physical disability that warrants the continuation of assistance. The agency may continue the payment whether or not the title IV-E agency provides extended assistance to adopted youth age 18 or older per section 475(8)(B) of the Act, the adoption assistance agreement was entered into after the youth attains age 16, or the youth meets the employment and education conditions of such extended assistance. The agency may provide continued payments to such a youth with a disability by amending the adoption assistance agreement at any time prior to attaining age 18.

*Extended adoption assistance to youth age 18 or older.* A title IV-E agency that provides extended adoption assistance under the option (to youth for whom the agency entered into an initial adoption agreement after the youth attained age 16) must terminate payments when the youth attains an older age as elected by the agency per section 473(a)(4)(A)(i)(I) of the Act. However, a title IV-E agency may provide a payment up to age 21 for any child that has a disability which warrants continued assistance as described above whether or not the agency takes the option.

*Application of current policy and regulations.* To the extent not superseded by the law, existing regulations and policy for the title IV-E adoption assistance program apply equally to both a child who is an applicable child and one who is not an applicable child. In particular, a title IV-E agency must provide adoption assistance to any eligible child; may not target the adoption assistance to a subset of eligible children; and may not terminate adoption assistance for reasons other than those provided in law. Please see CWPM Section 8.2 for further clarifications.

### Reinvestment of Adoption Savings

A title IV-E agency must spend any savings generated from implementing the revised adoption assistance eligibility criteria on child welfare services provided under titles IV-B and IV-E (section 473(a)(8) of the Act). The agency must provide a certification that this requirement is being met in the title IV-E plan (see ACYF-CB-PI-09-08). A title IV-E agency has the flexibility to determine the methodology for calculating savings and is not required to provide a specific accounting of funds to ACF. At this time, we are not issuing further policy in relation to the provision.

### Adoption Tax Credit

A title IV-E agency must have a mechanism in place to inform prospective adoptive parents of children in foster care of the Federal adoption tax credit under section 23 of the Internal Revenue Code of 1986 (26 U.S.C. 23) (section 471(a)(33) of the Act). The adoption tax credit is a tax credit for qualifying expenses paid to adopt an eligible child (including a child with special needs). Qualifying expenses may include reasonable and necessary adoption fees, court costs, attorney fees, traveling expenses (including amounts spent for meals and lodging while away from home), and other expenses directly related to and for which the principal purpose is the legal adoption of an eligible child.

The title IV-E agency has the flexibility to determine how it will inform prospective adoptive parents of a child in foster care of the tax credit. For example, an agency may develop fliers or letters in which to inform prospective adoptive parents. However, it may be prudent for the agency to notify prospective adoptive parents to consult a tax professional when determining their eligibility for the tax credit. Information about the adoption tax credit, eligibility, and the forms needed for filing are also available on the Internal Revenue Service's (IRS) website (<http://www.irs.gov/>).

## **Section K: Indian Tribes and Title IV-E**

We are pleased that at least one Tribe has submitted a title IV-E plan for review and that several Indian Tribes have received the first development grants that put them on a path towards submitting a title IV-E plan within two years of the grant award. As we learn from these initial grantees about their experiences and information needs in developing a title IV-E plan, we anticipate providing additional guidance that can assist any Indian Tribe that is interested in operating a title IV-E program directly and/or a title IV-E agreement with a State.

### Title IV-E Plans

As indicated in prior guidance, Federally-recognized Indian Tribes, Tribal organizations and Tribal consortia may submit a title IV-E plan to us at any time (ACYF-CB-PI-09-08 and ACYF-CB-IM-08-03). To prepare for the submittal of a Tribal title IV-E plan, each year there will be an opportunity for additional Indian Tribes to apply for the one-time grants to develop a title IV-E program. Title IV-E program development grants may be used by the Indian Tribe for any costs attributable to meeting the requirements for approval of a Tribally-operated title IV-E plan, including: development of a data collection system; development of a cost allocation methodology; and, establishing Tribal agency and court procedures necessary to meet the case review requirements in the law (section 476(c)(2)(A)(iii) of the Act). Announcements of the development grant opportunity will be made via [www.grants.gov](http://www.grants.gov).

Indian Tribes do not need to apply for or receive a development grant in order to submit a title IV-E plan to CB. Indian Tribes may solicit the assistance of CB RO staff and our technical assistance partners to understand the plan requirements of titles IV-B and IV-E, obtain insight into how to develop and operate a title IV-E plan and program, and/or to develop title IV-E agreements with States.

### Title IV-E Agreements and Negotiating State and Tribal Agreements in Good Faith

A title IV-E agency is required to negotiate in good faith with any Indian Tribe, Tribal organization or Tribal consortium in the State that requests to develop an agreement with the State title IV-E agency to administer a title IV-E program on behalf of Indian children who are under the authority of the Tribe, Tribal organization, or Tribal consortium (section 471(a)(32) of the Act). We encourage States and Indian Tribes to work together to enter into or revise existing title IV-E agreements or contracts as needed to ensure that Indian children have the same access to the title IV-E program as any other child. This may include offering technical assistance on



the State's title IV-E program, such as the title IV-A State plan as in effect on July 16, 1996, proper documentation of claims, or other areas.

While CB has not specifically defined what constitutes negotiating "in good faith," at a minimum this provision ensures that all parties have an opportunity to contribute to the development of title IV-E agreements. If a State presents a Tribe with a title IV-E agreement without providing the Indian Tribe an opportunity for input or otherwise proposes revisions to the title IV-E agreement, it is not consistent with the provision. States and Indian Tribes have discretion to craft arrangements that work best for the parties to a title IV-E agreement or contract (see CWPM Sections 8.1G and 9.4). Again, we are ready to provide assistance to States and Indian Tribes interested in the development or renegotiation of these arrangements through CB RO staff and our technical assistance partners. For example, this may include Tribes communicating through the CB sponsored Tribal listserv and providing peer-to-peer assistance among Tribes that have instituted a title IV-E program and plan or entered into a title IV-E agreement.

### Interim Final Rule

An interim final rule is forthcoming, as required by P.L. 110-351, section 301(e). This interim final rule will carry out the amendments made to title IV-E of the Act to authorize Indian Tribes to directly-operate title IV-E programs. The law specifically requires that we develop and codify procedures in an interim final rule to ensure that a transfer of responsibility for the placement and care of a child under a State title IV-E plan to a Tribal title IV-E plan or to an Indian Tribe with an agreement or contract under title IV-E does not affect the child's eligibility for title IV-E or title XIX Medicaid. Further, the law requires that we address in interim rules the types and amounts of in-kind expenditures that Indian Tribes may claim under a title IV-E plan. We anticipate that the interim final rule will address some of the questions and comments that we have heard from Indian Tribes during consultation sessions. However, Indian Tribes may submit a title IV-E plan at any time regardless of when these rules are published.

### **Section L: Short-Term Training**

As we have described in previous guidance, under section 474(a)(3)(B) of the Act, a title IV-E agency may claim for the short-term training of certain categories of trainees including: current or prospective foster or adoptive parents and the members of the staff of licensed or approved child care institutions providing care to foster and adopted children receiving assistance under title IV-E, in ways that increase the ability of current or prospective parents, staff members, and institutions to provide support and assistance to foster and adopted children at a Federal Financial Participation (FFP) rate of 75 percent. Under P.L. 110-351, a title IV-E agency may now also claim the cost of short-term training for additional categories of trainees including: relative guardians (if the title IV-E agency has opted to offer a title IV-E guardianship assistance program), members of licensed or approved child welfare agencies providing services to children receiving assistance under title IV-E, members of the staff of abuse and neglect courts, agency attorneys, attorneys representing children or parents, guardians ad litem, or other court-appointed special advocates representing children in the proceedings of such courts in ways that increase

their ability to provide support and assistance to title IV-E eligible children (see CWPM 8.1 H, Q/A #1). The FFP rate for these additional categories is phased in as follows: 60 percent in FY2010, 65 percent in FY2011, 70 percent in FY2012 and 75 percent in FY2013 and forward. A title IV-E agency may determine the best way to deliver training, which may include collaborating with these groups to determine whether joint training best meets the needs of these groups and the title IV-E agency.

All existing regulations in 45 CFR 1356.60(b) and (c) apply to a title IV-E agency claiming for the additional categories of trainees. A title IV-E agency has discretion to determine which child welfare agencies are considered licensed or approved for the purpose of this provision. Consistent with existing policy, a wide range of topics for short-term training are allowable as long as the training is closely related to one of the examples cited in 45 CFR 1356.60(c)(1) and (2) as allowable administrative activities under the title IV-E program (see CWPM 8.1H, Q/A #8). Some of these topics that may be relevant to the P.L. 110-351 amendments include: independent living and the issues confronting adolescents preparing for independent living consistent with section 477(b)(3)(D) of the Act; contract negotiation, monitoring or voucher processing related to the title IV-E program; effects of separation, grief and loss, child and adolescent development (including pregnancy prevention, healthy relations, and sexual health), visitation, trauma, and exposure to violence; negotiation and review of adoption assistance agreements; permanency planning, including using kinship care as a resource for children involved with the child welfare system; and social work practice, such as family-centered practice, cultural competency (including issues for LGBTQ youth), and social work methods including assessments.

## **Section M: Funding and Administrative Costs**

Where allowable, a title IV-E agency may claim the cost of implementing these provisions (with the exception of section 422(b)(15) of the Act, the Health Care Oversight and Coordination Plan) as title IV-E administrative costs under sections 474 and 472(i) of the Act. Any such costs claimed must be pursuant to a public assistance cost allocation plan (PACAP), a pending PACAP in some situations (45 CFR 95.515), or a Tribal plan identifying the indirect costs and other administrative costs that will be allocated and claimed under the title IV-E program, as applicable. A title IV-E agency may need to amend an existing cost allocation plan to claim these costs. Please refer to CWPM section 8.1 for further guidance on what administrative costs may be claimed. The following list provides examples of some types of administrative costs related to these provisions that may be claimed:

- A title IV-E agency that implements the option to provide title IV-E payments to youth age 18 or older may claim the allowable administrative and training costs per the statute at 474(a)(3) of the Act and regulations at 45 CFR 1356.60(c). (See sections A and B above.)
- A title IV-E agency may claim allowable administrative costs associated with transition planning as it is part of the youth's case plan per section 471(a)(16) of the Act. (CWPM 8.1B Q/A #17). (See section C above.)

- A title IV-E agency may claim as an allowable administrative cost the cost of transporting siblings removed from their home and not jointly placed (regardless of whether these siblings are in foster care, guardianship or adopted) to sibling visits and can also claim incidental costs associated with such visits, such as the costs of the siblings' meals during such visits. (See section G above.)
- A title IV-E agency may claim allowable administrative costs associated with improving existing agency protocols for locating and notifying relatives of children entering title IV-E foster care. (See section H above.)
- States and Tribes with an approved title IV-E plan may claim allowable administrative costs associated with the good faith negotiation of title IV-E agreements. (See section I above.)

## **Section N: Instructions for Amending the Title IV-E Plan**

By December 31, 2010, each title IV-E agency must submit to ACF sections 2 and 3, and if applicable, sections 4 and 6 of the title IV-E pre-print and applicable certifications (as listed below) to amend its title IV-E plan. The title IV-E agency is required to submit sections 2 and 3 of the pre-print, even if the title IV-E agency is not electing the option to change the definition of "child" because the submitted amendments must clearly reflect the title IV-E agency's definition of "child" and otherwise conform to the statutory changes made by P.L. 110-351 and P.L. 111-148, effective October 1, 2010. In addition, if the title IV-E agency wants to extend assistance beyond age 18 but select a definition of "child" lower than age 21 (i.e., age 19 or 20), the title IV-E agency must sign and submit the corresponding certification in Attachment VI with the title IV-E plan amendment to the RO. In completing the pre-print, the title IV-E agency must clearly record the applicable statutory, regulatory or policy references and citations for the affected Federal requirements. Alternatively, the title IV-E agency may submit the same information as described here in its own format. The title IV-E agency must submit the completed sections (by December 31, 2010) to the appropriate CB Regional Program Manager for approval as follows (see Enclosure). The agency may revise its definition of "child" at any subsequent time.

- Section 2 – Foster Care Maintenance Payments Program: Case Plan and Definition of Child
- Section 3 – Adoption Assistance Program: Payments – Amount and Conditions; and, Definition of Child
- Section 4 – General Program Requirements: Standards of Foster Family Homes and Child Care Institutions (required only for a title IV-E agency that selects a definition of child age 18 or older)
- Section 6 – Guardianship Assistance Program Option: Payments; and, Definition of Child (required only for a title IV-E agency with a GAP plan)
- Attachment I – Certification signed by the official submitting the plan
- Attachment II – Governor/Tribal Leader's Certification
- Attachment VI – Section 475(8) State/Tribal Certification (required only for a title IV-E agency that selects a definition of child of age 19 or 20)

Only the revised sections of the pre-print are attached and the new requirements/modified language are indicated as bolded text. The title IV-E agency must submit copies of referenced material to document compliance for any cited statute, regulation, policy and procedure that purports to implement section 475(8) of the Act. The title IV-E agency must submit the plan amendment electronically or on a compact disk. Where the agency is unable to submit electronic signatures for purposes of certification, it may submit the appropriate pages with original signatures.

**Inquiries:** Children's Bureau Regional Program Managers

/s/

Bryan Samuels  
Commissioner

Attachments

A – Title IV-E Preprint Amendments

B – Single Resource on Fostering Connections, updated 6/7/10

C – CB Regional Office Program Managers

OMB Approval No. 0980-0141  
Expiration Date: 10/31/2012

**AGENCY PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT  
FOSTER CARE AND ADOPTION ASSISTANCE  
STATE/TRIBE OF \_\_\_\_\_**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
CHILDREN'S BUREAU  
**July 2010**

**SECTION 1. ORGANIZATION**

- A. DESIGNATION AND AUTHORITY OF STATE/TRIBAL AGENCY
- B. STATE/TRIBAL AGENCY STRUCTURE AND FUNCTION
- C. STATE OR SERVICE AREA WIDE OPERATIONS
- D. COORDINATION WITH TITLES IV-A AND IV-B PROGRAMS
- E. CHILD SUPPORT ENFORCEMENT FOR CERTAIN CHILDREN IN FOSTER CARE

**SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS**

- A. ELIGIBILITY
- B. VOLUNTARY PLACEMENTS (OPTION)
- C. PAYMENTS
- D. CASE REVIEW SYSTEM**

- E. MEDICAL AND SOCIAL SERVICES
- F. SPECIFIC GOALS IN STATE/TRIBAL LAW
- G. PREVENTIVE AND REUNIFICATION SERVICES
- H. TERMINATION OF PARENTAL RIGHTS
- I. DATE CHILD CONSIDERED TO HAVE ENTERED FOSTER CARE
- J. DOCUMENTATION OF JUDICIAL DETERMINATION
- K. TRIAL HOME VISITS
- L. TRAINING

**M. DEFINITION OF CHILD**

**SECTION 3. ADOPTION ASSISTANCE PAYMENTS**

- A. ELIGIBILITY
- B. PAYMENTS - AMOUNTS AND CONDITIONS**
- C. ADOPTION ASSISTANCE AGREEMENT
- D. MEDICAID AND SOCIAL SERVICES
- E. ELIGIBILITY FOR ADOPTION INCENTIVE FUNDING
- F. ADOPTION TAX CREDIT

**G. DEFINITION OF CHILD**

**SECTION 4. GENERAL PROGRAM REQUIREMENTS**

- A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS**
- B. REVIEW OF PAYMENTS AND LICENSING STANDARDS
- C. FAIR HEARINGS
- D. INDEPENDENT AUDIT
- E. CHILD ABUSE AND NEGLECT
- F. TIMELY INTERSTATE PLACEMENT OF CHILDREN
- G. REMOVAL OF BARRIERS TO INTERETHNIC ADOPTION
- H. KINSHIP CARE
- I. SIBLING PLACEMENT
- J. SAFETY REQUIREMENTS

- K. INTERJURISDICTIONAL ADOPTIONS
- L. QUALITY STANDARDS
- M. COMPULSORY SCHOOL ATTENDANCE
- N. VERIFICATION OF CITIZENSHIP OR IMMIGRATION STATUS

## **SECTION 5. GENERAL PROVISIONS**

- A. PERSONNEL ADMINISTRATION
- B. SAFEGUARDING INFORMATION
- C. REPORTING
- D. MONITORING
- E. APPLICABILITY OF DEPARTMENT-WIDE REGULATIONS
- F. AVAILABILITY OF PLANS
- G. OPPORTUNITY FOR PUBLIC INSPECTION OF CFSR MATERIALS
- H. NEGOTIATION WITH INDIAN TRIBES

## **SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION**

- A. ELIGIBILITY
- B. PAYMENTS**
- C. AGREEMENTS
- D. SAFETY
- E. MEDICAID AND SOCIAL SERVICES
- F. TITLE IV-E GUARDIANSHIP ASSISTANCE PROGRAM PLAN REQUIREMENTS
- G. DEFINITION OF CHILD**

## **SECTION 7. TRIBE OPERATED IV-E PROGRAM REQUIREMENTS**

- A. GENERAL PROGRAM REQUIREMENTS
- B. SERVICE AREA AND POPULATIONS
- C. NUNC PRO TUNC AND FOSTER CARE ELIGIBILITY REQUIREMENTS
- D. LICENSING STANDARDS FOR TRIBAL FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS

E. IN-KIND EXPENDITURES FROM THIRD-PARTY SOURCES

**ATTACHMENT I: CERTIFICATION**

**ATTACHMENT II: GOVERNOR/TRIBAL LEADER'S CERTIFICATION**

**ATTACHMENT III: STATE ASSURANCES**

**ATTACHMENT IV: 479B TRIBAL ASSURANCES**

**ATTACHMENT V: 479B TRIBAL CERTIFICATIONS**



**PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT**

**FEDERAL PAYMENTS FOR FOSTER CARE AND ADOPTION ASSISTANCE**

**STATE/TRIBE OF \_\_\_\_\_**

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

\_\_\_\_\_  
(Name of State/Tribal Agency)

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS</b>	
475(5)(H)	<p>D. CASE REVIEW SYSTEM</p> <p>1. Case Plan</p> <p>j. during the 90-day period immediately prior to the date on which the child will attain 18 years of age, <b>or such greater age as the State may elect under section 475(8)(B)(iii)</b>, whether during that period foster care maintenance payments are being made on the child's behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State/Tribal agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, <b>includes information about the importance of designating another individual to make health care treatment decisions on behalf of the child if the child becomes unable to participate in such decisions and the child does not have, or does not want, a relative who would otherwise be authorized under State/Tribal law to make such decisions, and provides the child</b></p>	

	<p><b>with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State/Tribal law, and is as detailed as the child may elect;</b></p>	
<b>475(8)</b>	<p><b>M. DEFINITION OF 'CHILD'</b></p> <p><b>For the purposes of the title IV-E foster care program under section 472, the term 'child' means</b></p> <ul style="list-style-type: none"><li><b>i. an individual who has not attained 18 years of age; or</b></li><li><b>ii. at the option of the title IV-E agency an individual</b><ul style="list-style-type: none"><li><b>a. who is in foster care under the responsibility of the title IV-E agency</b></li><li><b>b. who has attained 18 years of age but who has not attained 19, 20, or 21 years of age (as elected and indicated by the title IV-E agency) and</b></li><li><b>c. who meets any of the following conditions</b><ul style="list-style-type: none"><li><b>I. the child is completing secondary education or a program leading to an equivalent credential;</b></li><li><b>II. the child is enrolled in an institution which provides post-secondary or vocational education;</b></li></ul></li></ul></li></ul>	

	<p><b>III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;</b></p> <p><b>IV. the child is employed for at least 80 hours per month; or</b></p> <p><b>V. the child is incapable of doing any of the above described activities due to a medical condition, which incapability is supported by regularly updated information in the case plan of the child.</b></p>	
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Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 3. ADOPTION ASSISTANCE PAYMENTS</b>	
<b>473(a)(4)</b>	<p>B. PAYMENTS – AMOUNTS AND CONDITIONS</p> <p>5. Payments are terminated when the title IV-E agency determines that:</p> <p><b>a. the child has attained the age of 18, or such greater age as the State may elect under section 475(8)(B)(iii); or</b></p> <p><b>b. the child has attained 21 years of age, if the title IV-E agency determines that the child has a mental</b></p>	

**or physical disability which warrants the continuation of assistance to age 21; or**

**c. the child has not attained 18 year of age, if the title IV-E agency determines that the parents are no longer legally responsible for the support of the child; or**

d. the child is no longer receiving any support from the adoptive parents.

**475(8)**

**G. DEFINITION OF 'CHILD'**

**For the purposes of the title IV-E adoption assistance program under section 473, the term 'child' means**

**i. an individual who has not attained 18 years of age; or**

**ii. at the option of the title IV-E agency an individual**

**a. with respect to whom an adoption assistance agreement is in effect under section 473 if the individual had attained age 16 before the adoption assistance agreement became effective and**

**c. who meets any of the following conditions:**

**I. the child is completing secondary education or a program leading to an equivalent credential;**

**II. the child is enrolled in an institution which provides post-secondary or vocational education;**

**III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;**

**IV. the child is employed for at least 80**

	<p><b>hours per month; or</b></p> <p><b>V. the child is incapable of doing any of the above described activities due to a medical condition.</b></p>	
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Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 4. GENERAL PROGRAM REQUIREMENTS</b>	
	A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS	
<b>1355.20(a)(2)</b>  <b>472(c)(2)</b>	<p>2. Child care institution means a private child care institution, or a public child care institution which accommodates no more than 25 children, and is licensed by the State or Tribe in which it is situated or has been approved by the agency of such State or Tribal licensing authority (with respect to child care institutions on or near Indian reservations) responsible for licensing or approval of institutions of this type as meeting the standards established for such licensing, <b>except, in the case of a child who has attained 18 years of age, the term includes a supervised</b></p>	

**independent living setting in which the individual is living independently.**

This definition must not include detention facilities, forestry camps, training schools, or any other facility operated primarily for the detention of children who are determined to be delinquent.

(Tribes, see also section 7 for requirements related to 471(a)(10).)



Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION	
473(a)(4)(A)	<p>B. PAYMENTS</p> <p><b>3. Payments are terminated when the title IV-E agency determines that:</b></p> <p><b>a. the child has attained the age of 18, or such greater age as the title IV-E agency may elect under section 475(8)(B)(iii); or</b></p> <p><b>b. the child has attained 21 years of age, if the title IV-E agency determines that the child has a mental or physical disability which warrants the continuation of assistance to age 21; or</b></p> <p><b>c. the child has not attained 18 year of age, if the title IV-E agency determines that the relative guardians are no longer legally responsible for the support of the child; or</b></p> <p><b>d. the child is no longer receiving any support from the relative guardians.</b></p>	

<p><b>473(a)(4)(B)</b></p>	<p><b>4. The relative guardians are required to inform the State/Tribal agency of circumstances that would make them ineligible for guardianship assistance payments or eligible for guardianship assistance payments in a different amount.</b></p>	
<p><b>475(8)</b></p>	<p><b>G. DEFINITION OF 'CHILD'</b></p> <p><b>For the purposes of the title IV-E guardianship assistance program under section 473(d), the term 'child' means</b></p> <p><b>i. an individual who has not attained 18 years of age; or</b></p> <p><b>ii. at the option of the title IV-E agency an individual</b></p> <p style="padding-left: 40px;"><b>a. with respect to whom a guardianship assistance agreement is in effect under section 473(d) if the individual had attained age 16 before the guardianship assistance agreement became effective and</b></p> <p style="padding-left: 40px;"><b>b. who meets any of the following conditions:</b></p> <p style="padding-left: 80px;"><b>I. the child is completing secondary education or a program leading to an equivalent credential;</b></p> <p style="padding-left: 80px;"><b>II. the child is enrolled in an</b></p>	

**institution which provides post-secondary or vocational education;**

**III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;**

**IV. the child is employed for at least 80 hours per month; or**

**V. the child is incapable of doing any of the above described activities due to a medical condition.**

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**CERTIFICATION**

I hereby certify that I am authorized to submit the title IV-E Plan on behalf of

\_\_\_\_\_  
(Designated State/Tribal Agency)

Date \_\_\_\_\_ (Signature)

\_\_\_\_\_  
(Title)

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APPROVAL DATE \_\_\_\_\_ EFFECTIVE DATE: \_\_\_\_\_

\_\_\_\_\_  
(Signature, Associate Commissioner, Children's Bureau)

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**GOVERNOR/TRIBAL LEADER'S CERTIFICATION  
TITLE IV-E of the SOCIAL SECURITY ACT**

I certify that \_\_\_\_\_  
(Name of Agency/Tribe)

- a. has the authority to submit the plan under title IV-E of the Social Security Act and
- b. is the single title IV-E agency responsible for administering the plan or supervising the administration of the plan by local political subdivisions/Tribal service area. It has the authority to make rules and regulations governing the administration of the plan that are binding on such subdivisions/service areas. The title IV-E plan is mandatory upon the subdivisions/service areas and is in effect throughout the State/Tribal service areas.

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature)

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**Section 475(8) STATE/TRIBAL CERTIFICATION  
TITLE IV-E of the SOCIAL SECURITY ACT**

I certify that \_\_\_\_\_  
(Name of Agency/Tribe)

has chosen to implement the option in section 475(8)(B) of title IV-E of the Social Security Act to adopt a definition of "child" of age 19 or 20 for the title IV-E programs for the following reason(s), described below:

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature)

## **Implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008**

Working Document – Updated as of 06/07/10

*This document is intended as a reference for stakeholders interested in locating Children's Bureau (CB) policy, guidance and other implementation activities related to the Fostering Connection to Success and Increasing Adoptions Act of 2008 (Public Law (P.L.) 110-351). It will be updated as appropriate.*

**Background.** The President signed the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P. L. 110-351) into law on October 7, 2008. Generally, the law amends the Social Security Act to extend and expand adoption incentives through FY2013; create an option to provide kinship guardianship assistance payments; create an option to extend eligibility for title IV-E foster care, adoption assistance and kinship guardianship payments to age 21; de-link adoption assistance from Aid to Families with Dependent Children (AFDC) eligibility over time; and, provide Federally-recognized Indian Tribes, Tribal organizations, or Tribal consortia (Tribes) with the option to operate a title IV-E program, among many other provisions. A [draft compilation of the revised Social Security Act](#) can be found on the CB's website.

**Title IV-E Requirements** – States and Tribes that operate a program pursuant to title IV-E of the Social Security Act must comply with all requirements identified in law, regulation and policy. Additional information regarding general requirements of title IV-E may be found at:

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).
- [ACYF-CB-PI-10-07](#): provides State title IV-E agencies with revised interim instructions on how to report on existing financial reporting form ACF-IV-E-1 estimates and expenditures associated with the Guardianship Assistance Program (GAP), post-termination assisted guardianship waiver demonstration project assistance and services and short-term training for additional trainees eligible for Federal financial participation (FFP) at transitional reimbursement rates.
- [ACYF-CB-PI-09-08](#): provides a revised title IV-E plan pre-print that incorporates the statutory provisions made by Public Law 110-351 which are effective through fiscal year 2010.
- [ACYF-CB-PI-09-04](#): provides title IV-E Form ACYF-IV-E-1 and Interim Financial Reporting Instructions for the Foster Care, Adoption Assistance and Guardianship Assistance Programs. *This issuance is superseded by ACYF-CB-PI-10-01 and ACYF-CB-PI-10-07.*
- [ACYF-CB-PI-08-05](#): provides basic information about the provisions of P. L. 110-351.

**Guardianship Assistance Payments (GAP) Program** (Effective October 7, 2008) - creates an option for State and Tribal title IV-E agencies to provide kinship guardianship assistance payments. Additional information may be found at:

- [ACYF-CB-PI-10-07](#): provides State title IV-E agencies with revised interim instructions on how to report on existing financial reporting form ACF-IV-E-1 estimates and expenditures associated with the GAP, post-termination assisted guardianship waiver

demonstration project assistance and services and short-term training for additional trainees eligible for Federal Financial Participation (FFP) at transitional reimbursement rates.

- [ACYF-CB-PI-10-01](#): title IV-E agencies revised instructions on how to implement and operate the GAP plan option. *This Program Instruction (PI) supersedes ACYF-CB-PI-08-07 issued December 24, 2008 and ACYF-CB-PI-09-04 issued March 24, 2009.*
- [ACYF-CB-PI-08-07](#): provides title IV-E agencies instructions for how to implement and operate the GAP option. *This issuance is superseded by ACYF-CB-PI-10-01.*
- [ACYF-CB-PI-09-04](#): provides the title IV-E Form ACYF-IV-E-1 Interim Financial Reporting Instructions Foster Care, Adoption Assistance and Guardianship Assistance Programs. *This issuance is superseded by ACYF-CB-PI-10-01 and ACYF-CB-PI-10-07.*
- [Section 8.5](#) of the Child Welfare Policy Manual (CWPM) provides questions and answers (Q/As) regarding the GAP.

**Tribal Option to Operate a Title IV-E Program** (Effective October 1, 2009) - allows Federally-recognized Tribes to apply to receive title IV-E funds directly for foster care, adoption assistance and, at Tribal option, kinship guardianship assistance. Additional information may be found at:

- [ACYF-CB-PI-09-11](#): provides guidance on the Federal Advance Planning Document (APD) regulations that Tribes have to comply with to claim title IV-B and/or title IV-E Federal Financial Participation for child welfare information technology projects, equipment, and services.
- [ACYF-CB-IM-09-02](#): provides automation requirements and options for Tribes operating a title IV-E program pursuant to section 479B of the Social Security Act.
- [Tribal Title IV-E Program Considerations, Technical Assistance Document](#): provides technical assistance for Tribes to use in considering how to plan for the resources, policies, and procedures they will or may need to implement a direct title IV-E program.
- [ACYF-CB-PI-08-06](#): requested that Tribes submit a letter of intent if the Tribe intended to directly operate a title IV-E Program or apply for a Fostering Connections grant. *Note: The request for letters of intent has expired.*
- [ACYF-CB-IM-08-03](#): notifies Indian Tribes of the opportunity to operate the title IV-E programs.
- [Title IV-E Tribal Consultation Meetings](#): published in the Federal Register March 13, 2009 (Volume 74, Number 48) - a request for public comment concerning the Tribal title IV-E requirements and notice of Tribal consultation meetings. *Note: The public comment period is closed, and Tribal consultation meetings have concluded.*

**Tribal Option to Directly Operate the Chafee Foster Care Independent Living Program (CFCIP) and Education and Training Voucher (ETV) Program** (Effective October 1, 2009) - provides an option for Tribes with an approved title IV-E plan or a title IV-E Tribal/State agreement to receive directly from the Secretary of HHS a portion of the State's CFCIP and ETV allotments to fund the provision of services to Tribal youth. Additional information may be found at:

- [ACYF-CB-PI-10-08](#): provides guidance to Indian Tribes, Tribal Organizations or Tribal Consortia on actions they are required to take in order to receive their allotments for



fiscal year (FY) 2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, the CFCIP and ETV programs.

- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on the June 30, 2009 submission of a CFCIP and ETV plan, among other provisions.

**Tribal Title IV-E Plan Development Grants** - are authorized for the development of a Tribal title IV-E plan and implementation of a title IV-E program.

- 2009 [Tribal Title IV-E Plan Development Grant Awardees](#). The application announcement for 2010 grants is open beginning March 23, 2010. All applications are due by June, 21, 2010. The application and additional information can be found at: [grants.gov](#).

**De-linking a Child's Adoption Assistance Eligibility from AFDC Eligibility Requirements** (Effective October 1, 2009, subject to phase-in) - establishes new criteria associated with the de-linking of Adoption Assistance eligibility AFDC eligibility requirements, phased in over time beginning in FY 2010. In FY 2010 beginning with children aged 16 years and older, eligibility for Adoption Assistance will be delinked from AFDC and every fiscal year after the age drops two years. Additional information may be found at:

- [ACYF-CB-PI-09-10](#): provides State and Tribal title IV-E agencies with information regarding changes to the title IV-E adoption assistance eligibility requirements made by P.L. 110-351.

**Extension and Expansion of the Adoption Incentives Program** (Effective October 7, 2008) - extends the Adoption Incentive Program through FY 2013, updates the "base year" used to measure increases to FY 2007, doubles incentive payment amounts for special needs and older child adoptions and creates a "highest ever" foster child adoption rate payment. Additional information may be found at:

- [FY 2009 Adoption Incentive Awards Press Release](#) and [State Listing](#)
- [ACYF-CB-IM-09-03](#): informs States of the procedures for determining the Adoption Incentive grant amounts and includes the schedule of payments to be used by ACYF in awarding the Adoption Incentive funds to States.

**Option to Extend Eligibility for Title IV-E Payments to Age 21** (Effective October 1, 2010) - allows States and Tribes to elect to provide title IV-E foster care, adoption assistance and kinship guardianship payments to youth up to age 19, 20 or 21, when those youth meet certain education, training or work requirements.

**Educational Stability Requirements** (Effective October 7, 2008) - adds travel to school in the foster care maintenance payment definition, adds a case plan requirement to assure educational stability for children in foster care, and requires that the title IV-E agency assure that each child receiving a payment under the title IV-E plan is attending school full time or has completed secondary school. The following questions in the CWPM address these provisions:

- [CWPM 8.3B, Q #1](#)
- [CWPM 8.4, Q #2](#)
- [CWPM 8.4, Q #3](#)

**Title IV-B Plan Health Oversight and Coordination Plan Requirements** (Effective October 7, 2008) - requires the title IV-B agency to develop ongoing oversight and coordination of health care services for children in foster care, including coordination with the state Medicaid agency. Additional information can be found at:

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).
- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [ACYF-CB-PI-10-08](#): provides guidance to Indian Tribes, Tribal Organizations or Tribal Consortia on actions they are required to take in order to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, the CFCIP and ETV programs.
- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on actions they are required to take for the June 30, 2009 submission of the title IV-B plan, among other provisions.
- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take for the June 30, 2009 submission of the title IV-B plan, among other provisions.

**Transition Plan for Emancipating Youth** (Effective October 7, 2008) – requires that during the 90-day period prior to a child’s emancipation, the child’s caseworker must develop a personalized transition plan that is directed by the child.

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).

**State Good Faith Negotiation with Tribes** (Effective October 7, 2008) - creates a title IV-E plan requirement and a Chafee plan requirement for the State to negotiate in good faith with any Tribe that requests the development of an agreement with the State to provide payments for Indian children. Additional information can be found at:

- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on actions they are required to take for the June 30, 2009 submission of the title IV-B, CFCIP and ETV plans.
- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take for the June 30, 2009 submission of the title IV-B, CFCIP and ETV plans.

**Training** (Effective October 7, 2008) - permits title IV-E agencies to claim the costs of short-term training for relative guardians, attorneys and others. Questions added to the CWPM or significantly revised to address this provision include:

- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [CWPM 8.1H, Q #1](#)
- [CWPM 8.1H, Q #8](#)
- [CWPM 8.1H, Q #17](#)
- [CWPM 8.1H, Q #18](#)
- [CWPM 8.1H, Q #19](#)
- [CWPM 8.1H, Q #20](#)

**Notice to Relatives of Removal** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(29) to require that title IV-E agencies exercise due diligence to identify and notify all adult relatives of a child within 30 days of the child's removal, of the relatives' options to become a placement resource for the child.

**Title IV-E Plan Requirements for Sibling Placement** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(31) of the Act to require title IV-E agencies to make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or facilitate visitation or ongoing contacts with those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so.

**Adoption Tax Credit** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(33) for title IV-E agencies to inform prospective adoptive parents of the adoption tax credit.

**Licensing Waivers for Relatives and Report to Congress** (Effective October 7, 2008) - the law amends section 471(a)(10) to explicitly permit the title IV-E agency to waive on a case-by-case basis a non-safety licensing standard for a relative foster family home. In addition, HHS must submit a Report to Congress, two years after enactment, on children placed in relative foster family homes and the use of licensing waivers.

- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on how to report data on foster family homes to ACYF, among other provisions.

**Access to Federal Parent Locator Service** (Effective October 7, 2008) - the law amends section 453(j)(3) of title IV-D of the Act to grant authority to the Secretary to conduct comparisons and make disclosures to States of information for the purposes of the title IV-B and IV-E programs using the Federal Parent Locator Service.

**Family Connection Grants** (awarded in September 2009) - authorizes and appropriates \$15 million in discretionary grant funds to be awarded to State, local or Tribal child welfare agencies and private non-profit organizations that have experience in working with fostering children or children in kinship care arrangements in four program areas to support evidence-based and evidence informed demonstration projects. The four program areas include Kinship Navigator, Family Finding, Family Group Decision-making and Residential Family Treatment.

- [Awardees for FY 2009 Family Connection Grants](#)

**Additional Policy Guidance**

In addition to the resources provided above, please note that as a result of the enactment P.L. 110-351, the relevant Child Welfare Policy Manual Q/As are in the process of being revised to reflect the many changes made by the law. The latest revisions can be found in the [Modifications to the Manual](#) and [Additions to the Manual](#) sections of the CWPM. Until such time as the edits to the sections of the CWPM related to the changes made to the Act by P.L. 110-351 are complete, please refer to the statute and official guidance from the CB (such as Program Instructions and Information Memoranda) for definitive guidance on the requirements. You also may contact your [Regional Office](#) representative for further clarification.

January 2013

# Working With Youth to Develop a Transition Plan

In an effort to improve outcomes for youth exiting foster care, the Fostering Connections to Success and Increasing Adoptions Act of 2008 included planning provisions to help youth better transition to independent living and adulthood.

This factsheet is intended to help child welfare professionals and others who work with transitioning youth to understand the Federal legislative requirements for transition plans and partner with youth to develop a plan that builds on their strengths while supporting their needs.

## What's Inside:

- What is a transition plan?
- What are the Federal legislative requirements for transition plans?
- What should transition plans include?
- What are States doing?



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**Child Welfare Information Gateway**  
Children's Bureau/ACYF  
1250 Maryland Avenue, SW  
Eighth Floor  
Washington, DC 20024  
800.394.3366  
Email: [info@childwelfare.gov](mailto:info@childwelfare.gov)  
<https://www.childwelfare.gov>

## What Is a Transition Plan?

The Foster Care Independence Act of 1999 created the John H. Chafee Foster Care Independence Program (CFCIP) that allowed States to provide financial, housing, employment, education, and other support services to youth who left foster care at 18 but had yet to turn 21. The Promoting Safe and Stable Families Amendments of 2001 amended the Chafee Program to extend support services to youth to age 23 if the youth is enrolled in a program of higher education. The act also created the Educational and Training Voucher (ETV) program that provides annual stipends of up to \$5,000 for education-related expenses. The Fostering Connections Act built on this foundation and permitted States to allow youth who aged out of foster care at 18 but are younger than age 21 to remain in or return to foster care, so long as they are enrolled in school, are employed for at least 80 hours each month, or are participating in programs to attain gainful employment (American Bar Association [ABA], 2011). Fostering Connections also included the following transition plan requirement:

“during the 90-day period immediately prior to the date on which the child will attain 18 years of age, or such greater age as the State may elect under paragraph (8)(B)(iii), whether during that period foster care maintenance payments are being made on the child’s behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect” (P.L. 110-351, title II, § 202(3))

Information about the CFCIP, Fostering Connections, facts and statistics about youth transitioning from foster care, and other resources are available on the website of the National Resource Center for Youth Development (NRCYD):  
<http://www.nrcyd.ou.edu/>

**DEFINITIONS:**

**A Transition Plan** is required by the Fostering Connections to Success and Increasing Adoptions Act of 2008 for each youth exiting foster care. Ninety days prior to a youth's 18th birthday (or the age required by the State for aging out of care), the youth, his or her caseworker, and other representatives of the youth's choosing must develop the plan. Specific elements such as housing, education, employment, mentoring, and continued support services must be included. The Patient Protection and Affordable Care Act amended the transition plan provision to require that youth be educated about the importance of designating someone who can, when necessary, make health care decisions on their behalf. Transition plans must be *personalized at the direction of the child*.

**Independent Living (IL)** services are provided to youth in out-of-home-care to help them prepare for self-sufficiency. Services often include assistance with money management skills, educational assistance, household management skills, employment preparation, and other services. For more information on IL services and resources, visit the Child Welfare Information Gateway website: <https://www.childwelfare.gov/outofhome/independent/>

## What Are the Federal Legislative Requirements for Transition Plans?

The Fostering Connections Act provides practitioners in the field with a concrete timeframe and formal structure for transition planning. The transition plan must be finalized no later than 90 days prior to the youth's transition from care. Although the legislation is not overly prescriptive, it gives clear guidance on benchmark elements that, when combined with the Individuals with Disabilities Education Act (IDEA) and the Affordable Care Act (ACA) requirements, create a solid foundation for meeting youth needs. The most challenging, yet critical, element of the Fostering Connections Act is the provision that each plan should be "as detailed as the child may elect." This requirement shifts the focus for child welfare workers to educating and supporting youth in planning for themselves. In addition, the transition plan requirement creates an opportunity to bring together, in one structured conversation and process, several new requirements for working with youth, including ACA's health care proxy requirement, IL conditions, and more.

The Administration for Children and Families (ACF) issued a Program Instruction (PI) in 2010 on the Fostering Connections Act to provide guidance and reiterate other requirements for planning. For example:

- Case plans must include a written or recorded description of the programs and services available to help youth in foster care, who are 16 or older, prepare for the transition from care.
- Permanency hearings for youth 16 or older must determine the necessary services to help him or her transition from foster care to independent living.

The complete PI is available on the ACF website: <http://www.acf.hhs.gov/programs/cb/resource/pi1011>

The National Foster Care Coalition published a Q&A paper on the Fostering Connections Act that tackles several questions pertaining to transition plans. The document asks and answers important questions about such topics as how States should engage youth in the development of the personalized transition plan, what role the court plays in transition planning, and more.

*Fostering Connections to Success and Increasing Adoptions Act, Frequently Asked Questions on the Provisions Designed to Impact Youth and Young Adults* is available on the ABA website: [http://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/empowerment/nfcc\\_faq\\_older youth.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/empowerment/nfcc_faq_older youth.authcheckdam.pdf)

The July 2011 issue of the *Judge's Page*, a National CASA Association newsletter, spotlights the Fostering Connections Act. One article focuses specifically on the transition plan requirement and the role the courts play in implementation. The entire issue is available here: [http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.7522045/k.DD83/July\\_2011.htm](http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.7522045/k.DD83/July_2011.htm)

For more information on Fostering Connections and other child welfare legislation, read

Information Gateway's *Major Federal Legislation Concerned With Child Protection, Child Welfare, and Adoption*: <http://www.childwelfare.gov/pubs/otherpubs/majorfedlegis.pdf>

## NATIONAL YOUTH IN TRANSITION DATABASE

The CFCIP required that the Children's Bureau establish a system to track the services States provide to youth currently and formerly in foster care, as well as collect outcomes data that could be used to assess State performance in providing services. Thus, the Children's Bureau developed the National Youth in Transition Database (NYTD).

Every May and November, States report data to NYTD about the demographics of youth served by CFCIP and information about the services provided. The National Resource Center for Child Welfare Data and Technology (NRC-CWDT) and the NRCYD provide technical assistance to help States with data collection, reporting, and other NYTD data elements and requirements.

The [NRC-CWDT website](#) provides several NYTD materials, including factsheets, training and technical assistance briefs, State examples, and Federal guidance resources. The Children's Bureau's [NYTD Community of Practice](#) is an information-sharing website for States that is focused on NYTD implementation.

For more information on NYTD, visit the Children's Bureau website: <http://www.acf.hhs.gov/programs/cb/research-data-technology/reporting-systems/nytd>



## What Should Transition Plans Include?

The Fostering Connections Act provides a general list of elements that must be included in transition plans, such as housing, employment, mentoring services, and education. How these specific components are covered or addressed can vary by State and even by agency.

FosterClub's *Transition Toolkit* provides youth with a step-by-step process for thinking about leaving care and provides transition plan templates. The guide is centered on 10 critical areas: finances, employment, life skills, identity, permanence, education, health, housing, transportation, and community. The toolkit is available on Foster Club's website: [http://www.fosterclub.com/files/transition\\_toolkit\\_v3.pdf](http://www.fosterclub.com/files/transition_toolkit_v3.pdf)

Foster Club also produced *Transition Toolkit Companion Tools* for professionals working with transitioning youth. The toolkit for professionals includes guidance on asset mapping, an assessment tool to evaluate needed services, and worksheets for youth, each centered on a component of the transition plan. The worksheets also provide a readiness scale to help professionals and youth evaluate his or her readiness on each component and areas for improvement. Access the toolkit companion tools here: <http://www.fosterclub.com/transition/article/transition-toolkit-companion-tools>

The NRCYD produced a literature review of transition planning practices. The literature review provides recommendations for transition

planning across several fields, including child welfare, juvenile justice, mental health, and special education. It also includes promising practices in States. *Transition Planning With Adolescents: A Review of Principles and Practices Across Systems* is available on the NRCYD's website: <http://www.nrcyd.ou.edu/publication-db/documents/transition-planning-with-adolescents.pdf>

While it is not a Federal legal requirement, transition plans should ensure the collection of important documentation and paperwork that all young adults need, including birth certificates, Social Security cards, credit reports, and more. A list of 15 recommended documents is available in the ABA's publication *Sample State Legislation to Extend Foster Care, Adoption and Guardianship Protections, Services and Payments to Young Adults Age 18 and Older* (page 32) [http://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/empowerment/sample\\_leg\\_18\\_with\\_cover\\_final.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/empowerment/sample_leg_18_with_cover_final.authcheckdam.pdf)

## What Are States Doing?

Before the passage of Fostering Connections in 2008, many States required transitional or independent living plans for youth in out-of-home care who were 16 or older. Child Welfare Information Gateway's State Guides and Manuals database provides links to State publications regarding child welfare services and guidance for professionals: <https://www.childwelfare.gov/systemwide/sgm/>

A number of States have developed resources to address the requirement for transition plans. The following are a few readily available examples:

- In **Hawaii**, EPIC 'Ohana, Inc.—the State's lead agency for the national Jim Casey Youth Opportunities Initiative—employs the Ohana Circles program, a culturally appropriate program for working with youth to develop their transition plan. Youth who are preparing to leave foster care identify members of their Circle, who come together to help plan for housing, education, employment, physical and mental health, and other needs. A summary of the Circle and transition plan is provided to the youth and Circle participants after the Circle. More information is available on the 'Ohana, Inc. website: <http://www.epicohana.info/youthcircle.aspx>
- **Minnesota's** Department of Human Services produced a best practices guide for child welfare professionals to help youth transition from out-of-home care to adulthood. The guide provides sample goals and objectives for an Independent Living plan, guidance and resources, curricula information, and information on how caregivers can help youth transition to independent living. *Helping Youth Transition From Out-of-Home Care to Adulthood* is available here: [http://www.positivelyminnesota.com/Programs\\_Services/Youth\\_Services/Shared\\_Youth\\_Vision/Inter-Agency\\_Projects/Transition\\_Services\\_Best\\_Practices.pdf](http://www.positivelyminnesota.com/Programs_Services/Youth_Services/Shared_Youth_Vision/Inter-Agency_Projects/Transition_Services_Best_Practices.pdf)
- **Iowa** has a Transition Planning Specialist (TPS) in each of its five regions. The TPS provides training and technical assistance to staff, providers, and others on transition planning and resources. Each youth referred to a TPS are provided with a Transitioning Information Packet with tips on education, housing, money management, and more to help them plan for their transition to independent living. More information on Iowa's TPS, information packet, and other resources is available on Iowa's Department of Human Services website: [http://www.dhs.iowa.gov/Consumers/Child\\_Welfare/Transition\\_Services/Transitioning%20to%20Adulthood.html](http://www.dhs.iowa.gov/Consumers/Child_Welfare/Transition_Services/Transitioning%20to%20Adulthood.html)
- **Texas** requires a transition plan for all youth 14-years-old and older in out-of-home care. The State revised this requirement after Fostering Connections to include a transition meeting 90 days prior to the youth's 18th birthday and 90 days prior to the youth's transition from care. View Texas's Preparation for Adult Living program and other transitional living services here: [http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x10200.jsp](http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x10200.jsp)
- **Oregon's** Department of Human Services' (DHS) *Youth Transitions Policy* provides clear guidelines and requirements for transition plans and the roles and responsibilities caseworkers and supervisors must play in the development of the plan. The policy also outlines steps for reviewing the plan, as well as benchmarks. The policy is available on the State's DHS website: [http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-b235.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf)
- The **California** Social Work Education Center (CalSWEC) provides training resources on transition plans. One resource is geared toward supervisors and managers, and the other resource is intended for child welfare workers: <http://calswec.berkeley.edu/training-resource-transitional-independent-living-plan>

- **Indiana's** The Villages (the State's largest not-for-profit child and family services agency) offers community-based, life-skills training and other services to transitioning youth. Youth have access to scattered-site apartments and 24-hour case management, and many participants qualify for 6 months of support after completing the program: [http://www.villages.org/transitional\\_living.php](http://www.villages.org/transitional_living.php)
- **Washington State** created a youth-friendly website detailing the elements of its Independent Living Program, eligibility requirements, and contact information: <http://www.independence.wa.gov/programs/ilp.asp>

For more promising practices from States and Tribes, in addition to training and technical assistance resources, evidence-based practices, and more, visit the National Resource Center for Permanency and Family Connection's website: [http://www.nrcpfc.org/fostering\\_connections/emancipating\\_older\\_youth.html](http://www.nrcpfc.org/fostering_connections/emancipating_older_youth.html)

Information Gateway's State statutes database links to State laws on a variety of relevant topics: [https://www.childwelfare.gov/systemwide/laws\\_policies/state/](https://www.childwelfare.gov/systemwide/laws_policies/state/)

## Additional Resources

- FosteringConnections.org provides a bevy of resources and materials related to the Fostering Connections Act. Its Implementation News and Resources page provides State-specific information: <http://www.fosteringconnections.org/>
- The NRCYD provides several resources on transitioning youth, including The Solutions Desk's information-sharing community, the Fostering Connections section with plain language explanations of the law's provisions, and strategies and materials for engaging youth: <http://www.solutionsdesk.ou.edu/transitioning-youth.html>
- *Strategies from the California Connected by 25 Initiative: Tips and Resources to Improve Outcomes for Transition Age Foster Youth* provides key strategies for community partnerships, youth engagement, and evaluation across five core focus areas: <http://74.81.204.52/Files/CC25IPromisingStrategies.pdf>
- The Center for Juvenile Justice Reform and the Jim Casey Youth Opportunities Initiative published *Supporting Youth in Transition to Adulthood: Lessons Learned from Child Welfare and Juvenile Justice*. The publication addresses the many challenges the two systems face in preparing youth for adulthood: <http://cjjr.georgetown.edu/pdfs/TransitionPaperFinal.pdf>
- Foster Club's Leaving Foster Care webpage provides several FAQs aimed at transitioning youth: <http://www.fosterclub.com/questionsanswers/leaving-foster-care>
- *FLUX: Life After Foster Care* is a book that includes contributions from more than 100 alumni of foster care. The book examines the emotional transition from foster care to adulthood and serves as a resource for both foster care alumni and social workers: <http://www.fostercarealumni.org/resources/FLUX.htm>

- The National Association of Public Child Welfare Administrators, in partnership with Casey Family Programs, administered the Fostering Connections Implementation State Survey to all 50 States and the District of Columbia. Responses provide State-specific information regarding the implementation of the Federal legislation, including information States' Independent Living plans: <http://www.napcwa.org/Legislative/fostering.asp>

## References

American Bar Association. (2011). The option to extend care beyond age 18: An important opportunity for States. *Judge's Page* retrieved from [http://www.casaforchildren.org/site/c.mtJSJ7MP1sE/b.7522097/k.CB71/JP6\\_ABA.htm](http://www.casaforchildren.org/site/c.mtJSJ7MP1sE/b.7522097/k.CB71/JP6_ABA.htm)



U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau



## THE EVIDENCE IS IN Foster Care vs. Keeping Families Together: The Definitive Studies

NCCPR long has argued that many children now trapped in foster care would be far better off if they had remained with their own families and those families had been given the right kinds of help. Turns out that's not quite right.

In fact, many children now trapped in foster care would be far better off if they remained with their own families even if those families got only the typical help (which tends to be little help, wrong help, or no help) commonly offered by child welfare agencies.

That's the message from the largest studies ever undertaken to compare the impact on children of foster care versus keeping comparably maltreated children with their own families. The first study was the subject of [a front-page story in USA Today](#). The [full study is available here](#).

The first study, published in 2007, looked at outcomes for more than 15,000 children. It compared foster children not to the general population but to *comparably-maltreated* children left in their own homes. The result: On measure after measure the children left in their own homes do better.

In fact, it's not even close.

Children left in their own homes are far less likely to become pregnant as teenagers, far less likely to wind up in the juvenile justice system and far more likely to hold a job for at least three months than comparably maltreated children who were placed in foster care.

One year later, the same researcher [published another study](#). This time the study included 23,000 cases. Again he compared foster children to comparably-maltreated children left in their own homes. This time he looked at which children were more likely to be arrested as adults. Once again, the children left in their own homes fared better than the foster children.

### Implications

- The studies use the term “foster care” generically; they include children placed in any form of substitute care. That's important because whenever information like this comes out, people who want to warehouse children in orphanages try to use it to justify their schemes. But these studies were not limited to family foster homes. And it takes three single-spaced pages just to list all the *other* studies documenting the harm of orphanages. (Those pages are available from NCCPR.)

- **This does not mean that no child ever should be placed in foster care. But it means many fewer children should be placed in foster care.**

The studies excluded the most severe cases of maltreatment, a very small proportion of any child protective worker's caseload. That's precisely because, horror stories that make the front page notwithstanding, these are cases where everyone with time to investigate would agree that removal from the home was the only alternative.

Rather, the studies focused on, by far, the largest group of cases any worker sees, those that can best be called the “in-between cases” where the parent is neither all victim nor all villain; cases where there are real problems in the home but wide disagreement over what should be done. As the first study itself notes: “These are the cases most likely to be affected by policy changes that alter the threshold for placement.” They also are, of course, the cases most likely to be affected by a [foster-care panic](#) – a huge, sudden upsurge in needless removals after the death of a child “known to the system” -- which also alters the threshold for placement.

Even among these cases, the figures are averages. Certainly there are some individual cases among the thousands studied in which foster care was the less harmful alternative. But what the data make clear is that foster care is vastly overused, damaging large numbers of children who would do better in life had they remained in their own homes, even with the minimal help most child welfare agencies offer to families. **(over)**

## THE EVIDENCE IS IN/2

This says less about how well child protection agencies do in helping families than it does about how enormously *toxic* a foster care intervention is. Anything that toxic must be used very sparingly and in very small doses.

- Child welfare agencies have a disingenuous response to all this: “Why yes, of course,” they like to say. “This research just shows what we’ve always said ourselves: foster care only should be used as a last resort; of course we keep families together whenever possible.” But this research shows that agency actions belie their words. **These studies found thousands of children already in foster care who would have done better had child protection agencies not taken them away in the first place.**

- The *USA Today* story quotes one deservedly well-respected expert as saying that the 2007 study was the first to produce such results. But that is an error. Actually it was at least the second since 2006. [A University of Minnesota study](#) used a different methodology and measured different outcomes, but came to very similar conclusions. And now, of course, there is this third, largest study of all.

- Though the *USA Today* story says other “studies” go the other way, the one cited, with less than 1/100<sup>th</sup> the sample size of the new studies, a shorter duration and at least one other serious flaw (omitting foster children in care for less than six months) is the only one we know of. And that study focused on reunification, not on children never removed in the first place.

And, of course, that study also compared foster care only to typical “help” for families in their own homes, which generally is little or nothing. Providing the kinds of *real* help NCCPR recommends (See our publication, [Doing Child Welfare Right](#)) would likely change the result and, in the case of the three more recent and more rigorous studies, create an even wider gap in outcomes favoring keeping families together.

- Perhaps most intriguing, these studies suggest it actually may be possible to quantify the harm of a [foster-care panic](#).

Thanks to these studies, we now have an estimate of how much worse foster children do on key outcomes compared with comparably-maltreated children left in their own homes. It’s also usually possible to calculate how many more children are taken away during a foster-care panic. So it should be possible to estimate how many more children will wind up under arrest, how many more will become pregnant and how many more will be jobless as a result of a foster-care panic.

It also should be possible to estimate roughly how many children have been saved from these rotten outcomes in states and localities that have reformed their systems to emphasize safe, proven programs to keep families together.

These new studies and the Minnesota study are in addition to the comprehensive study of foster care alumni showing that only one in five could be said to be doing well as a young adult – in other words, foster care churns out walking wounded four times out of five. (See NCCPR’s publication, [80 Percent Failure](#) for more on this study) and the mass of evidence showing that simply in terms of physical safety, real family preservation programs have a far better track record than foster care. (See [NCCPR Issue Paper #1](#)).

The current buzzword in child welfare is “evidence-based.” What that really means is: How dare proponents of any new, innovative approach to child welfare expect to get funding if they can’t dot every i and cross every t on evaluations proving the innovation’s efficacy beyond a shadow of a doubt? Old, non-innovative programs, however, are not held to this standard. If they were, child welfare would be turned upside down by the results of this new research.

Because now, more than ever, the evidence is in.

*Updated September 1, 2015*

# The Case Against CASA

## HOW THE MOST SACRED COW IN CHILD WELFARE HURTS THE CHILDREN IT IS MEANT TO HELP

January, 2010, links updated November, 2015

**To see the actual study discussed below, click here:** <http://www.nccpr.org/reports/casa.pdf>

The trade journal *Youth Today* [aptly summed up the appeal](#) of the Court-Appointed Special Advocates Program, noting that CASA

*“couldn’t sound more apple pie, more thousand points of light. CASAs are a cadre of 74,000 volunteers trained for dozens of hours, then dispatched to conduct independent investigations of child abuse and to represent the children’s interests in courts around the nation. What could be wrong with that?”*

Plenty, it turns out; much of it revealed by the [most comprehensive evaluation of CASA ever done](#), an evaluation commissioned by the National CASA Association itself. [As Youth Today noted](#), the report “delivers some surprisingly damning numbers.”<sup>1</sup>

- The study found that CASA's only real accomplishments were to prolong the time children languished in foster care and reduce the chance that the child will be placed with relatives.
- The study found no evidence that having a CASA on the case does anything to improve child safety – so all that extra foster care is for nothing. (The study *specifically controlled* for CASA's all purpose excuse for this – the claim that CASAs handle the most difficult cases.)
- The study also found that when a CASA is assigned to a child who is Black, the CASA spends, on average, significantly less time on the case. (The study also found that CASAs don't spend as much time on cases in general as the organization's p.r. might lead one to believe. CASA volunteers reported spending an average of only 4.3 hours per month on cases involving white children, and only 2.67 hours per month on cases involving Black children).<sup>2</sup>

A *Youth Today* columnist [aptly summed up the findings](#) this way:

***“The more rigorous evaluation ... not only challenged the effectiveness of the court volunteers’ services, but suggested that they spend little time on cases, particularly those of black children, and are associated with more removals from the home and fewer efforts to reunite children with parents or relatives.”***<sup>3</sup>

None of this should come as a surprise. Like most people in child welfare, almost all CASA volunteers, and the paid staff who support them at the local and national level, mean well; they really want to do what’s best for vulnerable children. (Although sometimes [their cruelty can be mind-boggling](#).) And a few CASA chapters have avoided the problems discussed here. But children suffer enormously from CASA’s well-meaning blunders.

The problems are built into the CASA model. Who has time to spend even 4.3 hours a month on a case? Certainly not a poor person holding down two jobs. So it’s no wonder CASA programs sometimes are pet projects of the local Junior League and the demographics of CASAs tend to be vastly different from the demographics of the families they judge. **All over America, CASA volunteers, who are mostly middle class and 90 percent white, march into the homes of people who are overwhelmingly poor and disproportionately people of color. Then, they pass judgment on the families and recommend whether they ever should get their children back.** And make no mistake, the CASA is the *de-facto* judge, since the real judges almost always rubber-stamp their recommendations.

Rather than respond to the findings of its own study by cleaning up its act, CASA tried first to spin the results and then to bury them. *Youth Today* concluded that CASA’s spin “can border on duplicity.”

The study was consigned to an obscure corner of a website meant primarily for CASAs themselves, then removed entirely. That's why [NCCPR has made it available here](#).

The study isn't the only evidence of the bias that permeates CASA:

- Although a CASA is supposed to help a judge objectively evaluate conditions in a child's home, [the website for the Indianapolis CASA program](#) declares every family from whom a child is taken is guilty. According to the website "volunteers help ensure that the children we fight to protect *are not returned to the very situations where the mistreatment occurred*"<sup>4</sup> [emphasis added]. One Indiana CASA's [attempt to defend the program](#) was anything but reassuring.

- In Arkansas City, Kansas, in 2009, where the big annual fundraiser for CASA is a drag queen contest, the winner of the talent competition and the "Miss CASA" title was the local mayor. He dressed up as a woman to whom he gave a surname described as "graphic slang for a female private part." So is the name the mayor chose for his back up dancers. Oh, and one more thing: [The mayor did his act made up in blackface](#).

The local CASA director said she was mortified when someone explained what the surname meant. Other than that though, she thought the whole thing was great, telling a local news website:

*The part of his act I felt was excellent was the dancing. It was good dancing. The back-up singers were gorgeous and could probably back up any professional. ... We may change some things. We may not. We certainly don't want to offend anybody.*

As for the blackface, the CASA director said she didn't think the mayor was trying to portray a different race: "It wasn't black black," she said. "It was all really just tan." It was not until after the National CASA Association went into damage control mode and set up a conference call with the local CASA chapter, the state CASA chapter and the local NAACP that the local CASA chapter apologized.<sup>5</sup>

- CASA chapters also behaved reprehensibly in high-profile cases in [Texas](#), [Florida](#) and [Washington State](#).<sup>6</sup>

- Throughout the country, local CASA chapters continue to state or imply that they are "a child's voice" in court. They are not. A CASA advocates for whatever the CASA thinks is best for the child. So if the child desperately wants to go home, but the CASA thinks that's a bad idea, the CASA pushes as hard as she can *against* what the child wants; the child effectively is silenced. (And while it is much less likely to happen, if a child wants to stay in foster care and the CASA wants the child to return home, again, the child is silenced – and that is equally wrong.)

Children do need a voice in court – a real one. From the age a child is old enough to express a rational preference she or he should get a lawyer to fight for that preference. That doesn't mean the child always should get what he or she wants. But the best way to find out what truly is best for a child is if everyone has an articulate advocate making his or her case. Deciding what is best is what we pay judges for. It's time we stopped ceding that role to amateurs.

**For more about CASA see [these posts to the NCCPR Child Welfare Blog](#).**

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<sup>1</sup> Barbara White Stack, "[An Evaluation of Volunteers Courts Controversy](#)," *Youth Today*, July 2004.

<sup>2</sup> Caliber Associates, Evaluation of CASA Representation: Final Report (Undated, but published in 2004). NCCPR has made this report available online at <http://www.nccpr.org/reports/casa.pdf>

<sup>3</sup> Karen Pittman, "[Evaluation: Risk or Responsibility](#)," *Youth Today*, October, 2004.

<sup>4</sup> See the website for Child Advocates of Marion County, In., here: <http://www.childadvocates.net/blog/everyones-cape-able/> The statement used to be more prominent on the site, until NCCPR raised the issue; but apparently someone forgot to stop putting it in writing.

<sup>5</sup> For much more on this incident, and full sources, [see the discussion on the NCCPR Child Welfare Blog](#).

<sup>6</sup> For details, see these posts to the NCCPR Child Welfare Blog, <http://bit.ly/8zEyHL> and <http://bit.ly/4Qovc0>



# YOUTH ADVISORY COUNCIL HANDBOOK

## State and Regional Youth Advisory Councils

### **INTRODUCTION**

The Youth Advisory Councils are designed to empower youth by having an organized structure for youth to provide advice and recommendations concerning the Child Welfare system in Kansas and on a National level.

The Youth Councils are organized by two levels of council participation. Each Child Welfare Case Management Provider (CWCMP) region hosts a Regional Youth Advisory Council (RYAC). Each RYAC selects up to five peers from their RYAC to serve on the Kansas Youth Advisory Council (KYAC). In addition, up to four youth representing the tribes may serve in the East Region. The KYAC serves as the state level council.

The terms RYAC and KYAC will be used to distinguish between the Regional and State Councils.

### **KYAC MISSION STATEMENT**

The KYAC mission is to unite youth in care in an empowering way and enable them to speak for themselves concerning issues that affect them directly, while obtaining the life and leadership skills that will be advantageous to each later in life.

### **COUNCIL REPRESENTATION**

Each CWCMP shall provide youth representation for their respective region's RYAC. The Department for Children and Families (DCF) Regional Independent Living Coordinator from each DCF region shall provide youth representation on the RYAC's. The tribes may provide youth to participate in the RYAC's. Youth representation on the RYAC's can include an unlimited number of youth who are residing in the respective region.

Each RYAC shall have at least one adult advisor for each agency that is represented by youth on the council. This will include each CWCMP, DCF, and the tribes. The RYAC advisor designated by each CWCMP, tribe, and DCF Region shall provide contact information to the State Independent Living Coordinator with DCF. Each RYAC shall also have an adult advisor to the KYAC. This advisor may be the same as the RYAC designated advisor or another adult involved with the RYAC.

Each RYAC shall select up to five youth members to represent their council on the Kansas Youth Advisory Council (KYAC). The East Region may select up to four additional youth to represent the tribes. An alternate may also be selected. If a KYAC representative is unable to fulfill his/her one year term, the alternate may fulfill the remainder of the term.

Youth who are residing in a region different from the region where their CWCMP is located shall be given opportunity to participate on councils. Coordination between the CWCMP and placement shall occur in order to provide this opportunity to all youth.

### **REQUIREMENTS FOR MEMBERSHIP**

- 15 - 20 years of age;
- Is currently in care or was in care for any length of time on or after 15<sup>th</sup> birthday.
- Good attendance record for activities such as life skills/independent living classes, meetings, school, work or other community activities.
- School and/or work performance is at least satisfactory. This will be based on direction from Case Manager/Social Worker, Foster Parent or guardian. Council participation shall not negatively impact school and/or work performance.
- Participates or has participated in self-sufficiency services.
- Must be a current Kansas resident.

### **ADDITIONAL MEMBERSHIP REQUIREMENT FOR KYAC**

- The KYAC requires a minimum of a one year commitment from the applicant. This commitment includes a willingness to participate in meetings and other scheduled events.

### **KYAC MEMBERSHIP SELECTION**

Representatives to the KYAC are selected by their peers from their RYAC. Each candidate will complete an Application and Participation Agreement (Appendix 7B). The application and agreement form shall be completed and turned in to KYAC advisor for the youth's region. The KYAC advisor shall make the final decision of the youth's membership after consulting with the youth's case manager and, if necessary, their placement. KYAC Advisors for each CWCMP and DCF Region shall provide the State Independent Living Coordinator and the KYAC State Advisor a copy of the completed Application and Participation Agreement (Appendix 7B).

### **GUIDELINES FOR RYAC's**

- Each member is responsible for attendance at meetings and other events as scheduled by the respective council and advisor(s). If unable to attend the scheduled meeting or event, the council member shall notify his/her advisor at least ten days in advance;
- RYAC members shall participate and follow all rules of the meeting and/or event;
- RYAC members shall be role models for all youth in care and shall act as leaders when participating in any meeting or event;
- All needs for travel and accommodations for meetings and events shall be arranged by the youth with their RYAC adult advisor.

## **GUIDELINES FOR KYAC**

- Each member is responsible for attendance at meetings and other events as scheduled by the KYAC and advisor(s). If unable to attend the scheduled meeting or event, the council member shall notify his/her advisor at least ten days in advance;
- KYAC members shall participate and follow all rules of the meeting and/or event;
- KYAC members shall be role models for all youth in care and shall act as leaders when participating in any meeting or event;
- If a KYAC member misses two unexcused meetings in a one year period, the KYAC and advisors will make a recommendation to the council as a whole either possible dismissal from the KYAC, or a probationary period, depending upon the reason(s) for the absences;
- Excused absences include school, work, family commitment and other reasons determined to be of important value by the KYAC member and their advisor;
- If members leave the KYAC before their term is up, they are requested to submit a formal letter of resignation to the KYAC and signed by their advisor;
- Youth shall arrange with their KYAC advisor all needs for travel and accommodations for meetings and events at least ten days in advance.

## **GUIDELINES FOR ADULT ADVISORS/CHAPERONES**

- An advisor or designated chaperone is required at all meetings and/or events scheduled by the councils and advisors;
- Advisor or designated chaperone is responsible to advise their youth on all rules and expected conduct for the meeting or event;
- Any overnight travel will require the adult advisor or designated chaperone be in attendance if a council member under the age of 18 is participating from your region;
- Advisor or designated chaperone is responsible to advise the youth on all travel and lodging policies;
- Advisor or designated chaperone shall assume responsibility for the youth they are accompanying at any meeting or event. This includes any disciplinary action that is required.
- Transportation accommodations or arrangements shall be made by adult advisors for all council members to attend scheduled meetings and events. The CWCMP is responsible for providing and/or arranging all transportation needs for youth under their care. If a council member is no longer served by the CWCMP, the DCF Region IL Coordinator/DCF Region Council Advisor where the youth resides shall make arrangements to accommodate transportation needs of the council member. Transportation and/or mileage to scheduled meetings and events for council members served by DCF may be reimbursed with approval through DCF Administration, State Independent Living Coordinator. An updated IRS W-9 Request for Taxpayer Identification Number and Certification form shall be completed if there is a change of address;
- All advisors for CWCMP, DCF, and the tribes shall communicate and work together regarding all aspects of the RYAC's and KYAC.

## **ELECTION OF OFFICERS**

RYAC's may elect officers for their council. If RYAC's choose to elect officers, the term for an elected RYAC position shall be for one year and shall follow all appropriate guidelines set out by the individual RYAC and this handbook. Each RYAC may determine what officer positions are held on their respective RYAC. If an officer does not fulfill the one year position, the council may fill the position as appropriate.

KYAC officer elections are held at the Strategic Planning Conference of each year. Elected positions shall be held for not more than two years and shall follow all appropriate guidelines set out by the KYAC and this handbook. If an officer does not fulfill the one year position, the council may fill the position as appropriate.

To run for the president or vice-president position, a member must serve on the state council for at least six months prior to the elections.

Suggested officers for use by the councils are President, Vice-President Secretary, Treasurer and Historian. Some suggested expectations and duties for the officer positions are as follows:

### **President and Vice-President Expectations:**

- Positive role model
- Leadership abilities
- Open minded
- Responsible
- Accountable
- Communication skills

### **President and Vice-President Duties:**

- Lead meetings
- Calls for votes
- Act as liaison to other organizations

### **Secretary Expectations:**

- Positive role model
- Leadership abilities
- Open minded
- Responsible
- Accountable
- Ability and willingness to take minutes

### **Secretary Duties:**

- Takes attendance
- Takes minutes for all meetings
- Prepares agenda in consultation with President and/or Vice-President and provides to State IL Coordinator or designee two weeks prior to next schedule meeting
- Provides typed minutes to State IL Coordinator or designee

**Historian Expectations:**

- Positive role model
- Leadership abilities
- Open minded
- Responsible
- Accountable
- Creative

**Historian Duties:**

- Save pictures and articles relating to the council for a scrapbook
- Maintain council scrapbook with assistance from State IL Coordinator or designee.

**Treasurer Qualifications (Expectations):**

- Positive role model
- Leadership abilities
- Open minded
- Responsible
- Accountable
- Ability to balance a checkbook or willingness to learn

**Treasurer Duties:**

- Review monthly checking account statement
- Make recommendations to council concerning finances

**KYAC ALUMNI**

Current KYAC members who turn 21 years of age while serving on the KYAC may continue to participate as an alumni member of the KYAC. Alumni members may continue to serve on the KYAC for a length of time determined in consultation by the Alumni member and State Independent Living Coordinator or KYAC State Advisor.

The alumni member must have served as an active member of KYAC for a minimum of one year. The alumni member must be in good standing with the KYAC guidelines to be eligible to continue to participate in on the council. Alumni membership to the KYAC will allow members to continue to provide leadership and guidance to the KYAC and participate in all scheduled meetings and events. KYAC alumni members may represent the Council at events upon approval from the KYAC State Advisor or State Independent Living Coordinator.

KYAC alumni members contribute to the Council by:

- helping increase the effectiveness and credibility of KYAC through recruitment of and outreach to youth in care;
- representing KYAC in a positive manner to areas outside of the scope of the Council's activities such as college, civic groups, or church;
- serve as positive role models to KYAC members, helping them develop strengths and skills to become officers, leaders and effective advocates for youth in care.
- through coordination with the State Independent Living Coordinator or KYAC State Advisor and the youth's worker, serve as mentor to individual KYAC members.

KYAC alumni will report directly to the State Independent Living Coordinator or designee for all arrangements concerning travel, participation, etc.

Youth who are interested in participating or learning more about the youth councils should contact their Case Manager/Social Worker, or the State Independent Living Coordinator at 785-296-4653.

This handbook was created in partnership between the KYAC and Adult Advisors.



# DO YOU KNOW YOUR RIGHTS AS A KANSAS FOSTER YOUTH?

## YOU HAVE SCHOOL RIGHTS:

- to have all appropriate school supplies, services, tutoring, extra-curricular, cultural, and personal enrichment activities
- attend school daily
- receive your high school diploma if you have earned the 21 standard credits

## YOU HAVE THE RIGHT TO HAVE YOUR PRIVACY PROTECTED AS LONG AS IT'S SAFE:

- to send and get unopened mail and phone calls (unless court ordered)
- have regular contact from and access to case managers, attorneys, and advocates and be allowed private conversations with such individuals
- workers and foster parents should share information about you that is accurate and necessary for your well being

## YOU HAVE THE RIGHT TO:

- few changes in workers as possible
- contact your worker's supervisor if you have a conflict with your worker that can't be worked out between the two of you

## YOU HAVE RIGHTS IN COURT, YOU CAN:

- when age or developmentally appropriate, be notified of all hearings
- attend all court hearings
- if you are less than 10 years old, attend all court hearings if deemed appropriate by case planning team
- go to court and tell the judge what you think about any placement or placement change that is proposed
- have your "best interests" represented in court by a GAL
- ask for a lawyer who will tell the court what you want, not necessarily your "best interest"

## WHEN AGING OUT OF CARE, YOU HAVE THE RIGHT TO:

- be an active participant in developing a transition plan
- have services and benefits explained
- have a checking or savings account (when appropriate)
- learn to manage money (if right for your age, development level, and it's in your case plan)
- learn job skills for your age
- be involved in life skills training and activities

## YOU HAVE THE RIGHT TO LIVE IN A SAFE, COMFORTABLE PLACEMENT:

- where you live in the least restrictive environment
- where you are treated with respect, have a place to store your things and where you can receive healthy food, adequate clothing and appropriate personal hygiene products
- with siblings when possible unless ordered by the court
- with a relative that should be the first placement to be investigated and considered. If family is not an option then you may request that someone from your community with similar religion or ethnic heritage be investigated and considered for placement
- to have visits with family unless ordered otherwise by the court
- with few moves as possible
- to make a list of items you want to take with you when you are placed out of home and give to your case manager
- to have all your belongings move with you
- where your belongings are packed in a suitcase or duffle bag if moved or going on a visit

## DO YOU THINK YOU ARE BEING TREATED DIFFERENTLY?

If you feel you are being harassed or treated differently for any reason that has nothing to do with your care or safety, you should call your provider's constituency services person \_\_\_\_\_ for assistance.

## **Bobbie Walthall**

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**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Tuesday, December 08, 2015 3:02 PM  
**To:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Cc:** Diane Stoddard  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Here we have the dismissive attitude of the housing authority board chair. What manner of arrogance is this? Why does the City of Lawrence allow this organization to exclude input from the public to be entered into the official and public record of the housing authority?

Steven C. Watts, MSW

----- Forwarded Message -----

**From:** William Fleming <wfleming@TreanorArchitects.com>  
**To:** steven c. watts <scajj@sbcglobal.net>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>; "brenda.okeefe64@gmail.com" <brenda.okeefe@dcf.ks.gov>  
**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <rlichtwardt@ldcha.org>; Mayor Mike Amyx <mikeamyx515@hotmail.com>; Commissioner Leslie Larsen <llarsen@lawrenceks.org>  
**Sent:** Monday, October 19, 2015 6:26 PM  
**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

Mr. Watts – your concerns about this transaction have been duly noted. We even held a special meeting of the Board to discuss just this issue and invited all member of the public to attend (which we usually never do). You did not attend. We do not have any obligation that I am aware to include your e-mail transmissions in our board minutes. You are, however, invited to attend any meeting of the LDHA that you would like. All meeting are open to the public, and we invite comments from the public at the beginning of each meeting. Any material you want to present at such time would become part of the public record of the meeting. Our meetings are generally the last Monday of each month. You can either check our web-site or contact Ruth Lichtwardt and she can provide you more information about the time of our meetings. While as a board member I may not agree with all of your comments, nonetheless, we do appreciate your input on this decision.

-

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**From:** steven c. watts [mailto:scajj@sbcglobal.net]  
**Sent:** Monday, October 19, 2015 5:57 PM  
**To:** William Fleming; "star@lkpd.org"; "suehack@sunflower.com"; "joshua.c.powers@gmail.com"; brenda.okeefe64@gmail.com  
**Cc:** Shannon Oury; Ruth Lichtwardt; Mayor Mike Amyx; Commissioner Leslie Larsen  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Hello LDCHA:

I have had no response to the email below and it has been over a week since it was sent and received by you.

Why are you violating state law and not including select correspondence in the Board Meeting materials or their subsequent minutes?

Do you not believe in an open and transparent government??

Please address the issue.

Thank you



Steven C. Watts  
Participating Member of the Public  
----- Forwarded Message -----

**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>

**To:** "[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)" <[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)>; "[star@lkpd.org](mailto:star@lkpd.org)" <[star@lkpd.org](mailto:star@lkpd.org)>; "[suehack@sunflower.com](mailto:suehack@sunflower.com)" <[suehack@sunflower.com](mailto:suehack@sunflower.com)>; "[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)" <[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)>; "[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)" <[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)>

**Cc:** Shannon Oury <[soury@ldcha.org](mailto:soury@ldcha.org)>; Ruth Lichtwardt <[rlichtwardt@ldcha.org](mailto:rlichtwardt@ldcha.org)>; Acting Mayor Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>

**Sent:** Tuesday, October 13, 2015 8:36 PM

**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Housing Authority:

I need to be informed as to WHY the email I am forwarding to you via this email along with the attachments was not included in the official record via the minutes of either the September or August minutes of the Housing Authority Board meetings. Also, there were two other emails I sent which were intended to be included in the record. Why were these excluded? What are you attempting to hide?

Too, via this email, I call for the resignation of Ms. Hack as a member of the Board given her dismal performance as a Board member for Just Food. Her lackluster and totally "hands off" LACK of work on that board was and is a material fact as to why the organization is on the brink of failure and folding. She will do the exact same thing to the Housing Authority and, in fact, has already demonstrated an addle brained decision making process when one closely examines the purchase of the New Hampshire Street property.

Too, a 5% pay increase for the director of the housing authority in these lean times? Ms. Oury is paid well over \$100,000.00 per year plus an approximate 33% fringe package: An obscene amount of money for Lawrence, Kansas. People are not meant to get rich in public service and civil service positions. What are you people doing?

Thank you

Steven C. Watts  
Lawrence, Kansas

----- Forwarded Message -----

**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>

**To:** "[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)" <[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)>; "[star@lkpd.org](mailto:star@lkpd.org)" <[star@lkpd.org](mailto:star@lkpd.org)>; "[suehack@sunflower.com](mailto:suehack@sunflower.com)" <[suehack@sunflower.com](mailto:suehack@sunflower.com)>; "[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)" <[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)>; "[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)" <[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)>; "[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)" <[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)>

**Cc:** Commissioner Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>; Commissioner Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>; Ms. Nancy Thellman <[nthellman@douglas-county.com](mailto:nthellman@douglas-county.com)>; Mr. Mike Gaughan <[mgaughan@douglas-county.com](mailto:mgaughan@douglas-county.com)>; Craig AD - Weinaug <[cweinaug@douglas-county.com](mailto:cweinaug@douglas-county.com)>

**Sent:** Monday, August 17, 2015 11:03 AM

**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Board of Commissioners of the LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY; City Commissioners:

Please find three attachments with this electronic mail.

I have read the minutes and am taken aback by the back slapping, "...gosh we make good decisions...." orientation of the Board in it's rubber stamping of a fiscally ridiculous decision to continue support spending money simply because it is there (tax payer funds at that...) on a building that the Housing Authority itself has had appraised at a valuation FAR BELOW that of the proposed purchase price of the building at 1725 New Hampshire St.

There is mention, on page two of the July 23 Housing Authority minutes (attached) of an email and I assume that is the email I sent to Mr. Fleming given I could not attend the meeting. Hack is out in left field when she suggests I am "confused". No, I'm not. I know where the money is coming from. The fact it's been sitting in the same place (FOR HOW LONG?????) instead of being utilized is something the Housing Authority and it's \$120,000.00 per year "Director" need to take responsibility for and own their error. Spending the money simply because it will be returned to HUD is utter folly. Utter. And suggesting to spend just to spend documents and demonstrates just how bankrupt the decision making "process" within the Authority must be. Incredible. I

am grossly taken aback by Hack's remarks: How many public boards is this individual on, by the way? One would think her pompousness would be muted given her record on the Just Food board and her "hosting" of a charlatan to the People of Lawrence what with her "mentoring" of one Jeremy Farmer whom I trust you've read a sentence or two about in the LJ World newspaper.

Again, the purchase of property at 2.4x the appraised rate and well over \$200,000.00 of the board's OWN APPRAISAL is patently silly.

I trust and hope Mr. Fleming shared my prior emails to him with the rest of the board. Was that email shared as it contained information as to the responsibility and legal requirements of the state of Kansas DCF relative to children in the state's abysmal foster care program. Too be advised with all due respect that board member O'Keefe is no "professional" in the field of social work or social welfare. It is my understanding she is employed by DCF as a human services specialist which means she processes applications for public assistance. She is not a professional social worker and does not work in any way, shape, or form with same. As I understand it, she is a public assistance recipient via way of housing authority program monies and is the "consumer" member of the board. Please be advised I was a credentialed social worker from 1974-----2014. I hold the BSW degree and the MSW degree (both from the University of Kansas) and was licensed at the highest level available in the state of Kansas with the LSCSW. Under Kansas law I am not permitted to hold myself out as a social worker as I do not presently hold a license. I allowed the license to lapse in 2014 as I am retired. Prior to retirement, however, I REBUILT the foster care program in the state of Mississippi (1988-1989) and REBUILT the foster care system in Maui County, Hawaii. My model for rebuilding was used to rebuild the entire state of Hawaii's foster care program given that the rest of the state of Hawaii failed two consecutive HHS compliance audits in the early 2000's. The state of Hawaii was slapped with millions of dollars in fines from HHS due to the states refusal to get into compliance. Independent living is a CRITICAL and INTEGRAL aspect of foster care services. Why doesn't DCF buy the building at 2.4x the county's appraised value??

The issue here is the stewardship of public funds. Again, if our local housing authority is so ill run by \$100k+ per annum political appointees, it is the responsibility of the board to find out why and have individuals who are pro-active, innovative, thoughtful and just simply going about business as had been done before. HOW LONG HAS THAT MONEY BEEN SITTING "NEEDING" TO BE UTILIZED BEFORE HUD WAS/IS REQUIRED TO HAVE IT RETURNED? Is the Housing Authority board simply the classic "blue ribbon panel" it typically is Nationwide; is it similar in its lack of "hands on" board activity similar to the JUST FOOD board of directors Hack is on?

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Steven C. Watts, MSW  
Lawrence, Kansas

----- Forwarded Message -----

**From:** Ruth Lichtwardt <[rlichtwardt@ldcha.org](mailto:rlichtwardt@ldcha.org)>

**To:** steven c. watts <[scjij@sbcglobal.net](mailto:scjij@sbcglobal.net)>

**Sent:** Thursday, August 13, 2015 12:59 PM

**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

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Best,  
Ruth

Ruth Lichtwardt  
Executive Assistant  
Lawrence-Douglas County Housing Authority  
1600 Haskell Ave.  
Lawrence, KS 66044  
785-842-8110 (main)  
785-830-2253 (direct)  
785-842-9596 (fax)  
[rlichtwardt@ldcha.org](mailto:rlichtwardt@ldcha.org)

## **Bobbie Walthall**

---

**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Tuesday, December 08, 2015 3:00 PM  
**To:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Cc:** Diane Stoddard  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase  
**Attachments:** 2A MINUTES July 23 2015.pdf; transitional\_plan.pdf; pi1011.pdf

Documentation the Housing Authority Board cares not what the tax paying public thinks.

Steven C. Watts, MSW

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**From:** steven c. watts <scajj@sbcglobal.net>  
**To:** "wfleming@treanorarchitects.com" <wfleming@treanorarchitects.com>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>; "brenda.okeefe64@gmail.com" <brenda.okeefe@dcf.ks.gov>  
**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <rlichtwardt@ldcha.org>; Mayor Mike Amyx <mikeamyx515@hotmail.com>; Commissioner Leslie Larsen <llarsen@lawrenceks.org>  
**Sent:** Monday, October 19, 2015 5:56 PM  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Hello LDCHA:

I have had no response to the email below and it has been over a week since it was sent and received by you.

Why are you violating state law and not including select correspondence in the Board Meeting materials or their subsequent minutes?

Do you not believe in an open and transparent government??

Please address the issue.

Thank you

Steven C. Watts  
Participating Member of the Public

----- Forwarded Message -----

**From:** steven c. watts <scajj@sbcglobal.net>  
**To:** "wfleming@treanorarchitects.com" <wfleming@treanorarchitects.com>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "brenda.okeefe@dcf.ks.gov" <brenda.okeefe@dcf.ks.gov>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>  
**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <rlichtwardt@ldcha.org>; Acting Mayor Mike Amyx <mikeamyx515@hotmail.com>  
**Sent:** Tuesday, October 13, 2015 8:36 PM  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Housing Authority:

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Too, a 5% pay increase for the director of the housing authority in these lean times? Ms. Oury is paid well over \$100,000.00 per year plus an approximate 33% fringe package: An obscene amount of money for Lawrence, Kansas. People are not meant to get rich in public service and civil service positions. What are you people doing?

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**Cc:** Commissioner Mike Amyx <mikeamyx515@hotmail.com>; Commissioner Matthew Herbert <matthewjherbert@gmail.com>; Ms. Nancy Thellman <nthellman@douglas-county.com>; Mr. Mike Gaughan <mgaughan@douglas-county.com>; Craig AD - Weinaug <cweinaug@douglas-county.com>

**Sent:** Monday, August 17, 2015 11:03 AM

**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

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think her pompousness would be muted given her record on the Just Food board and her "hosting" of a charlatan to the People of Lawrence what with her "mentoring" of one Jeremy Farmer whom I trust you've read a sentence or two about in the LJ World newspaper.

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Lawrence, Kansas

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**To:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Thursday, August 13, 2015 12:59 PM  
**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

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#3 send of forwarded emails

steven c. watts, msw

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## **Bobbie Walthall**

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**Sent:** Tuesday, December 08, 2015 2:57 PM  
**To:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Cc:** Diane Stoddard  
**Subject:** Fw: HAS THE HOUSING AUTHORITY FORGOTTEN WHAT MTW IS???  
**Attachments:** 2A MINUTES July 23 2015.pdf; transitional\_plan.pdf; pi1011.pdf

Mayor and Commissioners:

Another of several emails I shall be forwarding to you relative to the proposed approval of the purchase of 1725 New Hampshire St. Kindly pay close attention to what MTW is. It is critical to where some of the money is coming from to make the proposed purchase.

Steven C. Watts

----- Forwarded Message -----

**From:** steven c. watts <scajj@sbcglobal.net>  
**To:** "wfleming@treanorarchitects.com" , "star@lkpd.org" , "suehack@sunflower.com" <suehack@sunflower.com>, "brenda.okeefe@dcf.ks.gov" <brenda.okeefe@dcf.ks.gov>, "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>, "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com> <wfleming@treanorarchitects.com> <star@lkpd.org>; William Fleming <wfleming@treanorarchitects.com>  
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**Sent:** Tuesday, August 18, 2015 8:16 AM  
**Subject:** HAS THE HOUSING AUTHORITY FORGOTTEN WHAT MTW IS???

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/programs/ph/mtw/faq](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/ph/mtw/faq) explains it all. Here it is in simple English:

- Reduce cost and achieve greater costs effectiveness in Federal expenditures;
- Give incentives to families with children where the head of household is working, is seeking work, or is preparing for work by participating in job training, educational programs, or programs that assist people to obtain employment and become economically self-sufficient; and
- Increase housing choices for low-income families.

The board believes spending money simply because it is not earning "interest on a CD" is a "good" thing? How is such thinking consistent with the above?

Steven C. Watts, MSW

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I have read the minutes and am taken aback by the back slapping, "...gosh we make good decisions...." orientation of the Board in it's rubber stamping of a fiscally ridiculous decision to continue support spending money simply because it is there (tax payer funds at that...) on a building that the Housing Authority itself has had appraised at a valuation FAR BELOW that of the proposed purchase price of the building at 1725 New Hampshire St.

There is mention, on page two of the July 23 Housing Authority minutes (attached) of an email and I assume that is the email I sent to Mr. Fleming given I could not attend the meeting. Hack is out in left field when she suggests I am "confused". No, I'm not. I know where the money is coming from. The fact it's been sitting in the same place (FOR HOW LONG?????) instead of being utilized is something the Housing Authority and it's \$120,000.00 per year "Director" need to take responsibility for and own their error. Spending the money simply because it will be returned to HUD is utter folly. Utter. And suggesting to spend just to spend documents and demonstrates just how bankrupt the decision making "process" within the Authority must be. Incredible. I am grossly taken aback by Hack's remarks: How many public boards is this individual on, by the way? One would think her pompousness would be muted given her record on the Just Food board and her "hosting" of a charlatan to the People of Lawrence what with her "mentoring" of one Jeremy Farmer whom I trust you've read a sentence or two about in the LJ World newspaper.

Again, the purchase of property at 2.4x the appraised rate and well over \$200,000.00 of the board's OWN APPRAISAL is patently silly.

I trust and hope Mr. Fleming shared my prior emails to him with the rest of the board. Was that email shared as it contained information as to the responsibility and legal requirements of the state of Kansas DCF relative to children in the state's abysmal foster care program. Too be advised with all due respect that board member O'Keefe is no "professional" in the field of social work or social welfare. It is my understanding she is employed by DCF as a human services specialist which means she processes applications for public assistance. She is not a professional social worker and does not work in any way, shape, or form with same. As I understand it, she is a public assistance recipient via way of housing authority program monies and is the "consumer" member of the board. Please be advised I was a credentialed social worker from 1974-----2014. I hold the BSW degree and the MSW degree (both from the University of Kansas) and was licensed at the highest level available in the state of Kansas with the LSCSW. Under Kansas law I am not permitted to hold myself out as a social worker as I do not presently hold a license. I allowed the license to lapse in 2014 as I am retired. Prior to retirement, however, I REBUILT the foster care program in the state of Mississippi (1988-1989) and REBUILT the foster care system in Maui County, Hawaii. My model for rebuilding was used to rebuild the entire state of Hawaii's foster care program given that the rest of the state of Hawaii failed two consecutive HHS compliance audits in the early 2000's. The state of Hawaii was slapped with millions of dollars in fines from HHS due to the states refusal to get into compliance. Independent living is a CRITICAL

and INTEGRAL aspect of foster care services. Why doesn't DCF buy the building at 2.4x the county's appraised value??

The issue here is the stewardship of public funds. Again, if our local housing authority is so ill run by \$100k+ per annum political appointees, it is the responsibility of the board to find out why and have individuals who are pro-active, innovative, thoughtful and just simply going about business as had been done before. HOW LONG HAS THAT MONEY BEEN SITTING "NEEDING" TO BE UTILIZED BEFORE HUD WAS/IS REQUIRED TO HAVE IT RETURNED? Is the Housing Authority board simply the classic "blue ribbon panel" it typically is Nationwide; is it similar in its lack of "hands on" board activity similar to the JUST FOOD board of directors Hack is on?

Spending money simply to spend money is just plain dumb. Too, holding a meeting just to continue forward with a bad idea to "secure support" is just as dumb. The parking issue at Babcock Place has nothing to do with the expenditure of the publics' money (see attached minutes and comments).

Using foster children who are abused by a brutal system (and trust me, brutal it is....) is wrong. I see the housing authority's director has backed off somewhat from the idea that the building's purpose is for providing housing for children out of foster care, but the issue of the reality that DCF needs to be focused on this critical aspect of foster care is poignant. Moving from foster care into subsidized public housing provides a distinct message: IT SYSTEMATICALLY DISEMPOWERS THESE YOUNG ADULTS AND TEACHES THEM TO (through no fault of their own given Kansas refuses to address the topic of independent living for children aging out of foster care just as it refuses to "do the right thing" as many states have done: Allowing children to stay under the protection of the "system" in order to obtain the training and education needed in todays real world....but that's another subject ....)BE EXPECTANT AND DEPENDENT.

Irrespective, the black and white of this matter is that the Lawrence, Kansas/Douglas County housing authority is attempting to spend money just to spend it because it sat too long. Bad idea.

Steven C. Watts, MSW  
Lawrence, Kansas

----- Forwarded Message -----

**From:** Ruth Lichtwardt <rlichtwardt@ldcha.org>  
**To:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Thursday, August 13, 2015 12:59 PM  
**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

Dear Mr. Watts,

Attached are the Minutes for the July 23 LDCHA special board meeting. This will be presented to the LDCHA board for approval at the August regular meeting and will be posted on our website as part of the board packet several days before the meeting.

Best,  
Ruth

Ruth Lichtwardt  
Executive Assistant  
Lawrence-Douglas County Housing Authority  
1600 Haskell Ave.  
Lawrence, KS 66044

785-842-8110 (main)  
785-830-2253 (direct)  
785-842-9596 (fax)  
rlichtwardt@ldcha.org

MINUTES OF A SPECIAL MEETING OF  
LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING

July 23, 2015  
5:30 p.m.

Babcock Place  
Meal Site

1. Swearing-In of Joshua Powers for First Term as LDCHA Commissioner.  
The oath of office was administered by Executive Director Oury.

2. Call of Roll

The meeting was called to order at 5:29 pm by Chair Fleming. Upon call of roll, the following commissioners responded present:

Sue Hack  
Brenda O'Keefe  
Joshua Powers  
Bronson Star  
William Fleming

Also present were LDCHA staff members Beverly Hyatt, Ruth Lichtwardt, and Shannon Oury, and members of the public Donna Christie, Maggie Crowder, Maria Duran, and Helen San Marco.

3. Project Overview

Chair Fleming thanked those in attendance and explained that the meeting had been called to discuss the acquisition of 1725 New Hampshire, which is located on the other side of the Babcock Place parking lot. He said the issue has engendered some controversy due to the price of the property. The Board in the past has been generally supportive of proceeding with the purchase even though the price is higher than fair market value, since the amount is based on what Dillon's had offered and the Board felt it must match that price in order to be able to acquire the property. The purpose of the meeting is to get public input on the issue and then to make a decision on whether to pursue the purchase.

Executive Director Oury explained that the property is a 6-unit brick building that contains five 1-bedroom units and one studio apartment. The owners did not approach the LDCHA, instead the agency found out about the possible sale through an informal channel and approached the owner. The LDCHA is interested in the property both because Babcock Place has ongoing parking issues and the agency is interested in acquiring additional affordable housing units. The price was set based on meeting the competing offer. In order to acquire property, the housing authority must meet certain HUD criteria including price limits, and the price of this property is within those limits that HUD sets. The acquisition was approved by HUD. The agency intends to rent the units on a sliding scale as it does with the units at Peterson Acres II so there will be no subsidy attached.



Several things make this property attractive to the LDCHA, including the fact that the highest demand for affordable housing is 1-bedroom units; the property is right next door which will lower maintenance overhead costs because trucks, mowers and other equipment will not need to be sent to another location; the property includes 5 garage units which can be utilized as work storage for the agency.

The agency knew from the beginning the purchase price offered was higher than the County appraisal, and has since had an independent appraisal performed which also valued the property at lower than the proposed purchase price of \$485,000. The independent appraisal valued the property at \$290,000, based on what would be paid in order to maintain a profitable cash flow. It is not the model of the housing authority to maintain a cash flow for a non-subsidized property, instead the model is to keep the unit rent as low as possible for the tenants, and for the property to be self-sustaining. The traditional way that properties are appraised does not fit that model, but the higher price does fall within what HUD allows and HUD approved the purchase.

If the property is purchased there will be a 30-year deed restriction restricting its use to affordable housing. The purchase must still be approved by the City before the LDCHA can purchase it.

Chair Fleming provided background on how the LDCHA realized that the property might be available. He reported that prior to this meeting one email had been received from a gentleman opposed to the project and that his views would be taken into consideration. Commissioner Hack mentioned that the sender had appeared confused on the source of the purchase funds, referencing the many other needs that exist in the City and apparently thinking that it was City money that would be used to purchase the property rather than LDCHA's MTW reserve funds.

There was discussion regarding the allowed uses of the agency's MTW reserve funds and how they are likely to be reclaimed by HUD if not put to use in the local community. For the benefit of the audience, Ms. Oury explained that since all LDCHA property is deeded to the City, the agency needs the City's permission to acquire property, but LDCHA is solely responsible for all purchase, maintenance and management expenses out of its own funds, which primarily come from HUD. Mr. Fleming spoke about when the LDCHA used MTW reserve funds to purchase and renovate Clinton Place. He mentioned that the property had been in terrible condition, and 58 units of affordable elderly and disabled housing were preserved which likely would have been torn down. He said that is the type of project which the Board likes to see the agency's reserve funds used for.

Mr. Fleming opened the floor for comments.

#### 4. Receive Comments from Tenants and Public

Several members of the audience, all Babcock Place residents, spoke in favor of the purchase. Most mentioned the tight parking situation and how the extra area by the building might help alleviate that. There was discussion regarding the much worse parking situation for Babcock residents following the renovation of the grocery store and the reduction of parking allowed both in the store lot and on the street. Executive Director Oury said that Babcock Place has 44 parking spots in its lot, which is 18 spots too few for the num-

ber of residents who hold parking permits. If the New Hampshire St. property is purchased, the Babcock bus would be moved over to it right away, which would immediately open up an additional 4 spots in the lot. Chair Fleming outlined possibilities for use of the garage units on the property. How to reconfigure the parking space would be researched.

Some audience members mentioned that they thought it was a nice property and would be an asset to the LDCHA. There was discussion regarding the possible use of some of the units to house youth who had aged out of foster care. Ms. Oury said that several of the units might be used for the youth but not all six units. She also mentioned that several of the current residents of the building might qualify for housing assistance and if they chose to apply and were accepted could remain in their units.

Commissioner Hack said that she had gone back and forth several times on the issue in her own mind, but overall had concluded that the acquisition was full of positives. There was a good explanation for the purchase price being higher than the appraised value, and the cost was still much less than when the LDCHA built on land it already owned. The proposed tax credit development of a couple of years ago did not work out and would not have been a good investment for the agency. She said that as the area becomes more developed and with the 9th Street Art District, the corridor was going to become much more expensive to both purchase property and to live. The location is a real benefit to the residents. She feels that people need to be constantly reminded that the purchase would be made with housing authority dollars, not city funds.

Commissioner Powers asked for some details on the repairs which need to be made to the property. Ms. Oury explained that the only issue found when the property was inspected was that the electrical panels have a type of breaker which is probably original to the building, likely circa 1957, and that they are obsolete and could be a fire hazard. GFI circuits will also need to be replaced so all the plugs have that. If the building is purchased, all those replacements will be made immediately. The only other issue is cracking in one of the garage walls but the agency would not deal with that right away since the agency does not know yet whether the garage will be kept or removed.

Mr. Powers asked about whether the price for the property came directly from Dillon's, and Chair Fleming explained that the original contract with Dillon's had been shown to him and the amount had been \$475,000. The agency's offer is for \$10,000 more. Mr. Powers asked if that price was guaranteed by the seller. Ms. Oury explained that the contract negotiated with the seller had included a provision that they would not shop the property around, but since the approval process has taken so long that provision has expired and now the seller can consider competing offers or change the price.

Ms. Oury said that the LDCHA cannot run a program like this with a large number of units without subsidy attached to it. In order for a property to be self-sustaining and stay affordable it needs to be a smaller number of units. People say that the agency could buy other properties instead, but when she researched what was currently available, only one other property was on the market. It was also a 6-unit property and the asking price was \$720,000. Additionally, all the units were 4 bedrooms and the LDCHA already has a very difficult time keeping the few 4-bedroom units it currently owns full since average family sizes are smaller. It was also off a main corridor. One of the reasons that the New Hamp-

shire property is attractive to her is that the residents who live there do not need a car due to the proximity of the grocery store, downtown, KU, and bus stops. The LDCHA wants the property due to the location and is willing to pay a premium due to that.

Mr. Fleming commented that it would not hurt the agency if Dillon's bought the property and turned it into a parking lot but it would not help the agency either.

## 5. REGULAR AGENDA

### A. Discuss Acquisition of Property at 1725 New Hampshire St.

Chair Fleming opened the discussion under the Regular Agenda and asked each Board member to comment.

Commissioner Hack said that overall most of the City Commissioners seemed supportive and that one had suggested waiting to bring the purchase issue before the Commission until after the City budget was adopted. She recounted some of the discussion among the Commissioners and said that she was encouraged by their responses.

Mr. Fleming said that everyone was well aware that the property was costing \$200,000 too much but that the \$200,000 was currently sitting unused in a CD that was garnering only 1% interest and was helping no one, as well as being at risk of being taken back by HUD. Since it was not being purchased as an investment property but to expand affordable housing and LDCHA programs, he felt it has extra value. There was discussion with Executive Director Oury about the 30-year deed restriction and how it will prevent turning the property into a for-profit venture even if sold during that time.

Audience member Maria Duran commented that in the years she has lived on Massachusetts Street she has witnessed growth in traffic and diversity in the area and thinks that the value of everything in the area will rise.

Commissioner O'Keefe spoke as the longest-serving Board member about how the reputation of the housing authority had long been very good regarding fiscal responsibility, beginning with the previous Executive Director and continuing with Ms. Oury. She spoke of what an excellent purchase Clinton Place had turned out to be in spite of some objections at the time. She also spoke of her professional experience with youth aging out of foster care and the advantages to them of the location of the New Hampshire property. She spoke about the apparent confusion regarding the source of the purchase funds and how although LDCHA property is deeded to the City, all responsibility for and decisions regarding the property rests with the LDCHA. It also concerns her that if Dillon's were to buy the property and tear down the building to expand its parking lot, six people are going to have to move and some might not be able to afford to. She said she largely has been going back and forth on the issue in her own mind and will make her decision at the end of the meeting after she had heard everyone speak.

Vice Chair Star said that he was concerned about the City Commission approving the sale because he thought overall it was a very positive deal in spite of the cost. He stated that the purchase has his full support.

Mr. Fleming welcomed an audience member who had just joined the meeting and offered her the opportunity to comment, which she declined.

Mr. Fleming talked about the possible City Commission vote and said that he would go talk to Mr. Lawhorn at the newspaper to ensure he had all the details, as most people who have the full picture end up supporting the purchase.

Commissioner Powers said that even though this was his first Board meeting, he had tried to do due diligence on the purchase issue and still had come to the meeting having no idea where he would come down on the topic including whether he would recuse himself. After hearing all the comment, he is now fully in support as he sees all the advantages, especially to the possible kids in transition.

Mr. Fleming asked for more comment from the audience, and there was unrelated comment regarding the Babcock Bus.

Commissioner Hack moved to proceed with submitting a request to the City Commission to allow the housing authority to purchase the property at 1725 New Hampshire. Vice Chair Star seconded. The motion passed unanimously.

Mr. Fleming requested that Ms. Oury prepare a memorandum to submit to the City staff prior to the meeting at which the purchase will be discussed, to include information on the issue, the Board vote, a summary of the comments, and maps of the property. Ms. Oury asked if it would make sense to wait until the City Commission meeting on August 11, after the city budget discussions are concluded, and the Board agreed.

Ms. Hack requested that a matrix for future property acquisition be developed which would include location, size, cost, benefits, etc., to be used as a guide going forward.

6. Adjournment.

There being no more items of business, Vice Chair Star moved to adjourn. Commissioner O'Keefe seconded. The meeting adjourned at 6:17 p.m.

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Chair

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Secretary

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Attest

January 2013

# Working With Youth to Develop a Transition Plan

In an effort to improve outcomes for youth exiting foster care, the Fostering Connections to Success and Increasing Adoptions Act of 2008 included planning provisions to help youth better transition to independent living and adulthood.

This factsheet is intended to help child welfare professionals and others who work with transitioning youth to understand the Federal legislative requirements for transition plans and partner with youth to develop a plan that builds on their strengths while supporting their needs.

## What's Inside:

- What is a transition plan?
- What are the Federal legislative requirements for transition plans?
- What should transition plans include?
- What are States doing?



Use your smartphone to  
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**Child Welfare Information Gateway**  
Children's Bureau/ACYF  
1250 Maryland Avenue, SW  
Eighth Floor  
Washington, DC 20024  
800.394.3366  
Email: [info@childwelfare.gov](mailto:info@childwelfare.gov)  
<https://www.childwelfare.gov>

## What Is a Transition Plan?

The Foster Care Independence Act of 1999 created the John H. Chafee Foster Care Independence Program (CFCIP) that allowed States to provide financial, housing, employment, education, and other support services to youth who left foster care at 18 but had yet to turn 21. The Promoting Safe and Stable Families Amendments of 2001 amended the Chafee Program to extend support services to youth to age 23 if the youth is enrolled in a program of higher education. The act also created the Educational and Training Voucher (ETV) program that provides annual stipends of up to \$5,000 for education-related expenses. The Fostering Connections Act built on this foundation and permitted States to allow youth who aged out of foster care at 18 but are younger than age 21 to remain in or return to foster care, so long as they are enrolled in school, are employed for at least 80 hours each month, or are participating in programs to attain gainful employment (American Bar Association [ABA], 2011). Fostering Connections also included the following transition plan requirement:

“during the 90-day period immediately prior to the date on which the child will attain 18 years of age, or such greater age as the State may elect under paragraph (8)(B)(iii), whether during that period foster care maintenance payments are being made on the child’s behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect” (P.L. 110-351, title II, § 202(3))

Information about the CFCIP, Fostering Connections, facts and statistics about youth transitioning from foster care, and other resources are available on the website of the National Resource Center for Youth Development (NRCYD):  
<http://www.nrcyd.ou.edu/>

**DEFINITIONS:**

**A Transition Plan** is required by the Fostering Connections to Success and Increasing Adoptions Act of 2008 for each youth exiting foster care. Ninety days prior to a youth's 18th birthday (or the age required by the State for aging out of care), the youth, his or her caseworker, and other representatives of the youth's choosing must develop the plan. Specific elements such as housing, education, employment, mentoring, and continued support services must be included. The Patient Protection and Affordable Care Act amended the transition plan provision to require that youth be educated about the importance of designating someone who can, when necessary, make health care decisions on their behalf. Transition plans must be *personalized at the direction of the child*.

**Independent Living (IL)** services are provided to youth in out-of-home-care to help them prepare for self-sufficiency. Services often include assistance with money management skills, educational assistance, household management skills, employment preparation, and other services. For more information on IL services and resources, visit the Child Welfare Information Gateway website: <https://www.childwelfare.gov/outofhome/independent/>

## What Are the Federal Legislative Requirements for Transition Plans?

The Fostering Connections Act provides practitioners in the field with a concrete timeframe and formal structure for transition planning. The transition plan must be finalized no later than 90 days prior to the youth's transition from care. Although the legislation is not overly prescriptive, it gives clear guidance on benchmark elements that, when combined with the Individuals with Disabilities Education Act (IDEA) and the Affordable Care Act (ACA) requirements, create a solid foundation for meeting youth needs. The most challenging, yet critical, element of the Fostering Connections Act is the provision that each plan should be "as detailed as the child may elect." This requirement shifts the focus for child welfare workers to educating and supporting youth in planning for themselves. In addition, the transition plan requirement creates an opportunity to bring together, in one structured conversation and process, several new requirements for working with youth, including ACA's health care proxy requirement, IL conditions, and more.

The Administration for Children and Families (ACF) issued a Program Instruction (PI) in 2010 on the Fostering Connections Act to provide guidance and reiterate other requirements for planning. For example:

- Case plans must include a written or recorded description of the programs and services available to help youth in foster care, who are 16 or older, prepare for the transition from care.
- Permanency hearings for youth 16 or older must determine the necessary services to help him or her transition from foster care to independent living.

The complete PI is available on the ACF website: <http://www.acf.hhs.gov/programs/cb/resource/pi1011>

The National Foster Care Coalition published a Q&A paper on the Fostering Connections Act that tackles several questions pertaining to transition plans. The document asks and answers important questions about such topics as how States should engage youth in the development of the personalized transition plan, what role the court plays in transition planning, and more.

*Fostering Connections to Success and Increasing Adoptions Act, Frequently Asked Questions on the Provisions Designed to Impact Youth and Young Adults* is available on the ABA website: [http://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/empowerment/nfcc\\_faq\\_older youth.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/empowerment/nfcc_faq_older youth.authcheckdam.pdf)

The July 2011 issue of the *Judge's Page*, a National CASA Association newsletter, spotlights the Fostering Connections Act. One article focuses specifically on the transition plan requirement and the role the courts play in implementation. The entire issue is available here: [http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.7522045/k.DD83/July\\_2011.htm](http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.7522045/k.DD83/July_2011.htm)

For more information on Fostering Connections and other child welfare legislation, read

Information Gateway's *Major Federal Legislation Concerned With Child Protection, Child Welfare, and Adoption*: <http://www.childwelfare.gov/pubs/otherpubs/majorfedlegis.pdf>

## NATIONAL YOUTH IN TRANSITION DATABASE

The CFCIP required that the Children's Bureau establish a system to track the services States provide to youth currently and formerly in foster care, as well as collect outcomes data that could be used to assess State performance in providing services. Thus, the Children's Bureau developed the National Youth in Transition Database (NYTD).

Every May and November, States report data to NYTD about the demographics of youth served by CFCIP and information about the services provided. The National Resource Center for Child Welfare Data and Technology (NRC-CWDT) and the NRCYD provide technical assistance to help States with data collection, reporting, and other NYTD data elements and requirements.

The [NRC-CWDT website](#) provides several NYTD materials, including factsheets, training and technical assistance briefs, State examples, and Federal guidance resources. The Children's Bureau's [NYTD Community of Practice](#) is an information-sharing website for States that is focused on NYTD implementation.

For more information on NYTD, visit the Children's Bureau website: <http://www.acf.hhs.gov/programs/cb/research-data-technology/reporting-systems/nytd>



## What Should Transition Plans Include?

The Fostering Connections Act provides a general list of elements that must be included in transition plans, such as housing, employment, mentoring services, and education. How these specific components are covered or addressed can vary by State and even by agency.

FosterClub's *Transition Toolkit* provides youth with a step-by-step process for thinking about leaving care and provides transition plan templates. The guide is centered on 10 critical areas: finances, employment, life skills, identity, permanence, education, health, housing, transportation, and community. The toolkit is available on Foster Club's website: [http://www.fosterclub.com/files/transition\\_toolkit\\_v3.pdf](http://www.fosterclub.com/files/transition_toolkit_v3.pdf)

Foster Club also produced *Transition Toolkit Companion Tools* for professionals working with transitioning youth. The toolkit for professionals includes guidance on asset mapping, an assessment tool to evaluate needed services, and worksheets for youth, each centered on a component of the transition plan. The worksheets also provide a readiness scale to help professionals and youth evaluate his or her readiness on each component and areas for improvement. Access the toolkit companion tools here: <http://www.fosterclub.com/transition/article/transition-toolkit-companion-tools>

The NRCYD produced a literature review of transition planning practices. The literature review provides recommendations for transition

planning across several fields, including child welfare, juvenile justice, mental health, and special education. It also includes promising practices in States. *Transition Planning With Adolescents: A Review of Principles and Practices Across Systems* is available on the NRCYD's website: <http://www.nrcyd.ou.edu/publication-db/documents/transition-planning-with-adolescents.pdf>

While it is not a Federal legal requirement, transition plans should ensure the collection of important documentation and paperwork that all young adults need, including birth certificates, Social Security cards, credit reports, and more. A list of 15 recommended documents is available in the ABA's publication *Sample State Legislation to Extend Foster Care, Adoption and Guardianship Protections, Services and Payments to Young Adults Age 18 and Older* (page 32) [http://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/empowerment/sample\\_leg\\_18\\_with\\_cover\\_final.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/empowerment/sample_leg_18_with_cover_final.authcheckdam.pdf)

## What Are States Doing?

Before the passage of Fostering Connections in 2008, many States required transitional or independent living plans for youth in out-of-home care who were 16 or older. Child Welfare Information Gateway's State Guides and Manuals database provides links to State publications regarding child welfare services and guidance for professionals: <https://www.childwelfare.gov/systemwide/sgm/>

A number of States have developed resources to address the requirement for transition plans. The following are a few readily available examples:

- In **Hawaii**, EPIC 'Ohana, Inc.—the State's lead agency for the national Jim Casey Youth Opportunities Initiative—employs the Ohana Circles program, a culturally appropriate program for working with youth to develop their transition plan. Youth who are preparing to leave foster care identify members of their Circle, who come together to help plan for housing, education, employment, physical and mental health, and other needs. A summary of the Circle and transition plan is provided to the youth and Circle participants after the Circle. More information is available on the 'Ohana, Inc. website: <http://www.epicohana.info/youthcircle.aspx>
- **Minnesota's** Department of Human Services produced a best practices guide for child welfare professionals to help youth transition from out-of-home care to adulthood. The guide provides sample goals and objectives for an Independent Living plan, guidance and resources, curricula information, and information on how caregivers can help youth transition to independent living. *Helping Youth Transition From Out-of-Home Care to Adulthood* is available here: [http://www.positivelyminnesota.com/Programs\\_Services/Youth\\_Services/Shared\\_Youth\\_Vision/Inter-Agency\\_Projects/Transition\\_Services\\_Best\\_Practices.pdf](http://www.positivelyminnesota.com/Programs_Services/Youth_Services/Shared_Youth_Vision/Inter-Agency_Projects/Transition_Services_Best_Practices.pdf)
- **Iowa** has a Transition Planning Specialist (TPS) in each of its five regions. The TPS provides training and technical assistance to staff, providers, and others on transition planning and resources. Each youth referred to a TPS are provided with a Transitioning Information Packet with tips on education, housing, money management, and more to help them plan for their transition to independent living. More information on Iowa's TPS, information packet, and other resources is available on Iowa's Department of Human Services website: [http://www.dhs.iowa.gov/Consumers/Child\\_Welfare/Transition\\_Services/Transitioning%20to%20Adulthood.html](http://www.dhs.iowa.gov/Consumers/Child_Welfare/Transition_Services/Transitioning%20to%20Adulthood.html)
- **Texas** requires a transition plan for all youth 14-years-old and older in out-of-home care. The State revised this requirement after Fostering Connections to include a transition meeting 90 days prior to the youth's 18th birthday and 90 days prior to the youth's transition from care. View Texas's Preparation for Adult Living program and other transitional living services here: [http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x10200.jsp](http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x10200.jsp)
- **Oregon's** Department of Human Services' (DHS) *Youth Transitions Policy* provides clear guidelines and requirements for transition plans and the roles and responsibilities caseworkers and supervisors must play in the development of the plan. The policy also outlines steps for reviewing the plan, as well as benchmarks. The policy is available on the State's DHS website: [http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-b235.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf)
- The **California** Social Work Education Center (CalSWEC) provides training resources on transition plans. One resource is geared toward supervisors and managers, and the other resource is intended for child welfare workers: <http://calswec.berkeley.edu/training-resource-transitional-independent-living-plan>

- **Indiana's** The Villages (the State's largest not-for-profit child and family services agency) offers community-based, life-skills training and other services to transitioning youth. Youth have access to scattered-site apartments and 24-hour case management, and many participants qualify for 6 months of support after completing the program: [http://www.villages.org/transitional\\_living.php](http://www.villages.org/transitional_living.php)
- **Washington State** created a youth-friendly website detailing the elements of its Independent Living Program, eligibility requirements, and contact information: <http://www.independence.wa.gov/programs/ilp.asp>

For more promising practices from States and Tribes, in addition to training and technical assistance resources, evidence-based practices, and more, visit the National Resource Center for Permanency and Family Connection's website: [http://www.nrcpfc.org/fostering\\_connections/emancipating\\_older\\_youth.html](http://www.nrcpfc.org/fostering_connections/emancipating_older_youth.html)

Information Gateway's State statutes database links to State laws on a variety of relevant topics: [https://www.childwelfare.gov/systemwide/laws\\_policies/state/](https://www.childwelfare.gov/systemwide/laws_policies/state/)

## Additional Resources

- FosteringConnections.org provides a bevy of resources and materials related to the Fostering Connections Act. Its Implementation News and Resources page provides State-specific information: <http://www.fosteringconnections.org/>
- The NRCYD provides several resources on transitioning youth, including The Solutions Desk's information-sharing community, the Fostering Connections section with plain language explanations of the law's provisions, and strategies and materials for engaging youth: <http://www.solutionsdesk.ou.edu/transitioning-youth.html>
- *Strategies from the California Connected by 25 Initiative: Tips and Resources to Improve Outcomes for Transition Age Foster Youth* provides key strategies for community partnerships, youth engagement, and evaluation across five core focus areas: <http://74.81.204.52/Files/CC25IPromisingStrategies.pdf>
- The Center for Juvenile Justice Reform and the Jim Casey Youth Opportunities Initiative published *Supporting Youth in Transition to Adulthood: Lessons Learned from Child Welfare and Juvenile Justice*. The publication addresses the many challenges the two systems face in preparing youth for adulthood: <http://cjjr.georgetown.edu/pdfs/TransitionPaperFinal.pdf>
- Foster Club's Leaving Foster Care webpage provides several FAQs aimed at transitioning youth: <http://www.fosterclub.com/questionsanswers/leaving-foster-care>
- *FLUX: Life After Foster Care* is a book that includes contributions from more than 100 alumni of foster care. The book examines the emotional transition from foster care to adulthood and serves as a resource for both foster care alumni and social workers: <http://www.fostercarealumni.org/resources/FLUX.htm>

- The National Association of Public Child Welfare Administrators, in partnership with Casey Family Programs, administered the Fostering Connections Implementation State Survey to all 50 States and the District of Columbia. Responses provide State-specific information regarding the implementation of the Federal legislation, including information States' Independent Living plans: <http://www.napcwa.org/Legislative/fostering.asp>

## References

American Bar Association. (2011). The option to extend care beyond age 18: An important opportunity for States. *Judge's Page* retrieved from [http://www.casaforchildren.org/site/c.mtJSJ7MP1sE/b.7522097/k.CB71/JP6\\_ABA.htm](http://www.casaforchildren.org/site/c.mtJSJ7MP1sE/b.7522097/k.CB71/JP6_ABA.htm)



U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau



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**PROGRAM INSTRUCTION**

**To:** State, Tribal and Territorial Agencies Administering or Supervising the Administration of Title IV-E of the Social Security Act, Indian Tribes, Tribal Organizations and Tribal Consortia (Tribes)

**Subject:** Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351) Comprehensive Guidance, Titles IV-B and IV-E Plan Requirements, Title IV-E Plan Amendment – Definition of “Child”, Extension of Title IV-E Assistance, Patient Protection and Affordable Care Act (Public Law (P.L.) 111-148)

**Legal and Related References:** Titles IV-B and IV-E of the Social Security Act (the Act); P.L. 110-351; P.L. 111-148

**Purpose:** The purpose of this Program Instruction (PI) is to provide title IV-E agencies comprehensive information on the provisions of titles IV-B and IV-E as a result of the amendments made by the Fostering Connections to Success and Increasing Adoptions Act of 2008, P.L. 110-351. In addition to providing new guidance on the option for a title IV-E agency to extend assistance for the foster care maintenance, adoption assistance, and/or kinship guardianship programs to an eligible youth age 18 and older up to age 21, this instruction provides additional guidance on the other provisions of P.L. 110-351 and the flexibilities afforded to a title IV-E agency in complying with the law. We are also providing instruction on changes to the titles IV-B/IV-E plan requirements as a result of the Patient Protection and Affordable Care Act (P.L. 111-148).

**INFORMATION:**

- Section A: Title IV-E Definition of Child and Extending Assistance to Youth Age 18 and Older
- Section B: Provisions Specific to the Extension of Title IV-E Foster Care Age 18 and Older
- Section C: Transition Plan for Emancipating Youth
- Section D: Guardianship Assistance Program
- Section E: Enrolling Children in School, Educational Stability and Payments for School Transportation
- Section F: Health Care Oversight and Coordination Plan
- Section G: Sibling Placement
- Section H: Notifying Relatives
- Section I: Waiving Non-Safety Licensing Standards for Relatives

Section J: Adoption Assistance, Reinvestment, and Adoption Tax Credit  
Section K: Indian Tribes and Title IV-E  
Section L: Short-Term Training  
Section M: Funding and Administrative Costs  
Section N: Instructions for Amending the Title IV-E Plan

## **Section A: Title IV-E Definition of Child and Extending Assistance to Youth Age 18 and Older**

### Definition of Child for Title IV-E Foster Care, Adoption Assistance and, if applicable, Guardianship Assistance Programs

A title IV-E agency may exercise the option in section 475(8)(B) of the Act to adopt a definition of “child” for the title IV-E program that will allow it to provide foster care, adoption and, if applicable, guardianship assistance for eligible youth up to 21 years of age if the youth meets certain criteria established in section 475(8)(B) of the Act. The option is available at any time on or after October 1, 2010 to a title IV-E agency that elects to implement the option on a statewide/or service area wide basis per section 471(a)(3) of the Act. A title IV-E agency that does not extend assistance to a youth age 18 or older for a program must conform to the definition of “child” as an individual under age 18 as indicated in section 475(8)(A) of the Act, with exceptions. Those exceptions permit a title IV-E agency to provide title IV-E foster care maintenance payments to a youth who is age 18 and a full-time student completing secondary education or training per the State’s 1996 title IV-A Aid to Families with Dependent Children (AFDC) plan and permit a title IV-E agency to continue adoption or guardianship assistance to disabled youth between the ages 18 and 21 (under an agreement). Please see section B for more detailed information specific to the extension of title IV-E foster care to youth age 18 and older and sections D and J regarding providing assistance to disabled youth who are in guardianship or who have been adopted.

The statute affords the title IV-E agency the option to select an age up to age 21; however, we encourage a title IV-E agency to expand their definition of “child” to age 21. If an agency wants to extend assistance beyond age 18 but select a definition of “child” lower than age 21 (i.e., age 19 or 20), the agency must include a written description to the Regional Office (RO), in the title IV-E plan amendment, as to why the agency is choosing a lower age (see section N). This description should include the programmatic or practice rationale for the lower age. The age the agency selects for the definition of “child” must apply to the title IV-E foster care, adoption assistance, and if applicable, guardianship assistance programs.

As further discussed below, a title IV-E agency may establish different criteria for meeting the education and employment conditions associated with the participation of youth age 18 or older. The title IV-E plan requirements in section 471 of the Act apply to youth in extended title IV-E assistance to the same extent as they apply for a child under the age of 18.

A title IV-E agency providing title IV-E assistance to a youth age 18 or older per section 475(8)(B) of the Act must amend its title IV-E plan (see section N for instruction on amending the plan) to ensure that an otherwise eligible youth meets the criteria listed below:

1) *Title IV-E Program Participation:*

- The youth is in foster care under the responsibility of the title IV-E agency; or
- The youth is part of an adoption assistance agreement that is in effect under section 473 of the Act and the youth had attained 16 years of age before the agreement became effective; or
- The youth is part of a kinship guardianship agreement that is in effect under section 473(d) of the Act and the youth had attained 16 years of age before the agreement became effective; AND

2) *Age:* The youth has attained 18 years of age or older, up to age 21 (as elected by the title IV-E agency); AND

3) *Educational or Employment Conditions:* The youth meets at least one of the below listed conditions, as determined by the title IV-E agency:

- Completing secondary education or a program leading to an equivalent credential (section 475(8)(B)(iv)(I) of the Act), e.g., a youth age 18 and older is finishing high school or taking classes in preparation for a general equivalency diploma exam.
- Enrolled in an institution which provides post-secondary or vocational education (section 475(8)(B)(iv)(II) of the Act), e.g., a youth could be enrolled full-time or part-time in a university or college, or enrolled in a vocational or trade school.
- Participating in a program or activity designed to promote, or remove barriers to employment (section 475(8)(B)(iv)(III) of the Act), e.g., a youth could be in Job Corps or attending classes on resume writing and interview skills.
- Employed for at least 80 hours per month (section 475(8)(B)(iv)(IV) of the Act), e.g., a youth could be employed part time or full time, at one or more places of employment.
- Is incapable of doing any of the previously described educational or employment activities due to a medical condition (section 475(8)(B)(iv)(V) of the Act). If the youth is in foster care in this circumstance, the agency must provide regularly updated written or recorded information that addresses the medical condition and the youth's incapability in the youth's case plan. There is no requirement for the title IV-E agency to maintain a case plan on a youth who is adopted or in guardianship. We address documentation related to a youth who is adopted or in guardianship further below.

The title IV-E agency has the following discretion in relation to the employment and education conditions for extended assistance provided it is reasonable and consistent with Federal law:

- A title IV-E agency may include one or more of the above employment or education conditions for extended assistance in the definition of “child” for any of the title IV-E programs in operation. For example, a title IV-E agency may provide extended assistance to youth enrolled in post-secondary education only.
- The title IV-E agency will establish the criteria it will use to determine whether a youth meets the employment or education conditions above and/or whether a youth has a medical condition that renders him or her incapable of employment or education. The agency has the discretion to determine these criteria, with one caveat. The title IV-E agency must consider an otherwise enrolled youth on a semester, summer or other break to be enrolled in school for the purposes of this provision.
- The title IV-E agency will determine how it will verify or obtain assurances that the youth continues to meet the education or employment conditions and the frequency and nature of such verification.
- The title IV-E agency is not required to develop a case plan for an adopted youth or youth under a guardianship solely for the purpose of addressing why a youth is incapable of meeting the educational or employment activities due to a medical condition. The title IV-E agency has the flexibility to determine whether and how to document the medical condition for such youth once determined.

We are providing flexibility in applying the education and employment conditions because we want to encourage a title IV-E agency to take advantage of the option as soon as possible, even if the agency can do so on only a limited basis at this time. However, we encourage a title IV-E agency to consider how it can provide extended assistance to youth age 18 and older to the broadest population possible consistent with the law to ensure that there are ample supports for older youth. We also encourage a title IV-E agency to use the John H. Chafee Foster Care Independence Program and the Education and Training Voucher Program (section 477 of the Act) to provide additional supports to youth to prepare them for employment and education.

### Medicaid Eligibility

Under sections 473(b)(1) and 473(b)(3) of the Act, a youth on whose behalf title IV-E foster care maintenance payments or guardianship assistance payments are made, or who is subject to an adoption assistance agreement is categorically eligible for the title XIX (Medicaid) program available in the State of residence, including a youth up to age 21 per section 475(8)(B) of the Act. Such a youth is eligible for Medicaid (if available for such youth) whether or not the title IV-E agency in the State of residence has taken the option to provide extended assistance per



section 475(8)(B) of the Act. A title IV-E agency should work with its Medicaid agency counterparts to learn about the Medicaid services available for older youth.<sup>1</sup>

### Statewide Automated Child Welfare Information System

A State or Tribe that has elected to implement a Statewide Automated Child Welfare Information System (SACWIS) must support the extension of title IV-E assistance and additional client population through that system, as applicable. All requirements at 45 CFR Part 1355.52 through 1355.56 applies to extended title IV-E assistance.

### Effective Date for the Definition of Child Age 18 and Older

A title IV-E agency may exercise the option to define “child” as age 18 or older (up to age 21) consistent with section 475(8) of the Act beginning on or after October 1, 2010. A title IV-E agency that exercises the option to provide title IV-E foster care, adoption and/or guardianship assistance for youth age 18 and older may claim allowable costs for the applicable title IV-E program option as early as the first day of the quarter in which the title IV-E agency submits an approvable title IV-E plan amendment to ACF (45 CFR 1356.20(d)(8)). Under title IV-E foster care, an agency may provide payments to older youth age 18 and older up to age 21 who were in foster care prior to October 1, 2010 as long as the youth meets all of the title IV-E eligibility requirements as explained below. Similarly, for title IV-E adoption and guardianship assistance, an agency may provide payments to adopted youth or youth in guardianship prior to October 1, 2010 who are age 18 and older up to age 21 for whom a title IV-E agreement under section 473 or 473(d) became effective after attaining age 16 and otherwise meet the title IV-E eligibility requirements.

## **Section B: Provisions Specific to the Extension of Title IV-E Foster Care to Youth Age 18 and Older**

The statutory amendments made to incorporate older youth up to age 21 into the title IV-E foster care maintenance payments program do not alter existing eligibility criteria with the exception of permitting title IV-E payments for a youth age 18 or older in a supervised setting in which the youth is living independently. However, we realize that States and Tribes with title IV-E plans may need to address the eligibility requirements in a different manner, as appropriate, for a youth age 18 or older. Therefore, we are providing the following information to explain the ways in which a title IV-E agency can take advantage of the option to extend assistance to youth age 18 or older consistent with the requirements of the law and the developmental needs of older youth.

A title IV-E agency can extend foster care assistance for a youth age 18 or older pursuant to section 475(8)(B) of the Act in a way that permits a youth to stay in foster care continuously or leave foster care for a period and return to foster care at some point after attaining age 18. In

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<sup>1</sup> The Patient Protection and Affordable Care Act (P.L. 111-148) extends Medicaid eligibility for certain former foster youth up to the age of 26. However, these provision go into effect beginning in 2014. We will work with our CMS counterparts to provide agencies with additional information on these provisions.

doing so, however, the eligibility criteria in section 472(a)(2)(A) and (B) of the Act must be satisfied. The information below describes the ways in which these criteria can be satisfied.

### Removal From Home

There are several ways to meet the removal from home criteria in section 472(a)(2)(A) of the Act for the youth age 18 or older depending on whether a youth is continuing in foster care after attaining age 18 or reentering foster care after attaining age 18:

- *Court ordered removal prior to age 18* – When a child is removed from home prior to age 18 pursuant to a judicial determination that it was contrary to the welfare of the child to remain in the home and that reasonable efforts have been made to keep the child in the home and the child remains in foster care continuously, no new court ordered removal is required at the age of 18, or older, to remain eligible for title IV-E foster care maintenance payments. Such a child will be considered to meet the criteria in section 472(a)(2)(ii) of the Act while remaining in foster care.
- *Voluntary placement agreement prior to age 18* – When a child is removed from home prior to age 18 pursuant to a voluntary placement agreement entered into between the child’s parents/legal guardian and the title IV-E agency, no new voluntary placement agreement is required after the youth attains the age of 18 for title IV-E purposes as long as the youth remains continuously in foster care. See below for additional details related to voluntary placement agreements.
- *Court ordered removal after attaining age 18* – A youth age 18 or older who is removed via court order with judicial determinations regarding contrary to the welfare and reasonable efforts can meet the criteria in section 472(a)(2)(ii) of the Act, to the extent that there is jurisdiction by the juvenile or other court to do so. Such judicial determinations may reflect the circumstances that are unique to a youth age 18 or older returning to foster care consistent with existing policy at Child Welfare Policy Manual (CWPM) 8.3A.7 Q/A #3. For example, a contrary to the welfare judicial determination may state that it is in the best interests of the youth to be placed in foster care and a reasonable efforts to prevent removal finding may state that the title IV-E agency made reasonable efforts to meet the youth’s needs prior to a foster care placement.
- *Voluntary placement agreement after attaining age 18* – A voluntary placement agreement entered into between the youth age 18 or older and the title IV-E agency can meet the removal criteria in section 472(a)(2)(A)(i) of the Act. In this situation the youth age 18 or older is able to sign the agreement as his/her own guardian. See below for additional details related to voluntary placement agreements.
- *Trial independence and breaks in foster care* – A title IV-E agency should follow existing Federal policy with regard to when to consider a child/youth as remaining in foster care versus when a break has occurred that warrants a new determination of title IV-E eligibility with new judicial determinations or a new voluntary placement agreement (see CWPM 8.3A.4, 8.3A.10 and 8.3C.5). A title IV-E agency is not required

to reestablish judicial determinations related to contrary to the welfare or reasonable efforts for a youth age 18 or older whose departure from foster care is consistent with 45 CFR 1356.21(e). For example, a youth age 17 who is title IV-E eligible decides to leave foster care upon attaining age 18. Three months after the youth's 18th birthday, the youth returns seeking the title IV-E agency's assistance. As the youth has tried independence for less than a six-month trial period, the title IV-E agency does not need new judicial determinations or a voluntary placement agreement to satisfy section 472(a)(2)(A) of the Act upon return. Similarly, if a court order authorized the youth's trial independence for a year after the youth's 18th birthday, title IV-E foster care maintenance payments may be made if the youth is otherwise eligible when returning to foster care during that year.

For title IV-E purposes, voluntary placement agreements must meet the requirements of sections 472(e) and (f) of the Act and 45 CFR 1356.22, including the requirement that there be a judicial determination that remaining in foster care is in the child's best interests if title IV-E foster care maintenance payments are to continue beyond the first 180 days of the voluntary placement. The title IV-E agency has the option whether to accept voluntary placement agreements for title IV-E purposes for a child/youth of any age up to age 21 (i.e., either on behalf of a child under age 18 or for youth age 18 or older). A title IV-E agency may elect to meet the criteria in section 472(a)(2)(A) of the Act by voluntary placements at any time by amending its title IV-E plan prior to claiming Federal reimbursement for such placements.

### Placement and Care Responsibility

There are several ways in which the title IV-E agency can obtain placement and care responsibility of youth age 18 or older pursuant to section 472(a)(2)(B) of the Act:

- *Written authorization prior to age 18* – The youth in foster care may provide written authorization giving the title IV-E agency continued placement and care responsibility for the youth after attaining age 18. Similar to existing policy, this written authorization must be provided before the youth ages out of foster care or court jurisdiction ends for the agency's placement and care responsibility to continue after reaching age 18.
- *Voluntary placement agreement after attaining age 18* – If the title IV-E agency accepts voluntary placement agreements from a child age 18 or older, this same voluntary placement agreement can authorize that the title IV-E agency have placement and care responsibility of the child.
- *Court orders after attaining age 18* – To the extent that court jurisdiction extends to a youth age 18 or older, court orders can provide the title IV-E agency with placement and care responsibility.

### AFDC Program Criteria

A child/youth must have met the AFDC eligibility requirements per section 472(a)(3) of the Act at the time of removal from the home to be eligible for title IV-E foster care. For a youth age 18

or older who is entering or reentering foster care after attaining age 18 consistent with the criteria above, AFDC eligibility is based on the youth without regard to the parents/legal guardians or others in the assistance unit in the home from which the youth was removed as a younger child (e.g., a child-only case).

*AFDC Redeterminations.* As indicated in policy issued at CWPM 8.3A.4, 8.3A.10, and 8.4A on April 8, 2010, we have eliminated AFDC redeterminations to ease an administrative burden we now believe is unnecessary. The title IV-E agency must establish AFDC eligibility at the time the child is removed from home or a voluntary placement agreement is entered. We note that it is not possible to implement the option to extend title IV-E assistance to youth in foster care who are age 18 or older as permitted by P.L. 110-351 and require such youth to be subject to AFDC redeterminations. Specifically, youth age 19 or older cannot meet the AFDC eligibility requirements because they would not be able to meet the definition of a “needy child” in former section 406 of the Act. This clearly is inconsistent with the law’s amendments to provide an option for extended title IV-E assistance to older youth. For the purpose of a title IV-E eligibility review, we will not review whether the title IV-E agency conducted annual AFDC redeterminations for a child in the sample.

*Title IV-A Option to Continue Title IV-E Foster Care to Certain Youth in School.* A title IV-E agency may provide foster care maintenance payments on behalf of youth who have attained age 18, but are under the age of 19, and who are full-time students expected to complete their secondary schooling or equivalent training before reaching age 19 whether or not the agency exercises the option to provide title IV-E payments to children over age 18 under section 475(8)(B) of the Act. An agency may continue to apply this policy only if it was contained in the agency’s title IV-A AFDC plan, as in effect on July 16, 1996, of the State the child was living in at removal; but is not required to continue this policy.

No further action is required for a title IV-E agency that provides title IV-E foster care payments through the title IV-A option for 18-year-olds in secondary school or equivalent training, but does not take the option to provide extended title IV-E foster care assistance under section 475(8)(B) of the Act. As such, the agency must continue to evaluate case by case whether to continue title IV-E foster care payments for the youth based on whether the youth is expected to finish secondary schooling or equivalent training before attaining age 19. An agency that continues the title IV-A option and also elects to provide extended title IV-E foster care assistance under section 475(8)(B) of the Act may do one of the following: 1) determine whether continued title IV-E foster care maintenance payments are warranted based on the title IV-A standard; or, 2) determine if extended title IV-E foster care assistance is warranted based on the education and employment conditions in section 475(8)(B)(iv) of the Act.

Please note that a Tribal title IV-E agency may either follow the AFDC option (if selected) in the State in which the child was removed (section 479B(c)(1)(C)(ii)(II) of the Act), or may choose to provide extended assistance per section 475(8)(B) of the Act as selected in the Tribal title IV-E plan.

### Supervised Independent Living Settings

In order for the title IV-E agency to provide title IV-E foster care maintenance payments, an otherwise eligible child age 18 or older must be placed in a licensed foster family home, child-care institution, or a supervised setting in which the individual is living independently per section 472(c)(2) of the Act. The title IV-E requirements for foster family homes and child care institutions apply if a youth age 18 or older is placed in such a setting, including provisions for licensure or approval, background checks and safety considerations (see sections 471(a)(10) and 471(a)(20)(A) and (B) of the Act and 45 CFR 1355.20 and 1356.30).

At this time, however, we have no forthcoming regulations that will prescribe the kinds of living arrangements considered a supervised setting, the parameters of supervision, or any other conditions for youth living independently. Therefore, a title IV-E agency has the discretion to develop a range of supervised independent living settings which can be reasonably interpreted as consistent with the law, including whether or not such settings need to be licensed and any safety protocols that may be needed. For example, a title IV-E agency may determine that when paired with a supervising agency or supervising worker, host homes, college dormitories, shared housing, semi-supervised apartments, supervised apartments or another housing arrangement meet the supervised setting requirement. We encourage the title IV-E agency to be innovative in determining the best living arrangements that could meet an older child's needs for supervision and support as he/she moves toward independence. Further, we note that a title IV-E agency should continue to work with youth who are in supervised independent living settings to form permanent connections with caring adults. This could take the form of determining whether guardianship, adoption or living with other caring adults remains appropriate options for an older youth, and if so, helping the youth to work towards those outcomes.

### Foster Care Maintenance Payments

The title IV-E agency must provide an eligible child a title IV-E foster care maintenance payment consistent with section 475(4)(A) of the Act and 45 CFR 1355.20. The items of cost in the foster care maintenance payment definition in the law and regulations are the same for a youth of any age. Such payments must be paid through a foster parent, child placement or child care agency, a child care institution or the supervised setting as required by section 472(b) of the Act. Foster care maintenance payments must be paid through the provider (i.e., the foster parent or child care institution) or child-placing/caring agency, unless the child is age 18 or older and living independently in a supervised setting in foster care. For a youth age 18 or older living independently in a supervised setting, there may be situations in which no actual provider or other child placing intermediary is involved. In those situations the title IV-E agency may (but is not required to) pay all or part of the foster care maintenance payment directly to the youth.

### Reasonable Efforts to Finalize a Permanency Plan

The provisions of section 472(a)(2)(A)(ii) of the Act and 45 CFR 1356.21(b)(2) which require the agency to obtain a judicial determination that the agency made reasonable efforts to finalize a permanency plan every 12 months apply to a child age 18 or older receiving title IV-E foster care maintenance payments who was removed due to a contrary to the welfare judicial determination

(i.e., a court-ordered placement), but not to a youth removed from home via a voluntary placement agreement. We expect most youth in extended foster care to have a permanency plan of emancipation or independence, and therefore, the agency's efforts toward that goal would include activities outlined in a youth's transition plan and/or case plan. Therefore, we will accept judicial determinations for reasonable efforts to finalize a permanency plan that address the agency's efforts to prepare the child for independence.

Finally, we note that while this finding is a judicial determination, there are no Federal requirements that prescribe the forum in which such findings are made for youth of any age. Accordingly, any duly authorized member of the judiciary consistent with State/Tribal law may make these judicial determinations and they may be done outside of a court hearing.

### Case Review Requirements

The case review requirements in section 471(a)(16) of the Act (which are defined further at section 475(5) of the Act) apply to all children under age 18 who are in foster care, under the placement and care of the title IV-E agency and those children age 18 or older on whose behalf a title IV-E foster care maintenance payment is made. We encourage the title IV-E agency to fulfill these requirements for older youth in a developmentally-appropriate manner which is responsive to a youth's needs. The following list provides some examples of ways in which a title IV-E agency could meet the law's case review requirements for youth age 18 or older:

- Case plans are developed jointly with the youth in foster care and include discussions which reflect the supervised settings, foster family homes or child care institutions the youth believes are consistent with what the youth needs to gain independence. The case plan reflects agreements made between the agency and the youth to obtain independent living skills and the benchmarks that indicate how both know when independence can be achieved (sections 471(a)(16) and 475(1) of the Act; 45 CFR 1356.21(g)).
- Periodic reviews involve youth and focus on whether the youth is safe in his/her placement, whether continued foster care is appropriate, whether appropriate and meaningful independent living skill services are being developed and the progress made towards achieving independence on a projected date. Periodic reviews are held by courts or by an administrative panel of appropriate persons, including at least one of whom is not responsible for case management (sections 475(5)(B) and 475(6) of the Act).
- Permanency hearings are held under conditions that support active engagement of the youth in key decisions. Permanency hearings can be held by a court or by an administrative body appointed or approved by the court. Permanency hearings provide ample time and opportunity for the youth to discuss his/her transition plan (section 475(5)(C) of the Act and 45 CFR 1356.21(h)).
- A title IV-E agency may make appropriate case-by-case decisions about filing petitions for termination of parental rights (TPR) and document such decisions in the case plan. Compelling reasons for not filing a TPR could include that adoption is not the appropriate

permanency goal or that no grounds to file a petition exist for an older child (sections 475(5)(E) and (F) of the Act; 45 CFR 1356.21(i)).

This above list is not exhaustive. See also section C that discusses the transition plan for emancipating youth.

### Caseworker Visits

*Monthly visit standard.* Section 422(b)(17) of the Act requires State and Tribal title IV-B/IV-E agencies to describe standards for monthly caseworker visits with children in foster care. This provision also applies to a youth in foster care age 18 or older per section 475(8)(B) of the Act on whose behalf a title IV-E foster care maintenance payment is made.

Consistent with the law, at a minimum, the standards are to ensure that caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency and well-being of the youth. Visits may be conducted by any caseworker with whom the title IV-B/IV-E agency has assigned or contracted case management or visitation responsibilities and must be held face-to-face. Within these parameters, the agency may determine which caseworkers are appropriate to conduct the visits. We encourage the title IV-E agency to engage youth fully in determining how to balance meeting the youth's needs with the requirement for the caseworker to visit the youth monthly. Further, we support practices which allow the youth and agency to determine jointly the content of the monthly visits. A State agency may use the funding provided under sections 433(e) and 436(b)(4) of the Act to support monthly caseworker visits to youth in foster care, including those age 18 or older. At this time, the law does not authorize this funding to a Tribal agency.

*State caseworker visit data.* States also are required to provide us with data on the percentage of children who are visited by their caseworkers on a monthly basis and establish targets to ensure that 90 percent of children in foster care are visited pursuant to sections 424(e)(1) and (2) of the Act. As all States had already established such baselines in 2007 and their annual targets, and we had previously instructed States to exclude youth age 18 and older from this data report in most circumstances (CWPM 7.3 Q/A #6) we will not require States that opt to extend title IV-E foster care assistance to include youth age 18 or older in such data reporting for Fiscal Year (FY) 2010 or 2011. However, we intend to reconsider this exception if the caseworker data provision is reauthorized or there is any other relevant change in law.

### Other provisions and requirements

We wanted to highlight some other provisions that apply to a youth in foster care age 18 and older receiving title IV-E foster care maintenance payments in response to questions that we have received. This list is not intended to be exhaustive and we encourage the title IV-E agency to work with the CB RO staff for additional clarifications:

*Adoption and Foster Care Analysis and Reporting System (AFCARS).* A title IV-E agency that exercises the option to extend assistance to youth age 18 or older must collect and report data to AFCARS on all youth receiving a title IV-E foster care maintenance payment (45 CFR 1355.40).

*National Youth in Transition Database (NYTD).* A title IV-E agency that exercises the option to extend title IV-E foster care assistance to youth age 18 or older must consider youth receiving a title IV-E foster care maintenance payment as in foster care for the purposes of the NYTD reporting (45 CFR 1356.81).

*Monitoring.* The child and family services review and title IV-E eligibility review samples are drawn from AFCARS, and therefore, will include a child/youth age 18 or older receiving a title IV-E foster care maintenance payment during the period under review (45 CFR 1355.31 – 37 and 1356.71).

*Child of a parent in foster care.* Section 475(4)(B) of the Act requires that foster care maintenance payments for a parent in foster care cover the foster care maintenance costs for the parent's child if that child is placed with the parent in the same foster family home or child care institution. For a title IV-E agency that extends title IV-E foster care assistance to youth age 18 or older, the requirement to cover the costs of the child of the parent in foster care will also apply to the youth age 18 or older in a foster family home, child care institution or supervised independent living setting. Further, consistent with section 472(h)(2) of the Act, a child of the youth in foster care whose costs are covered by the title IV-E foster care maintenance payment is categorically eligible for the title XIX Medicaid program available in the State of residence, regardless of whether the title IV-E agency in the State of residence has also elected to extend title IV-E foster care assistance to youth age 18 or older. See also CWPM Section 8.3A.5.

## **Section C: Transition Plan for Emancipating Youth**

The case review system at section 475(5)(H) of the Act requires that the title IV-E agency caseworker, or other child representatives as appropriate, assist and support a youth in developing a transition plan as he/she ages out of foster care. More specifically, the transition plan must be developed during the 90-day period before the youth attains age 18, or if applicable, before the later age, for a youth in extended foster care per section 475(8)(B) of the Act. Transition planning is for youth of these ages who are in foster care as defined in regulations at 45 CFR 1355.20.

The transition plan must be personalized at the direction of the child, be as detailed as he or she chooses, and include specific options regarding housing, health insurance, education, local opportunities for mentors and continuing support services, work force supports and employment services (section 475(5)(H) of the Act). We encourage the caseworker to include information in the plan relating to sexual health, services, and resources to ensure the youth is informed and prepared to make healthy decisions about their lives.

Further, as the title IV-E agency is aware, this provision prescribes transition plan details at a specific point in the youth's foster care experience, however, the law requires the title IV-E agency to conduct other planning activities for independent living for older youth. In particular:



- Case plans, where appropriate, must include a written or recorded description of the programs and services which will help a child age 16 or older prepare for the transition from foster care to independent living (sections 471(a)(16) and 475(1)(D) of the Act).
- Permanency hearings, in the case of a child age 16 or older, must determine the services needed to assist the child to make the transition from foster care to independent living (sections 471(a)(16) and 475(5)(C)(i) of the Act).

We encourage the title IV-E agency to use these and any other available opportunities to help youth plan for their future and to use the transition plan to build on these earlier planning efforts. The courts can play an important role in monitoring the development of the transition plan.

Further, we note that while the transition plan is developed during a particular period of time prior to aging out of foster care, the title IV-E agency should begin earlier to engage and prepare youth to develop the plan. Therefore, we expect the title IV-E agency to use the time well in advance of the 90-day period to prepare and fully engage a youth in his or her transition plan development. For example, an agency can best prepare the youth to direct their transition plan if the agency informs the youth ahead of time of the transition plan's purpose and importance, how they are expected to participate in the transition plan, who they can invite to the planning sessions to represent their needs, how it is different or similar to other planning activities, what options are available in the topics that must be covered (e.g., housing and health insurance) and how to ask questions that can uncover further information or options that may not have been raised by the agency. An agency could also encourage and support (e.g., through facilitation) the formation of youth peer groups to develop youth-led recommendations on what youth need to know prior to transition planning sessions and how to advocate for themselves.

The transition plan is not required should a youth leave foster care more than 90 days before his 18th birthday or older age designated in the IV-E plan pursuant to section 475(8)(B) of the Act, nor can it be delayed to the age of 18 or older age, as applicable.

Finally, section 2955(a) of the Patient Protection and Affordable Care Act (P.L. 111-148) amends the transition plan requirement effective October 1, 2010. This legislation will also require the transition plan to include information on the importance of designating someone to make health care treatment decisions on behalf of the youth in foster care if the youth is unable to do so and does not have or want a relative who would otherwise be so designated under State/Tribal law to make such decisions. The law provides the child with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State/Tribal law.

#### **Section D: Guardianship Assistance Program**

We have provided guidance in ACYF-CB-PI-10-01 and the CWPM regarding the option for a title IV-E agency to have a Guardianship Assistance Program (GAP). This option remains available to a title IV-E agency at any time that it elects to implement the GAP on a statewide/or service area wide basis per section 471(a)(3) of the Act. We are encouraged by the interest in

this option exemplified by the several title IV-E agencies to date that have chosen to submit a title IV-E plan to provide kinship guardianship assistance. To ensure that all title IV-E agencies are aware of how the GAP may work for its title IV-E program, please note the following additional information:

### Relative Guardians

A title IV-E agency has discretion to define the term “relative” for the purposes of the title IV-E GAP. This means that we will accept a title IV-E plan or amendment that contains a reasonable interpretation of a relative, including a plan that limits the term to include biological and legal familial ties or a plan that more broadly includes Tribal kin, extended family and friends, or other ‘fictive kin.’ Please note that this does not change the statutory and regulatory definition of a “specified relative” as used in sections 472 or 473 of the Act.

We believe it is ideal for the title IV-E agency to use a consistent definition of relative for the GAP and the relative notification provision at section 471(a)(29) of the Act, to the greatest extent possible. This will support the identification and notification of potential relatives and/or other kin, as applicable, who will be informed of their options to care for the child and, if appropriate, receive title IV-E kinship guardianship assistance on the child’s behalf. See also section H on notifying relatives of a child’s placement into foster care.

### Conditions for Guardians or Guardianship

A title IV-E agency has the discretion to establish the conditions in the State/Tribe under which a person may qualify to be a child’s guardian or enter into a legal guardianship arrangement with the title IV-E agency. The criteria in sections 473(d) and 471(a)(20)(C) of the Act are considered eligibility criteria for the title IV-E GAP. For example, a title IV-E agency may:

- Require a child to be in foster care for more than a consecutive six-month period, spend more than six-months living with the relative guardian in foster care, and/or meet the consecutive six-month period immediately prior to the guardianship;
- Target a certain age group for guardianship, such as children over the age of 12;
- Require the relative guardian to inform the agency if the child’s biological parents plan to stay with the guardian on a long term basis; or,
- Require cooperation with child support enforcement regarding the child’s parents.

We note that while all of the above conditions are allowable; when applied as a broad policy they may not always serve an individual child’s best interests. A title IV-E agency that sets policy narrowing the population of children or relative guardians that can be subsidized may be limiting its options to provide permanency for children who would otherwise remain in foster care. Rather, a title IV-E agency could accomplish similar goals of ensuring that guardianship is the appropriate permanency option by either establishing practice-level guidance that clarifies which children or relatives may be best suited for guardianship or otherwise making case-by-case

determinations of the following eligibility criteria in the law (section 473(d)(3)(A)(ii) through (iv) of the Act):

- being returned home or adopted are not appropriate permanency options for the child;
- the child demonstrates a strong attachment to the prospective relative guardian and the relative guardian has a strong commitment to caring permanently for the child; and,
- with respect to a child who has attained 14 years of age, the child has been consulted regarding the kinship guardianship arrangement.

#### Agreement Terms and Payments

The title IV-E agency must enter into guardianship agreements with the prospective guardians of eligible children and include specific terms in those agreements of the amount of payments and manner in which payments may be adjusted pursuant to section 473(d)(1)(A) and (B) of the Act. Agreement terms may include adjusting the guardianship payment amount as the child ages or as needs change, as long as the guardianship payment does not exceed the title IV-E foster care maintenance payment the child would have received if the child had remained in a foster family home (section 473(d)(2) of the Act). Per instruction in ACYF-CB-PI-10-01, the agency may also amend an existing agreement under certain conditions. Once a child is determined eligible for the GAP, payments can continue in accordance with the terms of the GAP agreement, unless the agency determines that one of the following conditions applies to require the termination of assistance under section 473(a)(4) of the Act:

- The title IV-E agency determines the relative guardian(s) are no longer legally responsible for a child under the age of 18.
- The agency determines that the relative guardian(s) are no longer providing any support for a child/youth of any age.
- The child attains age 18, or if applicable, the child:
  - attains the greater age of extended assistance to children in guardianship that the title IV-E agency implemented under section 475(8)(B)(i)(III) of the Act; or
  - attains 21 years of age if the title IV-E agency determined the child has a mental or physical handicap which warrants the continuation of assistance.

Please note that the title IV-E agency may provide title IV-E kinship guardianship assistance payments up to age 21 for a youth who has a physical or mental disability that warrants the continuation of assistance. The agency can continue assistance whether or not the agency has opted to extend title IV-E assistance to a youth age 18 or older for a child in guardianship per section 475(8)(B) of the Act.

The title IV-E agency has the discretion within the above broad parameters to establish how it will evaluate, reevaluate or terminate GAP agreements. For example, a title IV-E agency may establish agreements that:

- Specify how the agency defines whether a guardian is providing “any support to” or remains “legally responsible for the support of” the child so that it is clear under which circumstances the agreement will be terminated;
- allow the agency to suspend or discontinue guardianship assistance payments when a certain event occurs, such as when a child reenters foster care or another out-of-home setting;
- require annual or periodic renewals of agreements that confirm that the guardian continues to provide any support for GAP payments to continue;
- require the guardian to report how a youth age 18 or older meets the educational or employment conditions;
- require the guardian to report how a youth age 18 or older meets conditions for a disability;
- reduce GAP payments when other sources of income are received by the guardian on behalf of the child; and/or,
- clarify that GAP payments may continue to be paid on behalf of the child if the child moves to attend post-secondary school or otherwise lives independently of the guardian, as long as the guardian continues to provide any support to the child.

The above list is not exhaustive. Relative guardians receiving assistance must keep the title IV-E agency informed of circumstances that would make them ineligible for the payments or eligible for the payments in a different amount (section 473(a)(4) of the Act). We note that the flexibilities above are distinct from those of the title IV-E adoption assistance program because the GAP is an optional title IV-E program and there are different statutory language and purposes for each program.

### Siblings and GAP Payments

A title IV-E agency may, but is not required to, make GAP payments pursuant to a kinship guardianship agreement on behalf of each sibling of an eligible child who is placed with the same relative under the same kinship guardianship arrangement if the title IV-E agency and the relative guardian agree that the placement is appropriate (section 473(d)(3)(B) of the Act). For title IV-E GAP payments to be made on behalf of a sibling of an eligible child, the title IV-E agency must enter into a guardianship agreement that meets the requirements of section 473(d)(1) of the Act, including paying the total cost of nonrecurring expenses associated with obtaining legal guardianship of the child to the extent the total cost does not exceed \$2,000, prior to the guardian obtaining legal guardianship of the sibling. The amount of a title IV-E

guardianship assistance payment for a sibling of an eligible child may not exceed the title IV-E foster care maintenance payment the sibling would have received if the sibling had remained, or had the sibling been placed, in a foster family home (section 473(d)(2) of the Act). Per instruction in ACYF-CB-PI-10-01, the agency may also amend an existing agreement under certain conditions.

The sibling is not required to meet the eligibility criteria in section 473(d)(3)(A) of the Act to receive kinship guardianship assistance payments or for the legal guardian to be reimbursed for the nonrecurring expenses related to costs of the legal guardianship of the sibling to the eligible child. The order of sibling placement with the guardian and finalization of the guardianships does not matter.

A title IV-E agency has the discretion to reasonably define sibling for the purposes of the GAP program. This means that we will accept a title IV-E agency's plan amendment that: includes siblings related by biological, marital or legal ties (e.g., inclusive of step-siblings, half-siblings and adoptive siblings); considers as siblings only those children who were removed from the same household; or, limits siblings to those children who were in foster care at the same time and placed in the guardian's home simultaneously. This is not an exhaustive list of the possible options for defining siblings.

For example, a 14-year-old child is in the legal guardianship of his grandmother and has been for the past three years. The 14-year-old was not eligible for the GAP program at the time of the agreement and legal guardianship (for example, because the title IV-E agency did not have a GAP plan at the time or the grandmother was not a licensed foster family home). The grandmother is now a licensed foster family home providing care for the 12-year-old sibling to the 14-year-old child who has been eligible for title IV-E foster care maintenance payments for six consecutive months. The title IV-E agency determines that neither reunification nor adoption is appropriate for the 12-year old and all other eligibility factors are met. The title IV-E agency amends the agreement with the guardian of the 14-year-old to include the 12-year old sibling, and provides a title IV-E GAP payment to the grandmother on behalf of both children once the eligible child's legal guardianship is finalized.

Since the title IV-E agency is required to conduct Federal Bureau of Investigation (FBI) fingerprint-based checks of the National Crime Information Databases (NCID) on the guardian and child abuse and neglect registry checks on the relative guardian and other adults in the home in order to be eligible for GAP payments on behalf of an eligible child, the agency is not required to conduct these checks separately for the eligible child's sibling. A title IV-E agency may, however, conduct additional checks on the guardian if it so chooses.

### Consecutive Months

One of the eligibility criteria for title IV-E kinship guardianship assistance payments is that a child be eligible for title IV-E foster care maintenance payments during at least a consecutive six-month period during which the child resided in the home of the prospective relative guardian who was licensed or approved as a foster family home (section 473(d)(3)(A)(i)(II) of the Act). While the Act does not require title IV-E foster care maintenance payments be paid on behalf of

the child, it does require that such a child meet all eligibility criteria pursuant to section 472(a), (b) and (c) of the Act and 45 CFR 1356.21 while in the home of that fully licensed or approved relative foster parent for a consecutive six-month period.

A child is not required to be eligible for or receive title IV-E foster care maintenance payments for every day in a month for such a month to be considered ‘consecutive’ for the purposes of GAP eligibility. The title IV-E agency can follow our existing policy guidance for title IV-E foster care maintenance payments eligibility to determine whether a child could be eligible in a given month. For example, in the CWPM 8.3B Q/A #7, we explain that an otherwise eligible child who is absent from the home due to running away or hospitalization, among other reasons, for up to 14 days in a month and returns to the same provider is eligible for a title IV-E payment for the entire month, but one who is absent for more than 14 days is eligible for only the portion of the month that he was with the provider. Also, in CWPM 8.3A.4 Q/A #1 we explain the circumstances in which title IV-E foster care eligibility may continue for a child who returns to a foster care placement after an interruption due to detention or hospitalization.

### Medicaid

Please note that the law at section 473(b)(3)(C) of the Act requires that a title IV-E guardianship assistance payment be made to an eligible child, or a sibling to an eligible child, for a child to be categorically eligible for the title XIX Medicaid program available in the child’s State of residence. This means that a payment of any amount must be paid on an ongoing basis (e.g., a dollar each month), for the title XIX Medicaid agency to consider the child categorically eligible for Medicaid.

## **Section E: Enrolling Children in School, Educational Stability and Payments for School Transportation**

### School Enrollment

A title IV-E agency must assure in the title IV-E plan that each child receiving a title IV-E payment who has attained the age for compulsory school attendance is a full-time elementary or secondary student in a school, in an authorized independent study program, or is being home schooled consistent with the law of the State or other jurisdiction in which the school, program or home is located. Alternatively, the title IV-E agency must assure that such a child has completed secondary school or is incapable of attending school full time due to a medical condition as established in section 471(a)(30) of the Act.

To be considered a full-time student at a school, the child has to be enrolled or in the process of enrolling in the school. We encourage the title IV-E agency to work with their local educational agency to identify and address any barriers to expeditious enrollment in schools for children and consider further efforts that may be necessary to enroll children who must be moved across jurisdictions. For example, a title IV-E agency may address school enrollment by creating an “education passport” or an education file for the child which includes all essential documents needed to enroll the child in a school. It may also be helpful for a title IV-E agency to identify

those who have expertise on educational issues who can serve as points of contact and may aid in the continuity of services when addressing educational stability for children in foster care. The courts can also play an important role in educational stability.

If a child in foster care is incapable of attending school full time due to a medical condition, the title IV-E agency must regularly (as determined by the title IV-E agency) document and update the incapability in the child's case plan. The agency should update the status of the child's medical condition whenever the child's case plan is updated. The title IV-E agency is not required to develop a case plan for an adopted child or a child under a guardianship solely for the purpose of documenting the child's medical condition and therefore, the agency may determine whether and how to document the child's medical condition.

This is a title IV-E plan requirement, and therefore, does not place conditions on a child's title IV-E eligibility. A title IV-E agency has the flexibility to determine how to assure that it is meeting these requirements, the frequency of any procedures for doing so, and how the requirements are documented (see CWPM section 8.4 Q/A #3). As part of this assurance, we encourage an agency to work to ensure that children are not only enrolled, but are in fact attending school. This could be accomplished by documenting children's attendance or establishing methods to identify patterns of chronic absence from school. We also encourage the title IV-E agency to monitor the progress the child is making in school consistent with case plan requirements in section 475(1)(C) of the Act.

### Educational Stability

A title IV-E agency is required to include a plan for ensuring the educational stability of a child in foster care in the child's case plan as established in section 475(1)(G) of the Act. The plan must include:

- 1) an assurance that the child's placement in foster care takes into account the appropriateness of the current educational setting and the proximity to the school the child was enrolled in at the time of placement; and,
- 2) an assurance that the title IV-E agency has coordinated with the local education agency or agencies to ensure the child can remain in that school, or if remaining in that school is not in the best interests of the child, an assurance to enroll the child immediately in a new school with all of his or her educational records.

These assurances relate to the circumstances at the time of the child's initial placement into foster care, however, we encourage the title IV-E agency to update educational stability plans whenever a child changes schools during his/her stay in foster care. As part of the update process, the agency should determine if remaining in the same school is in the child's best interests. If it is in the child's best interests, the agency should coordinate with the local education agency to ensure the child can remain in the same school. If remaining in the same school is not in the child's best interests, the agency should coordinate with the local education agency to ensure that the child is immediately enrolled in a new school. While we are not setting specific time limits for enrollment, we expect the title IV-E agency to assure that children are

enrolled or re-enrolled without delay both when the child is initially placed into foster care and, when applicable, each time the child is moved to a different foster care placement.

Section 475(1)(G) of the Act is a case plan requirement that falls under the guidance provided in 45 CFR 1356.21(g), and as such, the educational stability plan must be a written part of the child's case record which is jointly developed with the child's parents or guardians no later than 60 days after a child's removal from the home, and every six months thereafter. We encourage the title IV-E agency to specify the parties other than the caseworker and the child's parents who should participate in discussions or decisions related to the educational stability plan. For example, the agency could delineate the circumstances in which the youth, school personnel or education advocates, foster parents, the child's attorney, guardian ad litem, and other persons involved in case planning for the child are a part of the educational stability planning process. If the agency determines that it is not in the child's best interests to remain in the same school, the rationale for this decision must be documented in the case plan. We encourage the title IV-E agency to develop a standard and deliberate process for determining best interests for this provision, guiding who is responsible for decision-making, and properly documenting the steps taken to make the determination.

The title IV-E agency is vested with the responsibility for making individual placement decisions on a case-by-case basis on behalf of a child in foster care. As such, we realize that the agency will be balancing the child's needs for proximity to the family, the available foster care resources, along with the appropriateness of the child's current educational setting, among other things. The title IV-E agency also has the flexibility to determine which factors will be examined in determining whether remaining in the school of origin is in the child's best interests. Some examples of factors the agency may consider are: the child's preference to change schools or remain in the current school; the safety of the child; and the appropriateness of educational programs in the current school or another school and how each school serves or can serve the child's needs (including special education and other interests). It should be noted that the cost of school transportation should not be a factor in determining the best interest of the child for school selection. (See *Payments for School Transportation* below.)

### Payments for School Transportation

The definition of foster care maintenance payments now includes the cost of reasonable travel for the child to remain in the same school he or she was attending prior to placement in foster care (section 475(4) of the Act). The payment may include these costs regardless of whether the child is in his or her initial foster care placement or subsequently moves to another foster care placement. The title IV-E agency has the discretion to determine what is considered reasonable travel in examining factors such as cost, distance, and length of travel. As with any cost enumerated in the definition of foster care maintenance payments in section 475(4) of the Act, the title IV-E agency may decide which of the enumerated costs to include in a child's foster care maintenance payment. The title IV-E agency may include the cost of reasonable travel for the child to remain in the same school in the child's foster care maintenance payment paid to the child's provider or may make a separate payment directly to the transportation provider. In addition, transportation costs associated with the child's attendance at his or her school of origin remain allowable administrative costs under title IV-E because such transportation is related to



case management and is therefore necessary for the proper and efficient administration of the title IV-E plan (see CWPM section 8.1B and 45 CFR 1356.60(c)(2)).

## **Section F: Health Care Oversight and Coordination Plan**

As part of the title IV-B plan, State and Tribal agencies are required to develop a plan for ongoing oversight and coordination of health care services for children in foster care, including mental health and dental health needs, in coordination with the State Medicaid agency, pediatricians, general practitioners and specialists (for example, obstetrics and gynecology (OB/GYN) doctors), other health care experts and child welfare experts (section 422(b)(15) of the Act). The plan must include an outline of a schedule for initial and follow-up health screenings (inclusive of age-appropriate sexual health screenings for youth); how medical information for children will be updated and shared (which may include the development of an electronic health record); steps to ensure the continuity of health care services (which may include the establishment of a medical home for every child in care and, as appropriate, a plan to transition from pediatric care); the oversight of prescription medicines; and how the agency actively consults and involves physicians and other professionals in assessing the health and well-being of children in foster care and in determining appropriate medical treatment for the children.

As part of the Child and Family Services Plan, the agency is required to submit a copy of the health care oversight and coordination plan, and provide an explanation of how health care experts were selected and how they and the Medicaid agency were involved in developing the health care oversight and coordination plan (ACYF-CB-PI-09-06 and ACYF-CB-PI-09-07). While we expect the agency to establish a health care oversight and coordination plan to fully comply with the statutory requirements, no changes have or will be made in connection with this requirement to the Round 2 Child and Family Service Review (CFSR) items for Well-Being Outcome 3 (children receive adequate services to meet their physical and mental health needs).

In general, a title IV-B agency has flexibility in how to implement the specific requirements of the plan and to decide whether to implement a single, agency-wide health care monitoring entity as part of this plan or put into place another mechanism to allow the agency to oversee and coordinate health care for children in foster care. The agency must include a schedule for health screenings that meets standards of medical practice. The schedule should mirror or incorporate elements of existing professional guidelines for physical, mental, and dental health screenings and standards of care into the plan to meet this requirement. In addition, as part of the plan for responding to the mental health needs of children and for providing oversight for prescription medicines, we encourage the agency to pay particular attention to oversight of the use of psychotropic medicines in treating the mental health care needs of children. We also encourage the agency to think about the needs that may be unique to particular populations. For example, for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth, the agency could include steps in the plan to ensure that such youth receive competent, affirming, and confidential mental health and medical services.

The agency must include the health records of each child in foster care in the child's case plan, including the names and addresses of the child's health providers, a record of immunizations, the child's known medical problems, medications and other relevant health information (section 475(1)(C) of the Act). In addition, the agency must ensure that each child's health records are reviewed and updated at the time of each placement of the child in foster care and that such records are supplied to the foster parent or foster care provider with whom the child is placed at the time of each placement and at no cost to the child if the child exits foster care through emancipation (section 475(5)(D) of the Act). Therefore, we expect the agency to take an active role in both coordinating appropriate health care and maintaining regularly updated medical records for children in foster care. The courts can play an important role in health oversight and coordination.

Finally, the agency should be aware that section 2955(c) of P.L. 111-148 amends the health care oversight and coordination plan effective October 1, 2010. The amendments require the title IV-B/IV-E agency to outline in the health care oversight and coordination plan the steps the agency will take to meet the health care components (i.e., options for health insurance and health care treatment decisions) of the transition plan development process for youth aging out of foster care in section 475(5)(H) of the Act. We will provide guidance at a later date on this provision.

### **Section G: Sibling Placement**

Under section 471(a)(31) of the Act, a title IV-E agency must make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or to facilitate frequent visitation or ongoing interactions (for example, letters, phone calls, text, email and other electronic communication) for those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so. If the agency determines that the siblings cannot be placed together and/or cannot have frequent visitation, the agency must document the reasons that it is contrary to the safety or well-being of the siblings to be placed together or to have frequent visitation. We encourage the agency to develop standard protocols for caseworkers to use in making decisions about when it would be contrary to a child's well-being or safety to place siblings together or provide for frequent visitation. A standard decision making tool could assist workers with guidelines in making this important decision, and address difficult situations, such as a sibling's refusal for visitation. We also encourage the agency to periodically reassess sibling visitation and placement decisions in cases where siblings are separated or not visiting to determine if a change is warranted.

At this time, we have no plans to issue regulations or policy that will define siblings or sibling groups, therefore, a title IV-E agency has the flexibility to define these terms for the purpose of this provision. (See also Section D of this document.) A title IV-E agency may establish its own standards for visitation and contact between siblings consistent with the law; however, sibling visitation or other ongoing interactions must be frequent. The agency can determine the most appropriate settings for visitations and protocols for supervision. For example, the facilitation of visits and ongoing interactions may be through other relatives, foster parents or mentors. We expect decisions on the frequency of sibling visitation and contact to be on a case by case basis, however, frequently means at least monthly.

We expect the agency will revisit its existing sibling visitation and placement policies to determine if there are ways to bolster them to ensure that siblings are always placed together unless there is a bona fide safety or well-being concern that prevents placement together or frequent visitation. We also encourage the agency to review their foster family home recruitment strategies to determine if there are ways to increase the number of resource homes available for sibling groups. The courts can play an important role in sibling placement and sibling visitation.

## **Section H: Notifying Relatives**

A title IV-E agency must have a mechanism in place to exercise due diligence to identify and notify all adult relatives of a child's removal from his parents within 30 days of that removal (subject to exceptions due to family or domestic violence) (section 471(a)(29) of the Act). The notice must specify that the child has been or is being removed from the custody of the parent, the relative's options to participate in the care and placement of the child (pursuant to Federal, State and local law), any options that may be lost by not responding to the notice, the agency's requirements for becoming a foster family home and the additional services and supports for children in foster family homes. If the title IV-E agency has elected to operate a title IV-E guardianship assistance program, the notice also must describe how a relative guardian may receive such assistance on the child's behalf. We encourage the agency to develop protocols for caseworkers that describe the steps that should be taken to identify and notify relatives when a child is removed from his or her home. Further, we encourage the agency to go beyond this requirement to specify ways to identify and work with relatives when the agency first becomes involved with a child at risk of removal.

The title IV-E agency has the flexibility to determine what constitutes "due diligence" and when exceptions are appropriate. The title IV-E agency also has discretion to determine the scope of the terminology "all other adult relatives" and may also consult with the youth in identifying relatives. However, to the extent that it is practical, we suggest that the agency use the same definition of "relative" for the relative notification provision and the title IV-E guardianship assistance program option (if the agency elects the guardianship option). We realize this approach may not work for all agencies; however, we want to encourage practices that would lead to early identification of relatives who could be potential guardians if reunification or adoption is ruled out. Further, the title IV-E agency may determine the method to use to provide relative notification of a child's removal, as long as that notification meets the specifications of the provision outlined above. We encourage the notice to be made via several different methods, such as in writing and orally. We also encourage the agency to carefully examine existing protocols for notifying relatives in the context of this provision to determine if there are ways to improve the agency's relative notification process generally, or in relation to specific groups of relatives, e.g., noncustodial parents and paternal relatives. The courts can play an important role in relative notification. This provision to notify relatives does not alter or supersede in any way the notice provisions of the Indian Child Welfare Act of 1978 (25 U.S.C 1912).

## **Section I: Waiving Non-Safety Licensing Standards for Relatives**

Section 471(a)(10) of the Act permits the title IV-E agency to waive, on a case-by-case basis, a State/Tribal non-safety licensing standard for a relative foster family home. A title IV-E agency has the discretion to determine what constitutes a non-safety standard for the purpose of meeting this requirement. A State or Tribe also has the discretion to establish licensing standards as long as they are applied equally (see ACYF-CB-IM-01-05). We expect the reason for the waiver to be clearly documented in the licensing/approval record for the relative foster home and the certification of licensure/approval to indicate its applicability to the specific relative child (see CWPM 8.3A.8c Q/A #1).

While the title IV-E agency has discretion to establish licensing standards and to determine which licensing standards are considered non-safety standards, the agency must still adhere to the Federal requirements under section 471(a)(20) of the Act (concerning criminal background and child abuse and neglect checks for relative foster and adoptive parents, and guardians, and disqualifying crimes).

Existing policy allows a title IV-E agency to claim title IV-E reimbursement on behalf of an otherwise eligible child when a State/Tribe's licensure requirement is met through a "variance." For title IV-E purposes, a "variance" is a mechanism that allows the State/Tribe to meet a standard for licensure in a way other than that specified in the State or Tribe's rule that governs licensure. A "variance" is acceptable on a case-by-case basis only if the State/Tribe has the authority to permit "variances," the purpose of the State/Tribe's licensing standard is achieved, and the safety of the child is maintained (see CWPM 8.3A.8c Q/A #14). A "variance" is different from a waiver in that it constitutes an alternative equivalent method to meet the standard, whereas a waiver disregards a set of specified requirements. For example, a "variance" may be granted when a foster family's well does not have potable water, and the family purchases bottled water for drinking. The "variance" from the original rule still meets the licensing requirement that the home is able to provide safe drinking water.

We encourage the title IV-E agency to use a variety of means to ensure that, when appropriate, relatives are able to meet licensing standards and provide a foster family home to a child safely. Relative foster parents are essential in keeping sibling groups together and for a title IV-E agency that has a GAP program, a licensed/approved relative allows an eligible child to move to permanency with the support of a subsidized guardianship, if appropriate. For example, a title IV-E agency may use title IV-E administrative funds to assist a relative foster family home to become licensed without the need for a waiver. The agency may claim administrative funds pursuant to section 472(i) of the Act for a child placed in a relative foster home whose application for licensure is pending. Further, policy allows a title IV-E agency to claim title IV-E administrative costs for items such as beds, cribs, and smoke detectors that are needed in order to license or approve a foster family home, but not for the costs of construction and renovation (CWPM 8.1 Q/A #3). Examples of the ways in which title IV-E agencies have waived non-safety licensing standards will be available in the Report to Congress on licensing standards for relatives, as mandated by section 104(b) of the Fostering Connections to Success and Increasing Adoptions Act of 2008.

## **Section J: Adoption Assistance, Reinvestment, and Adoption Tax Credit**

### Adoption Assistance Eligibility

We have provided guidance in ACYF-CB-PI-09-10 on the revised eligibility criteria for the title IV-E adoption assistance program. Consistent with that guidance, a title IV-E agency must determine a child's eligibility for title IV-E adoption assistance based on whether the child is either an "applicable child" or not an "applicable child." Two sets of eligibility criteria will continue until Federal fiscal year (FFY) 2018, when the eligibility criteria related to a child who is not an "applicable child" is phased out. We provide additional clarification below of the "applicable child" criteria.

*Applicable child criteria.* For the upcoming FFY 2011, which begins on October 1, 2010, an "applicable child" includes:

- a child who will reach age 14 or older any time before the end of FFY 2011 and for whom an adoption assistance agreement is entered into during the FFY.
- a child who has been in foster care under the responsibility of the title IV-E agency for 60 consecutive months. The 60 consecutive-month period is any 60 consecutive months prior to the finalization of the adoption. We will not prescribe how a title IV-E agency must calculate this period. The title IV-E agency is responsible for adhering to a reasonable method of calculating the consecutive-month period for the purposes of this provision.
- a child who is a sibling of an "applicable child" by virtue of age or time in foster care and is placed in the same adoption arrangement as his/her sibling. We will not prescribe who is a sibling; rather the title IV-E agency may define "sibling" in a reasonable manner for the purposes of the adoption assistance program.

A title IV-E agency that identifies an "applicable child" as above must apply the applicable child eligibility requirements, inclusive of the special needs criteria, as described in section 473(a)(2)(A)(ii) of the Act. Most notably, the title IV-E agency may not apply AFDC eligibility criteria to a child who is an "applicable child." For each subsequent fiscal year, the age for an "applicable child" decreases by two years (i.e., age 12 in FFY 2012). We encourage the title IV-E agency to begin planning for children who will be eligible in coming years as the requirements are phased in.

Please note that if a child does not meet the "applicable child" definition in section 473(e) of the Act in the FFY in which the title IV-E agency enters into an adoption assistance agreement at the time of or prior to finalization, there is no opportunity for such a child to be determined title IV-E eligible as an "applicable child" during that adoption. As adoption assistance agreements under title IV-E must be in effect at the time of or prior to the finalization of adoption (45 CFR 1356.40(b)(1)), terminating an adoption assistance agreement done at the time of or prior to finalization and entering into a new agreement when the child turns an older age, will not result in title IV-E eligibility.

*Assistance to adopted youth ages 18 to 21 with disabilities.* P.L. 110-351 made conforming changes to section 473(a)(4) of the Act to restate that a title IV-E agency can continue title IV-E adoption assistance to youth between the ages of 18 and 21, if the title IV-E agency determines that the youth has a mental or physical disability that warrants the continuation of assistance. The agency may continue the payment whether or not the title IV-E agency provides extended assistance to adopted youth age 18 or older per section 475(8)(B) of the Act, the adoption assistance agreement was entered into after the youth attains age 16, or the youth meets the employment and education conditions of such extended assistance. The agency may provide continued payments to such a youth with a disability by amending the adoption assistance agreement at any time prior to attaining age 18.

*Extended adoption assistance to youth age 18 or older.* A title IV-E agency that provides extended adoption assistance under the option (to youth for whom the agency entered into an initial adoption agreement after the youth attained age 16) must terminate payments when the youth attains an older age as elected by the agency per section 473(a)(4)(A)(i)(I) of the Act. However, a title IV-E agency may provide a payment up to age 21 for any child that has a disability which warrants continued assistance as described above whether or not the agency takes the option.

*Application of current policy and regulations.* To the extent not superseded by the law, existing regulations and policy for the title IV-E adoption assistance program apply equally to both a child who is an applicable child and one who is not an applicable child. In particular, a title IV-E agency must provide adoption assistance to any eligible child; may not target the adoption assistance to a subset of eligible children; and may not terminate adoption assistance for reasons other than those provided in law. Please see CWPM Section 8.2 for further clarifications.

### Reinvestment of Adoption Savings

A title IV-E agency must spend any savings generated from implementing the revised adoption assistance eligibility criteria on child welfare services provided under titles IV-B and IV-E (section 473(a)(8) of the Act). The agency must provide a certification that this requirement is being met in the title IV-E plan (see ACYF-CB-PI-09-08). A title IV-E agency has the flexibility to determine the methodology for calculating savings and is not required to provide a specific accounting of funds to ACF. At this time, we are not issuing further policy in relation to the provision.

### Adoption Tax Credit

A title IV-E agency must have a mechanism in place to inform prospective adoptive parents of children in foster care of the Federal adoption tax credit under section 23 of the Internal Revenue Code of 1986 (26 U.S.C. 23) (section 471(a)(33) of the Act). The adoption tax credit is a tax credit for qualifying expenses paid to adopt an eligible child (including a child with special needs). Qualifying expenses may include reasonable and necessary adoption fees, court costs, attorney fees, traveling expenses (including amounts spent for meals and lodging while away from home), and other expenses directly related to and for which the principal purpose is the legal adoption of an eligible child.

The title IV-E agency has the flexibility to determine how it will inform prospective adoptive parents of a child in foster care of the tax credit. For example, an agency may develop fliers or letters in which to inform prospective adoptive parents. However, it may be prudent for the agency to notify prospective adoptive parents to consult a tax professional when determining their eligibility for the tax credit. Information about the adoption tax credit, eligibility, and the forms needed for filing are also available on the Internal Revenue Service's (IRS) website (<http://www.irs.gov/>).

## **Section K: Indian Tribes and Title IV-E**

We are pleased that at least one Tribe has submitted a title IV-E plan for review and that several Indian Tribes have received the first development grants that put them on a path towards submitting a title IV-E plan within two years of the grant award. As we learn from these initial grantees about their experiences and information needs in developing a title IV-E plan, we anticipate providing additional guidance that can assist any Indian Tribe that is interested in operating a title IV-E program directly and/or a title IV-E agreement with a State.

### Title IV-E Plans

As indicated in prior guidance, Federally-recognized Indian Tribes, Tribal organizations and Tribal consortia may submit a title IV-E plan to us at any time (ACYF-CB-PI-09-08 and ACYF-CB-IM-08-03). To prepare for the submittal of a Tribal title IV-E plan, each year there will be an opportunity for additional Indian Tribes to apply for the one-time grants to develop a title IV-E program. Title IV-E program development grants may be used by the Indian Tribe for any costs attributable to meeting the requirements for approval of a Tribally-operated title IV-E plan, including: development of a data collection system; development of a cost allocation methodology; and, establishing Tribal agency and court procedures necessary to meet the case review requirements in the law (section 476(c)(2)(A)(iii) of the Act). Announcements of the development grant opportunity will be made via [www.grants.gov](http://www.grants.gov).

Indian Tribes do not need to apply for or receive a development grant in order to submit a title IV-E plan to CB. Indian Tribes may solicit the assistance of CB RO staff and our technical assistance partners to understand the plan requirements of titles IV-B and IV-E, obtain insight into how to develop and operate a title IV-E plan and program, and/or to develop title IV-E agreements with States.

### Title IV-E Agreements and Negotiating State and Tribal Agreements in Good Faith

A title IV-E agency is required to negotiate in good faith with any Indian Tribe, Tribal organization or Tribal consortium in the State that requests to develop an agreement with the State title IV-E agency to administer a title IV-E program on behalf of Indian children who are under the authority of the Tribe, Tribal organization, or Tribal consortium (section 471(a)(32) of the Act). We encourage States and Indian Tribes to work together to enter into or revise existing title IV-E agreements or contracts as needed to ensure that Indian children have the same access to the title IV-E program as any other child. This may include offering technical assistance on

the State's title IV-E program, such as the title IV-A State plan as in effect on July 16, 1996, proper documentation of claims, or other areas.

While CB has not specifically defined what constitutes negotiating "in good faith," at a minimum this provision ensures that all parties have an opportunity to contribute to the development of title IV-E agreements. If a State presents a Tribe with a title IV-E agreement without providing the Indian Tribe an opportunity for input or otherwise proposes revisions to the title IV-E agreement, it is not consistent with the provision. States and Indian Tribes have discretion to craft arrangements that work best for the parties to a title IV-E agreement or contract (see CWPM Sections 8.1G and 9.4). Again, we are ready to provide assistance to States and Indian Tribes interested in the development or renegotiation of these arrangements through CB RO staff and our technical assistance partners. For example, this may include Tribes communicating through the CB sponsored Tribal listserv and providing peer-to-peer assistance among Tribes that have instituted a title IV-E program and plan or entered into a title IV-E agreement.

### Interim Final Rule

An interim final rule is forthcoming, as required by P.L. 110-351, section 301(e). This interim final rule will carry out the amendments made to title IV-E of the Act to authorize Indian Tribes to directly-operate title IV-E programs. The law specifically requires that we develop and codify procedures in an interim final rule to ensure that a transfer of responsibility for the placement and care of a child under a State title IV-E plan to a Tribal title IV-E plan or to an Indian Tribe with an agreement or contract under title IV-E does not affect the child's eligibility for title IV-E or title XIX Medicaid. Further, the law requires that we address in interim rules the types and amounts of in-kind expenditures that Indian Tribes may claim under a title IV-E plan. We anticipate that the interim final rule will address some of the questions and comments that we have heard from Indian Tribes during consultation sessions. However, Indian Tribes may submit a title IV-E plan at any time regardless of when these rules are published.

### **Section L: Short-Term Training**

As we have described in previous guidance, under section 474(a)(3)(B) of the Act, a title IV-E agency may claim for the short-term training of certain categories of trainees including: current or prospective foster or adoptive parents and the members of the staff of licensed or approved child care institutions providing care to foster and adopted children receiving assistance under title IV-E, in ways that increase the ability of current or prospective parents, staff members, and institutions to provide support and assistance to foster and adopted children at a Federal Financial Participation (FFP) rate of 75 percent. Under P.L. 110-351, a title IV-E agency may now also claim the cost of short-term training for additional categories of trainees including: relative guardians (if the title IV-E agency has opted to offer a title IV-E guardianship assistance program), members of licensed or approved child welfare agencies providing services to children receiving assistance under title IV-E, members of the staff of abuse and neglect courts, agency attorneys, attorneys representing children or parents, guardians ad litem, or other court-appointed special advocates representing children in the proceedings of such courts in ways that increase



their ability to provide support and assistance to title IV-E eligible children (see CWPM 8.1 H, Q/A #1). The FFP rate for these additional categories is phased in as follows: 60 percent in FY2010, 65 percent in FY2011, 70 percent in FY2012 and 75 percent in FY2013 and forward. A title IV-E agency may determine the best way to deliver training, which may include collaborating with these groups to determine whether joint training best meets the needs of these groups and the title IV-E agency.

All existing regulations in 45 CFR 1356.60(b) and (c) apply to a title IV-E agency claiming for the additional categories of trainees. A title IV-E agency has discretion to determine which child welfare agencies are considered licensed or approved for the purpose of this provision. Consistent with existing policy, a wide range of topics for short-term training are allowable as long as the training is closely related to one of the examples cited in 45 CFR 1356.60(c)(1) and (2) as allowable administrative activities under the title IV-E program (see CWPM 8.1H, Q/A #8). Some of these topics that may be relevant to the P.L. 110-351 amendments include: independent living and the issues confronting adolescents preparing for independent living consistent with section 477(b)(3)(D) of the Act; contract negotiation, monitoring or voucher processing related to the title IV-E program; effects of separation, grief and loss, child and adolescent development (including pregnancy prevention, healthy relations, and sexual health), visitation, trauma, and exposure to violence; negotiation and review of adoption assistance agreements; permanency planning, including using kinship care as a resource for children involved with the child welfare system; and social work practice, such as family-centered practice, cultural competency (including issues for LGBTQ youth), and social work methods including assessments.

## **Section M: Funding and Administrative Costs**

Where allowable, a title IV-E agency may claim the cost of implementing these provisions (with the exception of section 422(b)(15) of the Act, the Health Care Oversight and Coordination Plan) as title IV-E administrative costs under sections 474 and 472(i) of the Act. Any such costs claimed must be pursuant to a public assistance cost allocation plan (PACAP), a pending PACAP in some situations (45 CFR 95.515), or a Tribal plan identifying the indirect costs and other administrative costs that will be allocated and claimed under the title IV-E program, as applicable. A title IV-E agency may need to amend an existing cost allocation plan to claim these costs. Please refer to CWPM section 8.1 for further guidance on what administrative costs may be claimed. The following list provides examples of some types of administrative costs related to these provisions that may be claimed:

- A title IV-E agency that implements the option to provide title IV-E payments to youth age 18 or older may claim the allowable administrative and training costs per the statute at 474(a)(3) of the Act and regulations at 45 CFR 1356.60(c). (See sections A and B above.)
- A title IV-E agency may claim allowable administrative costs associated with transition planning as it is part of the youth's case plan per section 471(a)(16) of the Act. (CWPM 8.1B Q/A #17). (See section C above.)

- A title IV-E agency may claim as an allowable administrative cost the cost of transporting siblings removed from their home and not jointly placed (regardless of whether these siblings are in foster care, guardianship or adopted) to sibling visits and can also claim incidental costs associated with such visits, such as the costs of the siblings' meals during such visits. (See section G above.)
- A title IV-E agency may claim allowable administrative costs associated with improving existing agency protocols for locating and notifying relatives of children entering title IV-E foster care. (See section H above.)
- States and Tribes with an approved title IV-E plan may claim allowable administrative costs associated with the good faith negotiation of title IV-E agreements. (See section I above.)

## **Section N: Instructions for Amending the Title IV-E Plan**

By December 31, 2010, each title IV-E agency must submit to ACF sections 2 and 3, and if applicable, sections 4 and 6 of the title IV-E pre-print and applicable certifications (as listed below) to amend its title IV-E plan. The title IV-E agency is required to submit sections 2 and 3 of the pre-print, even if the title IV-E agency is not electing the option to change the definition of "child" because the submitted amendments must clearly reflect the title IV-E agency's definition of "child" and otherwise conform to the statutory changes made by P.L. 110-351 and P.L. 111-148, effective October 1, 2010. In addition, if the title IV-E agency wants to extend assistance beyond age 18 but select a definition of "child" lower than age 21 (i.e., age 19 or 20), the title IV-E agency must sign and submit the corresponding certification in Attachment VI with the title IV-E plan amendment to the RO. In completing the pre-print, the title IV-E agency must clearly record the applicable statutory, regulatory or policy references and citations for the affected Federal requirements. Alternatively, the title IV-E agency may submit the same information as described here in its own format. The title IV-E agency must submit the completed sections (by December 31, 2010) to the appropriate CB Regional Program Manager for approval as follows (see Enclosure). The agency may revise its definition of "child" at any subsequent time.

- Section 2 – Foster Care Maintenance Payments Program: Case Plan and Definition of Child
- Section 3 – Adoption Assistance Program: Payments – Amount and Conditions; and, Definition of Child
- Section 4 – General Program Requirements: Standards of Foster Family Homes and Child Care Institutions (required only for a title IV-E agency that selects a definition of child age 18 or older)
- Section 6 – Guardianship Assistance Program Option: Payments; and, Definition of Child (required only for a title IV-E agency with a GAP plan)
- Attachment I – Certification signed by the official submitting the plan
- Attachment II – Governor/Tribal Leader's Certification
- Attachment VI – Section 475(8) State/Tribal Certification (required only for a title IV-E agency that selects a definition of child of age 19 or 20)

Only the revised sections of the pre-print are attached and the new requirements/modified language are indicated as bolded text. The title IV-E agency must submit copies of referenced material to document compliance for any cited statute, regulation, policy and procedure that purports to implement section 475(8) of the Act. The title IV-E agency must submit the plan amendment electronically or on a compact disk. Where the agency is unable to submit electronic signatures for purposes of certification, it may submit the appropriate pages with original signatures.

**Inquiries:** Children's Bureau Regional Program Managers

/s/

Bryan Samuels  
Commissioner

Attachments

A – Title IV-E Preprint Amendments

B – Single Resource on Fostering Connections, updated 6/7/10

C – CB Regional Office Program Managers

OMB Approval No. 0980-0141  
Expiration Date: 10/31/2012

**AGENCY PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT  
FOSTER CARE AND ADOPTION ASSISTANCE  
STATE/TRIBE OF \_\_\_\_\_**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
CHILDREN'S BUREAU  
**July 2010**

**SECTION 1. ORGANIZATION**

- A. DESIGNATION AND AUTHORITY OF STATE/TRIBAL AGENCY
- B. STATE/TRIBAL AGENCY STRUCTURE AND FUNCTION
- C. STATE OR SERVICE AREA WIDE OPERATIONS
- D. COORDINATION WITH TITLES IV-A AND IV-B PROGRAMS
- E. CHILD SUPPORT ENFORCEMENT FOR CERTAIN CHILDREN IN FOSTER CARE

**SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS**

- A. ELIGIBILITY
- B. VOLUNTARY PLACEMENTS (OPTION)
- C. PAYMENTS
- D. CASE REVIEW SYSTEM**

- E. MEDICAL AND SOCIAL SERVICES
- F. SPECIFIC GOALS IN STATE/TRIBAL LAW
- G. PREVENTIVE AND REUNIFICATION SERVICES
- H. TERMINATION OF PARENTAL RIGHTS
- I. DATE CHILD CONSIDERED TO HAVE ENTERED FOSTER CARE
- J. DOCUMENTATION OF JUDICIAL DETERMINATION
- K. TRIAL HOME VISITS
- L. TRAINING

**M. DEFINITION OF CHILD**

**SECTION 3. ADOPTION ASSISTANCE PAYMENTS**

- A. ELIGIBILITY
- B. PAYMENTS - AMOUNTS AND CONDITIONS**
- C. ADOPTION ASSISTANCE AGREEMENT
- D. MEDICAID AND SOCIAL SERVICES
- E. ELIGIBILITY FOR ADOPTION INCENTIVE FUNDING
- F. ADOPTION TAX CREDIT

**G. DEFINITION OF CHILD**

**SECTION 4. GENERAL PROGRAM REQUIREMENTS**

- A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS**
- B. REVIEW OF PAYMENTS AND LICENSING STANDARDS
- C. FAIR HEARINGS
- D. INDEPENDENT AUDIT
- E. CHILD ABUSE AND NEGLECT
- F. TIMELY INTERSTATE PLACEMENT OF CHILDREN
- G. REMOVAL OF BARRIERS TO INTERETHNIC ADOPTION
- H. KINSHIP CARE
- I. SIBLING PLACEMENT
- J. SAFETY REQUIREMENTS

- K. INTERJURISDICTIONAL ADOPTIONS
- L. QUALITY STANDARDS
- M. COMPULSORY SCHOOL ATTENDANCE
- N. VERIFICATION OF CITIZENSHIP OR IMMIGRATION STATUS

## **SECTION 5. GENERAL PROVISIONS**

- A. PERSONNEL ADMINISTRATION
- B. SAFEGUARDING INFORMATION
- C. REPORTING
- D. MONITORING
- E. APPLICABILITY OF DEPARTMENT-WIDE REGULATIONS
- F. AVAILABILITY OF PLANS
- G. OPPORTUNITY FOR PUBLIC INSPECTION OF CFSR MATERIALS
- H. NEGOTIATION WITH INDIAN TRIBES

## **SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION**

- A. ELIGIBILITY
- B. PAYMENTS**
- C. AGREEMENTS
- D. SAFETY
- E. MEDICAID AND SOCIAL SERVICES
- F. TITLE IV-E GUARDIANSHIP ASSISTANCE PROGRAM PLAN REQUIREMENTS
- G. DEFINITION OF CHILD**

## **SECTION 7. TRIBE OPERATED IV-E PROGRAM REQUIREMENTS**

- A. GENERAL PROGRAM REQUIREMENTS
- B. SERVICE AREA AND POPULATIONS
- C. NUNC PRO TUNC AND FOSTER CARE ELIGIBILITY REQUIREMENTS
- D. LICENSING STANDARDS FOR TRIBAL FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS

E. IN-KIND EXPENDITURES FROM THIRD-PARTY SOURCES

**ATTACHMENT I: CERTIFICATION**

**ATTACHMENT II: GOVERNOR/TRIBAL LEADER'S CERTIFICATION**

**ATTACHMENT III: STATE ASSURANCES**

**ATTACHMENT IV: 479B TRIBAL ASSURANCES**

**ATTACHMENT V: 479B TRIBAL CERTIFICATIONS**

**PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT**

**FEDERAL PAYMENTS FOR FOSTER CARE AND ADOPTION ASSISTANCE**

**STATE/TRIBE OF \_\_\_\_\_**

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

\_\_\_\_\_  
(Name of State/Tribal Agency)

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.



Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS</b>	
475(5)(H)	<p>D. CASE REVIEW SYSTEM</p> <p>1. Case Plan</p> <p>j. during the 90-day period immediately prior to the date on which the child will attain 18 years of age, <b>or such greater age as the State may elect under section 475(8)(B)(iii)</b>, whether during that period foster care maintenance payments are being made on the child's behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State/Tribal agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, <b>includes information about the importance of designating another individual to make health care treatment decisions on behalf of the child if the child becomes unable to participate in such decisions and the child does not have, or does not want, a relative who would otherwise be authorized under State/Tribal law to make such decisions, and provides the child</b></p>	

	<p><b>with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State/Tribal law, and is as detailed as the child may elect;</b></p>	
<p><b>475(8)</b></p>	<p><b>M. DEFINITION OF 'CHILD'</b></p> <p><b>For the purposes of the title IV-E foster care program under section 472, the term 'child' means</b></p> <ul style="list-style-type: none"><li><b>i. an individual who has not attained 18 years of age; or</b></li><li><b>ii. at the option of the title IV-E agency an individual</b><ul style="list-style-type: none"><li><b>a. who is in foster care under the responsibility of the title IV-E agency</b></li><li><b>b. who has attained 18 years of age but who has not attained 19, 20, or 21 years of age (as elected and indicated by the title IV-E agency) and</b></li><li><b>c. who meets any of the following conditions</b><ul style="list-style-type: none"><li><b>I. the child is completing secondary education or a program leading to an equivalent credential;</b></li><li><b>II. the child is enrolled in an institution which provides post-secondary or vocational education;</b></li></ul></li></ul></li></ul>	

	<p><b>III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;</b></p> <p><b>IV. the child is employed for at least 80 hours per month; or</b></p> <p><b>V. the child is incapable of doing any of the above described activities due to a medical condition, which incapability is supported by regularly updated information in the case plan of the child.</b></p>	
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Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 3. ADOPTION ASSISTANCE PAYMENTS</b>	
<b>473(a)(4)</b>	<p>B. PAYMENTS – AMOUNTS AND CONDITIONS</p> <p>5. Payments are terminated when the title IV-E agency determines that:</p> <p><b>a. the child has attained the age of 18, or such greater age as the State may elect under section 475(8)(B)(iii); or</b></p> <p><b>b. the child has attained 21 years of age, if the title IV-E agency determines that the child has a mental</b></p>	

**or physical disability which warrants the continuation of assistance to age 21; or**

**c. the child has not attained 18 year of age, if the title IV-E agency determines that the parents are no longer legally responsible for the support of the child; or**

d. the child is no longer receiving any support from the adoptive parents.

**475(8)**

**G. DEFINITION OF 'CHILD'**

**For the purposes of the title IV-E adoption assistance program under section 473, the term 'child' means**

**i. an individual who has not attained 18 years of age; or**

**ii. at the option of the title IV-E agency an individual**

**a. with respect to whom an adoption assistance agreement is in effect under section 473 if the individual had attained age 16 before the adoption assistance agreement became effective and**

**c. who meets any of the following conditions:**

**I. the child is completing secondary education or a program leading to an equivalent credential;**

**II. the child is enrolled in an institution which provides post-secondary or vocational education;**

**III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;**

**IV. the child is employed for at least 80**

	<p><b>hours per month; or</b></p> <p><b>V. the child is incapable of doing any of the above described activities due to a medical condition.</b></p>	
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Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 4. GENERAL PROGRAM REQUIREMENTS</b>	
	A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS	
<b>1355.20(a)(2)</b>  <b>472(c)(2)</b>	2. Child care institution means a private child care institution, or a public child care institution which accommodates no more than 25 children, and is licensed by the State or Tribe in which it is situated or has been approved by the agency of such State or Tribal licensing authority (with respect to child care institutions on or near Indian reservations) responsible for licensing or approval of institutions of this type as meeting the standards established for such licensing, <b>except, in the case of a child who has attained 18 years of age, the term includes a supervised</b>	

**independent living setting in which the individual is living independently.**

This definition must not include detention facilities, forestry camps, training schools, or any other facility operated primarily for the detention of children who are determined to be delinquent.

(Tribes, see also section 7 for requirements related to 471(a)(10).)

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION	
473(a)(4)(A)	<p>B. PAYMENTS</p> <p><b>3. Payments are terminated when the title IV-E agency determines that:</b></p> <p><b>a. the child has attained the age of 18, or such greater age as the title IV-E agency may elect under section 475(8)(B)(iii); or</b></p> <p><b>b. the child has attained 21 years of age, if the title IV-E agency determines that the child has a mental or physical disability which warrants the continuation of assistance to age 21; or</b></p> <p><b>c. the child has not attained 18 year of age, if the title IV-E agency determines that the relative guardians are no longer legally responsible for the support of the child; or</b></p> <p><b>d. the child is no longer receiving any support from the relative guardians.</b></p>	



<p><b>473(a)(4)(B)</b></p>	<p><b>4. The relative guardians are required to inform the State/Tribal agency of circumstances that would make them ineligible for guardianship assistance payments or eligible for guardianship assistance payments in a different amount.</b></p>	
<p><b>475(8)</b></p>	<p><b>G. DEFINITION OF 'CHILD'</b></p> <p><b>For the purposes of the title IV-E guardianship assistance program under section 473(d), the term 'child' means</b></p> <p><b>i. an individual who has not attained 18 years of age; or</b></p> <p><b>ii. at the option of the title IV-E agency an individual</b></p> <p style="padding-left: 40px;"><b>a. with respect to whom a guardianship assistance agreement is in effect under section 473(d) if the individual had attained age 16 before the guardianship assistance agreement became effective and</b></p> <p style="padding-left: 40px;"><b>b. who meets any of the following conditions:</b></p> <p style="padding-left: 80px;"><b>I. the child is completing secondary education or a program leading to an equivalent credential;</b></p> <p style="padding-left: 80px;"><b>II. the child is enrolled in an</b></p>	

**institution which provides post-secondary or vocational education;**

**III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;**

**IV. the child is employed for at least 80 hours per month; or**

**V. the child is incapable of doing any of the above described activities due to a medical condition.**

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**CERTIFICATION**

I hereby certify that I am authorized to submit the title IV-E Plan on behalf of

\_\_\_\_\_  
(Designated State/Tribal Agency)

Date \_\_\_\_\_  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

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APPROVAL  
DATE \_\_\_\_\_

EFFECTIVE  
DATE: \_\_\_\_\_

\_\_\_\_\_  
(Signature, Associate Commissioner, Children's Bureau)

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**GOVERNOR/TRIBAL LEADER'S CERTIFICATION  
TITLE IV-E of the SOCIAL SECURITY ACT**

I certify that \_\_\_\_\_  
(Name of Agency/Tribe)

- a. has the authority to submit the plan under title IV-E of the Social Security Act and
- b. is the single title IV-E agency responsible for administering the plan or supervising the administration of the plan by local political subdivisions/Tribal service area. It has the authority to make rules and regulations governing the administration of the plan that are binding on such subdivisions/service areas. The title IV-E plan is mandatory upon the subdivisions/service areas and is in effect throughout the State/Tribal service areas.

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature)

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**Section 475(8) STATE/TRIBAL CERTIFICATION  
TITLE IV-E of the SOCIAL SECURITY ACT**

I certify that \_\_\_\_\_  
(Name of Agency/Tribe)

has chosen to implement the option in section 475(8)(B) of title IV-E of the Social Security Act to adopt a definition of “child” of age 19 or 20 for the title IV-E programs for the following reason(s), described below:

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature)

## **Implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008**

Working Document – Updated as of 06/07/10

*This document is intended as a reference for stakeholders interested in locating Children's Bureau (CB) policy, guidance and other implementation activities related to the Fostering Connection to Success and Increasing Adoptions Act of 2008 (Public Law (P.L.) 110-351). It will be updated as appropriate.*

**Background.** The President signed the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P. L. 110-351) into law on October 7, 2008. Generally, the law amends the Social Security Act to extend and expand adoption incentives through FY2013; create an option to provide kinship guardianship assistance payments; create an option to extend eligibility for title IV-E foster care, adoption assistance and kinship guardianship payments to age 21; de-link adoption assistance from Aid to Families with Dependent Children (AFDC) eligibility over time; and, provide Federally-recognized Indian Tribes, Tribal organizations, or Tribal consortia (Tribes) with the option to operate a title IV-E program, among many other provisions. A [draft compilation of the revised Social Security Act](#) can be found on the CB's website.

**Title IV-E Requirements** – States and Tribes that operate a program pursuant to title IV-E of the Social Security Act must comply with all requirements identified in law, regulation and policy. Additional information regarding general requirements of title IV-E may be found at:

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).
- [ACYF-CB-PI-10-07](#): provides State title IV-E agencies with revised interim instructions on how to report on existing financial reporting form ACF-IV-E-1 estimates and expenditures associated with the Guardianship Assistance Program (GAP), post-termination assisted guardianship waiver demonstration project assistance and services and short-term training for additional trainees eligible for Federal financial participation (FFP) at transitional reimbursement rates.
- [ACYF-CB-PI-09-08](#): provides a revised title IV-E plan pre-print that incorporates the statutory provisions made by Public Law 110-351 which are effective through fiscal year 2010.
- [ACYF-CB-PI-09-04](#): provides title IV-E Form ACYF-IV-E-1 and Interim Financial Reporting Instructions for the Foster Care, Adoption Assistance and Guardianship Assistance Programs. *This issuance is superseded by ACYF-CB-PI-10-01 and ACYF-CB-PI-10-07.*
- [ACYF-CB-PI-08-05](#): provides basic information about the provisions of P. L. 110-351.

**Guardianship Assistance Payments (GAP) Program** (Effective October 7, 2008) - creates an option for State and Tribal title IV-E agencies to provide kinship guardianship assistance payments. Additional information may be found at:

- [ACYF-CB-PI-10-07](#): provides State title IV-E agencies with revised interim instructions on how to report on existing financial reporting form ACF-IV-E-1 estimates and expenditures associated with the GAP, post-termination assisted guardianship waiver

demonstration project assistance and services and short-term training for additional trainees eligible for Federal Financial Participation (FFP) at transitional reimbursement rates.

- [ACYF-CB-PI-10-01](#): title IV-E agencies revised instructions on how to implement and operate the GAP plan option. *This Program Instruction (PI) supersedes ACYF-CB-PI-08-07 issued December 24, 2008 and ACYF-CB-PI-09-04 issued March 24, 2009.*
- [ACYF-CB-PI-08-07](#): provides title IV-E agencies instructions for how to implement and operate the GAP option. *This issuance is superseded by ACYF-CB-PI-10-01.*
- [ACYF-CB-PI-09-04](#): provides the title IV-E Form ACYF-IV-E-1 Interim Financial Reporting Instructions Foster Care, Adoption Assistance and Guardianship Assistance Programs. *This issuance is superseded by ACYF-CB-PI-10-01 and ACYF-CB-PI-10-07.*
- [Section 8.5](#) of the Child Welfare Policy Manual (CWPM) provides questions and answers (Q/As) regarding the GAP.

**Tribal Option to Operate a Title IV-E Program** (Effective October 1, 2009) - allows Federally-recognized Tribes to apply to receive title IV-E funds directly for foster care, adoption assistance and, at Tribal option, kinship guardianship assistance. Additional information may be found at:

- [ACYF-CB-PI-09-11](#): provides guidance on the Federal Advance Planning Document (APD) regulations that Tribes have to comply with to claim title IV-B and/or title IV-E Federal Financial Participation for child welfare information technology projects, equipment, and services.
- [ACYF-CB-IM-09-02](#): provides automation requirements and options for Tribes operating a title IV-E program pursuant to section 479B of the Social Security Act.
- [Tribal Title IV-E Program Considerations, Technical Assistance Document](#): provides technical assistance for Tribes to use in considering how to plan for the resources, policies, and procedures they will or may need to implement a direct title IV-E program.
- [ACYF-CB-PI-08-06](#): requested that Tribes submit a letter of intent if the Tribe intended to directly operate a title IV-E Program or apply for a Fostering Connections grant. *Note: The request for letters of intent has expired.*
- [ACYF-CB-IM-08-03](#): notifies Indian Tribes of the opportunity to operate the title IV-E programs.
- [Title IV-E Tribal Consultation Meetings](#): published in the Federal Register March 13, 2009 (Volume 74, Number 48) - a request for public comment concerning the Tribal title IV-E requirements and notice of Tribal consultation meetings. *Note: The public comment period is closed, and Tribal consultation meetings have concluded.*

**Tribal Option to Directly Operate the Chafee Foster Care Independent Living Program (CFCIP) and Education and Training Voucher (ETV) Program** (Effective October 1, 2009) - provides an option for Tribes with an approved title IV-E plan or a title IV-E Tribal/State agreement to receive directly from the Secretary of HHS a portion of the State's CFCIP and ETV allotments to fund the provision of services to Tribal youth. Additional information may be found at:

- [ACYF-CB-PI-10-08](#): provides guidance to Indian Tribes, Tribal Organizations or Tribal Consortia on actions they are required to take in order to receive their allotments for

fiscal year (FY) 2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, the CFCIP and ETV programs.

- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on the June 30, 2009 submission of a CFCIP and ETV plan, among other provisions.

**Tribal Title IV-E Plan Development Grants** - are authorized for the development of a Tribal title IV-E plan and implementation of a title IV-E program.

- 2009 [Tribal Title IV-E Plan Development Grant Awardees](#). The application announcement for 2010 grants is open beginning March 23, 2010. All applications are due by June, 21, 2010. The application and additional information can be found at: [grants.gov](#).

**De-linking a Child's Adoption Assistance Eligibility from AFDC Eligibility Requirements** (Effective October 1, 2009, subject to phase-in) - establishes new criteria associated with the de-linking of Adoption Assistance eligibility AFDC eligibility requirements, phased in over time beginning in FY 2010. In FY 2010 beginning with children aged 16 years and older, eligibility for Adoption Assistance will be delinked from AFDC and every fiscal year after the age drops two years. Additional information may be found at:

- [ACYF-CB-PI-09-10](#): provides State and Tribal title IV-E agencies with information regarding changes to the title IV-E adoption assistance eligibility requirements made by P.L. 110-351.

**Extension and Expansion of the Adoption Incentives Program** (Effective October 7, 2008) - extends the Adoption Incentive Program through FY 2013, updates the "base year" used to measure increases to FY 2007, doubles incentive payment amounts for special needs and older child adoptions and creates a "highest ever" foster child adoption rate payment. Additional information may be found at:

- [FY 2009 Adoption Incentive Awards Press Release](#) and [State Listing](#)
- [ACYF-CB-IM-09-03](#): informs States of the procedures for determining the Adoption Incentive grant amounts and includes the schedule of payments to be used by ACYF in awarding the Adoption Incentive funds to States.

**Option to Extend Eligibility for Title IV-E Payments to Age 21** (Effective October 1, 2010) - allows States and Tribes to elect to provide title IV-E foster care, adoption assistance and kinship guardianship payments to youth up to age 19, 20 or 21, when those youth meet certain education, training or work requirements.

**Educational Stability Requirements** (Effective October 7, 2008) - adds travel to school in the foster care maintenance payment definition, adds a case plan requirement to assure educational stability for children in foster care, and requires that the title IV-E agency assure that each child receiving a payment under the title IV-E plan is attending school full time or has completed secondary school. The following questions in the CWPM address these provisions:

- [CWPM 8.3B, Q #1](#)
- [CWPM 8.4, Q #2](#)
- [CWPM 8.4, Q #3](#)



**Title IV-B Plan Health Oversight and Coordination Plan Requirements** (Effective October 7, 2008) - requires the title IV-B agency to develop ongoing oversight and coordination of health care services for children in foster care, including coordination with the state Medicaid agency. Additional information can be found at:

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).
- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [ACYF-CB-PI-10-08](#): provides guidance to Indian Tribes, Tribal Organizations or Tribal Consortia on actions they are required to take in order to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, the CFCIP and ETV programs.
- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on actions they are required to take for the June 30, 2009 submission of the title IV-B plan, among other provisions.
- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take for the June 30, 2009 submission of the title IV-B plan, among other provisions.

**Transition Plan for Emancipating Youth** (Effective October 7, 2008) – requires that during the 90-day period prior to a child’s emancipation, the child’s caseworker must develop a personalized transition plan that is directed by the child.

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).

**State Good Faith Negotiation with Tribes** (Effective October 7, 2008) - creates a title IV-E plan requirement and a Chafee plan requirement for the State to negotiate in good faith with any Tribe that requests the development of an agreement with the State to provide payments for Indian children. Additional information can be found at:

- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on actions they are required to take for the June 30, 2009 submission of the title IV-B, CFCIP and ETV plans.
- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take for the June 30, 2009 submission of the title IV-B, CFCIP and ETV plans.

**Training** (Effective October 7, 2008) - permits title IV-E agencies to claim the costs of short-term training for relative guardians, attorneys and others. Questions added to the CWPM or significantly revised to address this provision include:

- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [CWPM 8.1H, Q #1](#)
- [CWPM 8.1H, Q #8](#)
- [CWPM 8.1H, Q #17](#)
- [CWPM 8.1H, Q #18](#)
- [CWPM 8.1H, Q #19](#)
- [CWPM 8.1H, Q #20](#)

**Notice to Relatives of Removal** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(29) to require that title IV-E agencies exercise due diligence to identify and notify all adult relatives of a child within 30 days of the child's removal, of the relatives' options to become a placement resource for the child.

**Title IV-E Plan Requirements for Sibling Placement** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(31) of the Act to require title IV-E agencies to make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or facilitate visitation or ongoing contacts with those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so.

**Adoption Tax Credit** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(33) for title IV-E agencies to inform prospective adoptive parents of the adoption tax credit.

**Licensing Waivers for Relatives and Report to Congress** (Effective October 7, 2008) - the law amends section 471(a)(10) to explicitly permit the title IV-E agency to waive on a case-by-case basis a non-safety licensing standard for a relative foster family home. In addition, HHS must submit a Report to Congress, two years after enactment, on children placed in relative foster family homes and the use of licensing waivers.

- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on how to report data on foster family homes to ACYF, among other provisions.

**Access to Federal Parent Locator Service** (Effective October 7, 2008) - the law amends section 453(j)(3) of title IV-D of the Act to grant authority to the Secretary to conduct comparisons and make disclosures to States of information for the purposes of the title IV-B and IV-E programs using the Federal Parent Locator Service.

**Family Connection Grants** (awarded in September 2009) - authorizes and appropriates \$15 million in discretionary grant funds to be awarded to State, local or Tribal child welfare agencies and private non-profit organizations that have experience in working with fostering children or children in kinship care arrangements in four program areas to support evidence-based and evidence informed demonstration projects. The four program areas include Kinship Navigator, Family Finding, Family Group Decision-making and Residential Family Treatment.

- [Awardees for FY 2009 Family Connection Grants](#)

**Additional Policy Guidance**

In addition to the resources provided above, please note that as a result of the enactment P.L. 110-351, the relevant Child Welfare Policy Manual Q/As are in the process of being revised to reflect the many changes made by the law. The latest revisions can be found in the [Modifications to the Manual](#) and [Additions to the Manual](#) sections of the CWPM. Until such time as the edits to the sections of the CWPM related to the changes made to the Act by P.L. 110-351 are complete, please refer to the statute and official guidance from the CB (such as Program Instructions and Information Memoranda) for definitive guidance on the requirements. You also may contact your [Regional Office](#) representative for further clarification.

## **Bobbie Walthall**

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**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Tuesday, December 08, 2015 2:54 PM  
**To:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Cc:** Diane Stoddard  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase  
**Attachments:** 2A MINUTES July 23 2015.pdf; transitional\_plan.pdf; pi1011.pdf

Mayor and Commissioners:

I shall be forwarding you several emails which some of you already received when they were first written. Some of them have IMPORTANT attachments that I urge you to read which address who and what is responsible for children who age out of the foster care system which is one of the primary "reasons" being given to purchase the property on New Hampshire Street by the housing authority. By the way, not one person responded to the emails I originally sent, an example being the very one I am now forwarding.

Too, be advised for the 1000th time that the Housing Authority Board chair does not consider written public input on housing authority agenda matters as consequently in that he blocks their admission into the official records/minutes of the housing authority. I have written all of you about this reality and have not heard word one from any of you about this omission and possible criminal exclusion.

Thank you for your time.

Steven C. Watts  
Lawrence, Kansas

----- Forwarded Message -----

**From:** steven c. watts <scajj@sbcglobal.net>  
**To:** "wfleming@treanorarchitects.com" <wfleming@treanorarchitects.com>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "brenda.okeefe@dcf.ks.gov" <brenda.okeefe@dcf.ks.gov>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>  
**Cc:** Commissioner Mike Amyx <mikeamyx515@hotmail.com>; Commissioner Matthew Herbert <matthewjherbert@gmail.com>; Ms. Nancy Thellman <nthellman@douglas-county.com>; Mr. Mike Gaughan <mgaughan@douglas-county.com>; Craig AD - Weinaug <cweinaug@douglas-county.com>  
**Sent:** Monday, August 17, 2015 11:03 AM  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Board of Commissioners of the LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY; City Commissioners:

Please find three attachments with this electronic mail.

I have read the minutes and am taken aback by the back slapping, "...gosh we make good decisions...." orientation of the Board in it's rubber stamping of a fiscally ridiculous decision to continue support spending money simply because it is there (tax payer funds at that...) on a building that the Housing Authority itself has had appraised at a valuation FAR BELOW that of the proposed purchase price of the building at 1725 New Hampshire St.

There is mention, on page two of the July 23 Housing Authority minutes (attached) of an email and I assume that is the email I sent to Mr. Fleming given I could not attend the meeting. Hack is out in left field when she suggests I am "confused". No, I'm not. I know where the money is coming from. The fact it's been sitting in the same place (FOR HOW LONG?????) instead of being utilized is something the Housing Authority and it's \$120,000.00 per year "Director" need to take responsibility for and own their error. Spending the money simply because it will be returned to HUD is utter folly. Utter. And suggesting to spend just to spend documents and demonstrates just how bankrupt the decision making "process" within the Authority must be. Incredible. I am grossly taken aback by Hack's remarks: How many public boards is this individual on, by the way? One would think her pompousness would be muted given her record on the Just Food board and her "hosting" of a charlatan to the People of Lawrence what with her "mentoring" of one Jeremy Farmer whom I trust you've read a sentence or two about in the LJ World newspaper.

Again, the purchase of property at 2.4x the appraised rate and well over \$200,000.00 of the board's OWN APPRAISAL is patently silly.

I trust and hope Mr. Fleming shared my prior emails to him with the rest of the board. Was that email shared as it contained information as to the responsibility and legal requirements of the state of Kansas DCF relative to children in the state's abysmal foster care program. Too be advised with all due respect that board member O'Keefe is no "professional" in the field of social work or social welfare. It is my understanding she is employed by DCF as a human services specialist which means she processes applications for public assistance. She is not a professional social worker and does not work in any way, shape, or form with same. As I understand it, she is a public assistance recipient via way of housing authority program monies and is the "consumer" member of the board. Please be advised I was a credentialed social worker from 1974-----2014. I hold the BSW degree and the MSW degree (both from the University of Kansas) and was licensed at the highest level available in the state of Kansas with the LSCSW. Under Kansas law I am not permitted to hold myself out as a social worker as I do not presently hold a license. I allowed the license to lapse in 2014 as I am retired. Prior to retirement, however, I REBUILT the foster care program in the state of Mississippi (1988-1989) and REBUILT the foster care system in Maui County, Hawaii. My model for rebuilding was used to rebuild the entire state of Hawaii's foster care program given that the rest of the state of Hawaii failed two consecutive HHS compliance audits in the early 2000's. The state of Hawaii was slapped with millions of dollars in fines from HHS due to the states refusal to get into compliance. Independent living is a CRITICAL and INTEGRAL aspect of foster care services. Why doesn't DCF buy the building at 2.4x the county's appraised value??

The issue here is the stewardship of public funds. Again, if our local housing authority is so ill run by \$100k+ per annum political appointees, it is the responsibility of the board to find out why and have individuals who are pro-active, innovative, thoughtful and just simply going about business as had been done before. HOW LONG HAS THAT MONEY BEEN SITTING "NEEDING" TO BE UTILIZED BEFORE HUD WAS/IS REQUIRED TO HAVE IT RETURNED? Is the Housing Authority board simply the classic "blue ribbon panel" it typically is Nationwide; is it similar in its lack of "hands on" board activity similar to the JUST FOOD board of directors Hack is on?

Spending money simply to spend money is just plain dumb. Too, holding a meeting just to continue forward with a bad idea to "secure support" is just as dumb. The parking issue at Babcock Place has nothing to do with the expenditure of the publics' money (see attached minutes and comments).

Using foster children who are abused by a brutal system (and trust me, brutal it is....) is wrong. I see the housing authority's director has backed off somewhat from the idea that the building's purpose is for providing housing for children out of foster care, but the issue of the reality that DCF needs to be focused on this critical aspect of foster care is poignant. Moving from foster care into subsidized public housing provides a distinct message: IT SYSTEMATICALLY DISEMPOWERS THESE YOUNG ADULTS AND TEACHES

THEM TO (through no fault of their own given Kansas refuses to address the topic of independent living for children aging out of foster care just as it refuses to "do the right thing" as many states have done: Allowing children to stay under the protection of the "system" in order to obtain the training and education needed in today's real world....but that's another subject ....)BE EXPECTANT AND DEPENDENT.

Irrespective, the black and white of this matter is that the Lawrence, Kansas/Douglas County housing authority is attempting to spend money just to spend it because it sat too long. Bad idea.

Steven C. Watts, MSW  
Lawrence, Kansas

----- Forwarded Message -----

**From:** Ruth Lichtwardt <rlichtwardt@ldcha.org>  
**To:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Thursday, August 13, 2015 12:59 PM  
**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

Dear Mr. Watts,

Attached are the Minutes for the July 23 LDCHA special board meeting. This will be presented to the LDCHA board for approval at the August regular meeting and will be posted on our website as part of the board packet several days before the meeting.

Best,  
Ruth

Ruth Lichtwardt  
Executive Assistant  
Lawrence-Douglas County Housing Authority  
1600 Haskell Ave.  
Lawrence, KS 66044  
785-842-8110 (main)  
785-830-2253 (direct)  
785-842-9596 (fax)  
rlichtwardt@ldcha.org

MINUTES OF A SPECIAL MEETING OF  
LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY  
BOARD OF COMMISSIONERS MEETING

July 23, 2015  
5:30 p.m.

Babcock Place  
Meal Site

1. Swearing-In of Joshua Powers for First Term as LDCHA Commissioner.  
The oath of office was administered by Executive Director Oury.

2. Call of Roll

The meeting was called to order at 5:29 pm by Chair Fleming. Upon call of roll, the following commissioners responded present:

Sue Hack  
Brenda O'Keefe  
Joshua Powers  
Bronson Star  
William Fleming

Also present were LDCHA staff members Beverly Hyatt, Ruth Lichtwardt, and Shannon Oury, and members of the public Donna Christie, Maggie Crowder, Maria Duran, and Helen San Marco.

3. Project Overview

Chair Fleming thanked those in attendance and explained that the meeting had been called to discuss the acquisition of 1725 New Hampshire, which is located on the other side of the Babcock Place parking lot. He said the issue has engendered some controversy due to the price of the property. The Board in the past has been generally supportive of proceeding with the purchase even though the price is higher than fair market value, since the amount is based on what Dillon's had offered and the Board felt it must match that price in order to be able to acquire the property. The purpose of the meeting is to get public input on the issue and then to make a decision on whether to pursue the purchase.

Executive Director Oury explained that the property is a 6-unit brick building that contains five 1-bedroom units and one studio apartment. The owners did not approach the LDCHA, instead the agency found out about the possible sale through an informal channel and approached the owner. The LDCHA is interested in the property both because Babcock Place has ongoing parking issues and the agency is interested in acquiring additional affordable housing units. The price was set based on meeting the competing offer. In order to acquire property, the housing authority must meet certain HUD criteria including price limits, and the price of this property is within those limits that HUD sets. The acquisition was approved by HUD. The agency intends to rent the units on a sliding scale as it does with the units at Peterson Acres II so there will be no subsidy attached.

Several things make this property attractive to the LDCHA, including the fact that the highest demand for affordable housing is 1-bedroom units; the property is right next door which will lower maintenance overhead costs because trucks, mowers and other equipment will not need to be sent to another location; the property includes 5 garage units which can be utilized as work storage for the agency.

The agency knew from the beginning the purchase price offered was higher than the County appraisal, and has since had an independent appraisal performed which also valued the property at lower than the proposed purchase price of \$485,000. The independent appraisal valued the property at \$290,000, based on what would be paid in order to maintain a profitable cash flow. It is not the model of the housing authority to maintain a cash flow for a non-subsidized property, instead the model is to keep the unit rent as low as possible for the tenants, and for the property to be self-sustaining. The traditional way that properties are appraised does not fit that model, but the higher price does fall within what HUD allows and HUD approved the purchase.

If the property is purchased there will be a 30-year deed restriction restricting its use to affordable housing. The purchase must still be approved by the City before the LDCHA can purchase it.

Chair Fleming provided background on how the LDCHA realized that the property might be available. He reported that prior to this meeting one email had been received from a gentleman opposed to the project and that his views would be taken into consideration. Commissioner Hack mentioned that the sender had appeared confused on the source of the purchase funds, referencing the many other needs that exist in the City and apparently thinking that it was City money that would be used to purchase the property rather than LDCHA's MTW reserve funds.

There was discussion regarding the allowed uses of the agency's MTW reserve funds and how they are likely to be reclaimed by HUD if not put to use in the local community. For the benefit of the audience, Ms. Oury explained that since all LDCHA property is deeded to the City, the agency needs the City's permission to acquire property, but LDCHA is solely responsible for all purchase, maintenance and management expenses out of its own funds, which primarily come from HUD. Mr. Fleming spoke about when the LDCHA used MTW reserve funds to purchase and renovate Clinton Place. He mentioned that the property had been in terrible condition, and 58 units of affordable elderly and disabled housing were preserved which likely would have been torn down. He said that is the type of project which the Board likes to see the agency's reserve funds used for.

Mr. Fleming opened the floor for comments.

#### 4. Receive Comments from Tenants and Public

Several members of the audience, all Babcock Place residents, spoke in favor of the purchase. Most mentioned the tight parking situation and how the extra area by the building might help alleviate that. There was discussion regarding the much worse parking situation for Babcock residents following the renovation of the grocery store and the reduction of parking allowed both in the store lot and on the street. Executive Director Oury said that Babcock Place has 44 parking spots in its lot, which is 18 spots too few for the num-



ber of residents who hold parking permits. If the New Hampshire St. property is purchased, the Babcock bus would be moved over to it right away, which would immediately open up an additional 4 spots in the lot. Chair Fleming outlined possibilities for use of the garage units on the property. How to reconfigure the parking space would be researched.

Some audience members mentioned that they thought it was a nice property and would be an asset to the LDCHA. There was discussion regarding the possible use of some of the units to house youth who had aged out of foster care. Ms. Oury said that several of the units might be used for the youth but not all six units. She also mentioned that several of the current residents of the building might qualify for housing assistance and if they chose to apply and were accepted could remain in their units.

Commissioner Hack said that she had gone back and forth several times on the issue in her own mind, but overall had concluded that the acquisition was full of positives. There was a good explanation for the purchase price being higher than the appraised value, and the cost was still much less than when the LDCHA built on land it already owned. The proposed tax credit development of a couple of years ago did not work out and would not have been a good investment for the agency. She said that as the area becomes more developed and with the 9th Street Art District, the corridor was going to become much more expensive to both purchase property and to live. The location is a real benefit to the residents. She feels that people need to be constantly reminded that the purchase would be made with housing authority dollars, not city funds.

Commissioner Powers asked for some details on the repairs which need to be made to the property. Ms. Oury explained that the only issue found when the property was inspected was that the electrical panels have a type of breaker which is probably original to the building, likely circa 1957, and that they are obsolete and could be a fire hazard. GFI circuits will also need to be replaced so all the plugs have that. If the building is purchased, all those replacements will be made immediately. The only other issue is cracking in one of the garage walls but the agency would not deal with that right away since the agency does not know yet whether the garage will be kept or removed.

Mr. Powers asked about whether the price for the property came directly from Dillon's, and Chair Fleming explained that the original contract with Dillon's had been shown to him and the amount had been \$475,000. The agency's offer is for \$10,000 more. Mr. Powers asked if that price was guaranteed by the seller. Ms. Oury explained that the contract negotiated with the seller had included a provision that they would not shop the property around, but since the approval process has taken so long that provision has expired and now the seller can consider competing offers or change the price.

Ms. Oury said that the LDCHA cannot run a program like this with a large number of units without subsidy attached to it. In order for a property to be self-sustaining and stay affordable it needs to be a smaller number of units. People say that the agency could buy other properties instead, but when she researched what was currently available, only one other property was on the market. It was also a 6-unit property and the asking price was \$720,000. Additionally, all the units were 4 bedrooms and the LDCHA already has a very difficult time keeping the few 4-bedroom units it currently owns full since average family sizes are smaller. It was also off a main corridor. One of the reasons that the New Hamp-

shire property is attractive to her is that the residents who live there do not need a car due to the proximity of the grocery store, downtown, KU, and bus stops. The LDCHA wants the property due to the location and is willing to pay a premium due to that.

Mr. Fleming commented that it would not hurt the agency if Dillon's bought the property and turned it into a parking lot but it would not help the agency either.

## 5. REGULAR AGENDA

### A. Discuss Acquisition of Property at 1725 New Hampshire St.

Chair Fleming opened the discussion under the Regular Agenda and asked each Board member to comment.

Commissioner Hack said that overall most of the City Commissioners seemed supportive and that one had suggested waiting to bring the purchase issue before the Commission until after the City budget was adopted. She recounted some of the discussion among the Commissioners and said that she was encouraged by their responses.

Mr. Fleming said that everyone was well aware that the property was costing \$200,000 too much but that the \$200,000 was currently sitting unused in a CD that was garnering only 1% interest and was helping no one, as well as being at risk of being taken back by HUD. Since it was not being purchased as an investment property but to expand affordable housing and LDCHA programs, he felt it has extra value. There was discussion with Executive Director Oury about the 30-year deed restriction and how it will prevent turning the property into a for-profit venture even if sold during that time.

Audience member Maria Duran commented that in the years she has lived on Massachusetts Street she has witnessed growth in traffic and diversity in the area and thinks that the value of everything in the area will rise.

Commissioner O'Keefe spoke as the longest-serving Board member about how the reputation of the housing authority had long been very good regarding fiscal responsibility, beginning with the previous Executive Director and continuing with Ms. Oury. She spoke of what an excellent purchase Clinton Place had turned out to be in spite of some objections at the time. She also spoke of her professional experience with youth aging out of foster care and the advantages to them of the location of the New Hampshire property. She spoke about the apparent confusion regarding the source of the purchase funds and how although LDCHA property is deeded to the City, all responsibility for and decisions regarding the property rests with the LDCHA. It also concerns her that if Dillon's were to buy the property and tear down the building to expand its parking lot, six people are going to have to move and some might not be able to afford to. She said she largely has been going back and forth on the issue in her own mind and will make her decision at the end of the meeting after she had heard everyone speak.

Vice Chair Star said that he was concerned about the City Commission approving the sale because he thought overall it was a very positive deal in spite of the cost. He stated that the purchase has his full support.

Mr. Fleming welcomed an audience member who had just joined the meeting and offered her the opportunity to comment, which she declined.

Mr. Fleming talked about the possible City Commission vote and said that he would go talk to Mr. Lawhorn at the newspaper to ensure he had all the details, as most people who have the full picture end up supporting the purchase.

Commissioner Powers said that even though this was his first Board meeting, he had tried to do due diligence on the purchase issue and still had come to the meeting having no idea where he would come down on the topic including whether he would recuse himself. After hearing all the comment, he is now fully in support as he sees all the advantages, especially to the possible kids in transition.

Mr. Fleming asked for more comment from the audience, and there was unrelated comment regarding the Babcock Bus.

Commissioner Hack moved to proceed with submitting a request to the City Commission to allow the housing authority to purchase the property at 1725 New Hampshire. Vice Chair Star seconded. The motion passed unanimously.

Mr. Fleming requested that Ms. Oury prepare a memorandum to submit to the City staff prior to the meeting at which the purchase will be discussed, to include information on the issue, the Board vote, a summary of the comments, and maps of the property. Ms. Oury asked if it would make sense to wait until the City Commission meeting on August 11, after the city budget discussions are concluded, and the Board agreed.

Ms. Hack requested that a matrix for future property acquisition be developed which would include location, size, cost, benefits, etc., to be used as a guide going forward.

6. Adjournment.

There being no more items of business, Vice Chair Star moved to adjourn. Commissioner O'Keefe seconded. The meeting adjourned at 6:17 p.m.

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Chair

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Secretary

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Attest

January 2013

# Working With Youth to Develop a Transition Plan

In an effort to improve outcomes for youth exiting foster care, the Fostering Connections to Success and Increasing Adoptions Act of 2008 included planning provisions to help youth better transition to independent living and adulthood.

This factsheet is intended to help child welfare professionals and others who work with transitioning youth to understand the Federal legislative requirements for transition plans and partner with youth to develop a plan that builds on their strengths while supporting their needs.

## What's Inside:

- What is a transition plan?
- What are the Federal legislative requirements for transition plans?
- What should transition plans include?
- What are States doing?



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**Child Welfare Information Gateway**  
Children's Bureau/ACYF  
1250 Maryland Avenue, SW  
Eighth Floor  
Washington, DC 20024  
800.394.3366  
Email: [info@childwelfare.gov](mailto:info@childwelfare.gov)  
<https://www.childwelfare.gov>

## What Is a Transition Plan?

The Foster Care Independence Act of 1999 created the John H. Chafee Foster Care Independence Program (CFCIP) that allowed States to provide financial, housing, employment, education, and other support services to youth who left foster care at 18 but had yet to turn 21. The Promoting Safe and Stable Families Amendments of 2001 amended the Chafee Program to extend support services to youth to age 23 if the youth is enrolled in a program of higher education. The act also created the Educational and Training Voucher (ETV) program that provides annual stipends of up to \$5,000 for education-related expenses. The Fostering Connections Act built on this foundation and permitted States to allow youth who aged out of foster care at 18 but are younger than age 21 to remain in or return to foster care, so long as they are enrolled in school, are employed for at least 80 hours each month, or are participating in programs to attain gainful employment (American Bar Association [ABA], 2011). Fostering Connections also included the following transition plan requirement:

“during the 90-day period immediately prior to the date on which the child will attain 18 years of age, or such greater age as the State may elect under paragraph (8)(B)(iii), whether during that period foster care maintenance payments are being made on the child’s behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect” (P.L. 110-351, title II, § 202(3))

Information about the CFCIP, Fostering Connections, facts and statistics about youth transitioning from foster care, and other resources are available on the website of the National Resource Center for Youth Development (NRCYD):  
<http://www.nrcyd.ou.edu/>

**DEFINITIONS:**

**A Transition Plan** is required by the Fostering Connections to Success and Increasing Adoptions Act of 2008 for each youth exiting foster care. Ninety days prior to a youth's 18th birthday (or the age required by the State for aging out of care), the youth, his or her caseworker, and other representatives of the youth's choosing must develop the plan. Specific elements such as housing, education, employment, mentoring, and continued support services must be included. The Patient Protection and Affordable Care Act amended the transition plan provision to require that youth be educated about the importance of designating someone who can, when necessary, make health care decisions on their behalf. Transition plans must be *personalized at the direction of the child*.

**Independent Living (IL)** services are provided to youth in out-of-home-care to help them prepare for self-sufficiency. Services often include assistance with money management skills, educational assistance, household management skills, employment preparation, and other services. For more information on IL services and resources, visit the Child Welfare Information Gateway website: <https://www.childwelfare.gov/outofhome/independent/>

## What Are the Federal Legislative Requirements for Transition Plans?

The Fostering Connections Act provides practitioners in the field with a concrete timeframe and formal structure for transition planning. The transition plan must be finalized no later than 90 days prior to the youth's transition from care. Although the legislation is not overly prescriptive, it gives clear guidance on benchmark elements that, when combined with the Individuals with Disabilities Education Act (IDEA) and the Affordable Care Act (ACA) requirements, create a solid foundation for meeting youth needs. The most challenging, yet critical, element of the Fostering Connections Act is the provision that each plan should be "as detailed as the child may elect." This requirement shifts the focus for child welfare workers to educating and supporting youth in planning for themselves. In addition, the transition plan requirement creates an opportunity to bring together, in one structured conversation and process, several new requirements for working with youth, including ACA's health care proxy requirement, IL conditions, and more.

The Administration for Children and Families (ACF) issued a Program Instruction (PI) in 2010 on the Fostering Connections Act to provide guidance and reiterate other requirements for planning. For example:

- Case plans must include a written or recorded description of the programs and services available to help youth in foster care, who are 16 or older, prepare for the transition from care.
- Permanency hearings for youth 16 or older must determine the necessary services to help him or her transition from foster care to independent living.

The complete PI is available on the ACF website: <http://www.acf.hhs.gov/programs/cb/resource/pi1011>

The National Foster Care Coalition published a Q&A paper on the Fostering Connections Act that tackles several questions pertaining to transition plans. The document asks and answers important questions about such topics as how States should engage youth in the development of the personalized transition plan, what role the court plays in transition planning, and more.

*Fostering Connections to Success and Increasing Adoptions Act, Frequently Asked Questions on the Provisions Designed to Impact Youth and Young Adults* is available on the ABA website: [http://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/empowerment/nfcc\\_faq\\_older youth.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/empowerment/nfcc_faq_older youth.authcheckdam.pdf)

The July 2011 issue of the *Judge's Page*, a National CASA Association newsletter, spotlights the Fostering Connections Act. One article focuses specifically on the transition plan requirement and the role the courts play in implementation. The entire issue is available here: [http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.7522045/k.DD83/July\\_2011.htm](http://www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.7522045/k.DD83/July_2011.htm)

For more information on Fostering Connections and other child welfare legislation, read

Information Gateway's *Major Federal Legislation Concerned With Child Protection, Child Welfare, and Adoption*: <http://www.childwelfare.gov/pubs/otherpubs/majorfedlegis.pdf>

## NATIONAL YOUTH IN TRANSITION DATABASE

The CFCIP required that the Children's Bureau establish a system to track the services States provide to youth currently and formerly in foster care, as well as collect outcomes data that could be used to assess State performance in providing services. Thus, the Children's Bureau developed the National Youth in Transition Database (NYTD).

Every May and November, States report data to NYTD about the demographics of youth served by CFCIP and information about the services provided. The National Resource Center for Child Welfare Data and Technology (NRC-CWDT) and the NRCYD provide technical assistance to help States with data collection, reporting, and other NYTD data elements and requirements.

The [NRC-CWDT website](#) provides several NYTD materials, including factsheets, training and technical assistance briefs, State examples, and Federal guidance resources. The Children's Bureau's [NYTD Community of Practice](#) is an information-sharing website for States that is focused on NYTD implementation.

For more information on NYTD, visit the Children's Bureau website: <http://www.acf.hhs.gov/programs/cb/research-data-technology/reporting-systems/nytd>

## What Should Transition Plans Include?

The Fostering Connections Act provides a general list of elements that must be included in transition plans, such as housing, employment, mentoring services, and education. How these specific components are covered or addressed can vary by State and even by agency.

FosterClub's *Transition Toolkit* provides youth with a step-by-step process for thinking about leaving care and provides transition plan templates. The guide is centered on 10 critical areas: finances, employment, life skills, identity, permanence, education, health, housing, transportation, and community. The toolkit is available on Foster Club's website: [http://www.fosterclub.com/files/transition\\_toolkit\\_v3.pdf](http://www.fosterclub.com/files/transition_toolkit_v3.pdf)

Foster Club also produced *Transition Toolkit Companion Tools* for professionals working with transitioning youth. The toolkit for professionals includes guidance on asset mapping, an assessment tool to evaluate needed services, and worksheets for youth, each centered on a component of the transition plan. The worksheets also provide a readiness scale to help professionals and youth evaluate his or her readiness on each component and areas for improvement. Access the toolkit companion tools here: <http://www.fosterclub.com/transition/article/transition-toolkit-companion-tools>

The NRCYD produced a literature review of transition planning practices. The literature review provides recommendations for transition

planning across several fields, including child welfare, juvenile justice, mental health, and special education. It also includes promising practices in States. *Transition Planning With Adolescents: A Review of Principles and Practices Across Systems* is available on the NRCYD's website: <http://www.nrcyd.ou.edu/publication-db/documents/transition-planning-with-adolescents.pdf>

While it is not a Federal legal requirement, transition plans should ensure the collection of important documentation and paperwork that all young adults need, including birth certificates, Social Security cards, credit reports, and more. A list of 15 recommended documents is available in the ABA's publication *Sample State Legislation to Extend Foster Care, Adoption and Guardianship Protections, Services and Payments to Young Adults Age 18 and Older* (page 32) [http://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/empowerment/sample\\_leg\\_18\\_with\\_cover\\_final.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/empowerment/sample_leg_18_with_cover_final.authcheckdam.pdf)

## What Are States Doing?

Before the passage of Fostering Connections in 2008, many States required transitional or independent living plans for youth in out-of-home care who were 16 or older. Child Welfare Information Gateway's State Guides and Manuals database provides links to State publications regarding child welfare services and guidance for professionals: <https://www.childwelfare.gov/systemwide/sgm/>



A number of States have developed resources to address the requirement for transition plans. The following are a few readily available examples:

- In **Hawaii**, EPIC 'Ohana, Inc.—the State's lead agency for the national Jim Casey Youth Opportunities Initiative—employs the Ohana Circles program, a culturally appropriate program for working with youth to develop their transition plan. Youth who are preparing to leave foster care identify members of their Circle, who come together to help plan for housing, education, employment, physical and mental health, and other needs. A summary of the Circle and transition plan is provided to the youth and Circle participants after the Circle. More information is available on the 'Ohana, Inc. website: <http://www.epicohana.info/youthcircle.aspx>
- **Minnesota's** Department of Human Services produced a best practices guide for child welfare professionals to help youth transition from out-of-home care to adulthood. The guide provides sample goals and objectives for an Independent Living plan, guidance and resources, curricula information, and information on how caregivers can help youth transition to independent living. *Helping Youth Transition From Out-of-Home Care to Adulthood* is available here: [http://www.positivelyminnesota.com/Programs\\_Services/Youth\\_Services/Shared\\_Youth\\_Vision/Inter-Agency\\_Projects/Transition\\_Services\\_Best\\_Practices.pdf](http://www.positivelyminnesota.com/Programs_Services/Youth_Services/Shared_Youth_Vision/Inter-Agency_Projects/Transition_Services_Best_Practices.pdf)
- **Iowa** has a Transition Planning Specialist (TPS) in each of its five regions. The TPS provides training and technical assistance to staff, providers, and others on transition planning and resources. Each youth referred to a TPS are provided with a Transitioning Information Packet with tips on education, housing, money management, and more to help them plan for their transition to independent living. More information on Iowa's TPS, information packet, and other resources is available on Iowa's Department of Human Services website: [http://www.dhs.iowa.gov/Consumers/Child\\_Welfare/Transition\\_Services/Transitioning%20to%20Adulthood.html](http://www.dhs.iowa.gov/Consumers/Child_Welfare/Transition_Services/Transitioning%20to%20Adulthood.html)
- **Texas** requires a transition plan for all youth 14-years-old and older in out-of-home care. The State revised this requirement after Fostering Connections to include a transition meeting 90 days prior to the youth's 18th birthday and 90 days prior to the youth's transition from care. View Texas's Preparation for Adult Living program and other transitional living services here: [http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x10200.jsp](http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x10200.jsp)
- **Oregon's** Department of Human Services' (DHS) *Youth Transitions Policy* provides clear guidelines and requirements for transition plans and the roles and responsibilities caseworkers and supervisors must play in the development of the plan. The policy also outlines steps for reviewing the plan, as well as benchmarks. The policy is available on the State's DHS website: [http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-b235.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf)
- The **California** Social Work Education Center (CalSWEC) provides training resources on transition plans. One resource is geared toward supervisors and managers, and the other resource is intended for child welfare workers: <http://calswec.berkeley.edu/training-resource-transitional-independent-living-plan>

- **Indiana's** The Villages (the State's largest not-for-profit child and family services agency) offers community-based, life-skills training and other services to transitioning youth. Youth have access to scattered-site apartments and 24-hour case management, and many participants qualify for 6 months of support after completing the program: [http://www.villages.org/transitional\\_living.php](http://www.villages.org/transitional_living.php)
- **Washington State** created a youth-friendly website detailing the elements of its Independent Living Program, eligibility requirements, and contact information: <http://www.independence.wa.gov/programs/ilp.asp>

For more promising practices from States and Tribes, in addition to training and technical assistance resources, evidence-based practices, and more, visit the National Resource Center for Permanency and Family Connection's website: [http://www.nrcpfc.org/fostering\\_connections/emancipating\\_older\\_youth.html](http://www.nrcpfc.org/fostering_connections/emancipating_older_youth.html)

Information Gateway's State statutes database links to State laws on a variety of relevant topics: [https://www.childwelfare.gov/systemwide/laws\\_policies/state/](https://www.childwelfare.gov/systemwide/laws_policies/state/)

## Additional Resources

- FosteringConnections.org provides a bevy of resources and materials related to the Fostering Connections Act. Its Implementation News and Resources page provides State-specific information: <http://www.fosteringconnections.org/>
- The NRCYD provides several resources on transitioning youth, including The Solutions Desk's information-sharing community, the Fostering Connections section with plain language explanations of the law's provisions, and strategies and materials for engaging youth: <http://www.solutionsdesk.ou.edu/transitioning-youth.html>
- *Strategies from the California Connected by 25 Initiative: Tips and Resources to Improve Outcomes for Transition Age Foster Youth* provides key strategies for community partnerships, youth engagement, and evaluation across five core focus areas: <http://74.81.204.52/Files/CC25IPromisingStrategies.pdf>
- The Center for Juvenile Justice Reform and the Jim Casey Youth Opportunities Initiative published *Supporting Youth in Transition to Adulthood: Lessons Learned from Child Welfare and Juvenile Justice*. The publication addresses the many challenges the two systems face in preparing youth for adulthood: <http://cjjr.georgetown.edu/pdfs/TransitionPaperFinal.pdf>
- Foster Club's Leaving Foster Care webpage provides several FAQs aimed at transitioning youth: <http://www.fosterclub.com/questionsanswers/leaving-foster-care>
- *FLUX: Life After Foster Care* is a book that includes contributions from more than 100 alumni of foster care. The book examines the emotional transition from foster care to adulthood and serves as a resource for both foster care alumni and social workers: <http://www.fostercarealumni.org/resources/FLUX.htm>

- The National Association of Public Child Welfare Administrators, in partnership with Casey Family Programs, administered the Fostering Connections Implementation State Survey to all 50 States and the District of Columbia. Responses provide State-specific information regarding the implementation of the Federal legislation, including information States' Independent Living plans: <http://www.napcwa.org/Legislative/fostering.asp>

## References

American Bar Association. (2011). The option to extend care beyond age 18: An important opportunity for States. *Judge's Page* retrieved from [http://www.casaforchildren.org/site/c.mtJSJ7MPlsE/b.7522097/k.CB71/JP6\\_ABA.htm](http://www.casaforchildren.org/site/c.mtJSJ7MPlsE/b.7522097/k.CB71/JP6_ABA.htm)



U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau



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**PROGRAM INSTRUCTION**

**To:** State, Tribal and Territorial Agencies Administering or Supervising the Administration of Title IV-E of the Social Security Act, Indian Tribes, Tribal Organizations and Tribal Consortia (Tribes)

**Subject:** Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351) Comprehensive Guidance, Titles IV-B and IV-E Plan Requirements, Title IV-E Plan Amendment – Definition of “Child”, Extension of Title IV-E Assistance, Patient Protection and Affordable Care Act (Public Law (P.L.) 111-148)

**Legal and Related References:** Titles IV-B and IV-E of the Social Security Act (the Act); P.L. 110-351; P.L. 111-148

**Purpose:** The purpose of this Program Instruction (PI) is to provide title IV-E agencies comprehensive information on the provisions of titles IV-B and IV-E as a result of the amendments made by the Fostering Connections to Success and Increasing Adoptions Act of 2008, P.L. 110-351. In addition to providing new guidance on the option for a title IV-E agency to extend assistance for the foster care maintenance, adoption assistance, and/or kinship guardianship programs to an eligible youth age 18 and older up to age 21, this instruction provides additional guidance on the other provisions of P.L. 110-351 and the flexibilities afforded to a title IV-E agency in complying with the law. We are also providing instruction on changes to the titles IV-B/IV-E plan requirements as a result of the Patient Protection and Affordable Care Act (P.L. 111-148).

**INFORMATION:**

- Section A: Title IV-E Definition of Child and Extending Assistance to Youth Age 18 and Older
- Section B: Provisions Specific to the Extension of Title IV-E Foster Care Age 18 and Older
- Section C: Transition Plan for Emancipating Youth
- Section D: Guardianship Assistance Program
- Section E: Enrolling Children in School, Educational Stability and Payments for School Transportation
- Section F: Health Care Oversight and Coordination Plan
- Section G: Sibling Placement
- Section H: Notifying Relatives
- Section I: Waiving Non-Safety Licensing Standards for Relatives

Section J: Adoption Assistance, Reinvestment, and Adoption Tax Credit  
Section K: Indian Tribes and Title IV-E  
Section L: Short-Term Training  
Section M: Funding and Administrative Costs  
Section N: Instructions for Amending the Title IV-E Plan

## **Section A: Title IV-E Definition of Child and Extending Assistance to Youth Age 18 and Older**

### Definition of Child for Title IV-E Foster Care, Adoption Assistance and, if applicable, Guardianship Assistance Programs

A title IV-E agency may exercise the option in section 475(8)(B) of the Act to adopt a definition of “child” for the title IV-E program that will allow it to provide foster care, adoption and, if applicable, guardianship assistance for eligible youth up to 21 years of age if the youth meets certain criteria established in section 475(8)(B) of the Act. The option is available at any time on or after October 1, 2010 to a title IV-E agency that elects to implement the option on a statewide/or service area wide basis per section 471(a)(3) of the Act. A title IV-E agency that does not extend assistance to a youth age 18 or older for a program must conform to the definition of “child” as an individual under age 18 as indicated in section 475(8)(A) of the Act, with exceptions. Those exceptions permit a title IV-E agency to provide title IV-E foster care maintenance payments to a youth who is age 18 and a full-time student completing secondary education or training per the State’s 1996 title IV-A Aid to Families with Dependent Children (AFDC) plan and permit a title IV-E agency to continue adoption or guardianship assistance to disabled youth between the ages 18 and 21 (under an agreement). Please see section B for more detailed information specific to the extension of title IV-E foster care to youth age 18 and older and sections D and J regarding providing assistance to disabled youth who are in guardianship or who have been adopted.

The statute affords the title IV-E agency the option to select an age up to age 21; however, we encourage a title IV-E agency to expand their definition of “child” to age 21. If an agency wants to extend assistance beyond age 18 but select a definition of “child” lower than age 21 (i.e., age 19 or 20), the agency must include a written description to the Regional Office (RO), in the title IV-E plan amendment, as to why the agency is choosing a lower age (see section N). This description should include the programmatic or practice rationale for the lower age. The age the agency selects for the definition of “child” must apply to the title IV-E foster care, adoption assistance, and if applicable, guardianship assistance programs.

As further discussed below, a title IV-E agency may establish different criteria for meeting the education and employment conditions associated with the participation of youth age 18 or older. The title IV-E plan requirements in section 471 of the Act apply to youth in extended title IV-E assistance to the same extent as they apply for a child under the age of 18.

A title IV-E agency providing title IV-E assistance to a youth age 18 or older per section 475(8)(B) of the Act must amend its title IV-E plan (see section N for instruction on amending the plan) to ensure that an otherwise eligible youth meets the criteria listed below:

1) *Title IV-E Program Participation:*

- The youth is in foster care under the responsibility of the title IV-E agency; or
- The youth is part of an adoption assistance agreement that is in effect under section 473 of the Act and the youth had attained 16 years of age before the agreement became effective; or
- The youth is part of a kinship guardianship agreement that is in effect under section 473(d) of the Act and the youth had attained 16 years of age before the agreement became effective; AND

2) *Age:* The youth has attained 18 years of age or older, up to age 21 (as elected by the title IV-E agency); AND

3) *Educational or Employment Conditions:* The youth meets at least one of the below listed conditions, as determined by the title IV-E agency:

- Completing secondary education or a program leading to an equivalent credential (section 475(8)(B)(iv)(I) of the Act), e.g., a youth age 18 and older is finishing high school or taking classes in preparation for a general equivalency diploma exam.
- Enrolled in an institution which provides post-secondary or vocational education (section 475(8)(B)(iv)(II) of the Act), e.g., a youth could be enrolled full-time or part-time in a university or college, or enrolled in a vocational or trade school.
- Participating in a program or activity designed to promote, or remove barriers to employment (section 475(8)(B)(iv)(III) of the Act), e.g., a youth could be in Job Corps or attending classes on resume writing and interview skills.
- Employed for at least 80 hours per month (section 475(8)(B)(iv)(IV) of the Act), e.g., a youth could be employed part time or full time, at one or more places of employment.
- Is incapable of doing any of the previously described educational or employment activities due to a medical condition (section 475(8)(B)(iv)(V) of the Act). If the youth is in foster care in this circumstance, the agency must provide regularly updated written or recorded information that addresses the medical condition and the youth's incapability in the youth's case plan. There is no requirement for the title IV-E agency to maintain a case plan on a youth who is adopted or in guardianship. We address documentation related to a youth who is adopted or in guardianship further below.

The title IV-E agency has the following discretion in relation to the employment and education conditions for extended assistance provided it is reasonable and consistent with Federal law:

- A title IV-E agency may include one or more of the above employment or education conditions for extended assistance in the definition of “child” for any of the title IV-E programs in operation. For example, a title IV-E agency may provide extended assistance to youth enrolled in post-secondary education only.
- The title IV-E agency will establish the criteria it will use to determine whether a youth meets the employment or education conditions above and/or whether a youth has a medical condition that renders him or her incapable of employment or education. The agency has the discretion to determine these criteria, with one caveat. The title IV-E agency must consider an otherwise enrolled youth on a semester, summer or other break to be enrolled in school for the purposes of this provision.
- The title IV-E agency will determine how it will verify or obtain assurances that the youth continues to meet the education or employment conditions and the frequency and nature of such verification.
- The title IV-E agency is not required to develop a case plan for an adopted youth or youth under a guardianship solely for the purpose of addressing why a youth is incapable of meeting the educational or employment activities due to a medical condition. The title IV-E agency has the flexibility to determine whether and how to document the medical condition for such youth once determined.

We are providing flexibility in applying the education and employment conditions because we want to encourage a title IV-E agency to take advantage of the option as soon as possible, even if the agency can do so on only a limited basis at this time. However, we encourage a title IV-E agency to consider how it can provide extended assistance to youth age 18 and older to the broadest population possible consistent with the law to ensure that there are ample supports for older youth. We also encourage a title IV-E agency to use the John H. Chafee Foster Care Independence Program and the Education and Training Voucher Program (section 477 of the Act) to provide additional supports to youth to prepare them for employment and education.

#### Medicaid Eligibility

Under sections 473(b)(1) and 473(b)(3) of the Act, a youth on whose behalf title IV-E foster care maintenance payments or guardianship assistance payments are made, or who is subject to an adoption assistance agreement is categorically eligible for the title XIX (Medicaid) program available in the State of residence, including a youth up to age 21 per section 475(8)(B) of the Act. Such a youth is eligible for Medicaid (if available for such youth) whether or not the title IV-E agency in the State of residence has taken the option to provide extended assistance per

section 475(8)(B) of the Act. A title IV-E agency should work with its Medicaid agency counterparts to learn about the Medicaid services available for older youth.<sup>1</sup>

### Statewide Automated Child Welfare Information System

A State or Tribe that has elected to implement a Statewide Automated Child Welfare Information System (SACWIS) must support the extension of title IV-E assistance and additional client population through that system, as applicable. All requirements at 45 CFR Part 1355.52 through 1355.56 applies to extended title IV-E assistance.

### Effective Date for the Definition of Child Age 18 and Older

A title IV-E agency may exercise the option to define “child” as age 18 or older (up to age 21) consistent with section 475(8) of the Act beginning on or after October 1, 2010. A title IV-E agency that exercises the option to provide title IV-E foster care, adoption and/or guardianship assistance for youth age 18 and older may claim allowable costs for the applicable title IV-E program option as early as the first day of the quarter in which the title IV-E agency submits an approvable title IV-E plan amendment to ACF (45 CFR 1356.20(d)(8)). Under title IV-E foster care, an agency may provide payments to older youth age 18 and older up to age 21 who were in foster care prior to October 1, 2010 as long as the youth meets all of the title IV-E eligibility requirements as explained below. Similarly, for title IV-E adoption and guardianship assistance, an agency may provide payments to adopted youth or youth in guardianship prior to October 1, 2010 who are age 18 and older up to age 21 for whom a title IV-E agreement under section 473 or 473(d) became effective after attaining age 16 and otherwise meet the title IV-E eligibility requirements.

## **Section B: Provisions Specific to the Extension of Title IV-E Foster Care to Youth Age 18 and Older**

The statutory amendments made to incorporate older youth up to age 21 into the title IV-E foster care maintenance payments program do not alter existing eligibility criteria with the exception of permitting title IV-E payments for a youth age 18 or older in a supervised setting in which the youth is living independently. However, we realize that States and Tribes with title IV-E plans may need to address the eligibility requirements in a different manner, as appropriate, for a youth age 18 or older. Therefore, we are providing the following information to explain the ways in which a title IV-E agency can take advantage of the option to extend assistance to youth age 18 or older consistent with the requirements of the law and the developmental needs of older youth.

A title IV-E agency can extend foster care assistance for a youth age 18 or older pursuant to section 475(8)(B) of the Act in a way that permits a youth to stay in foster care continuously or leave foster care for a period and return to foster care at some point after attaining age 18. In

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<sup>1</sup> The Patient Protection and Affordable Care Act (P.L. 111-148) extends Medicaid eligibility for certain former foster youth up to the age of 26. However, these provision go into effect beginning in 2014. We will work with our CMS counterparts to provide agencies with additional information on these provisions.



doing so, however, the eligibility criteria in section 472(a)(2)(A) and (B) of the Act must be satisfied. The information below describes the ways in which these criteria can be satisfied.

### Removal From Home

There are several ways to meet the removal from home criteria in section 472(a)(2)(A) of the Act for the youth age 18 or older depending on whether a youth is continuing in foster care after attaining age 18 or reentering foster care after attaining age 18:

- *Court ordered removal prior to age 18* – When a child is removed from home prior to age 18 pursuant to a judicial determination that it was contrary to the welfare of the child to remain in the home and that reasonable efforts have been made to keep the child in the home and the child remains in foster care continuously, no new court ordered removal is required at the age of 18, or older, to remain eligible for title IV-E foster care maintenance payments. Such a child will be considered to meet the criteria in section 472(a)(2)(ii) of the Act while remaining in foster care.
- *Voluntary placement agreement prior to age 18* – When a child is removed from home prior to age 18 pursuant to a voluntary placement agreement entered into between the child’s parents/legal guardian and the title IV-E agency, no new voluntary placement agreement is required after the youth attains the age of 18 for title IV-E purposes as long as the youth remains continuously in foster care. See below for additional details related to voluntary placement agreements.
- *Court ordered removal after attaining age 18* – A youth age 18 or older who is removed via court order with judicial determinations regarding contrary to the welfare and reasonable efforts can meet the criteria in section 472(a)(2)(ii) of the Act, to the extent that there is jurisdiction by the juvenile or other court to do so. Such judicial determinations may reflect the circumstances that are unique to a youth age 18 or older returning to foster care consistent with existing policy at Child Welfare Policy Manual (CWPM) 8.3A.7 Q/A #3. For example, a contrary to the welfare judicial determination may state that it is in the best interests of the youth to be placed in foster care and a reasonable efforts to prevent removal finding may state that the title IV-E agency made reasonable efforts to meet the youth’s needs prior to a foster care placement.
- *Voluntary placement agreement after attaining age 18* – A voluntary placement agreement entered into between the youth age 18 or older and the title IV-E agency can meet the removal criteria in section 472(a)(2)(A)(i) of the Act. In this situation the youth age 18 or older is able to sign the agreement as his/her own guardian. See below for additional details related to voluntary placement agreements.
- *Trial independence and breaks in foster care* – A title IV-E agency should follow existing Federal policy with regard to when to consider a child/youth as remaining in foster care versus when a break has occurred that warrants a new determination of title IV-E eligibility with new judicial determinations or a new voluntary placement agreement (see CWPM 8.3A.4, 8.3A.10 and 8.3C.5). A title IV-E agency is not required

to reestablish judicial determinations related to contrary to the welfare or reasonable efforts for a youth age 18 or older whose departure from foster care is consistent with 45 CFR 1356.21(e). For example, a youth age 17 who is title IV-E eligible decides to leave foster care upon attaining age 18. Three months after the youth's 18th birthday, the youth returns seeking the title IV-E agency's assistance. As the youth has tried independence for less than a six-month trial period, the title IV-E agency does not need new judicial determinations or a voluntary placement agreement to satisfy section 472(a)(2)(A) of the Act upon return. Similarly, if a court order authorized the youth's trial independence for a year after the youth's 18th birthday, title IV-E foster care maintenance payments may be made if the youth is otherwise eligible when returning to foster care during that year.

For title IV-E purposes, voluntary placement agreements must meet the requirements of sections 472(e) and (f) of the Act and 45 CFR 1356.22, including the requirement that there be a judicial determination that remaining in foster care is in the child's best interests if title IV-E foster care maintenance payments are to continue beyond the first 180 days of the voluntary placement. The title IV-E agency has the option whether to accept voluntary placement agreements for title IV-E purposes for a child/youth of any age up to age 21 (i.e., either on behalf of a child under age 18 or for youth age 18 or older). A title IV-E agency may elect to meet the criteria in section 472(a)(2)(A) of the Act by voluntary placements at any time by amending its title IV-E plan prior to claiming Federal reimbursement for such placements.

### Placement and Care Responsibility

There are several ways in which the title IV-E agency can obtain placement and care responsibility of youth age 18 or older pursuant to section 472(a)(2)(B) of the Act:

- *Written authorization prior to age 18* – The youth in foster care may provide written authorization giving the title IV-E agency continued placement and care responsibility for the youth after attaining age 18. Similar to existing policy, this written authorization must be provided before the youth ages out of foster care or court jurisdiction ends for the agency's placement and care responsibility to continue after reaching age 18.
- *Voluntary placement agreement after attaining age 18* – If the title IV-E agency accepts voluntary placement agreements from a child age 18 or older, this same voluntary placement agreement can authorize that the title IV-E agency have placement and care responsibility of the child.
- *Court orders after attaining age 18* – To the extent that court jurisdiction extends to a youth age 18 or older, court orders can provide the title IV-E agency with placement and care responsibility.

### AFDC Program Criteria

A child/youth must have met the AFDC eligibility requirements per section 472(a)(3) of the Act at the time of removal from the home to be eligible for title IV-E foster care. For a youth age 18

or older who is entering or reentering foster care after attaining age 18 consistent with the criteria above, AFDC eligibility is based on the youth without regard to the parents/legal guardians or others in the assistance unit in the home from which the youth was removed as a younger child (e.g., a child-only case).

*AFDC Redeterminations.* As indicated in policy issued at CWPM 8.3A.4, 8.3A.10, and 8.4A on April 8, 2010, we have eliminated AFDC redeterminations to ease an administrative burden we now believe is unnecessary. The title IV-E agency must establish AFDC eligibility at the time the child is removed from home or a voluntary placement agreement is entered. We note that it is not possible to implement the option to extend title IV-E assistance to youth in foster care who are age 18 or older as permitted by P.L. 110-351 and require such youth to be subject to AFDC redeterminations. Specifically, youth age 19 or older cannot meet the AFDC eligibility requirements because they would not be able to meet the definition of a “needy child” in former section 406 of the Act. This clearly is inconsistent with the law’s amendments to provide an option for extended title IV-E assistance to older youth. For the purpose of a title IV-E eligibility review, we will not review whether the title IV-E agency conducted annual AFDC redeterminations for a child in the sample.

*Title IV-A Option to Continue Title IV-E Foster Care to Certain Youth in School.* A title IV-E agency may provide foster care maintenance payments on behalf of youth who have attained age 18, but are under the age of 19, and who are full-time students expected to complete their secondary schooling or equivalent training before reaching age 19 whether or not the agency exercises the option to provide title IV-E payments to children over age 18 under section 475(8)(B) of the Act. An agency may continue to apply this policy only if it was contained in the agency’s title IV-A AFDC plan, as in effect on July 16, 1996, of the State the child was living in at removal; but is not required to continue this policy.

No further action is required for a title IV-E agency that provides title IV-E foster care payments through the title IV-A option for 18-year-olds in secondary school or equivalent training, but does not take the option to provide extended title IV-E foster care assistance under section 475(8)(B) of the Act. As such, the agency must continue to evaluate case by case whether to continue title IV-E foster care payments for the youth based on whether the youth is expected to finish secondary schooling or equivalent training before attaining age 19. An agency that continues the title IV-A option and also elects to provide extended title IV-E foster care assistance under section 475(8)(B) of the Act may do one of the following: 1) determine whether continued title IV-E foster care maintenance payments are warranted based on the title IV-A standard; or, 2) determine if extended title IV-E foster care assistance is warranted based on the education and employment conditions in section 475(8)(B)(iv) of the Act.

Please note that a Tribal title IV-E agency may either follow the AFDC option (if selected) in the State in which the child was removed (section 479B(c)(1)(C)(ii)(II) of the Act), or may choose to provide extended assistance per section 475(8)(B) of the Act as selected in the Tribal title IV-E plan.

### Supervised Independent Living Settings

In order for the title IV-E agency to provide title IV-E foster care maintenance payments, an otherwise eligible child age 18 or older must be placed in a licensed foster family home, child-care institution, or a supervised setting in which the individual is living independently per section 472(c)(2) of the Act. The title IV-E requirements for foster family homes and child care institutions apply if a youth age 18 or older is placed in such a setting, including provisions for licensure or approval, background checks and safety considerations (see sections 471(a)(10) and 471(a)(20)(A) and (B) of the Act and 45 CFR 1355.20 and 1356.30).

At this time, however, we have no forthcoming regulations that will prescribe the kinds of living arrangements considered a supervised setting, the parameters of supervision, or any other conditions for youth living independently. Therefore, a title IV-E agency has the discretion to develop a range of supervised independent living settings which can be reasonably interpreted as consistent with the law, including whether or not such settings need to be licensed and any safety protocols that may be needed. For example, a title IV-E agency may determine that when paired with a supervising agency or supervising worker, host homes, college dormitories, shared housing, semi-supervised apartments, supervised apartments or another housing arrangement meet the supervised setting requirement. We encourage the title IV-E agency to be innovative in determining the best living arrangements that could meet an older child's needs for supervision and support as he/she moves toward independence. Further, we note that a title IV-E agency should continue to work with youth who are in supervised independent living settings to form permanent connections with caring adults. This could take the form of determining whether guardianship, adoption or living with other caring adults remains appropriate options for an older youth, and if so, helping the youth to work towards those outcomes.

### Foster Care Maintenance Payments

The title IV-E agency must provide an eligible child a title IV-E foster care maintenance payment consistent with section 475(4)(A) of the Act and 45 CFR 1355.20. The items of cost in the foster care maintenance payment definition in the law and regulations are the same for a youth of any age. Such payments must be paid through a foster parent, child placement or child care agency, a child care institution or the supervised setting as required by section 472(b) of the Act. Foster care maintenance payments must be paid through the provider (i.e., the foster parent or child care institution) or child-placing/caring agency, unless the child is age 18 or older and living independently in a supervised setting in foster care. For a youth age 18 or older living independently in a supervised setting, there may be situations in which no actual provider or other child placing intermediary is involved. In those situations the title IV-E agency may (but is not required to) pay all or part of the foster care maintenance payment directly to the youth.

### Reasonable Efforts to Finalize a Permanency Plan

The provisions of section 472(a)(2)(A)(ii) of the Act and 45 CFR 1356.21(b)(2) which require the agency to obtain a judicial determination that the agency made reasonable efforts to finalize a permanency plan every 12 months apply to a child age 18 or older receiving title IV-E foster care maintenance payments who was removed due to a contrary to the welfare judicial determination

(i.e., a court-ordered placement), but not to a youth removed from home via a voluntary placement agreement. We expect most youth in extended foster care to have a permanency plan of emancipation or independence, and therefore, the agency's efforts toward that goal would include activities outlined in a youth's transition plan and/or case plan. Therefore, we will accept judicial determinations for reasonable efforts to finalize a permanency plan that address the agency's efforts to prepare the child for independence.

Finally, we note that while this finding is a judicial determination, there are no Federal requirements that prescribe the forum in which such findings are made for youth of any age. Accordingly, any duly authorized member of the judiciary consistent with State/Tribal law may make these judicial determinations and they may be done outside of a court hearing.

### Case Review Requirements

The case review requirements in section 471(a)(16) of the Act (which are defined further at section 475(5) of the Act) apply to all children under age 18 who are in foster care, under the placement and care of the title IV-E agency and those children age 18 or older on whose behalf a title IV-E foster care maintenance payment is made. We encourage the title IV-E agency to fulfill these requirements for older youth in a developmentally-appropriate manner which is responsive to a youth's needs. The following list provides some examples of ways in which a title IV-E agency could meet the law's case review requirements for youth age 18 or older:

- Case plans are developed jointly with the youth in foster care and include discussions which reflect the supervised settings, foster family homes or child care institutions the youth believes are consistent with what the youth needs to gain independence. The case plan reflects agreements made between the agency and the youth to obtain independent living skills and the benchmarks that indicate how both know when independence can be achieved (sections 471(a)(16) and 475(1) of the Act; 45 CFR 1356.21(g)).
- Periodic reviews involve youth and focus on whether the youth is safe in his/her placement, whether continued foster care is appropriate, whether appropriate and meaningful independent living skill services are being developed and the progress made towards achieving independence on a projected date. Periodic reviews are held by courts or by an administrative panel of appropriate persons, including at least one of whom is not responsible for case management (sections 475(5)(B) and 475(6) of the Act).
- Permanency hearings are held under conditions that support active engagement of the youth in key decisions. Permanency hearings can be held by a court or by an administrative body appointed or approved by the court. Permanency hearings provide ample time and opportunity for the youth to discuss his/her transition plan (section 475(5)(C) of the Act and 45 CFR 1356.21(h)).
- A title IV-E agency may make appropriate case-by-case decisions about filing petitions for termination of parental rights (TPR) and document such decisions in the case plan. Compelling reasons for not filing a TPR could include that adoption is not the appropriate

permanency goal or that no grounds to file a petition exist for an older child (sections 475(5)(E) and (F) of the Act; 45 CFR 1356.21(i)).

This above list is not exhaustive. See also section C that discusses the transition plan for emancipating youth.

### Caseworker Visits

*Monthly visit standard.* Section 422(b)(17) of the Act requires State and Tribal title IV-B/IV-E agencies to describe standards for monthly caseworker visits with children in foster care. This provision also applies to a youth in foster care age 18 or older per section 475(8)(B) of the Act on whose behalf a title IV-E foster care maintenance payment is made.

Consistent with the law, at a minimum, the standards are to ensure that caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency and well-being of the youth. Visits may be conducted by any caseworker with whom the title IV-B/IV-E agency has assigned or contracted case management or visitation responsibilities and must be held face-to-face. Within these parameters, the agency may determine which caseworkers are appropriate to conduct the visits. We encourage the title IV-E agency to engage youth fully in determining how to balance meeting the youth's needs with the requirement for the caseworker to visit the youth monthly. Further, we support practices which allow the youth and agency to determine jointly the content of the monthly visits. A State agency may use the funding provided under sections 433(e) and 436(b)(4) of the Act to support monthly caseworker visits to youth in foster care, including those age 18 or older. At this time, the law does not authorize this funding to a Tribal agency.

*State caseworker visit data.* States also are required to provide us with data on the percentage of children who are visited by their caseworkers on a monthly basis and establish targets to ensure that 90 percent of children in foster care are visited pursuant to sections 424(e)(1) and (2) of the Act. As all States had already established such baselines in 2007 and their annual targets, and we had previously instructed States to exclude youth age 18 and older from this data report in most circumstances (CWPM 7.3 Q/A #6) we will not require States that opt to extend title IV-E foster care assistance to include youth age 18 or older in such data reporting for Fiscal Year (FY) 2010 or 2011. However, we intend to reconsider this exception if the caseworker data provision is reauthorized or there is any other relevant change in law.

### Other provisions and requirements

We wanted to highlight some other provisions that apply to a youth in foster care age 18 and older receiving title IV-E foster care maintenance payments in response to questions that we have received. This list is not intended to be exhaustive and we encourage the title IV-E agency to work with the CB RO staff for additional clarifications:

*Adoption and Foster Care Analysis and Reporting System (AFCARS).* A title IV-E agency that exercises the option to extend assistance to youth age 18 or older must collect and report data to AFCARS on all youth receiving a title IV-E foster care maintenance payment (45 CFR 1355.40).

*National Youth in Transition Database (NYTD).* A title IV-E agency that exercises the option to extend title IV-E foster care assistance to youth age 18 or older must consider youth receiving a title IV-E foster care maintenance payment as in foster care for the purposes of the NYTD reporting (45 CFR 1356.81).

*Monitoring.* The child and family services review and title IV-E eligibility review samples are drawn from AFCARS, and therefore, will include a child/youth age 18 or older receiving a title IV-E foster care maintenance payment during the period under review (45 CFR 1355.31 – 37 and 1356.71).

*Child of a parent in foster care.* Section 475(4)(B) of the Act requires that foster care maintenance payments for a parent in foster care cover the foster care maintenance costs for the parent's child if that child is placed with the parent in the same foster family home or child care institution. For a title IV-E agency that extends title IV-E foster care assistance to youth age 18 or older, the requirement to cover the costs of the child of the parent in foster care will also apply to the youth age 18 or older in a foster family home, child care institution or supervised independent living setting. Further, consistent with section 472(h)(2) of the Act, a child of the youth in foster care whose costs are covered by the title IV-E foster care maintenance payment is categorically eligible for the title XIX Medicaid program available in the State of residence, regardless of whether the title IV-E agency in the State of residence has also elected to extend title IV-E foster care assistance to youth age 18 or older. See also CWPM Section 8.3A.5.

## **Section C: Transition Plan for Emancipating Youth**

The case review system at section 475(5)(H) of the Act requires that the title IV-E agency caseworker, or other child representatives as appropriate, assist and support a youth in developing a transition plan as he/she ages out of foster care. More specifically, the transition plan must be developed during the 90-day period before the youth attains age 18, or if applicable, before the later age, for a youth in extended foster care per section 475(8)(B) of the Act. Transition planning is for youth of these ages who are in foster care as defined in regulations at 45 CFR 1355.20.

The transition plan must be personalized at the direction of the child, be as detailed as he or she chooses, and include specific options regarding housing, health insurance, education, local opportunities for mentors and continuing support services, work force supports and employment services (section 475(5)(H) of the Act). We encourage the caseworker to include information in the plan relating to sexual health, services, and resources to ensure the youth is informed and prepared to make healthy decisions about their lives.

Further, as the title IV-E agency is aware, this provision prescribes transition plan details at a specific point in the youth's foster care experience, however, the law requires the title IV-E agency to conduct other planning activities for independent living for older youth. In particular:

- Case plans, where appropriate, must include a written or recorded description of the programs and services which will help a child age 16 or older prepare for the transition from foster care to independent living (sections 471(a)(16) and 475(1)(D) of the Act).
- Permanency hearings, in the case of a child age 16 or older, must determine the services needed to assist the child to make the transition from foster care to independent living (sections 471(a)(16) and 475(5)(C)(i) of the Act).

We encourage the title IV-E agency to use these and any other available opportunities to help youth plan for their future and to use the transition plan to build on these earlier planning efforts. The courts can play an important role in monitoring the development of the transition plan.

Further, we note that while the transition plan is developed during a particular period of time prior to aging out of foster care, the title IV-E agency should begin earlier to engage and prepare youth to develop the plan. Therefore, we expect the title IV-E agency to use the time well in advance of the 90-day period to prepare and fully engage a youth in his or her transition plan development. For example, an agency can best prepare the youth to direct their transition plan if the agency informs the youth ahead of time of the transition plan's purpose and importance, how they are expected to participate in the transition plan, who they can invite to the planning sessions to represent their needs, how it is different or similar to other planning activities, what options are available in the topics that must be covered (e.g., housing and health insurance) and how to ask questions that can uncover further information or options that may not have been raised by the agency. An agency could also encourage and support (e.g., through facilitation) the formation of youth peer groups to develop youth-led recommendations on what youth need to know prior to transition planning sessions and how to advocate for themselves.

The transition plan is not required should a youth leave foster care more than 90 days before his 18th birthday or older age designated in the IV-E plan pursuant to section 475(8)(B) of the Act, nor can it be delayed to the age of 18 or older age, as applicable.

Finally, section 2955(a) of the Patient Protection and Affordable Care Act (P.L. 111-148) amends the transition plan requirement effective October 1, 2010. This legislation will also require the transition plan to include information on the importance of designating someone to make health care treatment decisions on behalf of the youth in foster care if the youth is unable to do so and does not have or want a relative who would otherwise be so designated under State/Tribal law to make such decisions. The law provides the child with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State/Tribal law.

#### **Section D: Guardianship Assistance Program**

We have provided guidance in ACYF-CB-PI-10-01 and the CWPM regarding the option for a title IV-E agency to have a Guardianship Assistance Program (GAP). This option remains available to a title IV-E agency at any time that it elects to implement the GAP on a statewide/or service area wide basis per section 471(a)(3) of the Act. We are encouraged by the interest in



this option exemplified by the several title IV-E agencies to date that have chosen to submit a title IV-E plan to provide kinship guardianship assistance. To ensure that all title IV-E agencies are aware of how the GAP may work for its title IV-E program, please note the following additional information:

### Relative Guardians

A title IV-E agency has discretion to define the term “relative” for the purposes of the title IV-E GAP. This means that we will accept a title IV-E plan or amendment that contains a reasonable interpretation of a relative, including a plan that limits the term to include biological and legal familial ties or a plan that more broadly includes Tribal kin, extended family and friends, or other ‘fictive kin.’ Please note that this does not change the statutory and regulatory definition of a “specified relative” as used in sections 472 or 473 of the Act.

We believe it is ideal for the title IV-E agency to use a consistent definition of relative for the GAP and the relative notification provision at section 471(a)(29) of the Act, to the greatest extent possible. This will support the identification and notification of potential relatives and/or other kin, as applicable, who will be informed of their options to care for the child and, if appropriate, receive title IV-E kinship guardianship assistance on the child’s behalf. See also section H on notifying relatives of a child’s placement into foster care.

### Conditions for Guardians or Guardianship

A title IV-E agency has the discretion to establish the conditions in the State/Tribe under which a person may qualify to be a child’s guardian or enter into a legal guardianship arrangement with the title IV-E agency. The criteria in sections 473(d) and 471(a)(20)(C) of the Act are considered eligibility criteria for the title IV-E GAP. For example, a title IV-E agency may:

- Require a child to be in foster care for more than a consecutive six-month period, spend more than six-months living with the relative guardian in foster care, and/or meet the consecutive six-month period immediately prior to the guardianship;
- Target a certain age group for guardianship, such as children over the age of 12;
- Require the relative guardian to inform the agency if the child’s biological parents plan to stay with the guardian on a long term basis; or,
- Require cooperation with child support enforcement regarding the child’s parents.

We note that while all of the above conditions are allowable; when applied as a broad policy they may not always serve an individual child’s best interests. A title IV-E agency that sets policy narrowing the population of children or relative guardians that can be subsidized may be limiting its options to provide permanency for children who would otherwise remain in foster care. Rather, a title IV-E agency could accomplish similar goals of ensuring that guardianship is the appropriate permanency option by either establishing practice-level guidance that clarifies which children or relatives may be best suited for guardianship or otherwise making case-by-case

determinations of the following eligibility criteria in the law (section 473(d)(3)(A)(ii) through (iv) of the Act):

- being returned home or adopted are not appropriate permanency options for the child;
- the child demonstrates a strong attachment to the prospective relative guardian and the relative guardian has a strong commitment to caring permanently for the child; and,
- with respect to a child who has attained 14 years of age, the child has been consulted regarding the kinship guardianship arrangement.

#### Agreement Terms and Payments

The title IV-E agency must enter into guardianship agreements with the prospective guardians of eligible children and include specific terms in those agreements of the amount of payments and manner in which payments may be adjusted pursuant to section 473(d)(1)(A) and (B) of the Act. Agreement terms may include adjusting the guardianship payment amount as the child ages or as needs change, as long as the guardianship payment does not exceed the title IV-E foster care maintenance payment the child would have received if the child had remained in a foster family home (section 473(d)(2) of the Act). Per instruction in ACYF-CB-PI-10-01, the agency may also amend an existing agreement under certain conditions. Once a child is determined eligible for the GAP, payments can continue in accordance with the terms of the GAP agreement, unless the agency determines that one of the following conditions applies to require the termination of assistance under section 473(a)(4) of the Act:

- The title IV-E agency determines the relative guardian(s) are no longer legally responsible for a child under the age of 18.
- The agency determines that the relative guardian(s) are no longer providing any support for a child/youth of any age.
- The child attains age 18, or if applicable, the child:
  - attains the greater age of extended assistance to children in guardianship that the title IV-E agency implemented under section 475(8)(B)(i)(III) of the Act; or
  - attains 21 years of age if the title IV-E agency determined the child has a mental or physical handicap which warrants the continuation of assistance.

Please note that the title IV-E agency may provide title IV-E kinship guardianship assistance payments up to age 21 for a youth who has a physical or mental disability that warrants the continuation of assistance. The agency can continue assistance whether or not the agency has opted to extend title IV-E assistance to a youth age 18 or older for a child in guardianship per section 475(8)(B) of the Act.

The title IV-E agency has the discretion within the above broad parameters to establish how it will evaluate, reevaluate or terminate GAP agreements. For example, a title IV-E agency may establish agreements that:

- Specify how the agency defines whether a guardian is providing “any support to” or remains “legally responsible for the support of” the child so that it is clear under which circumstances the agreement will be terminated;
- allow the agency to suspend or discontinue guardianship assistance payments when a certain event occurs, such as when a child reenters foster care or another out-of-home setting;
- require annual or periodic renewals of agreements that confirm that the guardian continues to provide any support for GAP payments to continue;
- require the guardian to report how a youth age 18 or older meets the educational or employment conditions;
- require the guardian to report how a youth age 18 or older meets conditions for a disability;
- reduce GAP payments when other sources of income are received by the guardian on behalf of the child; and/or,
- clarify that GAP payments may continue to be paid on behalf of the child if the child moves to attend post-secondary school or otherwise lives independently of the guardian, as long as the guardian continues to provide any support to the child.

The above list is not exhaustive. Relative guardians receiving assistance must keep the title IV-E agency informed of circumstances that would make them ineligible for the payments or eligible for the payments in a different amount (section 473(a)(4) of the Act). We note that the flexibilities above are distinct from those of the title IV-E adoption assistance program because the GAP is an optional title IV-E program and there are different statutory language and purposes for each program.

### Siblings and GAP Payments

A title IV-E agency may, but is not required to, make GAP payments pursuant to a kinship guardianship agreement on behalf of each sibling of an eligible child who is placed with the same relative under the same kinship guardianship arrangement if the title IV-E agency and the relative guardian agree that the placement is appropriate (section 473(d)(3)(B) of the Act). For title IV-E GAP payments to be made on behalf of a sibling of an eligible child, the title IV-E agency must enter into a guardianship agreement that meets the requirements of section 473(d)(1) of the Act, including paying the total cost of nonrecurring expenses associated with obtaining legal guardianship of the child to the extent the total cost does not exceed \$2,000, prior to the guardian obtaining legal guardianship of the sibling. The amount of a title IV-E

guardianship assistance payment for a sibling of an eligible child may not exceed the title IV-E foster care maintenance payment the sibling would have received if the sibling had remained, or had the sibling been placed, in a foster family home (section 473(d)(2) of the Act). Per instruction in ACYF-CB-PI-10-01, the agency may also amend an existing agreement under certain conditions.

The sibling is not required to meet the eligibility criteria in section 473(d)(3)(A) of the Act to receive kinship guardianship assistance payments or for the legal guardian to be reimbursed for the nonrecurring expenses related to costs of the legal guardianship of the sibling to the eligible child. The order of sibling placement with the guardian and finalization of the guardianships does not matter.

A title IV-E agency has the discretion to reasonably define sibling for the purposes of the GAP program. This means that we will accept a title IV-E agency's plan amendment that: includes siblings related by biological, marital or legal ties (e.g., inclusive of step-siblings, half-siblings and adoptive siblings); considers as siblings only those children who were removed from the same household; or, limits siblings to those children who were in foster care at the same time and placed in the guardian's home simultaneously. This is not an exhaustive list of the possible options for defining siblings.

For example, a 14-year-old child is in the legal guardianship of his grandmother and has been for the past three years. The 14-year-old was not eligible for the GAP program at the time of the agreement and legal guardianship (for example, because the title IV-E agency did not have a GAP plan at the time or the grandmother was not a licensed foster family home). The grandmother is now a licensed foster family home providing care for the 12-year-old sibling to the 14-year-old child who has been eligible for title IV-E foster care maintenance payments for six consecutive months. The title IV-E agency determines that neither reunification nor adoption is appropriate for the 12-year old and all other eligibility factors are met. The title IV-E agency amends the agreement with the guardian of the 14-year-old to include the 12-year old sibling, and provides a title IV-E GAP payment to the grandmother on behalf of both children once the eligible child's legal guardianship is finalized.

Since the title IV-E agency is required to conduct Federal Bureau of Investigation (FBI) fingerprint-based checks of the National Crime Information Databases (NCID) on the guardian and child abuse and neglect registry checks on the relative guardian and other adults in the home in order to be eligible for GAP payments on behalf of an eligible child, the agency is not required to conduct these checks separately for the eligible child's sibling. A title IV-E agency may, however, conduct additional checks on the guardian if it so chooses.

### Consecutive Months

One of the eligibility criteria for title IV-E kinship guardianship assistance payments is that a child be eligible for title IV-E foster care maintenance payments during at least a consecutive six-month period during which the child resided in the home of the prospective relative guardian who was licensed or approved as a foster family home (section 473(d)(3)(A)(i)(II) of the Act). While the Act does not require title IV-E foster care maintenance payments be paid on behalf of

the child, it does require that such a child meet all eligibility criteria pursuant to section 472(a), (b) and (c) of the Act and 45 CFR 1356.21 while in the home of that fully licensed or approved relative foster parent for a consecutive six-month period.

A child is not required to be eligible for or receive title IV-E foster care maintenance payments for every day in a month for such a month to be considered ‘consecutive’ for the purposes of GAP eligibility. The title IV-E agency can follow our existing policy guidance for title IV-E foster care maintenance payments eligibility to determine whether a child could be eligible in a given month. For example, in the CWPM 8.3B Q/A #7, we explain that an otherwise eligible child who is absent from the home due to running away or hospitalization, among other reasons, for up to 14 days in a month and returns to the same provider is eligible for a title IV-E payment for the entire month, but one who is absent for more than 14 days is eligible for only the portion of the month that he was with the provider. Also, in CWPM 8.3A.4 Q/A #1 we explain the circumstances in which title IV-E foster care eligibility may continue for a child who returns to a foster care placement after an interruption due to detention or hospitalization.

### Medicaid

Please note that the law at section 473(b)(3)(C) of the Act requires that a title IV-E guardianship assistance payment be made to an eligible child, or a sibling to an eligible child, for a child to be categorically eligible for the title XIX Medicaid program available in the child’s State of residence. This means that a payment of any amount must be paid on an ongoing basis (e.g., a dollar each month), for the title XIX Medicaid agency to consider the child categorically eligible for Medicaid.

## **Section E: Enrolling Children in School, Educational Stability and Payments for School Transportation**

### School Enrollment

A title IV-E agency must assure in the title IV-E plan that each child receiving a title IV-E payment who has attained the age for compulsory school attendance is a full-time elementary or secondary student in a school, in an authorized independent study program, or is being home schooled consistent with the law of the State or other jurisdiction in which the school, program or home is located. Alternatively, the title IV-E agency must assure that such a child has completed secondary school or is incapable of attending school full time due to a medical condition as established in section 471(a)(30) of the Act.

To be considered a full-time student at a school, the child has to be enrolled or in the process of enrolling in the school. We encourage the title IV-E agency to work with their local educational agency to identify and address any barriers to expeditious enrollment in schools for children and consider further efforts that may be necessary to enroll children who must be moved across jurisdictions. For example, a title IV-E agency may address school enrollment by creating an “education passport” or an education file for the child which includes all essential documents needed to enroll the child in a school. It may also be helpful for a title IV-E agency to identify

those who have expertise on educational issues who can serve as points of contact and may aid in the continuity of services when addressing educational stability for children in foster care. The courts can also play an important role in educational stability.

If a child in foster care is incapable of attending school full time due to a medical condition, the title IV-E agency must regularly (as determined by the title IV-E agency) document and update the incapability in the child's case plan. The agency should update the status of the child's medical condition whenever the child's case plan is updated. The title IV-E agency is not required to develop a case plan for an adopted child or a child under a guardianship solely for the purpose of documenting the child's medical condition and therefore, the agency may determine whether and how to document the child's medical condition.

This is a title IV-E plan requirement, and therefore, does not place conditions on a child's title IV-E eligibility. A title IV-E agency has the flexibility to determine how to assure that it is meeting these requirements, the frequency of any procedures for doing so, and how the requirements are documented (see CWPM section 8.4 Q/A #3). As part of this assurance, we encourage an agency to work to ensure that children are not only enrolled, but are in fact attending school. This could be accomplished by documenting children's attendance or establishing methods to identify patterns of chronic absence from school. We also encourage the title IV-E agency to monitor the progress the child is making in school consistent with case plan requirements in section 475(1)(C) of the Act.

### Educational Stability

A title IV-E agency is required to include a plan for ensuring the educational stability of a child in foster care in the child's case plan as established in section 475(1)(G) of the Act. The plan must include:

- 1) an assurance that the child's placement in foster care takes into account the appropriateness of the current educational setting and the proximity to the school the child was enrolled in at the time of placement; and,
- 2) an assurance that the title IV-E agency has coordinated with the local education agency or agencies to ensure the child can remain in that school, or if remaining in that school is not in the best interests of the child, an assurance to enroll the child immediately in a new school with all of his or her educational records.

These assurances relate to the circumstances at the time of the child's initial placement into foster care, however, we encourage the title IV-E agency to update educational stability plans whenever a child changes schools during his/her stay in foster care. As part of the update process, the agency should determine if remaining in the same school is in the child's best interests. If it is in the child's best interests, the agency should coordinate with the local education agency to ensure the child can remain in the same school. If remaining in the same school is not in the child's best interests, the agency should coordinate with the local education agency to ensure that the child is immediately enrolled in a new school. While we are not setting specific time limits for enrollment, we expect the title IV-E agency to assure that children are

enrolled or re-enrolled without delay both when the child is initially placed into foster care and, when applicable, each time the child is moved to a different foster care placement.

Section 475(1)(G) of the Act is a case plan requirement that falls under the guidance provided in 45 CFR 1356.21(g), and as such, the educational stability plan must be a written part of the child's case record which is jointly developed with the child's parents or guardians no later than 60 days after a child's removal from the home, and every six months thereafter. We encourage the title IV-E agency to specify the parties other than the caseworker and the child's parents who should participate in discussions or decisions related to the educational stability plan. For example, the agency could delineate the circumstances in which the youth, school personnel or education advocates, foster parents, the child's attorney, guardian ad litem, and other persons involved in case planning for the child are a part of the educational stability planning process. If the agency determines that it is not in the child's best interests to remain in the same school, the rationale for this decision must be documented in the case plan. We encourage the title IV-E agency to develop a standard and deliberate process for determining best interests for this provision, guiding who is responsible for decision-making, and properly documenting the steps taken to make the determination.

The title IV-E agency is vested with the responsibility for making individual placement decisions on a case-by-case basis on behalf of a child in foster care. As such, we realize that the agency will be balancing the child's needs for proximity to the family, the available foster care resources, along with the appropriateness of the child's current educational setting, among other things. The title IV-E agency also has the flexibility to determine which factors will be examined in determining whether remaining in the school of origin is in the child's best interests. Some examples of factors the agency may consider are: the child's preference to change schools or remain in the current school; the safety of the child; and the appropriateness of educational programs in the current school or another school and how each school serves or can serve the child's needs (including special education and other interests). It should be noted that the cost of school transportation should not be a factor in determining the best interest of the child for school selection. (See *Payments for School Transportation* below.)

#### Payments for School Transportation

The definition of foster care maintenance payments now includes the cost of reasonable travel for the child to remain in the same school he or she was attending prior to placement in foster care (section 475(4) of the Act). The payment may include these costs regardless of whether the child is in his or her initial foster care placement or subsequently moves to another foster care placement. The title IV-E agency has the discretion to determine what is considered reasonable travel in examining factors such as cost, distance, and length of travel. As with any cost enumerated in the definition of foster care maintenance payments in section 475(4) of the Act, the title IV-E agency may decide which of the enumerated costs to include in a child's foster care maintenance payment. The title IV-E agency may include the cost of reasonable travel for the child to remain in the same school in the child's foster care maintenance payment paid to the child's provider or may make a separate payment directly to the transportation provider. In addition, transportation costs associated with the child's attendance at his or her school of origin remain allowable administrative costs under title IV-E because such transportation is related to

case management and is therefore necessary for the proper and efficient administration of the title IV-E plan (see CWPM section 8.1B and 45 CFR 1356.60(c)(2)).

## **Section F: Health Care Oversight and Coordination Plan**

As part of the title IV-B plan, State and Tribal agencies are required to develop a plan for ongoing oversight and coordination of health care services for children in foster care, including mental health and dental health needs, in coordination with the State Medicaid agency, pediatricians, general practitioners and specialists (for example, obstetrics and gynecology (OB/GYN) doctors), other health care experts and child welfare experts (section 422(b)(15) of the Act). The plan must include an outline of a schedule for initial and follow-up health screenings (inclusive of age-appropriate sexual health screenings for youth); how medical information for children will be updated and shared (which may include the development of an electronic health record); steps to ensure the continuity of health care services (which may include the establishment of a medical home for every child in care and, as appropriate, a plan to transition from pediatric care); the oversight of prescription medicines; and how the agency actively consults and involves physicians and other professionals in assessing the health and well-being of children in foster care and in determining appropriate medical treatment for the children.

As part of the Child and Family Services Plan, the agency is required to submit a copy of the health care oversight and coordination plan, and provide an explanation of how health care experts were selected and how they and the Medicaid agency were involved in developing the health care oversight and coordination plan (ACYF-CB-PI-09-06 and ACYF-CB-PI-09-07). While we expect the agency to establish a health care oversight and coordination plan to fully comply with the statutory requirements, no changes have or will be made in connection with this requirement to the Round 2 Child and Family Service Review (CFSR) items for Well-Being Outcome 3 (children receive adequate services to meet their physical and mental health needs).

In general, a title IV-B agency has flexibility in how to implement the specific requirements of the plan and to decide whether to implement a single, agency-wide health care monitoring entity as part of this plan or put into place another mechanism to allow the agency to oversee and coordinate health care for children in foster care. The agency must include a schedule for health screenings that meets standards of medical practice. The schedule should mirror or incorporate elements of existing professional guidelines for physical, mental, and dental health screenings and standards of care into the plan to meet this requirement. In addition, as part of the plan for responding to the mental health needs of children and for providing oversight for prescription medicines, we encourage the agency to pay particular attention to oversight of the use of psychotropic medicines in treating the mental health care needs of children. We also encourage the agency to think about the needs that may be unique to particular populations. For example, for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth, the agency could include steps in the plan to ensure that such youth receive competent, affirming, and confidential mental health and medical services.



The agency must include the health records of each child in foster care in the child's case plan, including the names and addresses of the child's health providers, a record of immunizations, the child's known medical problems, medications and other relevant health information (section 475(1)(C) of the Act). In addition, the agency must ensure that each child's health records are reviewed and updated at the time of each placement of the child in foster care and that such records are supplied to the foster parent or foster care provider with whom the child is placed at the time of each placement and at no cost to the child if the child exits foster care through emancipation (section 475(5)(D) of the Act). Therefore, we expect the agency to take an active role in both coordinating appropriate health care and maintaining regularly updated medical records for children in foster care. The courts can play an important role in health oversight and coordination.

Finally, the agency should be aware that section 2955(c) of P.L. 111-148 amends the health care oversight and coordination plan effective October 1, 2010. The amendments require the title IV-B/IV-E agency to outline in the health care oversight and coordination plan the steps the agency will take to meet the health care components (i.e., options for health insurance and health care treatment decisions) of the transition plan development process for youth aging out of foster care in section 475(5)(H) of the Act. We will provide guidance at a later date on this provision.

### **Section G: Sibling Placement**

Under section 471(a)(31) of the Act, a title IV-E agency must make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or to facilitate frequent visitation or ongoing interactions (for example, letters, phone calls, text, email and other electronic communication) for those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so. If the agency determines that the siblings cannot be placed together and/or cannot have frequent visitation, the agency must document the reasons that it is contrary to the safety or well-being of the siblings to be placed together or to have frequent visitation. We encourage the agency to develop standard protocols for caseworkers to use in making decisions about when it would be contrary to a child's well-being or safety to place siblings together or provide for frequent visitation. A standard decision making tool could assist workers with guidelines in making this important decision, and address difficult situations, such as a sibling's refusal for visitation. We also encourage the agency to periodically reassess sibling visitation and placement decisions in cases where siblings are separated or not visiting to determine if a change is warranted.

At this time, we have no plans to issue regulations or policy that will define siblings or sibling groups, therefore, a title IV-E agency has the flexibility to define these terms for the purpose of this provision. (See also Section D of this document.) A title IV-E agency may establish its own standards for visitation and contact between siblings consistent with the law; however, sibling visitation or other ongoing interactions must be frequent. The agency can determine the most appropriate settings for visitations and protocols for supervision. For example, the facilitation of visits and ongoing interactions may be through other relatives, foster parents or mentors. We expect decisions on the frequency of sibling visitation and contact to be on a case by case basis, however, frequently means at least monthly.

We expect the agency will revisit its existing sibling visitation and placement policies to determine if there are ways to bolster them to ensure that siblings are always placed together unless there is a bona fide safety or well-being concern that prevents placement together or frequent visitation. We also encourage the agency to review their foster family home recruitment strategies to determine if there are ways to increase the number of resource homes available for sibling groups. The courts can play an important role in sibling placement and sibling visitation.

## **Section H: Notifying Relatives**

A title IV-E agency must have a mechanism in place to exercise due diligence to identify and notify all adult relatives of a child's removal from his parents within 30 days of that removal (subject to exceptions due to family or domestic violence) (section 471(a)(29) of the Act). The notice must specify that the child has been or is being removed from the custody of the parent, the relative's options to participate in the care and placement of the child (pursuant to Federal, State and local law), any options that may be lost by not responding to the notice, the agency's requirements for becoming a foster family home and the additional services and supports for children in foster family homes. If the title IV-E agency has elected to operate a title IV-E guardianship assistance program, the notice also must describe how a relative guardian may receive such assistance on the child's behalf. We encourage the agency to develop protocols for caseworkers that describe the steps that should be taken to identify and notify relatives when a child is removed from his or her home. Further, we encourage the agency to go beyond this requirement to specify ways to identify and work with relatives when the agency first becomes involved with a child at risk of removal.

The title IV-E agency has the flexibility to determine what constitutes "due diligence" and when exceptions are appropriate. The title IV-E agency also has discretion to determine the scope of the terminology "all other adult relatives" and may also consult with the youth in identifying relatives. However, to the extent that it is practical, we suggest that the agency use the same definition of "relative" for the relative notification provision and the title IV-E guardianship assistance program option (if the agency elects the guardianship option). We realize this approach may not work for all agencies; however, we want to encourage practices that would lead to early identification of relatives who could be potential guardians if reunification or adoption is ruled out. Further, the title IV-E agency may determine the method to use to provide relative notification of a child's removal, as long as that notification meets the specifications of the provision outlined above. We encourage the notice to be made via several different methods, such as in writing and orally. We also encourage the agency to carefully examine existing protocols for notifying relatives in the context of this provision to determine if there are ways to improve the agency's relative notification process generally, or in relation to specific groups of relatives, e.g., noncustodial parents and paternal relatives. The courts can play an important role in relative notification. This provision to notify relatives does not alter or supersede in any way the notice provisions of the Indian Child Welfare Act of 1978 (25 U.S.C 1912).

## **Section I: Waiving Non-Safety Licensing Standards for Relatives**

Section 471(a)(10) of the Act permits the title IV-E agency to waive, on a case-by-case basis, a State/Tribal non-safety licensing standard for a relative foster family home. A title IV-E agency has the discretion to determine what constitutes a non-safety standard for the purpose of meeting this requirement. A State or Tribe also has the discretion to establish licensing standards as long as they are applied equally (see ACYF-CB-IM-01-05). We expect the reason for the waiver to be clearly documented in the licensing/approval record for the relative foster home and the certification of licensure/approval to indicate its applicability to the specific relative child (see CWPM 8.3A.8c Q/A #1).

While the title IV-E agency has discretion to establish licensing standards and to determine which licensing standards are considered non-safety standards, the agency must still adhere to the Federal requirements under section 471(a)(20) of the Act (concerning criminal background and child abuse and neglect checks for relative foster and adoptive parents, and guardians, and disqualifying crimes).

Existing policy allows a title IV-E agency to claim title IV-E reimbursement on behalf of an otherwise eligible child when a State/Tribe's licensure requirement is met through a "variance." For title IV-E purposes, a "variance" is a mechanism that allows the State/Tribe to meet a standard for licensure in a way other than that specified in the State or Tribe's rule that governs licensure. A "variance" is acceptable on a case-by-case basis only if the State/Tribe has the authority to permit "variances," the purpose of the State/Tribe's licensing standard is achieved, and the safety of the child is maintained (see CWPM 8.3A.8c Q/A #14). A "variance" is different from a waiver in that it constitutes an alternative equivalent method to meet the standard, whereas a waiver disregards a set of specified requirements. For example, a "variance" may be granted when a foster family's well does not have potable water, and the family purchases bottled water for drinking. The "variance" from the original rule still meets the licensing requirement that the home is able to provide safe drinking water.

We encourage the title IV-E agency to use a variety of means to ensure that, when appropriate, relatives are able to meet licensing standards and provide a foster family home to a child safely. Relative foster parents are essential in keeping sibling groups together and for a title IV-E agency that has a GAP program, a licensed/approved relative allows an eligible child to move to permanency with the support of a subsidized guardianship, if appropriate. For example, a title IV-E agency may use title IV-E administrative funds to assist a relative foster family home to become licensed without the need for a waiver. The agency may claim administrative funds pursuant to section 472(i) of the Act for a child placed in a relative foster home whose application for licensure is pending. Further, policy allows a title IV-E agency to claim title IV-E administrative costs for items such as beds, cribs, and smoke detectors that are needed in order to license or approve a foster family home, but not for the costs of construction and renovation (CWPM 8.1 Q/A #3). Examples of the ways in which title IV-E agencies have waived non-safety licensing standards will be available in the Report to Congress on licensing standards for relatives, as mandated by section 104(b) of the Fostering Connections to Success and Increasing Adoptions Act of 2008.

## **Section J: Adoption Assistance, Reinvestment, and Adoption Tax Credit**

### Adoption Assistance Eligibility

We have provided guidance in ACYF-CB-PI-09-10 on the revised eligibility criteria for the title IV-E adoption assistance program. Consistent with that guidance, a title IV-E agency must determine a child's eligibility for title IV-E adoption assistance based on whether the child is either an "applicable child" or not an "applicable child." Two sets of eligibility criteria will continue until Federal fiscal year (FFY) 2018, when the eligibility criteria related to a child who is not an "applicable child" is phased out. We provide additional clarification below of the "applicable child" criteria.

*Applicable child criteria.* For the upcoming FFY 2011, which begins on October 1, 2010, an "applicable child" includes:

- a child who will reach age 14 or older any time before the end of FFY 2011 and for whom an adoption assistance agreement is entered into during the FFY.
- a child who has been in foster care under the responsibility of the title IV-E agency for 60 consecutive months. The 60 consecutive-month period is any 60 consecutive months prior to the finalization of the adoption. We will not prescribe how a title IV-E agency must calculate this period. The title IV-E agency is responsible for adhering to a reasonable method of calculating the consecutive-month period for the purposes of this provision.
- a child who is a sibling of an "applicable child" by virtue of age or time in foster care and is placed in the same adoption arrangement as his/her sibling. We will not prescribe who is a sibling; rather the title IV-E agency may define "sibling" in a reasonable manner for the purposes of the adoption assistance program.

A title IV-E agency that identifies an "applicable child" as above must apply the applicable child eligibility requirements, inclusive of the special needs criteria, as described in section 473(a)(2)(A)(ii) of the Act. Most notably, the title IV-E agency may not apply AFDC eligibility criteria to a child who is an "applicable child." For each subsequent fiscal year, the age for an "applicable child" decreases by two years (i.e., age 12 in FFY 2012). We encourage the title IV-E agency to begin planning for children who will be eligible in coming years as the requirements are phased in.

Please note that if a child does not meet the "applicable child" definition in section 473(e) of the Act in the FFY in which the title IV-E agency enters into an adoption assistance agreement at the time of or prior to finalization, there is no opportunity for such a child to be determined title IV-E eligible as an "applicable child" during that adoption. As adoption assistance agreements under title IV-E must be in effect at the time of or prior to the finalization of adoption (45 CFR 1356.40(b)(1)), terminating an adoption assistance agreement done at the time of or prior to finalization and entering into a new agreement when the child turns an older age, will not result in title IV-E eligibility.

*Assistance to adopted youth ages 18 to 21 with disabilities.* P.L. 110-351 made conforming changes to section 473(a)(4) of the Act to restate that a title IV-E agency can continue title IV-E adoption assistance to youth between the ages of 18 and 21, if the title IV-E agency determines that the youth has a mental or physical disability that warrants the continuation of assistance. The agency may continue the payment whether or not the title IV-E agency provides extended assistance to adopted youth age 18 or older per section 475(8)(B) of the Act, the adoption assistance agreement was entered into after the youth attains age 16, or the youth meets the employment and education conditions of such extended assistance. The agency may provide continued payments to such a youth with a disability by amending the adoption assistance agreement at any time prior to attaining age 18.

*Extended adoption assistance to youth age 18 or older.* A title IV-E agency that provides extended adoption assistance under the option (to youth for whom the agency entered into an initial adoption agreement after the youth attained age 16) must terminate payments when the youth attains an older age as elected by the agency per section 473(a)(4)(A)(i)(I) of the Act. However, a title IV-E agency may provide a payment up to age 21 for any child that has a disability which warrants continued assistance as described above whether or not the agency takes the option.

*Application of current policy and regulations.* To the extent not superseded by the law, existing regulations and policy for the title IV-E adoption assistance program apply equally to both a child who is an applicable child and one who is not an applicable child. In particular, a title IV-E agency must provide adoption assistance to any eligible child; may not target the adoption assistance to a subset of eligible children; and may not terminate adoption assistance for reasons other than those provided in law. Please see CWPM Section 8.2 for further clarifications.

### Reinvestment of Adoption Savings

A title IV-E agency must spend any savings generated from implementing the revised adoption assistance eligibility criteria on child welfare services provided under titles IV-B and IV-E (section 473(a)(8) of the Act). The agency must provide a certification that this requirement is being met in the title IV-E plan (see ACYF-CB-PI-09-08). A title IV-E agency has the flexibility to determine the methodology for calculating savings and is not required to provide a specific accounting of funds to ACF. At this time, we are not issuing further policy in relation to the provision.

### Adoption Tax Credit

A title IV-E agency must have a mechanism in place to inform prospective adoptive parents of children in foster care of the Federal adoption tax credit under section 23 of the Internal Revenue Code of 1986 (26 U.S.C. 23) (section 471(a)(33) of the Act). The adoption tax credit is a tax credit for qualifying expenses paid to adopt an eligible child (including a child with special needs). Qualifying expenses may include reasonable and necessary adoption fees, court costs, attorney fees, traveling expenses (including amounts spent for meals and lodging while away from home), and other expenses directly related to and for which the principal purpose is the legal adoption of an eligible child.

The title IV-E agency has the flexibility to determine how it will inform prospective adoptive parents of a child in foster care of the tax credit. For example, an agency may develop fliers or letters in which to inform prospective adoptive parents. However, it may be prudent for the agency to notify prospective adoptive parents to consult a tax professional when determining their eligibility for the tax credit. Information about the adoption tax credit, eligibility, and the forms needed for filing are also available on the Internal Revenue Service's (IRS) website (<http://www.irs.gov/>).

## **Section K: Indian Tribes and Title IV-E**

We are pleased that at least one Tribe has submitted a title IV-E plan for review and that several Indian Tribes have received the first development grants that put them on a path towards submitting a title IV-E plan within two years of the grant award. As we learn from these initial grantees about their experiences and information needs in developing a title IV-E plan, we anticipate providing additional guidance that can assist any Indian Tribe that is interested in operating a title IV-E program directly and/or a title IV-E agreement with a State.

### Title IV-E Plans

As indicated in prior guidance, Federally-recognized Indian Tribes, Tribal organizations and Tribal consortia may submit a title IV-E plan to us at any time (ACYF-CB-PI-09-08 and ACYF-CB-IM-08-03). To prepare for the submittal of a Tribal title IV-E plan, each year there will be an opportunity for additional Indian Tribes to apply for the one-time grants to develop a title IV-E program. Title IV-E program development grants may be used by the Indian Tribe for any costs attributable to meeting the requirements for approval of a Tribally-operated title IV-E plan, including: development of a data collection system; development of a cost allocation methodology; and, establishing Tribal agency and court procedures necessary to meet the case review requirements in the law (section 476(c)(2)(A)(iii) of the Act). Announcements of the development grant opportunity will be made via [www.grants.gov](http://www.grants.gov).

Indian Tribes do not need to apply for or receive a development grant in order to submit a title IV-E plan to CB. Indian Tribes may solicit the assistance of CB RO staff and our technical assistance partners to understand the plan requirements of titles IV-B and IV-E, obtain insight into how to develop and operate a title IV-E plan and program, and/or to develop title IV-E agreements with States.

### Title IV-E Agreements and Negotiating State and Tribal Agreements in Good Faith

A title IV-E agency is required to negotiate in good faith with any Indian Tribe, Tribal organization or Tribal consortium in the State that requests to develop an agreement with the State title IV-E agency to administer a title IV-E program on behalf of Indian children who are under the authority of the Tribe, Tribal organization, or Tribal consortium (section 471(a)(32) of the Act). We encourage States and Indian Tribes to work together to enter into or revise existing title IV-E agreements or contracts as needed to ensure that Indian children have the same access to the title IV-E program as any other child. This may include offering technical assistance on

the State's title IV-E program, such as the title IV-A State plan as in effect on July 16, 1996, proper documentation of claims, or other areas.

While CB has not specifically defined what constitutes negotiating "in good faith," at a minimum this provision ensures that all parties have an opportunity to contribute to the development of title IV-E agreements. If a State presents a Tribe with a title IV-E agreement without providing the Indian Tribe an opportunity for input or otherwise proposes revisions to the title IV-E agreement, it is not consistent with the provision. States and Indian Tribes have discretion to craft arrangements that work best for the parties to a title IV-E agreement or contract (see CWPM Sections 8.1G and 9.4). Again, we are ready to provide assistance to States and Indian Tribes interested in the development or renegotiation of these arrangements through CB RO staff and our technical assistance partners. For example, this may include Tribes communicating through the CB sponsored Tribal listserv and providing peer-to-peer assistance among Tribes that have instituted a title IV-E program and plan or entered into a title IV-E agreement.

### Interim Final Rule

An interim final rule is forthcoming, as required by P.L. 110-351, section 301(e). This interim final rule will carry out the amendments made to title IV-E of the Act to authorize Indian Tribes to directly-operate title IV-E programs. The law specifically requires that we develop and codify procedures in an interim final rule to ensure that a transfer of responsibility for the placement and care of a child under a State title IV-E plan to a Tribal title IV-E plan or to an Indian Tribe with an agreement or contract under title IV-E does not affect the child's eligibility for title IV-E or title XIX Medicaid. Further, the law requires that we address in interim rules the types and amounts of in-kind expenditures that Indian Tribes may claim under a title IV-E plan. We anticipate that the interim final rule will address some of the questions and comments that we have heard from Indian Tribes during consultation sessions. However, Indian Tribes may submit a title IV-E plan at any time regardless of when these rules are published.

### **Section L: Short-Term Training**

As we have described in previous guidance, under section 474(a)(3)(B) of the Act, a title IV-E agency may claim for the short-term training of certain categories of trainees including: current or prospective foster or adoptive parents and the members of the staff of licensed or approved child care institutions providing care to foster and adopted children receiving assistance under title IV-E, in ways that increase the ability of current or prospective parents, staff members, and institutions to provide support and assistance to foster and adopted children at a Federal Financial Participation (FFP) rate of 75 percent. Under P.L. 110-351, a title IV-E agency may now also claim the cost of short-term training for additional categories of trainees including: relative guardians (if the title IV-E agency has opted to offer a title IV-E guardianship assistance program), members of licensed or approved child welfare agencies providing services to children receiving assistance under title IV-E, members of the staff of abuse and neglect courts, agency attorneys, attorneys representing children or parents, guardians ad litem, or other court-appointed special advocates representing children in the proceedings of such courts in ways that increase

their ability to provide support and assistance to title IV-E eligible children (see CWPM 8.1 H, Q/A #1). The FFP rate for these additional categories is phased in as follows: 60 percent in FY2010, 65 percent in FY2011, 70 percent in FY2012 and 75 percent in FY2013 and forward. A title IV-E agency may determine the best way to deliver training, which may include collaborating with these groups to determine whether joint training best meets the needs of these groups and the title IV-E agency.

All existing regulations in 45 CFR 1356.60(b) and (c) apply to a title IV-E agency claiming for the additional categories of trainees. A title IV-E agency has discretion to determine which child welfare agencies are considered licensed or approved for the purpose of this provision. Consistent with existing policy, a wide range of topics for short-term training are allowable as long as the training is closely related to one of the examples cited in 45 CFR 1356.60(c)(1) and (2) as allowable administrative activities under the title IV-E program (see CWPM 8.1H, Q/A #8). Some of these topics that may be relevant to the P.L. 110-351 amendments include: independent living and the issues confronting adolescents preparing for independent living consistent with section 477(b)(3)(D) of the Act; contract negotiation, monitoring or voucher processing related to the title IV-E program; effects of separation, grief and loss, child and adolescent development (including pregnancy prevention, healthy relations, and sexual health), visitation, trauma, and exposure to violence; negotiation and review of adoption assistance agreements; permanency planning, including using kinship care as a resource for children involved with the child welfare system; and social work practice, such as family-centered practice, cultural competency (including issues for LGBTQ youth), and social work methods including assessments.

## **Section M: Funding and Administrative Costs**

Where allowable, a title IV-E agency may claim the cost of implementing these provisions (with the exception of section 422(b)(15) of the Act, the Health Care Oversight and Coordination Plan) as title IV-E administrative costs under sections 474 and 472(i) of the Act. Any such costs claimed must be pursuant to a public assistance cost allocation plan (PACAP), a pending PACAP in some situations (45 CFR 95.515), or a Tribal plan identifying the indirect costs and other administrative costs that will be allocated and claimed under the title IV-E program, as applicable. A title IV-E agency may need to amend an existing cost allocation plan to claim these costs. Please refer to CWPM section 8.1 for further guidance on what administrative costs may be claimed. The following list provides examples of some types of administrative costs related to these provisions that may be claimed:

- A title IV-E agency that implements the option to provide title IV-E payments to youth age 18 or older may claim the allowable administrative and training costs per the statute at 474(a)(3) of the Act and regulations at 45 CFR 1356.60(c). (See sections A and B above.)
- A title IV-E agency may claim allowable administrative costs associated with transition planning as it is part of the youth's case plan per section 471(a)(16) of the Act. (CWPM 8.1B Q/A #17). (See section C above.)



- A title IV-E agency may claim as an allowable administrative cost the cost of transporting siblings removed from their home and not jointly placed (regardless of whether these siblings are in foster care, guardianship or adopted) to sibling visits and can also claim incidental costs associated with such visits, such as the costs of the siblings' meals during such visits. (See section G above.)
- A title IV-E agency may claim allowable administrative costs associated with improving existing agency protocols for locating and notifying relatives of children entering title IV-E foster care. (See section H above.)
- States and Tribes with an approved title IV-E plan may claim allowable administrative costs associated with the good faith negotiation of title IV-E agreements. (See section I above.)

## **Section N: Instructions for Amending the Title IV-E Plan**

By December 31, 2010, each title IV-E agency must submit to ACF sections 2 and 3, and if applicable, sections 4 and 6 of the title IV-E pre-print and applicable certifications (as listed below) to amend its title IV-E plan. The title IV-E agency is required to submit sections 2 and 3 of the pre-print, even if the title IV-E agency is not electing the option to change the definition of "child" because the submitted amendments must clearly reflect the title IV-E agency's definition of "child" and otherwise conform to the statutory changes made by P.L. 110-351 and P.L. 111-148, effective October 1, 2010. In addition, if the title IV-E agency wants to extend assistance beyond age 18 but select a definition of "child" lower than age 21 (i.e., age 19 or 20), the title IV-E agency must sign and submit the corresponding certification in Attachment VI with the title IV-E plan amendment to the RO. In completing the pre-print, the title IV-E agency must clearly record the applicable statutory, regulatory or policy references and citations for the affected Federal requirements. Alternatively, the title IV-E agency may submit the same information as described here in its own format. The title IV-E agency must submit the completed sections (by December 31, 2010) to the appropriate CB Regional Program Manager for approval as follows (see Enclosure). The agency may revise its definition of "child" at any subsequent time.

- Section 2 – Foster Care Maintenance Payments Program: Case Plan and Definition of Child
- Section 3 – Adoption Assistance Program: Payments – Amount and Conditions; and, Definition of Child
- Section 4 – General Program Requirements: Standards of Foster Family Homes and Child Care Institutions (required only for a title IV-E agency that selects a definition of child age 18 or older)
- Section 6 – Guardianship Assistance Program Option: Payments; and, Definition of Child (required only for a title IV-E agency with a GAP plan)
- Attachment I – Certification signed by the official submitting the plan
- Attachment II – Governor/Tribal Leader's Certification
- Attachment VI – Section 475(8) State/Tribal Certification (required only for a title IV-E agency that selects a definition of child of age 19 or 20)

Only the revised sections of the pre-print are attached and the new requirements/modified language are indicated as bolded text. The title IV-E agency must submit copies of referenced material to document compliance for any cited statute, regulation, policy and procedure that purports to implement section 475(8) of the Act. The title IV-E agency must submit the plan amendment electronically or on a compact disk. Where the agency is unable to submit electronic signatures for purposes of certification, it may submit the appropriate pages with original signatures.

**Inquiries:** Children's Bureau Regional Program Managers

/s/

Bryan Samuels  
Commissioner

Attachments

A – Title IV-E Preprint Amendments

B – Single Resource on Fostering Connections, updated 6/7/10

C – CB Regional Office Program Managers

OMB Approval No. 0980-0141  
Expiration Date: 10/31/2012

**AGENCY PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT  
FOSTER CARE AND ADOPTION ASSISTANCE  
STATE/TRIBE OF \_\_\_\_\_**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
CHILDREN'S BUREAU  
**July 2010**

**SECTION 1. ORGANIZATION**

- A. DESIGNATION AND AUTHORITY OF STATE/TRIBAL AGENCY
- B. STATE/TRIBAL AGENCY STRUCTURE AND FUNCTION
- C. STATE OR SERVICE AREA WIDE OPERATIONS
- D. COORDINATION WITH TITLES IV-A AND IV-B PROGRAMS
- E. CHILD SUPPORT ENFORCEMENT FOR CERTAIN CHILDREN IN FOSTER CARE

**SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS**

- A. ELIGIBILITY
- B. VOLUNTARY PLACEMENTS (OPTION)
- C. PAYMENTS
- D. CASE REVIEW SYSTEM**

- E. MEDICAL AND SOCIAL SERVICES
- F. SPECIFIC GOALS IN STATE/TRIBAL LAW
- G. PREVENTIVE AND REUNIFICATION SERVICES
- H. TERMINATION OF PARENTAL RIGHTS
- I. DATE CHILD CONSIDERED TO HAVE ENTERED FOSTER CARE
- J. DOCUMENTATION OF JUDICIAL DETERMINATION
- K. TRIAL HOME VISITS
- L. TRAINING

**M. DEFINITION OF CHILD**

**SECTION 3. ADOPTION ASSISTANCE PAYMENTS**

- A. ELIGIBILITY
- B. PAYMENTS - AMOUNTS AND CONDITIONS**
- C. ADOPTION ASSISTANCE AGREEMENT
- D. MEDICAID AND SOCIAL SERVICES
- E. ELIGIBILITY FOR ADOPTION INCENTIVE FUNDING
- F. ADOPTION TAX CREDIT

**G. DEFINITION OF CHILD**

**SECTION 4. GENERAL PROGRAM REQUIREMENTS**

- A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS**
- B. REVIEW OF PAYMENTS AND LICENSING STANDARDS
- C. FAIR HEARINGS
- D. INDEPENDENT AUDIT
- E. CHILD ABUSE AND NEGLECT
- F. TIMELY INTERSTATE PLACEMENT OF CHILDREN
- G. REMOVAL OF BARRIERS TO INTERETHNIC ADOPTION
- H. KINSHIP CARE
- I. SIBLING PLACEMENT
- J. SAFETY REQUIREMENTS

- K. INTERJURISDICTIONAL ADOPTIONS
- L. QUALITY STANDARDS
- M. COMPULSORY SCHOOL ATTENDANCE
- N. VERIFICATION OF CITIZENSHIP OR IMMIGRATION STATUS

## **SECTION 5. GENERAL PROVISIONS**

- A. PERSONNEL ADMINISTRATION
- B. SAFEGUARDING INFORMATION
- C. REPORTING
- D. MONITORING
- E. APPLICABILITY OF DEPARTMENT-WIDE REGULATIONS
- F. AVAILABILITY OF PLANS
- G. OPPORTUNITY FOR PUBLIC INSPECTION OF CFSR MATERIALS
- H. NEGOTIATION WITH INDIAN TRIBES

## **SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION**

- A. ELIGIBILITY
- B. PAYMENTS**
- C. AGREEMENTS
- D. SAFETY
- E. MEDICAID AND SOCIAL SERVICES
- F. TITLE IV-E GUARDIANSHIP ASSISTANCE PROGRAM PLAN REQUIREMENTS
- G. DEFINITION OF CHILD**

## **SECTION 7. TRIBE OPERATED IV-E PROGRAM REQUIREMENTS**

- A. GENERAL PROGRAM REQUIREMENTS
- B. SERVICE AREA AND POPULATIONS
- C. NUNC PRO TUNC AND FOSTER CARE ELIGIBILITY REQUIREMENTS
- D. LICENSING STANDARDS FOR TRIBAL FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS

E. IN-KIND EXPENDITURES FROM THIRD-PARTY SOURCES

**ATTACHMENT I: CERTIFICATION**

**ATTACHMENT II: GOVERNOR/TRIBAL LEADER'S CERTIFICATION**

**ATTACHMENT III: STATE ASSURANCES**

**ATTACHMENT IV: 479B TRIBAL ASSURANCES**

**ATTACHMENT V: 479B TRIBAL CERTIFICATIONS**

**PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT**

**FEDERAL PAYMENTS FOR FOSTER CARE AND ADOPTION ASSISTANCE**

**STATE/TRIBE OF \_\_\_\_\_**

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

\_\_\_\_\_  
(Name of State/Tribal Agency)

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS</b>	
475(5)(H)	<p>D. CASE REVIEW SYSTEM</p> <p>1. Case Plan</p> <p>j. during the 90-day period immediately prior to the date on which the child will attain 18 years of age, <b>or such greater age as the State may elect under section 475(8)(B)(iii)</b>, whether during that period foster care maintenance payments are being made on the child's behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State/Tribal agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, <b>includes information about the importance of designating another individual to make health care treatment decisions on behalf of the child if the child becomes unable to participate in such decisions and the child does not have, or does not want, a relative who would otherwise be authorized under State/Tribal law to make such decisions, and provides the child</b></p>	



	<p><b>with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State/Tribal law, and is as detailed as the child may elect;</b></p>	
<p><b>475(8)</b></p>	<p><b>M. DEFINITION OF 'CHILD'</b></p> <p><b>For the purposes of the title IV-E foster care program under section 472, the term 'child' means</b></p> <ul style="list-style-type: none"><li><b>i. an individual who has not attained 18 years of age; or</b></li><li><b>ii. at the option of the title IV-E agency an individual</b><ul style="list-style-type: none"><li><b>a. who is in foster care under the responsibility of the title IV-E agency</b></li><li><b>b. who has attained 18 years of age but who has not attained 19, 20, or 21 years of age (as elected and indicated by the title IV-E agency) and</b></li><li><b>c. who meets any of the following conditions</b><ul style="list-style-type: none"><li><b>I. the child is completing secondary education or a program leading to an equivalent credential;</b></li><li><b>II. the child is enrolled in an institution which provides post-secondary or vocational education;</b></li></ul></li></ul></li></ul>	

	<p><b>III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;</b></p> <p><b>IV. the child is employed for at least 80 hours per month; or</b></p> <p><b>V. the child is incapable of doing any of the above described activities due to a medical condition, which incapability is supported by regularly updated information in the case plan of the child.</b></p>	
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Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 3. ADOPTION ASSISTANCE PAYMENTS</b>	
<b>473(a)(4)</b>	<p>B. PAYMENTS – AMOUNTS AND CONDITIONS</p> <p>5. Payments are terminated when the title IV-E agency determines that:</p> <p><b>a. the child has attained the age of 18, or such greater age as the State may elect under section 475(8)(B)(iii); or</b></p> <p><b>b. the child has attained 21 years of age, if the title IV-E agency determines that the child has a mental</b></p>	

**or physical disability which warrants the continuation of assistance to age 21; or**

**c. the child has not attained 18 year of age, if the title IV-E agency determines that the parents are no longer legally responsible for the support of the child; or**

d. the child is no longer receiving any support from the adoptive parents.

**475(8)**

**G. DEFINITION OF 'CHILD'**

**For the purposes of the title IV-E adoption assistance program under section 473, the term 'child' means**

**i. an individual who has not attained 18 years of age; or**

**ii. at the option of the title IV-E agency an individual**

**a. with respect to whom an adoption assistance agreement is in effect under section 473 if the individual had attained age 16 before the adoption assistance agreement became effective and**

**c. who meets any of the following conditions:**

**I. the child is completing secondary education or a program leading to an equivalent credential;**

**II. the child is enrolled in an institution which provides post-secondary or vocational education;**

**III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;**

**IV. the child is employed for at least 80**

	<p><b>hours per month; or</b></p> <p><b>V. the child is incapable of doing any of the above described activities due to a medical condition.</b></p>	
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Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	<b>SECTION 4. GENERAL PROGRAM REQUIREMENTS</b>	
	A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS	
<p><b>1355.20(a)(2)</b></p> <p><b>472(c)(2)</b></p>	<p>2. Child care institution means a private child care institution, or a public child care institution which accommodates no more than 25 children, and is licensed by the State or Tribe in which it is situated or has been approved by the agency of such State or Tribal licensing authority (with respect to child care institutions on or near Indian reservations) responsible for licensing or approval of institutions of this type as meeting the standards established for such licensing, <b>except, in the case of a child who has attained 18 years of age, the term includes a supervised</b></p>	

**independent living setting in which the individual is living independently.**

This definition must not include detention facilities, forestry camps, training schools, or any other facility operated primarily for the detention of children who are determined to be delinquent.

(Tribes, see also section 7 for requirements related to 471(a)(10).)

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION	
473(a)(4)(A)	<p>B. PAYMENTS</p> <p><b>3. Payments are terminated when the title IV-E agency determines that:</b></p> <p><b>a. the child has attained the age of 18, or such greater age as the title IV-E agency may elect under section 475(8)(B)(iii); or</b></p> <p><b>b. the child has attained 21 years of age, if the title IV-E agency determines that the child has a mental or physical disability which warrants the continuation of assistance to age 21; or</b></p> <p><b>c. the child has not attained 18 year of age, if the title IV-E agency determines that the relative guardians are no longer legally responsible for the support of the child; or</b></p> <p><b>d. the child is no longer receiving any support from the relative guardians.</b></p>	

<p><b>473(a)(4)(B)</b></p>	<p><b>4. The relative guardians are required to inform the State/Tribal agency of circumstances that would make them ineligible for guardianship assistance payments or eligible for guardianship assistance payments in a different amount.</b></p>	
<p><b>475(8)</b></p>	<p><b>G. DEFINITION OF 'CHILD'</b></p> <p><b>For the purposes of the title IV-E guardianship assistance program under section 473(d), the term 'child' means</b></p> <p><b>i. an individual who has not attained 18 years of age; or</b></p> <p><b>ii. at the option of the title IV-E agency an individual</b></p> <p style="padding-left: 40px;"><b>a. with respect to whom a guardianship assistance agreement is in effect under section 473(d) if the individual had attained age 16 before the guardianship assistance agreement became effective and</b></p> <p style="padding-left: 40px;"><b>b. who meets any of the following conditions:</b></p> <p style="padding-left: 80px;"><b>I. the child is completing secondary education or a program leading to an equivalent credential;</b></p> <p style="padding-left: 80px;"><b>II. the child is enrolled in an</b></p>	



	<p><b>institution which provides post-secondary or vocational education;</b></p>	
--	--	--

**III. the child is participating in a program or activity designed to promote, or remove barriers to, employment;**

**IV. the child is employed for at least 80 hours per month; or**

**V. the child is incapable of doing any of the above described activities due to a medical condition.**

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**CERTIFICATION**

I hereby certify that I am authorized to submit the title IV-E Plan on behalf of

\_\_\_\_\_  
(Designated State/Tribal Agency)

Date \_\_\_\_\_  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

---

APPROVAL  
DATE \_\_\_\_\_

EFFECTIVE  
DATE: \_\_\_\_\_

\_\_\_\_\_  
(Signature, Associate Commissioner, Children's Bureau)

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**GOVERNOR/TRIBAL LEADER'S CERTIFICATION  
TITLE IV-E of the SOCIAL SECURITY ACT**

I certify that \_\_\_\_\_  
(Name of Agency/Tribe)

- a. has the authority to submit the plan under title IV-E of the Social Security Act and
- b. is the single title IV-E agency responsible for administering the plan or supervising the administration of the plan by local political subdivisions/Tribal service area. It has the authority to make rules and regulations governing the administration of the plan that are binding on such subdivisions/service areas. The title IV-E plan is mandatory upon the subdivisions/service areas and is in effect throughout the State/Tribal service areas.

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature)

Title IV-E Plan – State/Tribe of \_\_\_\_\_

**Section 475(8) STATE/TRIBAL CERTIFICATION  
TITLE IV-E of the SOCIAL SECURITY ACT**

I certify that \_\_\_\_\_  
(Name of Agency/Tribe)

has chosen to implement the option in section 475(8)(B) of title IV-E of the Social Security Act to adopt a definition of “child” of age 19 or 20 for the title IV-E programs for the following reason(s), described below:

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature)

## **Implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008**

Working Document – Updated as of 06/07/10

*This document is intended as a reference for stakeholders interested in locating Children's Bureau (CB) policy, guidance and other implementation activities related to the Fostering Connection to Success and Increasing Adoptions Act of 2008 (Public Law (P.L.) 110-351). It will be updated as appropriate.*

**Background.** The President signed the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P. L. 110-351) into law on October 7, 2008. Generally, the law amends the Social Security Act to extend and expand adoption incentives through FY2013; create an option to provide kinship guardianship assistance payments; create an option to extend eligibility for title IV-E foster care, adoption assistance and kinship guardianship payments to age 21; de-link adoption assistance from Aid to Families with Dependent Children (AFDC) eligibility over time; and, provide Federally-recognized Indian Tribes, Tribal organizations, or Tribal consortia (Tribes) with the option to operate a title IV-E program, among many other provisions. A [draft compilation of the revised Social Security Act](#) can be found on the CB's website.

**Title IV-E Requirements** – States and Tribes that operate a program pursuant to title IV-E of the Social Security Act must comply with all requirements identified in law, regulation and policy. Additional information regarding general requirements of title IV-E may be found at:

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).
- [ACYF-CB-PI-10-07](#): provides State title IV-E agencies with revised interim instructions on how to report on existing financial reporting form ACF-IV-E-1 estimates and expenditures associated with the Guardianship Assistance Program (GAP), post-termination assisted guardianship waiver demonstration project assistance and services and short-term training for additional trainees eligible for Federal financial participation (FFP) at transitional reimbursement rates.
- [ACYF-CB-PI-09-08](#): provides a revised title IV-E plan pre-print that incorporates the statutory provisions made by Public Law 110-351 which are effective through fiscal year 2010.
- [ACYF-CB-PI-09-04](#): provides title IV-E Form ACYF-IV-E-1 and Interim Financial Reporting Instructions for the Foster Care, Adoption Assistance and Guardianship Assistance Programs. *This issuance is superseded by ACYF-CB-PI-10-01 and ACYF-CB-PI-10-07.*
- [ACYF-CB-PI-08-05](#): provides basic information about the provisions of P. L. 110-351.

**Guardianship Assistance Payments (GAP) Program** (Effective October 7, 2008) - creates an option for State and Tribal title IV-E agencies to provide kinship guardianship assistance payments. Additional information may be found at:

- [ACYF-CB-PI-10-07](#): provides State title IV-E agencies with revised interim instructions on how to report on existing financial reporting form ACF-IV-E-1 estimates and expenditures associated with the GAP, post-termination assisted guardianship waiver

demonstration project assistance and services and short-term training for additional trainees eligible for Federal Financial Participation (FFP) at transitional reimbursement rates.

- [ACYF-CB-PI-10-01](#): title IV-E agencies revised instructions on how to implement and operate the GAP plan option. *This Program Instruction (PI) supersedes ACYF-CB-PI-08-07 issued December 24, 2008 and ACYF-CB-PI-09-04 issued March 24, 2009.*
- [ACYF-CB-PI-08-07](#): provides title IV-E agencies instructions for how to implement and operate the GAP option. *This issuance is superseded by ACYF-CB-PI-10-01.*
- [ACYF-CB-PI-09-04](#): provides the title IV-E Form ACYF-IV-E-1 Interim Financial Reporting Instructions Foster Care, Adoption Assistance and Guardianship Assistance Programs. *This issuance is superseded by ACYF-CB-PI-10-01 and ACYF-CB-PI-10-07.*
- [Section 8.5](#) of the Child Welfare Policy Manual (CWPM) provides questions and answers (Q/As) regarding the GAP.

**Tribal Option to Operate a Title IV-E Program** (Effective October 1, 2009) - allows Federally-recognized Tribes to apply to receive title IV-E funds directly for foster care, adoption assistance and, at Tribal option, kinship guardianship assistance. Additional information may be found at:

- [ACYF-CB-PI-09-11](#): provides guidance on the Federal Advance Planning Document (APD) regulations that Tribes have to comply with to claim title IV-B and/or title IV-E Federal Financial Participation for child welfare information technology projects, equipment, and services.
- [ACYF-CB-IM-09-02](#): provides automation requirements and options for Tribes operating a title IV-E program pursuant to section 479B of the Social Security Act.
- [Tribal Title IV-E Program Considerations, Technical Assistance Document](#): provides technical assistance for Tribes to use in considering how to plan for the resources, policies, and procedures they will or may need to implement a direct title IV-E program.
- [ACYF-CB-PI-08-06](#): requested that Tribes submit a letter of intent if the Tribe intended to directly operate a title IV-E Program or apply for a Fostering Connections grant. *Note: The request for letters of intent has expired.*
- [ACYF-CB-IM-08-03](#): notifies Indian Tribes of the opportunity to operate the title IV-E programs.
- [Title IV-E Tribal Consultation Meetings](#): published in the Federal Register March 13, 2009 (Volume 74, Number 48) - a request for public comment concerning the Tribal title IV-E requirements and notice of Tribal consultation meetings. *Note: The public comment period is closed, and Tribal consultation meetings have concluded.*

**Tribal Option to Directly Operate the Chafee Foster Care Independent Living Program (CFCIP) and Education and Training Voucher (ETV) Program** (Effective October 1, 2009) - provides an option for Tribes with an approved title IV-E plan or a title IV-E Tribal/State agreement to receive directly from the Secretary of HHS a portion of the State's CFCIP and ETV allotments to fund the provision of services to Tribal youth. Additional information may be found at:

- [ACYF-CB-PI-10-08](#): provides guidance to Indian Tribes, Tribal Organizations or Tribal Consortia on actions they are required to take in order to receive their allotments for

fiscal year (FY) 2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, the CFCIP and ETV programs.

- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on the June 30, 2009 submission of a CFCIP and ETV plan, among other provisions.

**Tribal Title IV-E Plan Development Grants** - are authorized for the development of a Tribal title IV-E plan and implementation of a title IV-E program.

- 2009 [Tribal Title IV-E Plan Development Grant Awardees](#). The application announcement for 2010 grants is open beginning March 23, 2010. All applications are due by June, 21, 2010. The application and additional information can be found at: [grants.gov](#).

**De-linking a Child's Adoption Assistance Eligibility from AFDC Eligibility Requirements** (Effective October 1, 2009, subject to phase-in) - establishes new criteria associated with the de-linking of Adoption Assistance eligibility AFDC eligibility requirements, phased in over time beginning in FY 2010. In FY 2010 beginning with children aged 16 years and older, eligibility for Adoption Assistance will be delinked from AFDC and every fiscal year after the age drops two years. Additional information may be found at:

- [ACYF-CB-PI-09-10](#): provides State and Tribal title IV-E agencies with information regarding changes to the title IV-E adoption assistance eligibility requirements made by P.L. 110-351.

**Extension and Expansion of the Adoption Incentives Program** (Effective October 7, 2008) - extends the Adoption Incentive Program through FY 2013, updates the "base year" used to measure increases to FY 2007, doubles incentive payment amounts for special needs and older child adoptions and creates a "highest ever" foster child adoption rate payment. Additional information may be found at:

- [FY 2009 Adoption Incentive Awards Press Release](#) and [State Listing](#)
- [ACYF-CB-IM-09-03](#): informs States of the procedures for determining the Adoption Incentive grant amounts and includes the schedule of payments to be used by ACYF in awarding the Adoption Incentive funds to States.

**Option to Extend Eligibility for Title IV-E Payments to Age 21** (Effective October 1, 2010) - allows States and Tribes to elect to provide title IV-E foster care, adoption assistance and kinship guardianship payments to youth up to age 19, 20 or 21, when those youth meet certain education, training or work requirements.

**Educational Stability Requirements** (Effective October 7, 2008) - adds travel to school in the foster care maintenance payment definition, adds a case plan requirement to assure educational stability for children in foster care, and requires that the title IV-E agency assure that each child receiving a payment under the title IV-E plan is attending school full time or has completed secondary school. The following questions in the CWPM address these provisions:

- [CWPM 8.3B, Q #1](#)
- [CWPM 8.4, Q #2](#)
- [CWPM 8.4, Q #3](#)

**Title IV-B Plan Health Oversight and Coordination Plan Requirements** (Effective October 7, 2008) - requires the title IV-B agency to develop ongoing oversight and coordination of health care services for children in foster care, including coordination with the state Medicaid agency. Additional information can be found at:

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).
- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [ACYF-CB-PI-10-08](#): provides guidance to Indian Tribes, Tribal Organizations or Tribal Consortia on actions they are required to take in order to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and/or 2, the CFCIP and ETV programs.
- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on actions they are required to take for the June 30, 2009 submission of the title IV-B plan, among other provisions.
- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take for the June 30, 2009 submission of the title IV-B plan, among other provisions.

**Transition Plan for Emancipating Youth** (Effective October 7, 2008) – requires that during the 90-day period prior to a child’s emancipation, the child’s caseworker must develop a personalized transition plan that is directed by the child.

- [ACYF-CB-PI-10-10](#): provides guidance to States and Tribes on actions they are required to take to be in compliance with the requirements of the Patient Protection and Affordable Care Act (P.L. 111-148).

**State Good Faith Negotiation with Tribes** (Effective October 7, 2008) - creates a title IV-E plan requirement and a Chafee plan requirement for the State to negotiate in good faith with any Tribe that requests the development of an agreement with the State to provide payments for Indian children. Additional information can be found at:

- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [ACYF-CB-PI-09-07](#): provides guidance to Tribes on actions they are required to take for the June 30, 2009 submission of the title IV-B, CFCIP and ETV plans.
- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take for the June 30, 2009 submission of the title IV-B, CFCIP and ETV plans.

**Training** (Effective October 7, 2008) - permits title IV-E agencies to claim the costs of short-term training for relative guardians, attorneys and others. Questions added to the CWPM or significantly revised to address this provision include:



- [ACYF-CB-PI-10-09](#): provides guidance to States, Territories, and Insular Areas on actions they are required to take to receive their allotments for FY2011 (subject to the availability of appropriations) authorized under title IV-B, subparts 1 and 2, section 106 of CAPTA, CFCIP and ETV programs.
- [CWPM 8.1H, Q #1](#)
- [CWPM 8.1H, Q #8](#)
- [CWPM 8.1H, Q #17](#)
- [CWPM 8.1H, Q #18](#)
- [CWPM 8.1H, Q #19](#)
- [CWPM 8.1H, Q #20](#)

**Notice to Relatives of Removal** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(29) to require that title IV-E agencies exercise due diligence to identify and notify all adult relatives of a child within 30 days of the child's removal, of the relatives' options to become a placement resource for the child.

**Title IV-E Plan Requirements for Sibling Placement** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(31) of the Act to require title IV-E agencies to make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or facilitate visitation or ongoing contacts with those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so.

**Adoption Tax Credit** (Effective October 7, 2008) - the law adds a new plan requirement at section 471(a)(33) for title IV-E agencies to inform prospective adoptive parents of the adoption tax credit.

**Licensing Waivers for Relatives and Report to Congress** (Effective October 7, 2008) - the law amends section 471(a)(10) to explicitly permit the title IV-E agency to waive on a case-by-case basis a non-safety licensing standard for a relative foster family home. In addition, HHS must submit a Report to Congress, two years after enactment, on children placed in relative foster family homes and the use of licensing waivers.

- [ACYF-CB-PI-09-06](#): provides guidance to States, Territories, and Insular Areas on how to report data on foster family homes to ACYF, among other provisions.

**Access to Federal Parent Locator Service** (Effective October 7, 2008) - the law amends section 453(j)(3) of title IV-D of the Act to grant authority to the Secretary to conduct comparisons and make disclosures to States of information for the purposes of the title IV-B and IV-E programs using the Federal Parent Locator Service.

**Family Connection Grants** (awarded in September 2009) - authorizes and appropriates \$15 million in discretionary grant funds to be awarded to State, local or Tribal child welfare agencies and private non-profit organizations that have experience in working with fostering children or children in kinship care arrangements in four program areas to support evidence-based and evidence informed demonstration projects. The four program areas include Kinship Navigator, Family Finding, Family Group Decision-making and Residential Family Treatment.

- [Awardees for FY 2009 Family Connection Grants](#)

**Additional Policy Guidance**

In addition to the resources provided above, please note that as a result of the enactment P.L. 110-351, the relevant Child Welfare Policy Manual Q/As are in the process of being revised to reflect the many changes made by the law. The latest revisions can be found in the [Modifications to the Manual](#) and [Additions to the Manual](#) sections of the CWPM. Until such time as the edits to the sections of the CWPM related to the changes made to the Act by P.L. 110-351 are complete, please refer to the statute and official guidance from the CB (such as Program Instructions and Information Memoranda) for definitive guidance on the requirements. You also may contact your [Regional Office](#) representative for further clarification.

## Bobbie Walthall

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**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Sent:** Tuesday, December 08, 2015 2:16 PM  
**To:** Diane Stoddard  
**Cc:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Subject:** Re: 1725 New Hampshire St  
**Attachments:** cmo\_future\_agenda\_items\_memo (1).docx

Please be advised:

NONE OF THE DOCUMENTS REFERRED TO IN THE MEMO CAN BE OPENED.

I have attached "a" memo which makes reference to several other documents/memos, but they are not available.

Please advise.

steven c. watts

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**From:** Diane Stoddard <[dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)>  
**To:** 'steven c. watts' <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Cc:** Leslie Soden <[lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org)>; Stuart Boley <[sboley@lawrenceks.org](mailto:sboley@lawrenceks.org)>; Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>; Lisa Larsen <[llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)>; Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>  
**Sent:** Tuesday, December 8, 2015 1:49 PM  
**Subject:** RE: 1725 New Hampshire St

This is the future agendas item section of the City Commission meeting agenda and is available as Item F on the agenda here:

[http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15\\_cc\\_agenda.html](http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15_cc_agenda.html)

Thanks, Diane



**Diane Stoddard**, Interim City Manager – [dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)  
City Manager's Office | [City of Lawrence, KS](http://CityofLawrenceKS.com)  
P.O Box 708, Lawrence, KS 66044  
office (785) 832-3413| fax (785) 832-3405

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**From:** steven c. watts [<mailto:scajj@sbcglobal.net>]  
**Sent:** Tuesday, December 08, 2015 1:46 PM  
**To:** Diane Stoddard  
**Cc:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Subject:** 1725 New Hampshire St

Please refer to:

[Cost of affordable housing project likely to be debated again; update on senior living project; Downtown Lawrence Inc. launches new gift card program | Town Talk / LJWorld.com](#)

	<p><b>Cost of affordable housing project likely to be debated ...</b></p> <p>This is the season where I'm reminded that we definitely can have differences of opinion about the idea of what's affordable.</p> <p><small>View on <a href="http://www2.ljworld.com">www2.ljworld.com</a>      Preview by Yahoo</small></p>
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From the above article I quote "*I've seen a city memo that indicates city commissioners next week once again will consider allowing the Lawrence-Douglas County Housing Authority to purchase a six-unit apartment building at 1725 New Hampshire St., near Dillons, to convert into rent-controlled housing units.*"

May I please be sent a copy of the above referenced memo?

Thank you

Steven C. Watts  
Lawrence, Kansas

# Memorandum

## City of Lawrence

### City Manager's Office

TO: Mayor and City Commission  
FROM: Diane Stoddard, Interim City Manager  
DATE: December 3, 2015  
RE: Future Agenda Items

The items listed below are planned for future agendas. I have listed the date of items as they are known at this time. Dates are subject to change, as is the order of agenda items.

12/15/15 CONSENT:

- Boundary ordinance
- Award bid for rear load trash truck (2016 purchase)
- Award bid for hook lift trash truck (2016 purchase)
- Jazz sidewalk dining/hospitality license

REGULAR:

- Distance limitation waiver hearing for Wingstop, 2233 Louisiana Street.
- Distance limitation waiver hearing for Bayleaf Restaurant, 947 New Hampshire Street.
- Vacation of pedestrian easement at 1511/1515 Hanscom Road.
- Chamber presentation on economic development
- CIP process memo
- Authorize LDCHA to acquire property at 1725 New Hampshire Street for affordable housing. [Staff Memo](#) [Exhibit 1 - Authorizing Resolution](#) [Exhibit 2 - Appraisal](#) [Exhibit 3 - Environmental Review](#) [Exhibit 4 - HUD Approval Letter](#)
- Consideration of issuing the Eldridge Hotel shoring permit.

TBD

- City/County EMS agreement discussion.
- Police facility.
- Economic Development policy discussion. [Staff Memo & Attachments](#)
- Emergency Operations training.
- Fireworks ban enforcement discussion. [Violations Staff Memo](#) [Fire/Medical Staff Memo](#) [PD Staff Memo](#)
- Request from Callahan Creek to revise parking times in and around City parking lot no. 4 to ten hour meters.
- Kasold Drive, from BBP to 6<sup>th</sup> Street discussion.
- Accept dedications of utility and access easements for Bethel Estates of Lawrence No. 1, located at 2101 Exchange Ct.
- North Lawrence RS5.

- East Lawrence rezoning.
- PDS fee analysis report.
- 1231 Pennsylvania progress update.
- Special event permitting process discussion.
- Small business eligibility under current investment and job creation thresholds in city's property tax abatement policy and inclusion of nuisance related criteria and clawbacks in city economic development performance agreements. [Staff Memo & Attachments](#)
- Westar franchise fee agreement.
- 2012 International Property Maintenance Code. [Staff Memo & Attachments](#)
- Public hearing to consider recommendations from HRC to designate 1345 West Campus Road, 1345 Sunset Drive, and 304/302 Indiana Street as Landmarks on the Lawrence Register of Historic Places.
- Receive recommendation from Parks & Recreation Advisory Board to establish a tobacco free parks policy.
- Study session regarding liquor licensing and retail market report.
- Vacation of utility easement at 1918 E. 23<sup>rd</sup> Street
- 19<sup>th</sup> Street reconstruction – Harper to O'Connell.

## Bobbie Walthall

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**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Sent:** Tuesday, December 08, 2015 2:08 PM  
**To:** Diane Stoddard  
**Subject:** Re: 1725 New Hampshire St

Thank you!

When did this Item F first appear on the website??

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**From:** Diane Stoddard <[dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)>  
**To:** 'steven c. watts' <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>  
**Cc:** Leslie Soden <[lsoden@lawrenceks.org](mailto:lsoden@lawrenceks.org)>; Stuart Boley <[sboley@lawrenceks.org](mailto:sboley@lawrenceks.org)>; Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>; Lisa Larsen <[llarsen@lawrenceks.org](mailto:llarsen@lawrenceks.org)>; Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>  
**Sent:** Tuesday, December 8, 2015 1:49 PM  
**Subject:** RE: 1725 New Hampshire St

This is the future agendas item section of the City Commission meeting agenda and is available as Item F on the agenda here:

[http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15\\_cc\\_agenda.html](http://lawrenceks.org/assets/agendas/cc/2015/12-08-15/12-08-15_cc_agenda.html)

Thanks, Diane



**Diane Stoddard**, Interim City Manager – [dstoddard@lawrenceks.org](mailto:dstoddard@lawrenceks.org)  
City Manager's Office | [City of Lawrence, KS](http://CityofLawrenceKS.com)  
P.O Box 708, Lawrence, KS 66044  
office (785) 832-3413| fax (785) 832-3405

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**From:** steven c. watts [<mailto:scajj@sbcglobal.net>]  
**Sent:** Tuesday, December 08, 2015 1:46 PM  
**To:** Diane Stoddard  
**Cc:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mike Amyx  
**Subject:** 1725 New Hampshire St

Please refer to:

[Cost of affordable housing project likely to be debated again; update on senior living project; Downtown Lawrence Inc. launches new gift card program | Town Talk / LJWorld.com](#)

Cost of affordable housing  
project likely to be debated ...

This is the season where I'm reminded that we definitely can have differences of opinion about the idea of what's affordable.

View on [www2.ljworld.com](http://www2.ljworld.com)

Preview by Yahoo

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From the above article I quote "*I've seen a city memo that indicates city commissioners next week once again will consider allowing the Lawrence-Douglas County Housing Authority to purchase a six-unit apartment building at 1725 New Hampshire St., near Dillons, to convert into rent-controlled housing units.*"

May I please be sent a copy of the above referenced memo?

Thank you

Steven C. Watts  
Lawrence, Kansas



## **Bobbie Walthall**

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**From:** steven c. watts <scajj@sbcglobal.net>  
**Sent:** Tuesday, October 20, 2015 1:39 PM  
**To:** jennifer.tidwell@hud.gov  
**Cc:** Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen; Mr. Jim Flory; Mr. Mike Gaughan; Ms. Nancy Thellman; Diane Stoddard; Mr. Craig Weinaug; Shannon Oury  
**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Ms. Tidwell:

Here is a complete copy of the communication I received from the chairperson of the Lawrence-Douglas County Housing Authority (Lawrence, Kansas; Douglas County Kansas).

Mr. Fleming, the chairperson, doesn't desire written input from the citizenry it appears.

Please correct the man or sanction Lawrence, Kansas and Douglas County Kansas via the proper procedures within HUD funding guidelines.

The inability of the public to participate in its own expenditure and decision making processes relative to a HUD funded Agency leaves me incredulous; annoyed; disturbed; and sickened. I spent over 40 years of my life fighting to obtain HUD funding in one community after another and it's turned into a poverty pimp operation where an "executive director" is paid over \$120,000.00 per annum plus a fringe package which approaches 33% in this Podunk little town; or, as my dead father put it "....that hick college town...."??

Please advise.

Thank you

Steven C. Watts, MSW  
Lawrence, Kansas

----- Forwarded Message -----

**From:** steven c. watts <scajj@sbcglobal.net>  
**To:** William Fleming <wfleming@TreanorArchitects.com>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>; "brenda.okeefe64@gmail.com" <brenda.okeefe@dcf.ks.gov>  
**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <rlichtwardt@ldcha.org>; Commissioner Leslie Soden <lsoden@lawrenceks.org>; Commissioner Stuart Boley <sboley@lawrenceks.org>; Commissioner Matthew Herbert <matthewjherbert@gmail.com>; Commissioner Leslie Larsen <llarsen@lawrenceks.org>; Mr. Craig Weinaug <weinaug@douglas-county.com>; Craig AD - Weinaug <cweinaug@douglas-county.com>  
**Sent:** Tuesday, October 20, 2015 6:14 AM  
**Subject:** Re: Special Meeting on 1725 New Hampshire St. purchase

Hello Mr. Fleming:

I'm not sure I appreciate the tone of your email despite the fact it is typical in "Lawrence circles". Sir, I don't need to attend meetings in order to participate. Bluntly, they're a waste of time and I believe the Just Food saga proves this fact: That organization had a board and purportedly had meetings and yet failed, miserably. There are many ways to participate and help and while attending meetings may be one way, it is not the only way.

I follow the actions of my local housing commission, funded exclusively with and by tax payer dollars via this new fangled communication's device called the internet which has many sub features. One of them is an electronic/digital record of board meetings via the published minutes. However, if the minutes are inaccurate or exclusive or grossly lacking in detail, they're of little or no value and make the entire process a sham.

The housing commission board meeting to justify it's own actions in support of its own decision to purchase a building at 2+x the appraised value is but one example: Nobody attended that meeting other than board members and some people from Babcock Place who were interested in parking spaces for their building and not interested in the fiscally irresponsible thought of paying an ungodly sum of money for an old, non-elevator equipped building.

You write: "We do not have any obligation that I am aware to include your e-mail transmissions in our board minutes." I find this remark shocking and fraught with hubris and arrogance. Why wouldn't you want the minutes to accurately reflect the operations of the organization? Why wouldn't you want the data I sent relative to children aging out of foster care included in the official record of the housing authority given that is a major rationale for the proposed purchase of this building? Are you desiring to hide something? The minutes, as they are at present, are incomplete and paint a one-sided picture. What is your resistance to including correspondence which was sent to all Board members in the official record?

Boards and government in this town have for far too long been permitted to function in their own vacuum with but 180° of opinion.....the official party line. Sir, that is not how government works. It may be the way you want it to work and it may be the way your private firm works, but it is not the way government works when it is all said and done. One does not have to attend a meeting to demonstrate and document concern as well as to express ideas and help the board in many, many other ways. Your apparent belief that the only way one can participate is to attend a silly meeting is boring and antiquated.

Comments from the public for quasi-governmental entities include written statements sent to all board members. Look it up. My written statements to the Board on the matter of the proposed purchase are for the official record and are not to be buried in some pile somewhere or, worse, simply thrown away. They're an official part of the process and I expect them to be included in the official record, which means the minutes. You are obligated by law to include those written remarks. Perhaps a complaint with the state of Kansas Ethics Commission is in order here. Is that what you want? Let's include the folks at HUD in Kansas City while we're at it.

Sir, I sense you don't like participation unless it is to slap you on the back and tell you just what a great guy you are and what a swell job you're doing on the commission. Your prior failure to respond to a single one of my earlier emails denotes a lack of concern for what the tax paying public thinks and believes. Your failure and seeming refusal to make alternative viewpoints a part of the official, permanent record is duly noted. You're seeking to craft a phony "consensus"; I get it. That's the issue, isn't it?: I get it. Frankly, it is disgusting.

Kindly make my emails a part of the official record. In other words, do your job. If you can't stand the heat, get out of the kitchen, eh?

Steven C. Watts, MSW

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**From:** William Fleming <wfleming@TreanorArchitects.com>

**To:** steven c. watts <scajj@sbcglobal.net>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>;

"brenda.okeefe64@gmail.com" <brenda.okeefe@dcf.ks.gov>

**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <lichtwardt@ldcha.org>; Mayor Mike Amyx <mikeamyx515@hotmail.com>; Commissioner Leslie Larsen <llarsen@lawrenceks.org>

**Sent:** Monday, October 19, 2015 6:26 PM

**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

Mr. Watts – your concerns about this transaction have been duly noted. We even held a special meeting of the Board to discuss just this issue and invited all member of the public to attend (which we usually never do). You did not attend. We do not have any obligation that I am aware to include your e-mail transmissions in our board minutes. You are, however, invited to attend any meeting of the LDHA that you would like. All meeting are open to the public, and we invite comments from the public at the beginning of each meeting. Any material you want to present at such time would become part of the public record of the meeting. Our meetings are generally the last Monday of each month. You can either check our web-site or contact Ruth Lichtwardt and she can provide you more information about the time of our meetings. While as a board member I may not agree with all of your comments, nonetheless, we do appreciate your input on this decision.

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**From:** steven c. watts [mailto:scajj@sbcglobal.net]

**Sent:** Monday, October 19, 2015 5:57 PM

**To:** William Fleming; "star@lkpd.org"; "suehack@sunflower.com"; "joshua.c.powers@gmail.com"; brenda.okeefe64@gmail.com

**Cc:** Shannon Oury; Ruth Lichtwardt; Mayor Mike Amyx; Commissioner Leslie Larsen

**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Hello LDCHA:

I have had no response to the email below and it has been over a week since it was sent and received by you.

Why are you violating state law and not including select correspondence in the Board Meeting materials or their subsequent minutes?

Do you not believe in an open and transparent government??

Please address the issue.

Thank you

Steven C. Watts

----- Forwarded Message -----

**From:** steven c. watts <scajj@sbcglobal.net>

**To:** "wfleming@treanorarchitects.com" <wfleming@treanorarchitects.com>; "star@lkpd.org" <star@lkpd.org>; "suehack@sunflower.com" <suehack@sunflower.com>; "brenda.okeefe@dcf.ks.gov" <brenda.okeefe@dcf.ks.gov>; "joshua.c.powers@gmail.com" <joshua.c.powers@gmail.com>

**Cc:** Shannon Oury <soury@ldcha.org>; Ruth Lichtwardt <lichtwardt@ldcha.org>; Acting Mayor Mike Amyx <mikeamyx515@hotmail.com>

**Sent:** Tuesday, October 13, 2015 8:36 PM

**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Housing Authority:

I need to be informed as to WHY the email I am forwarding to you via this email along with the attachments was not included in the official record via the minutes of either the September or August minutes of the Housing Authority Board meetings. Also, there were two other emails I sent which were intended to be included in the record. Why were these excluded? What are you attempting to hide?

Too, via this email, I call for the resignation of Ms. Hack as a member of the Board given her dismal performance as a Board member for Just Food. Her lackluster and totally "hands off" LACK of work on that board was and is a material fact as to why the organization is on the brink of failure and folding. She will do the exact same thing to the Housing Authority and, in fact, has already demonstrated an addle brained decision making process when one closely examines the purchase of the New Hampshire Street property.

Too, a 5% pay increase for the director of the housing authority in these lean times? Ms. Oury is paid well over \$100,000.00 per year plus an approximate 33% fringe package: An obscene amount of money for Lawrence, Kansas. People are not meant to get rich in public service and civil service positions. What are you people doing?

Thank you

Steven C. Watts  
Lawrence, Kansas

----- Forwarded Message -----

**From:** steven c. watts <[scajj@sbcglobal.net](mailto:scajj@sbcglobal.net)>

**To:** "[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)" <[wfleming@treanorarchitects.com](mailto:wfleming@treanorarchitects.com)>; "[star@lkpd.org](mailto:star@lkpd.org)" <[star@lkpd.org](mailto:star@lkpd.org)>; "[suehack@sunflower.com](mailto:suehack@sunflower.com)" <[suehack@sunflower.com](mailto:suehack@sunflower.com)>; "[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)" <[brenda.okeefe@dcf.ks.gov](mailto:brenda.okeefe@dcf.ks.gov)>; "[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)" <[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)>; "[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)" <[joshua.c.powers@gmail.com](mailto:joshua.c.powers@gmail.com)>

**Cc:** Commissioner Mike Amyx <[mikeamyx515@hotmail.com](mailto:mikeamyx515@hotmail.com)>; Commissioner Matthew Herbert <[matthewjherbert@gmail.com](mailto:matthewjherbert@gmail.com)>; Ms. Nancy Thellman <[nthellman@douglas-county.com](mailto:nthellman@douglas-county.com)>; Mr. Mike Gaughan <[mgaughan@douglas-county.com](mailto:mgaughan@douglas-county.com)>; Craig AD - Weinaug <[cweinaug@douglas-county.com](mailto:cweinaug@douglas-county.com)>

**Sent:** Monday, August 17, 2015 11:03 AM

**Subject:** Fw: Special Meeting on 1725 New Hampshire St. purchase

Board of Commissioners of the LAWRENCE-DOUGLAS COUNTY HOUSING AUTHORITY; City Commissioners:

Please find three attachments with this electronic mail.

I have read the minutes and am taken aback by the back slapping, "...gosh we make good decisions...." orientation of the Board in it's rubber stamping of a fiscally ridiculous decision to continue support spending money simply because it is there (tax payer funds at that...) on a building that the Housing Authority itself has had appraised at a valuation FAR BELOW that of the proposed purchase price of the building at 1725 New Hampshire St.

There is mention, on page two of the July 23 Housing Authority minutes (attached) of an email and I assume that is the email I sent to Mr. Fleming given I could not attend the meeting. Hack is out in left field when she suggests I am "confused". No, I'm not. I know where the money is coming from. The fact it's been sitting in the same place (FOR HOW LONG?????) instead of being utilized is something the Housing Authority and it's \$120,000.00 per year "Director" need to take responsibility for and own their error. Spending the money simply because it will be returned to HUD is utter folly. Utter. And suggesting to spend just to spend documents and demonstrates just how bankrupt the decision making "process" within the Authority must be. Incredible. I am grossly taken aback by Hack's remarks: How many public boards is this individual on, by the way? One would think her pompousness would be muted given her record on the Just Food board and her "hosting" of a charlatan to the People of Lawrence what with her "mentoring" of one Jeremy Farmer whom I trust you've read a sentence or two about in the LJ World newspaper.

Again, the purchase of property at 2.4x the appraised rate and well over \$200,000.00 of the board's OWN APPRAISAL is patently silly.

I trust and hope Mr. Fleming shared my prior emails to him with the rest of the board. Was that email shared as it contained information as to the responsibility and legal requirements of the state of Kansas DCF relative to children in the state's abysmal foster care program. Too be advised with all due respect that board member O'Keefe is no "professional" in the field of social work or social welfare. It is my understanding she is employed by DCF as a human services specialist which means she processes applications for public assistance. She is not a professional social worker and does not work in any way, shape, or form with same. As I understand it, she is a public assistance recipient via way of housing authority program monies and is the "consumer" member of the board. Please be advised I was a credentialed social worker from 1974-----2014. I hold the BSW degree and the MSW degree (both from the University of Kansas) and was licensed at the highest level available in the state of Kansas with the LSCSW. Under Kansas law I am not permitted to hold myself out as a social worker as I do not presently hold a license. I allowed the license to lapse in 2014 as I am retired. Prior to retirement, however, I REBUILT the foster care program in the state of Mississippi (1988-1989) and REBUILT the foster care system in Maui County, Hawaii. My model for rebuilding was used to rebuild the entire state of Hawaii's foster care program given that the rest of the state of Hawaii failed two consecutive HHS compliance audits in the early 2000's. The state of Hawaii was slapped with millions of dollars in fines from HHS due to the states refusal to get into compliance. Independent living is a CRITICAL and INTEGRAL aspect of foster care services. Why doesn't DCF buy the building at 2.4x the county's appraised value??

The issue here is the stewardship of public funds. Again, if our local housing authority is so ill run by \$100k+ per annum political appointees, it is the responsibility of the board to find out why and have individuals who are pro-active, innovative, thoughtful and just simply going about business as had been done before. HOW LONG HAS THAT MONEY BEEN SITTING "NEEDING" TO BE UTILIZED BEFORE HUD WAS/IS REQUIRED TO HAVE IT RETURNED? Is the Housing Authority board simply the classic "blue ribbon panel" it typically is Nationwide; is it similar in its lack of "hands on" board activity similar to the JUST FOOD board of directors Hack is on?

Spending money simply to spend money is just plain dumb. Too, holding a meeting just to continue forward with a bad idea to "secure support" is just as dumb. The parking issue at Babcock Place has nothing to do with the expenditure of the publics' money (see attached minutes and comments).

Using foster children who are abused by a brutal system (and trust me, brutal it is....) is wrong. I see the housing authority's director has backed off somewhat from the idea that the building's purpose is for providing housing for children out of foster care, but the issue of the reality that DCF needs to be focused on this critical aspect of foster care is poignant. Moving from foster care into subsidized public housing provides a distinct message: IT SYSTEMATICALLY DISEMPOWERS THESE YOUNG ADULTS AND TEACHES THEM TO (through no fault of their own given Kansas refuses to address the topic of independent living for children aging out of foster care just as it refuses to "do the right thing" as many states have done: Allowing children to stay under the protection of the "system" in order to obtain the training and education needed in todays real world....but that's another subject ....)BE EXPECTANT AND DEPENDENT.

Irrespective, the black and white of this matter is that the Lawrence, Kansas/Douglas County housing authority is attempting to spend money just to spend it because it sat too long. Bad idea.

Steven C. Watts, MSW  
Lawrence, Kansas

----- Forwarded Message -----

**From:** Ruth Lichtwardt <[rlichtwardt@ldcha.org](mailto:rlichtwardt@ldcha.org)>  
**To:** steven c. watts <[scaji@sbcglobal.net](mailto:scaji@sbcglobal.net)>  
**Sent:** Thursday, August 13, 2015 12:59 PM  
**Subject:** RE: Special Meeting on 1725 New Hampshire St. purchase

Dear Mr. Watts,

Attached are the Minutes for the July 23 LDCHA special board meeting. This will be presented to the LDCHA board for approval at the August regular meeting and will be posted on our website as part of the board packet several days before the meeting.

Best,  
Ruth

Ruth Lichtwardt  
Executive Assistant  
Lawrence-Douglas County Housing Authority  
1600 Haskell Ave.  
Lawrence, KS 66044  
785-842-8110 (main)  
785-830-2253 (direct)  
785-842-9596 (fax)  
[rlichtwardt@ldcha.org](mailto:rlichtwardt@ldcha.org)

