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A Needed Transition: Lessons from Illinois about Teen Parent TANF Rules

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Introduction

When Congress overhauled the nation's welfare system and created the Temporary Assistance for Needy Families (TANF) welfare program in 1996, it put a lifetime limit on aid of 60 months; policymakers also put in place rules for minor parents. Under these rules, in order to get welfare assistance, young parents typically would be linked with responsible adults and participate in education. In the TANF legislation, Congress included two rules specific to minor parents (parents under age 18). One rule requires that minor parents live in an approved arrangement. Generally it is expected that minor parents live with their parents, adult relatives or guardians, although the state has discretion to approve other living arrangements. The other rule requires that minor parents typically participate in education leading to a high school diploma or GED.

Although the new requirements reflected desirable goals related to well-being, initial implementation by states has resulted in serious unintended consequences. Living arrangement and education rules have been too frequently misunderstood or misapplied by local TANF office staff, causing eligible young parents, including both minors and older teen parents, to be turned away from the very resources they need to be able to live in safety and finish their high school education. Those teen parents who are turned away are often in greatest need of help in achieving self-sufficiency. For example, a homeless minor parent or one who has dropped out of school might be asked if she lives at home or is attending high school; when she says "no" the receptionist at the welfare office might tell her she cannot submit an application. The overarching goal of the minor parent provisions was to improve young parents' chances of reaching economic self-sufficiency—it was not to shut them out of engaging in the program and its requirements.

In 2005, Congress may reauthorize the TANF program.¹ Whether or not Congress acts to refine the rules for teen parents as part of TANF reauthorization, states have the flexibility to make a number of improvements. In Illinois, there has been considerable experience at identifying and beginning to solve the problems created by the current rules.

After a discussion of federal welfare requirements, this issue brief reviews how Illinois approached eligibility under the two minor parent rules, and it explores why and how Illinois moved forward with a transitional compliance administrative rule. It also examines the effect the rule has had – notably that the process led to a better understanding of minor parents’ individual circumstances and thus led to fewer inappropriate denials.

What Are the Minor Parent Rules?

Congress passed two eligibility rules related to minor parents as part of TANF.ⁱⁱ The federal rules provide states with some discretion in how to implement the requirements. Further, the federal rules relate to eligibility for federal monies and do not restrict states from spending their own funds:

Living Arrangement

TANF prohibits a state from spending federal TANF funds on assistance to an unmarried, minor, custodial parent unless the teen lives with a parent, legal guardian, or other adult relative, subject to limited exceptions. TANF identifies when it is appropriate to make an exception. This includes situations in which a parent, legal guardian, or other adult relative is not available or when such a placement could result in harm to the minor teen and/or her child. At that point, it is the duty of the state to “provide, or assist the individual in locating, a second chance home, maternity home, or other appropriate adult-supervised setting...” States can meet this duty in a range of ways—from providing the individual with a telephone book to placement in a second chance home. Alternatively, a state could determine that a teen mother’s independent living arrangement is appropriate and it is in the “best interest” of the minor child to make an exception. The state can subsequently determine that a living arrangement ceases to be appropriate and require the minor to reside in an alternative arrangement. There are no special funds set aside to support alternative living arrangements.

States have choices related to implementation of the minor parent living arrangement rule. A key state choice is the determination of when a child’s best interests would be served by an exception to the living arrangement rules. Unless state officials understand the discretion they have in implementing the living arrangement rules, they will be unlikely to consider alternative arrangements and exceptions. State officials must also communicate with and train local offices on their policy choices, and then hold them accountable. Otherwise, caseworkers may not correctly understand and apply the rules.

Schooling

The welfare law establishes that a state cannot spend federal TANF funds on an unmarried, custodial minor parent caring for a child 12 weeks of age or older if the minor mother has not completed high school (or its equivalent), unless she is participating in

educational activities. These educational activities include standard high school or approved alternatives, including training programs.

States face a set of choices in implementing this schooling/training rule. With respect to applicants, a key decision is how the state defines “participating” in educational activities. For example, for a school drop-out, participation could entail enrollment in an alternative setting with some period of time to look for and apply for one that was suitable.

How Many Minor and Older Teen Parents Are Denied Access Because of the Minor Parent Rules?

There is neither federal data regarding the number of teen parents who come into welfare offices to apply for assistance nor information on the reasons those who are given applications are denied assistance. Some denials would be appropriate; for example, when the teen parent is not eligible because family income exceeds the allowable amount set by the state. What would be clearly inappropriate is the denial of an application form and the help needed to ascertain whether the minor parent actually is eligible for TANF. While there are no federal data that answers these questions, there are some data from states and localities. The available data suggest that some teen parents are “turned away at the door” of the welfare office and that the ones treated in this way may too often be the ones in greatest need. Further, the local studies indicated that not only are minor parents who are subject to the rules being turned away, but also older teen parents are erroneously caught in a net of misapplication and misunderstanding of the rules.

Los Angeles County

Welfare offices in Los Angeles County were found to inappropriately divert teen parents. A 1999 study conducted by the National Center for Youth Law found that welfare offices refused to accept applications or provided incorrect information about eligibility; while the three month review was not limited to teen parents, it found that teen parents were the ones most often subject to this kind of treatment.ⁱⁱⁱ

Chicago, Atlanta, and Boston

Focus groups conducted by the Illinois Caucus for Adolescent Health with teen parents under age 21 and their case managers across Illinois in 1998, flagged the possibility that eligible teen parents were being discouraged from applying for TANF when they went to welfare offices.^{iv} Many focus group participants, both minors and older teens, reported being told, “You’re not old enough to receive benefits on your own,” before they were asked about their living arrangements. Teen parents living with an aunt or grandparent had been erroneously told they had to live with a parent to receive TANF.

The Center for Impact Research (CIR) published the results of a three-city survey in 2002.^v Prompted by the findings of the Illinois focus groups, CIR hired teen parents in

Chicago to help refine a survey and interview their peers about their experiences in TANF offices. With the assistance of CLASP, CIR expanded the survey beyond Chicago to include Atlanta and Boston. A total of 1,536 teen parents ages 21 and under were peer-interviewed for the study. Major findings included:

Teen Parents Not Allowed to Apply for TANF

“Between 16 percent and 46 percent of those not receiving TANF who had tried to apply were “turned away at the door” and did not complete applications. Another 12-19 percent completed applications but were never contacted by the TANF agency.”

Teen Parents Turned Away Due to Non-Income-Based Eligibility Requirements

“Approximately 50 to 60 percent of those who applied and were determined to be ineligible reported that it was due to not meeting school participation, living arrangement, or other requirements (besides income).”

Teen Parents Turned Away Less Likely to Access Other Services

“Teens who were receiving TANF were more likely than those not receiving TANF to be accessing other assistance programs, such as medical assistance, child care, food stamps, and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).”

These data suggest that a significant number of minor parents are being turned away from TANF assistance before their eligibility is determined, and that teens who are turned away are less likely to access other programs for those in need, including those specifically designed for needy infants and mothers.

Why and How Did Illinois Refine the Rules for Minor Parents?

Illinois made a set of choices around minor parents that did not rubber stamp the federal law. First, the state decided that it did not want the federal 60 month time limit to start ticking while a teen was a minor. Instead, the state structured its program so that state funds are tapped for minors, thus the federal time limit starts when teen parent heads of household turn 18.^{vi} The state also focused on educational attainment; further, it recognized that there are varieties of health, safety, and other situations where minors should not be mandated to “live at home” or with a relative. (See Appendix 1 for Illinois’ detailed list of living arrangement exceptions.) On participation in education, Illinois extends the requirement to teen parents through age 19, not just through age 17 as under federal law. Although education is generally required, 18 and 19 year olds may participate in alternate activities when appropriate as part of their self-sufficiency plan or when they have obtained a high school diploma or GED. The Illinois Department of Human Services funds a case management program called Teen Parent Services (TPS), which is designed to help teen parents participate in educational activities. It is mandatory for TANF teen parents and voluntary for other teen parents. TPS works with the teen parents until they have obtained their high school diploma or GED. TPS also has two

broader but related goals—to help young parents avoid a subsequent teen pregnancy and support the parenting of their children.

Despite having a reasonable set of state policies and even in the face of case management tailored to teen parents, there was reason to worry that local implementation was not on par with state expectations. Advocacy organizations and the Illinois Department of Human Services (DHS) began to work together as early as 1999 to increase the number of eligible teen parents successfully accessing TANF assistance and TPS. A great number of strategies have been tried, and cumulatively they have begun to have an impact. Illinois' efforts have taken place on three levels: community outreach to individuals, administrative advocacy, and legislative advocacy.

Community Outreach

Advocates and the state agency have undertaken outreach. Advocates have published fact sheets and provided training for youth and adults on teen parents' rights and responsibilities in the TANF program. With this information on rights and responsibilities, some youth and adults have advocated in individual cases and with individual DHS offices. DHS also published a new brochure for their TPS program that explains in simple terms the teen parent TANF rules.^{vii}

The Illinois Caucus for Adolescent Health partnered with teen parents in two Chicago neighborhoods to create a peer outreach and advocacy pilot program that informed teen parents about accessing TPS and TANF. The pilot program aimed to change persisting perceptions, based on previous misapplication of minor parent rules, that minors or even older teen parents could never qualify for their own TANF benefits. Other equally important goals included providing information about the real TANF rules, how to advocate for oneself, and how to get help from TPS or the local Public Benefits Hotline to navigate the application process. Due to the outreach efforts, 60 more young parents enrolled in local TPS programs. This 42 percent increase occurred at the same time that two other Chicago TPS providers saw a decrease in enrollment. The increase in enrollment in the TPS case management program does not necessarily translate into an increase in TANF participation; unfortunately, data is not available on how many teen parents and their TPS case managers successfully navigated the TANF application process.

Disseminating information on rights, responsibilities, and how to advocate for oneself was an important piece of Illinois' strategy. Teen parents and their case managers, however, often felt the materials did not fully prepare them to work with the TANF caseworkers inside the DHS agency. Teen parents and their case managers often felt like unskilled outsiders trying to get the insiders' help, and they also reported instances in which DHS caseworkers were continuing to implement the teen parent rules incorrectly. Advocates therefore asked DHS to make administrative changes that would improve TANF caseworker practices and culture within DHS.

Administrative Advocacy

DHS made changes to both the Teen Parent Services case management program and TANF administration. Advocates had met with DHS and focused on common goals—that teen parents live in safe homes and finish school—and this shared vision contributed to DHS listening to advocates' recommendations regarding changes the agency could implement to improve teen parent access to TANF.

One agency administrator witnessed firsthand the need to educate DHS staff about minor parent rules. When the administrator asked a receptionist in a large Chicago office what she would do if a minor parent asked to apply for TANF, the receptionist said that she would not give the minor an application. This disturbing response reaffirmed what teen parents and their case managers had reported in focus groups and motivated the administrator to press forward with staff training and policy changes.

DHS expanded the role of TPS case managers in helping teen parents access TANF. The state agency took this step in large measure because of a key Illinois Caucus for Adolescent Health focus group finding: many TPS case managers reported the need to step in when DHS caseworkers misapplied requirements to their program participants. Specifically, in 2000, DHS encouraged TPS staff to co-locate services at the DHS TANF offices. Many case managers in smaller cities and rural areas reported that setting up shop in the DHS office at least one day a week allowed them to “catch” situations where a minor parent would have otherwise been sent away without help, in addition to giving them the chance to develop a close working relationship with DHS staff.

DHS also took another step to expand the role of the TPS case managers. Although it was originally conceived as a support for TANF teen parents only, DHS began allowing TPS case managers to serve young parents receiving Medicaid, food stamps, and WIC benefits. By working with teen parents enrolled in these programs, the case managers might identify those eligible for but not participating in TANF. While a positive measure, the expansion was limited in scale because the dollar amount of TPS contracts did not

Research and Advocacy Timeline	
1998	Teen parents in Illinois focus groups say they are turned away from TANF before having the chance to apply.
1999	Advocates and DHS meet to discuss the data.
2000	TPS case managers begin to co-locate in TANF offices and work with a limited number of non-TANF teen parents.
2001	Advocates train DHS intake staff on teen parent rules and working with adolescent parents.
2001	DHS commits to incorporating materials from the intake staff training into general courses, publishes a teen parent “tip sheet” for caseworkers online, and consolidates all rules relating to teen parents into one section of their policy manual.
2002	Three-city survey, including Chicago, shows teen parents denied access to TANF.
2002	Advocates train TPS case managers on teen parent rules and advocating with DHS.
2003	Transitional compliance law proposed, DHS agrees to implement administratively.
2004	Transitional compliance for the living arrangement rule implemented.
2004	DHS pays TPS contractors for helping teen parents navigate the TANF application process.
2004	DHS records an increase in the number of minor parents accessing TANF.

increase substantially, and only those programs with open slots served teen parents who were not already receiving TANF.

DHS took steps related to training, procedures, and materials for caseworkers in DHS and, as well, for TPS case managers. In 2001, DHS had agreed to designate a caseworker as an “intake specialist” in each TANF office. This specialist would gain expertise in the details of the rules specific to teen parents and how to work with adolescents. DHS brought the advocates in to train the new intake specialists, as well as some local office administrators. To help DHS caseworkers learn the complexities of the TANF rules, advocates used a number of learning techniques. For example, groups of caseworkers worked together to resolve fictitious case scenarios. In addressing each scenario, they could reference a “tip sheet” that explained teen parent TANF rules and contained references to the DHS TANF policy manual.^{viii}

Discussions of case scenarios proved particularly useful, dispelling notions that minor parents cannot apply without bringing in their own parents. DHS caseworkers and administrative staff generally thought highly of the training and the tip sheet, in particular. Although advocates communicated information on the high likelihood of sexual and other abuse faced by teen parents in their parents’ homes, a minority of caseworkers clung firm to the notion that teen parents are always better off living with their parents. One even said that she would refuse to follow the policy allowing alternative living arrangements, such as living with a grandparent.

DHS followed the training with a commitment to integrate the materials into ongoing general DHS courses for caseworkers. The agency also published the tip sheet as an online resource for caseworkers and consolidated teen parent rules into one section of the policy manual. Ongoing designation and training of intake specialists appears to be irregular, depending on the commitment of individual administrators. In later discussions with DHS, advocates determined that DHS had not prioritized the intake specialist model as a statewide policy, partly due to the logistics of staffing patterns in offices and chronic understaffing.

DHS hired advocates to help train TPS case managers in teen parent TANF eligibility rules in 2002. In addition to using the tip sheet on teen parent TANF rules to address case scenarios, case managers were encouraged to think about how they could form relationships and solve problems with DHS staff. TPS case managers evidenced a range of attitudes about assisting teens in navigating DHS to access TANF. Some felt empowered to advocate for minor parents, others wanted to help but felt DHS staff held the power, and a few were not even interested.

Legislative Advocacy—Administrative Response

In January 2003, advocates proposed a new “transitional compliance” law (Appendix 2) that would require DHS to allow minor parents to receive TANF for three months’ time during which they would have the opportunity to come into compliance with the living arrangement and the education rules. This step was taken because while reports from the

field indicated that the administrative changes had a positive effect, the overall number of teen parents accessing TANF was still declining at a more rapid rate than the teen birthrate. Between federal fiscal years 2001 and 2002, the number of teen parents receiving TANF in Illinois decreased by 22 percent, to 2,684.^x In contrast, between calendar years 2001 and 2002 the teen birth rate only decreased by 8 percent to 18,546.^x The estimated Illinois poverty rate actually increased during this time period from 10 percent to 11 percent.^{x1}

It turned out that the legislative proposal for transitional compliance, part of the welfare package introduced at the start of the term of a new governor and new director of DHS, was well-received by DHS in this new political context. In fact, the DHS administration was open to making improvements in the system administratively rather than legislatively. DHS further suggested that for the minor parent education rule, it was already accomplishing what was being sought. Specifically, teen parent TANF applicants are immediately referred to TPS case managers and those not enrolled in school can participate by engaging with their case managers in identifying and seeking to enroll in an appropriate program.

In January 2004, DHS began to implement a transitional compliance policy (Appendix 1) giving minor parents six months to come into compliance with or prove they were meeting the living arrangement rule. DHS saw TPS case managers as a key resource to help them implement transitional compliance effectively.

To foster the expanded role of TPS, DHS began a new reimbursement system for TPS-contracted agencies when they helped teen parents navigate through the TANF application process. Until this administrative decision, TPS contractors had been paid a flat monthly rate of \$180 to \$190 for working with teen parents who were in school or employed; this meant the contractor absorbed the costs related to getting teen parents into TANF. Now, TPS agencies receive a one-time payment of \$50 per case for helping teen parents navigate the TANF application process, which provides a clear incentive for getting eligible teen parents into the program.

By March 2004, reports started to come in from teen parent programs around the state that there was a significant increase in referrals of teen parent TANF applicants to TPS offices. Excited by the positive signs, advocates met with DHS to agree on a set of factors by which to evaluate the new policy.

What Happened When Illinois Implemented Living Arrangement Transitional Compliance?

DHS examined the experiences of minor parents applying for TANF from June to August 2004, and compared the number of those receiving TANF with June 2003. DHS staff collected the data through their computer system and intensive follow-up with individual cases.^{xii}

Key finding on minor parent access to TANF:

- ✓ From June 2003 to June 2004, the number of minor parents receiving TANF as head of household increased from 112 to 158, an increase of 41 percent.

Data on the 90 minor parents who applied for TANF between June and August 2004:

- ✓ Most of the 90 minor parents who applied were approved for TANF (96 percent).
- ✓ Most (58 percent) of the 88 minor parents whose housing status was recorded were living with a parent or close relative, which met the living arrangement requirements.
- ✓ Of the 42 percent of minor parents who were not living with a parent or close relative over half (51 percent) had been kicked out of the house by their parents, did not know where their parents were, or had deceased parents. The remainder of the minor parents had lived outside the home for over a year, lived in a maternity home, were in transitional compliance, had an unknown reason for not living with a parent or relative, or had a parent who lived out of state or was addicted to drugs or alcohol. Anecdotally many of the minor parents told of high levels of family conflict; their parents' homelessness; overcrowded housing where they would be breaking the lease by staying; or housing where they were exposed to substance abuse, domestic violence, and criminal activity.
- ✓ Most (85 percent) of the 78 minor parents whose educational status was known were in secondary education, higher education, or had completed high school or obtained a GED.

Data on the 28 minor parents who were originally classified as in transitional compliance between June and August 2004:

- ✓ Of the 28 minor parents classified as in transitional compliance, about half (15) actually should have been eligible under the standard rules since they were living with family. The existence of the transitional compliance category may have prevented DHS caseworkers from turning away eligible applicants. The misclassifications were discovered in required monthly meetings between DHS staff and TPS case managers regarding teen parents who are in transitional compliance.
- ✓ The remaining 13 of the 28 minor parents were living with friends, boyfriends' or baby's fathers' families, or on their own.
- ✓ Eight of the 13 minor parents turned 18 before the six months ended, and none have reached the end of the six months and been cut off.
- ✓ DHS found that many minor parents' living arrangements changed rapidly, and that the types of living arrangements for the group as a whole did not change substantially over the study period, perhaps indicating a lack of options for alternative housing.

Implications of Transitional Compliance Data

Almost all of the minor parents who applied for TANF either met the living arrangement rules or qualified for an exemption. Only 13 of the 90 applicants truly needed the transitional compliance period, according to DHS policy. None were later denied continued TANF benefits because they had failed to come into compliance during the six month period, indicating that transitional compliance is truly transitional.

The real story here may be that 96 percent of the minor parents who applied for TANF were found to be eligible, even though 42 percent were not living with a parent or relative. These statistics taken together indicate a need to take special care in applying the minor parent living arrangement rule, since many minor parents who do not live with a parent or relative are still eligible and in need of TANF. The effect of the rule, therefore, has been to cut down on denials that were inappropriate: for example, denials of minor parents just because they were “underage” (when, in fact, there is no age restriction) or because they were not living with a parent (when, in fact, other relatives and alternatives are permissible).

The data also indicate that DHS was successful in changing their procedures and the organizational culture so that caseworkers knew and followed the intricacies of the state policy, most of which existed prior to transitional compliance. To implement the new transitional compliance period, DHS created a form (Appendix 3) that led caseworkers through the allowable living arrangements and exemptions. The form may have achieved more than merely documentation of a decision. The form itself may serve to remind caseworkers of the conditions under which minors and other teen parents can apply for and receive their own TANF benefits. DHS also followed up with focused attention on the cases of teen parents in transitional compliance, requiring monthly meetings about individual teen parent cases between DHS staff and TPS case managers.

The DHS analysis of transitional compliance, while encouraging, did not answer the question of whether some teen parents are still turned away from the door before they file an application. To address this issue, state agencies could send in test applicants to their offices or compare the number of teen parents receiving TANF to an estimate of the number who would meet the eligibility criteria.

Next Steps in Illinois

While the increase in the number of eligible minor parents accessing TANF is a reasonable start, Illinois still has a great deal of work to do to make sure it is serving all eligible teen parents, both minors and older teens. There were 6,198 births to mothers under age 18 in 2003, and 11,472 births to mothers ages 18 and 19, the majority of which are likely living in poverty, according to national statistics. Illinois may be able to look at age and income levels of mothers in its Pregnancy Risk Assessment Monitoring System (PRAMS) data to create an estimate of the number of teen parents who meet the income eligibility criteria for TANF.

Another important strategy for Illinois will be TANF outreach within the current group of teen parents receiving WIC and Medicaid. A positive outreach campaign, such as an informational mailing to the current group of teen parents receiving Medicaid, may help counteract the prevailing notion, based on years of misinformation and misapplication of minor parent rules, that minors and older teen parents just cannot get TANF assistance from the “Public Aid,” or DHS, office.

DHS and advocates should continue to monitor and correct implementation problems with the minor parent rules that affect both minors and older teen parents. It is still not known how many eligible teen parents were discouraged from applying and then did not submit an application. An important part of improving implementation of the rules will be to systematize and improve data collection on teen parents who are eligible for, apply for, and receive TANF. For example, DHS recently updated its computer system to track the status of TANF applications from people who are already receiving Medicaid.

Finally, the housing situation of the teen parents in the study, and other Illinois studies, indicates a critical need for alternative housing options for young parents, particularly those who are in transitional compliance and attempting to meet TANF living arrangement requirements. The majority of the applicants during the study period who did not live with a parent or close relative were not able to do so, and many times their living arrangements changed rapidly. A recent survey of teen parent service providers in Illinois showed that 16 percent of the adolescents they served were in need of alternative housing options. While most of this group of parents would be able to receive TANF through exemption from the living arrangement rule because of health or safety concerns, this does not mean they are living in secure housing, nor would the amount of money provided by TANF in Chicago, \$292 per month for a family of two, be sufficient to rent housing on their own while meeting other basic needs.

Lessons from Illinois' Implementation of Teen Parent Rules

The progress in Illinois is likely due to the cumulative effect of most of the strategies used to ensure eligible teen parents access TANF. Each of these strategies taken together contributed to changing the culture away from an assumption that teen parents should not get TANF. If there is a single strategy that appeared to be most effective, it was implementing the transitional compliance period. Perhaps this is because DHS created a new coding system that required caseworkers to look at a list of allowable living arrangements and exemptions for the correct code, reminding them in each case of the policy (Appendix 3). It is unlikely that even this strategy would have been effective had it not been for the existence of the teen parent case management program and the decision to train and pay contracted agencies for their time in assisting TANF applicants. The changes were possible because the DHS administration was willing to put time and effort into changing their system and troubleshooting individual cases. Now that the application process is improving, outreach efforts, particularly those run by peers or targeted to current caseloads in similar means-tested programs, have great potential for increasing access. Continued monitoring and improvement of TANF administration will also be critical to making the TANF accessible to teen parents.

Recommendations for TANF Reauthorization

The federal TANF law was due to be reauthorized in 2002. In anticipation of the opportunity to change the treatment of minor

Recommendations for Advocates to Improve State Implementation of Federal Minor Parent Rules
<p>Develop qualitative and quantitative data on the experience of teen parents and their case managers, If the state agency does not have data.</p> <p>Develop expertise on the teen parent TANF rules in your state and provide basic fact sheets and training to groups of youth and adults who work with teen parents, such as community-based case managers and school social workers.</p> <p>Make the fact sheets available online.</p> <p>Present the data to the agency to see if there is common ground regarding goals.</p> <p>Ask the agency to increase the role of teen parent case management programs in helping teen parents access TANF by allowing them to:</p> <ul style="list-style-type: none"> • Co-locate services in TANF offices. • Serve all teen parents who are likely to be eligible for TANF. • Access expert training in teen parent TANF rules and in working with TANF office staff. • Bill specifically for time spent on assisting teen parents in applying for TANF. <p>Ask the agency to improve training and support of its TANF staff so that they can correctly apply teen parent rules by:</p> <ul style="list-style-type: none"> • Providing expert training in teen parent TANF rules and working with adolescents, using case scenarios and information on the levels of barriers such as sexual abuse and domestic violence among teen parents. • Integrating that training into general courses for caseworkers. • Consolidating teen parent rules into one section of the policy manual and creating easy-to-use, internet-accessible fact sheets on teen parent rules. <p>Ask the agency to create a transitional compliance period for teen parent requirements and change their computer systems so that caseworkers must view a list of allowable living arrangement and education participation options to proceed with the case.</p> <p>Ask the agency for a report on the number and status of teen parents accessing TANF.</p> <p>Meet with the agency to discuss the results of the report and brainstorm further actions.</p> <p>Consider initiating a peer outreach project, in addition to advocating change in agency practices.</p>

parents under the law, in 2001 CLASP issued recommendations, which included the creation of “transitional compliance.” (Other recommendations addressed the sanction rate of teen parents, which appears disproportionately high, the inadequate funding of “second chance homes,” etc.)^{xiii}

In 2005, Congress may consider a transitional compliance provision. While the welfare bills that have passed the House since 2002 have not included transitional compliance (and would not be expected to in 2005), the story is different in the Senate. A transitional compliance provision was included in the Senate Finance Committee’s bills in both 2003 and 2004.

Unlike when TANF was originally up for reauthorization and little was known about transitional compliance, Congress now can look to the experience and data in Illinois. The findings are encouraging and suggest that the new process helps staff better understand the rules. Other states may follow Illinois’ lead; indeed, a bill has been filed in California to establish transitional compliance.^{xiv} It makes sense for Congress to implement a transitional compliance provision so that local staff in all states can better understand the minor parent provisions and related requirements and the value of getting young families into the program.

In the Senate, the transitional compliance provision that passed the Senate Finance Committee in 2003 and 2004 is part of the bill approved by the Committee in 2005 that awaits floor consideration. The Senate provision would apply to both the living arrangement rule and the schooling rule. Under the provision, a state could spend federal TANF funds for 60 days on a minor parent who was ineligible at the time of application (states can now and could continue to use state funds to supplement; also note that states determine how to define participation in education and determine when a living arrangement is in the best interests of the child). The Senate Finance Committee, in the 2004 report on the bill, explained the reason for the change:

“The Committee bill includes a ‘transitional compliance’ period for minor parents, so that income-eligible minor parents who at the time of application are having trouble meeting the rules and eligibility conditions related to education and living arrangements (such as school dropouts and homeless youth) are brought into the program where they can get the case management they need to meet the requirements.”

In order to become law, the bill must pass on the Senate floor. Then, when the House and Senate “conference” over their differences, the provision could be accepted or rejected. While it is not possible to predict what will happen to transitional compliance, it may enjoy “under the radar screen” status. In other words, conferees will be focused on more controversial subjects, such as work requirements for welfare participants and the adequacy of child care funding.

Summary

Teen parents are a particularly vulnerable population. There is reason to be concerned about educational attainment by the teen and the living arrangement of the teen and child. Congress tried to address these concerns when it overhauled the welfare program and created TANF in 1996. However, it appears that misunderstanding of the goals and application of these provisions have had an unintended consequence—some eligible, needy teen parents have been shut out of the program. One way to address this problem is to create a provision, transitional compliance, which allows minor parents time to meet the terms of the eligibility rules. Since 2001, when groups advocated Congress adopt this provision in TANF reauthorized, Illinois has implemented a transitional compliance rule, and legislation has been introduced in California.^{xv} The evidence from Illinois is encouraging and suggests that transitional compliance should be included in reauthorization to address the possibility that the very teen parents who are most vulnerable are not inappropriately denied TANF. Whether or not transitional compliance is included in any TANF reauthorization, states can and should act to ensure vulnerable teen parents can participate in TANF and its related education and living arrangement requirements.

APPENDIX 1

Below is the text of the administrative rule adopted by the Illinois Department of Human Services in March 2004. It can also be found on the internet at:

<http://www.ilga.gov/commission/jcar/admincode/089/089001120B00670R.html>

JOINT COMMITTEE ON ADMINISTRATIVE RULES ADMINISTRATIVE CODE

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS
PART 112 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
SECTION 112.67 RESTRICTION IN PAYMENT TO HOUSEHOLDS HEADED BY A MINOR
PARENT

Section 112.67 Restriction in Payment to Households Headed by a Minor Parent

- a) A TANF cash payment shall be paid, for no more than six months, to a minor parent (including a pregnant woman) under age 18 who has never married and the dependent child in his or her care unless that person resides in the household of his or her parent, legal guardian, or other adult relative, or in an adult-supervised supportive living arrangement. The Department and Teen Parent Services are to help the teen parent comply with the minor-live-at-home requirement or document an exception to it during the six-month period in which the teen parent does not meet the minor-live-at-home requirement. An exception shall be made in any of the following circumstances:
- 1) The minor parent has no living parent or legal guardian whose whereabouts are known;
 - 2) No living parent or legal guardian of the minor parent allows the minor parent to live in his or her home;
 - 3) The minor parent lived apart from his or her own parent or legal guardian for a period of at least one year before either the birth of the dependent child or the minor parent's having made application for TANF;
 - 4) The physical or emotional health or safety of the minor parent or dependent child would be jeopardized if they resided in the same residence with the parent or legal guardian;
 - 5) There is otherwise good cause for the minor parent and dependent child to receive assistance while living apart from the parent, legal guardian, or other adult relative, or an adult-supervised supportive living arrangement. These reasons are:
 - A) The parent or guardian lives out-of-state;

Center for Law and Social Policy

- B) The parent or guardian is in an institution;
 - C) The parent or guardian is a substance abuser;
 - D) The return of the minor parent and child to the parent or guardian's home would result in a lease violation or violation of local health or safety standards;
 - E) The minor parent is placed by DCFS in independent living (see 89 Ill. Adm. Code 302.40(e)); or
 - F) The minor parent is in a licensed substance abuse program which would not be available if the minor returned to the parent or guardian's home.
- b) The minor shall have the right to choose among these approvable living arrangements. The Department shall not require the minor to explain why he or she chose one arrangement over another.
 - c) When a minor parent and his or her dependent child are required to live with the parent, legal guardian, or other adult relative, or in an adult-supervised supportive living arrangement, then, where possible, the TANF grant is paid to the adult who is responsible for supervising the minor. Otherwise, the minor receives the TANF grant.
 - d) Minor parents under age 20 with no child under the age of 12 weeks may receive assistance only if they have successfully completed high school, have a GED certificate, or are attending school, except 18 and 19 year olds may be assigned to work activities or training if it is determined by an individualized assessment that such educational activities are inappropriate. If these requirements are not met, they are subject to sanction (see Section 112.79).

(Source: Amended at 28 Ill. Reg. 5655, effective March 22, 2004)

APPENDIX 2

Below is the text of the House Bill 3588, proposed in 2003 in the Illinois legislature in the 93rd General Assembly. The bill was not passed because DHS agreed to adopt changes in its administrative code. It can also be found on the internet at: <http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=3&GA=93&DocTypeId=HB&DocNum=3588&GAID=3&LegID=6161&SpecSess=&Session=>

093_HB3588

LRB093 09989 DRJ 12172 b

1 AN ACT in relation to public aid.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Sections 4-1.2c and 4-1.9 as follows:

6 (305 ILCS 5/4-1.2c)

7 Sec. 4-1.2c. Residence of child who is pregnant or a
8 parent.

9 (a) Notwithstanding any other provision of this Code, ~~no~~
10 ~~aid shall be paid under this Article on behalf of a person~~
11 ~~under age 18 who has never married and who has a child or is~~
12 ~~pregnant must, within 3 months after beginning to receive~~
13 ~~aid under this Article, reside, unless that person resides~~
14 with a parent, legal guardian, or other adult relative or in
15 a foster home, maternity home, or other adult-supervised
16 living arrangement.

17 (b) The Illinois Department may make an exception to the
18 requirement of subsection (a) in any of the following
19 circumstances:

20 (1) The person has no living parent or legal
21 guardian, or the parent's or legal guardian's whereabouts
22 are unknown.

23 (2) ~~The Illinois Department determines that the~~
24 ~~physical~~ health or safety of the person or the person's
25 child would be jeopardized.

26 (3) The person has lived apart from the parent or
27 legal guardian for a period of at least one year before
28 the child's birth or before applying for aid under this
29 Article.

30 (c) (Blank).

31 (Source: P.A. 92-111, eff. 1-1-02.)

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1 (305 ILCS 5/4-1.9) (from Ch. 23, par. 4-1.9)

2 Sec. 4-1.9. Participation in Educational and Vocational
3 Training Programs.

4 (a) A parent or parents and a child age 16 or over not
5 in regular attendance in school, as defined in Section 4-1.1
6 as that Section existed on August 26, 1969 (the effective
7 date of Public Act 76-1047), for whom education and training
8 is suitable, must participate in the educational and
9 vocational training programs provided pursuant to Article
10 IXA.

11 (b) Within 3 months after a parent who is less than 20
12 years of age and who has not received a high school diploma
13 or high school equivalency certificate begins to receive aid
14 under this Article, the parent is required to be enrolled in
15 school or in an educational program that is expected to
16 result in the receipt of a high school diploma or high school
17 equivalency certificate, except 18 and 19 year old parents
18 may be assigned to work activities or training if it is
19 determined based on an individualized assessment that
20 secondary school is inappropriate.

21 (Source: P.A. 89-6, eff. 3-6-95; 90-17, eff. 7-1-97.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.

APPENDIX 3

This form is used by DHS caseworkers to document how the living arrangement rule applies to each minor-parent TANF case. A notice explaining the rule to teen parents accompanies it.



State of Illinois
Department of Human Services

1 (PERMANENT)

MINOR PARENT LIVE AT HOME VERIFICATION

Complete for all cases with grantee under age 18

Case name _____ Case number _____

Address: _____ Grantee's Birthdate _____

Has grantee ever been married? Yes No

If yes, verification _____

If no, complete rest of form.

For TANF cash assistance, a parent or pregnant woman under age 18 who has never married must meet one of the criteria listed in #1 - 7. If one of the criteria is met, complete the appropriate item and enter the correct code in Box 20 Living Arrangement on Form IL444-0552. If none of the criteria are met, determine if the client is eligible to receive TANF for up to 6 months without meeting the minor live at home policy (see PM 14-06).

1. The grantee lives with a parent or relative who is 18 or older or with a legal guardian
Name of Person _____
Relationship _____ Age _____
Verification _____
Enter Code 01 in Item 20

2. The grantee lives in an adult-supervised living arrangement (such as maternity or foster home). Name and description of facility _____
Verification _____
Enter Code 02 in Item 20

3. The grantee's parent(s)/legal guardian is deceased or their whereabouts are unknown. (In #3-7, "parent(s)/legal guardian" means the parent(s)/legal guardian with whom the grantee last lived.)
Mother's name _____ Date of Death _____
or Last known address _____ as of _____
Verification _____
Father's name _____ Date of Death _____
or Last known address _____ as of _____
Verification _____
Legal guardian's name _____ Date of Death _____
or Last known address _____ as of _____
Verification _____
Enter Code 22 in Item 20

4. The grantee's parent or legal guardian will not allow the grantee and children to live with them.
Name of parent/guardian _____
Address and phone _____
Verification _____
Enter Code 23 in Item 20

IL444-3604 (R-9-03)

5 The grantee has lived apart from a parent/guardian for at least one year

Grantee's address and living arrangement for the one year period

Verification _____

Enter Code 21 in Item 20.

6 The physical or emotional health or safety of the grantee or child would be in danger if they lived with the parent or legal guardian.

Explain _____

Verification _____

Enter Code 24 in Item 20

7 The grantee is allowed to live apart from the parent or guardian because

_____ the parent/guardian [] lives out-of-state, [] is in an institution, or [] is a substance abuser

Name _____ Phone _____

Address _____

Verification _____

_____ the minor parent and child's return to the parent/guardian's home would violate their lease or local health or safety standards

Name _____ Phone _____

Address _____

Verification _____

_____ the minor parent is placed by DCFS in Independent Living,

Verification _____ or

_____ The minor parent is in a licensed substance abuse treatment program which would not be available if the minor returned to the parent/guardian's home

Verification _____

Enter Code 25 in Item 20

If the grantee does not currently meet any of the criteria in #1-7 above, has the client received TANF for 6 months without meeting any of the criteria in #1-7 above? Yes No

If no: enter code 26 in item 20 and code 652 MINOR in item 30. The client is eligible for cash assistance

If the grantee does not currently meet any of the criteria in #1-7 above and has received TANF for 6 months without meeting any of the criteria in #1 - 7 above, the case is ineligible for cash assistance

_____ Case changed to medical only effective _____

Enter Code 99 in Item 20 on the 94/96 case

Completed by: _____ Date _____



State of Illinois
Department of Human Services

TANF MINOR PARENT LIVE AT HOME REQUIREMENT

After 6 months of receiving TANF, pregnant women and parents under age 18 must live with their parent, legal guardian, adult relative, or in a group home, maternity home, or other adult-supervised arrangement in order to qualify for TANF cash assistance for themselves and their children. In most cases, their cash benefits will be sent to the adult with whom they live.

If you are under 18, have received TANF for at least 6 months, and you do not live with a parent, legal guardian, adult relative, or in a group home, maternity home, or other adult-supervised arrangement, you cannot receive cash assistance for yourself and your child unless one of the following things is true:

- you are or have been married;
- your parent or guardian is deceased or their whereabouts are unknown;
- you have lived apart from your parent or guardian for at least one year before your child's birth or before you applied for assistance;
- your physical or emotional health or safety or that of your child would be in danger if you lived with your parent or guardian;
- your parent or guardian will not let you and your child live with them;
- your parent or guardian lives out-of-state, is in an institution, or is addicted to drugs or alcohol;
- your return to your parent or guardian's home would violate a lease or local health or safety standards; or
- you are in a licensed substance abuse treatment program which would not be available if you returned to your parent or guardian's home.

If you are a pregnant woman or parent who is under age 18, you must provide proof that your living arrangement is acceptable or that you qualify for one of the exemptions listed above. If you do not meet the live at home requirement and you do not qualify for an exemption, you cannot get TANF cash assistance for your family, you may still be able to get medical assistance and food stamps.

If you have any questions, ask your caseworker at the local human services office. You may also call the Illinois Department of Human Services, Bureau of Customer Inquiry & Assistance, toll-free at 1-800-252-8635 (voice) Monday-Friday 8:30 a.m.-4:45 p.m. (excluding State holidays). Persons using a teletypewriter (TTY) can call toll-free at 1-800-447-6404. For answers to your questions, you may also write:

Illinois Department of Human Services
Bureau of Provider Assistance & Correspondence
100 South Grand Avenue East
Springfield, Illinois 62762

IL444-3605 (R-9-03)

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The Center for Law and Social Policy (CLASP) is a national non-profit that works to improve the lives of low-income people. CLASP's mission is to improve the economic security, educational and workforce prospects, and family stability of low-income parents, children, and youth and to secure equal justice for all.

ⁱ TANF was originally due to expire in 2002 and has continued under a series of stop-gap measures.

ⁱⁱ Jodie Levin-Epstein, "Teen Parent Provisions in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996." Washington, DC: Center for Law and Social Policy, November 1996.

<http://www.clasp.org/publications/teen.pdf>

ⁱⁱⁱ Martha Mathews and Shannon Shelly, "Turned Away, Misinformed, Denied — Teen Parents' Experiences in Welfare Offices." *Youth Law News*, July-August 1999.

^{iv} Kevin Roy and Glibel Gomez. *Teen Parents and Welfare Reform in Illinois: A Public Policy Report*. Chicago, IL: The Illinois Caucus for Adolescent Health, 1999. <http://icah.org>

^v Deborah L. Shapiro and Helene M. Marcy, "Knocking On the Door: Barriers to Welfare and Other Assistance For Teen Parents – A Three-City Research Study." Chicago, Illinois: Center for Impact Research, 2002. <http://www.impactresearch.org/documents/cirknockdoor.pdf>

^{vi} The cost to the state is negligible since the number of minor parents represents a very small percentage of the caseload.

^{vii} See the Illinois Teen Parent Services brochure at <http://www.dhs.state.il.us/chp/brochures/dhs2942.asp>.

^{viii} The Illinois Caucus for Adolescent Health has since updated the tip sheet, which can be viewed at <http://icah.org/resources.html>

^{ix} Fifth Annual Report to Congress on TANF, U.S. Department of Health and Human Services, 2003.

Sixth Annual Report to Congress on TANF, U.S. Department of Health and Human Services, 2004.

See <http://www.acf.hhs.gov/programs/ofa/indexar.htm> for both reports.

^x "Births to Mothers Under 20 Years of Age - Illinois: 1959 – 2003", Illinois Department of Public Health, <http://www.idph.state.il.us/health/tcen/birthsunder20--59-99.htm>

^{xi} U.S. Census Bureau, Small Area Income and Poverty Estimates. www.census.gov

^{xii} DHS provided an October, 2004 report to advocates entitled, "Study of Illinois Teen TANF Applicants." Note that the number of cases studied is small and therefore the results may not be representative of the larger group of minor parents who have applied since the Illinois implemented transitional compliance.

^{xiii} Jodie Levin-Epstein, Christine Grisham, and Myra Batchelder, "Comments to the U.S. Department of Health and Human Services Regarding Teen Pregnancy Prevention and Teens Parents Provisions in the Temporary Assistance for Needy Families (TANF) Block Grant." Washington, DC: Center for Law and Social Policy, 2001.

http://www.clasp.org/publications/comments_regarding_teen_pregnancy.pdf

^{xiv} SB 493: [http://www.leginfo.ca.gov/cgi-](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_493&sess=CUR&house=B&author=kuehl)

[bin/postquery?bill_number=sb_493&sess=CUR&house=B&author=kuehl](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_493&sess=CUR&house=B&author=kuehl)

^{xv} SB 493