

THE MINOR PARENT LIVING ARRANGEMENT PROVISION

THE 1996 LAW:

TANF (Temporary Assistance to Needy Families) prohibits a state from spending TANF federal 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 that reflect that some minor parents live independently in order to avoid abusive environmentsⁱ. There are no special federal funds set-aside in TANF for “second chance” living arrangements.

KEY DEVELOPMENTS:

The impetus for the 1996 living arrangement provision was premised on two issues: (1) minor mothers should not raise their children without adult supervision because research suggests they and their children need such helpⁱⁱ and (2) minor mothers should not be allowed to set up their own household because this encourages and rewards such childbearing. However, minor mothers and their infants who are denied TANF are left without its aid, case management, and other requirements.

What are some key issues around implementation? For some teen mothers, it is unsafe to live with parents and/or other adult relatives. That is why the provision allows for exceptionsⁱⁱⁱ. However, some local welfare offices may operate as though there are no exceptions and discourage applications from minors who don't “live at home”. Safety aside, sensibility may suggest reason for exceptions: e.g. 17 year olds who are about to turn 18.

What are the living arrangements of minor mothers receiving TANF? Federal reporting does not require information on the living arrangements of minor parents or older teen parents. CLASP surveys in 1997^{iv} and 2000^v indicated that few states track how many minor TANF parents lived with parents/relatives; lived in second chance homes; or were approved to live independently.

How many minor mothers receive TANF assistance and might be affected by the rule? The national number of minor mothers receiving assistance is difficult to determine. In part, this is because minors “embedded” in larger TANF households are sometimes not identified; in addition, federal estimation methods may underestimate the true number. HHS reports that in 1998-1999 about 21,000 TANF children were teen parents; another 277,000 TANF children with “status unknown” may or may not have been teen parents. In addition, some of the 87,000 teen parents who are “adults” include those minors who are heads of household^{vi}.

Are minor parents not applying for TANF due to the minor living arrangement provision? Federal rules do not require states to report on the number of minors who seek TANF but are denied applications or aid because of the provision. However, findings from a study in Los Angeles county and preliminary research in Chicago indicate that some minor mothers are

being denied TANF due to caseworker misunderstanding about the rule. This local “turning away at the door” appears to be out of sync with state policy. In addition, some minor mothers may not seek applications because they believe that unless they “live at home” they are ineligible^{vii}.

How many minor parents have been determined ineligible for TANF due to the minor living arrangement provision? Federal rules (as of October 1, 1999) now require states to report the number of existing TANF cases that are *closed* because the teen parent failed to live in an adult supervised setting^{viii}. Earlier sources provide a glimpse of the rule’s impact but likely include both cases closed as well as those not opened due to the rule; for example a report of three states in 1997 found that 1%, 7%, and 10% of minor parents were denied cash aid due to a living arrangement rule^{ix}; a CLASP 1997 national survey found that in 9 states which could report data, roughly 1,300 minor parents were denied TANF because of the provision (representing 7% or less of each state’s total minor parent participation, according to our rough estimation)^x; a 2000 CLASP survey about *ineligibility* because of the provision found only 3 states tracking this information and only 1 reporting some ineligible teens^{xi}.

What other implementation policies do states need to consider? A key issue for states is who should conduct the assessment of the minor’s living arrangement – should it be the child welfare agency, a community-based organization, the welfare agency? Another question is whether the minor should be considered a head of household when she lives with adult supervision. If she is treated as a head of household, her federal five-year lifetime limit on assistance ticks. States determine head of household status.

Has there been any federal action to date? Congress approved new funds for FY 2002 that could help communities find supervised settings for pregnant and parenting youth. A \$16 million expansion for homeless youth transitional living, a part of the Runaway and Homeless Youth Act, may be—but is not required to be—spent on pregnant and parenting teens in need of shelter and services. The new infusion of funding brings the total for transitional living to nearly \$40 million. The Clinton Administration FY 2001 budget had called for \$25 million and the Bush Administration FY 2002 budget had called for \$33 million for funding exclusively for second chance homes.

On October 10 2001, Senators Conrad (D-ND), Domenici (R-NM) and Lieberman (D-CT) introduced a stand-alone bill on second chance homes (SF 1522), a bill that would provide \$45 million for FY 2002 in competitive grants for group homes serving teen mothers. As of January 2002, the bill had only been referred to the Committee on Health, Education, Labor and Pensions.

RESEARCH

Early studies indicated that there was reason to be concerned that pregnant and parenting teens are too often sexually abused by family members; thus, the need for exceptions and sensitivity in the implementation of any living arrangement requirement.

- ❑ A study of over 500 young women in the state of Washington who had become pregnant as adolescents found that 66% of the young women reported that they had been sexually abused (molestation, attempted rape, or rape). Of those who reported they were molested, 54% indicated that they were abused by a family member; among those who reported they were raped, 1% reported the abuse was by a family member.^{xii}

New findings are raising new—and renewing old—questions about the potential impact of the living arrangement provision.

- ❑ An increase in non-marital childbearing has been attributed to minor parent living arrangement and school requirements; specifically, non-marital childbearing increased nearly 12 percentage points for black teens and almost 17 percentage points for white teens according to a statistical analysis of pre-TANF welfare waivers similar to the TANF requirements^{xiii}.
- ❑ Residing with grandmothers may have a negative effect on the children of some young mothers (not just minor parents) with low levels of depression; specifically, it is hypothesized that such young mothers who participated in the New Chance program evaluation may have modeled higher levels of competence for their children which was undercut by grandmother involvement^{xiv}.
- ❑ Under some circumstances, co-residence of a teen mother and her mother is associated with emotional distress, which should be weighed in assessing appropriate living arrangements. Specifically, teen mother depression and thus her progress in school, her ability to be a good mother, and the development of her child could be affected by the teen mother-grandmother relationship, according to research that examined the decision-making process in multi-generation homes in a Midwest county^{xv}.
- ❑ While co-residence of a teen mother with her mother may reduce financial strain, it is also associated with a decrease in enrollment or graduation from school according to a study of 88 low-income teen mothers in one Michigan county^{xvi}.

CLASP's RECOMMENDATION

CLASP recommends the establishment of a federal “transitional eligibility” period to allow minor teen parents to come into compliance with the rule. Emerging research suggests that an unintended consequence of the law in some localities has been to turn eligible and needy young families away “at the welfare door” because the teen is not living “at home.” Additionally, some minor mothers may not apply because the “buzz” about the law is that you must be living “at home.” For some minor mothers this is not possible. CLASP supports expanded funding for “second chance” homes and other alternative living arrangements so that supportive settings can be available to young parents in need. State training should focus on local flexibility for approving living arrangements. In addition, state TANF plans should include teen living arrangement information such as state capacity to fill unmet needs, assessment procedures, and criteria for “head of household” status (which triggers the time limit clock).

ENDNOTES

ⁱ Title I, Sec. 408 (a)(5). The law explicitly references exceptions that include 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. Under these circumstances, a minor teen may be required to reside in an adult-supervised living arrangement. 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..." 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.

ⁱⁱ A variety of studies suggest the possible advantages of multigenerational living arrangements. As cited in "How Teen Mothers are Faring Under Welfare Reform," by Ariel Kalil and Sandra Danziger, *Journal of Social Issues*, February 2000, these studies include: N. Apfel and V. Seitz, "Four Models of Adolescent Mother-Grandmother Relationships in Black Inner-city Families," *Family Relations*, 40, 1991; C.H. Caldwell, T.C. Antonucci, J.S. Jackson, J.D. Osofsky & M.L. Wolford, "The Availability and Use of Social Support in Families with Adolescent Mothers," Paper presented at the Biennial Meeting of the Society for Research in Child Development, Indianapolis, IN, 1995; J.H. Stevens, "Social Support, Locus of Control, and Parenting in Low-income Groups of Mothers: Black Teenagers, Black Adults, and White Adults," *Child Development*, 59, 1988.

ⁱⁱⁱ A Massachusetts study of teen parents placed in a "second chance" home offers additional insights into the appropriateness of family living arrangements. The state agency assessed participants in its Teen Living Program (TLP) and identified a range of reasons that a parent's home was considered unsuitable. While family violence was a major issue (44%), an even greater concern for these teen parents was housing and household overcrowding (56%).

^{iv} Jodie Levin-Epstein, *Seeking Supervision: State Policy Choices in Implementing the TANF Minor Parent Living Arrangement Rule*, (CLASP, March 1999).

^v Janellen Duffy, *Add It Up*, (CLASP, forthcoming). A CLASP survey asked for information from March, 1999, from 11 states. Only one provided a breakdown of the living arrangements of minor teen parents.

^{vi} *Temporary Assistance for Needy Families (TANF) Program: Third Annual Report to Congress*, (U.S. Department of Health and Human Services, Administration for Children and Families, August 2000).

^{vii} Martha Mathews and Shannon Shelley, "Turned Away, Misinformed, Denied - Teen Parents' Experiences in Welfare Offices," *Youth Law News*, July-August 1999. Also see "Accessing TANF Benefits: A Survey of Low-Income Teen Mothers in Chicago" (forthcoming), Center for Impact Research, Chicago Illinois.

^{viii} Previously, the Emergency TANF Data Reporting Regulations did not require states to indicate such detailed reasons for case closure. Under the TANF Final Rules and Regulations, states are required to report the total number of applications, the total number of approved applications, as well as the total number of denied applications. However, the states are not required to report the reasons why applications are denied, so there is no Federally required measure of how many teen parent are denied applications for failure to meet the living arrangement requirement.

^{ix} In Arizona (February 1996) about 10% were denied aid, roughly 7% of minor parents were denied aid in Virginia (Jan 1996), and under 1% of such cases in Massachusetts were denied cash aid (February 97). In Virginia, the data on denials is provided over a six-month period (39 from January through June 1996) while the number of minor parents is provided in a given month (573 in January 1996). In Massachusetts, the report provides data on participation of 1,219 from December 1996 and on denials of aid to 10 minor parents from February 1997. "Implementing Welfare Reform Requirements for Teenage Parents: Lessons from Experience in Four States," *Volume II: State Case Studies*, (Department of Health and Human Services, October 31, 1997).

^x The 9 states report a total of about 1,300 minor parents who were denied TANF (over a year in most of the 9 states) because of the living arrangement rule. The actual number is 1,267. The states and their numbers with related time period is as follows: AZ: 52 (10-97); IL: 594 (6-97 to 5-98); IA: 190 (11-96 to 1-98); KA: 83 (6-97 to 5-98); KY: 0 (4-97 to 4-98); MI: 233 (8-97 to 4-98); OK: 11 (7-97 to 6-98); RI: 47 (5-97 to 2-98); WA: 57 (5-98). The number of minor parents denied TANF is best appreciated when it is compared to the number participating. The data indicates that in six states where crude estimates could be calculated, denial of TANF ranges from 0%-7% of the total TANF minor parent participation. The very rough calculations are as follows: IL: 2%; IA: 3%; KA: 7%; KY: 0%; OK: <1%; RI: 5%. CLASP calculations established an average monthly minor parent ineligibility number and compared it to the number of participants in one month within the time period. The time periods were not identical. This approximation is inherently rough. The states which did not provide the number of minor parents denied TANF due to the living arrangement rule may well have such data but it may not be reported separately from other data on denials. Another possible reason states may not have provided data is that states were asked to provide

the number of minors denied over the most recent 12 months for which data was available. Some states might have data on the numbers denied each month but might be concerned that a report over 12 months might include some duplication - i.e. a minor who applied in one month and was denied and then applied some months later and was denied. Another reason this question may not have been addressed is that in some states, such as Vermont, the state may operate under a waiver and impose sanctions but continue eligibility for minors who do not meet the living arrangement rule. For state staff responsible for the living arrangement provision as well as for other state staff within and outside the TANF agency who work with teen parents, the extent of TANF denials triggered by the living arrangement rule should be essential information. *Seeking Supervision: State Policy Choices in Implementing the TANF Minor Parent Living Arrangement Rule*. (CLASP, March 1999).

^{xi} Janellen Duffey, *Add It Up*, (CLASP, forthcoming).

^{xii} Research supported by a grant from the National Center on Child Abuse and Neglect, Administration for Children and Families, United States Department of Health and Human Services, No. 90-CA-1375, "Victimization and Other Risk Factors for Child Maltreatment Among School Age Parents: A Longitudinal Study," Debra Boyer, Ph.D., Principal Investigator, and David Fine, Ph.D., Co-Investigator; Mary Ann Liebert, WACSAP Executive Director.

^{xiii} Ann Horvath-Rose and H. Elizabeth Peters, "Welfare Waivers and Non-marital Childbearing," *JCPR Policy Briefs*, Vol. 2, No. 7, September 1999.

^{xiv} Elisa A. Rosman and Hirokazu Yoshikawa, "Effects of Welfare Reform on Children of Adolescent Mothers: Moderation by Maternal Depression, Father Involvement, and Grandmother Involvement," *Women & Health*, Vol. 32, No. 3.

^{xv} Heidi Schweingruber, and Ariel Kalil, "Decision-making and Depressive Symptoms in Multigenerational Teen Parent Families," *Journal of Family Psychology*, December 2000, Vol. 14, No. 4.

^{xvi} Ariel Kalil and Sandra K. Danziger, "How Teen Mothers are Faring under Welfare Reform," *Journal of Social Issues*, February 2001, Vol. 56, Issue 4.