

FREQUENTLY ASKED QUESTIONS

PLEASE NOTE: *This is a list of the most frequently asked questions from youth, caregivers and other supportive adults about the new law. It does not capture every detail of the new law.*

Youth are encouraged to speak to their social workers, attorneys, or probation officers for more detailed information. Supportive adults, including caregivers, social workers, attorneys and probation officers, are encouraged to contact the appropriate organization for more information. See list of organizations and contact information at www.after18ca.org.

This list of questions is broken into five sections: Basic Questions, Eligibility, Court, Placement and Benefits.



BASIC QUESTIONS

1. How will the California Fostering Connections to Success Act help foster youth and caregivers?

The California Fostering Connections to Success Act will:

- Give eligible foster youth the option to remain in care and receive services and supports after 18, and at full implementation, up until the age of 20.
- Provide extended Kinship Guardian Assistance Payments or Adoption Assistance Payment to eligible young adults up until age 20, provided they entered the Kin-GAP or AAP program at age 16 or later.
- Provide extended assistance up to 20 to young adults placed by the juvenile court with a non-related legal guardian and those placed by the juvenile court with an approved CalWORKs relative.

2. What is the goal of California Fostering Connections to Success Act?

Recognizing that 18 was too young for most youth to be without support, the California Fostering Connections to Success Act aims to provide some assistance to foster youth, enabling them to be better prepared for education and employment training opportunities, as well as developing and maintaining important relationships with caring adults.

The assistance provided is based on the needs of each individual young adult and is not intended to replace other permanent connections or support networks; rather it is envisioned as an added layer of support to provide a safety net for youth as they transition to adulthood and self-sufficiency.

3. Where can I get more information on the California Fostering Connections to Success Act?

You can visit www.after18ca.org to find out where to go for additional detailed information.

In addition, the California Department of Social Services has issued several All County Letters, and there will be more All County Letters forthcoming, which provide useful information on the implementation of the California Fostering Connections to Success Act.

Finally the California Fostering Connections project website at www.cafosteringconnections.org has a number of resources.

ELIGIBILITY

4. Which young adults are eligible to remain in foster care after age 18?

Beginning January 1, 2012, young adults who are under age 19 and who are in foster care under the jurisdiction of the juvenile court are eligible to remain in foster care. This includes all young adults who:

- Turned 18 in 2011 and are in foster care dependency under the jurisdiction of the juvenile court on January 1, 2012, and meet the current eligibility requirements.
- Turn 18 in 2012 and thereafter.

5. May a young adult who has exited re-enter care?

Yes. Young adults who have exited may have the option to re-enter foster care before they reach the maximum age, depending on their circumstances. There is no limit on the number of times a young adult can opt-out and re-enter foster care.

6. What are the goals of the Transitional Independent Living Plan for young adults age 18 to 20?

The goals of the TILP for young adults 18 to 20 are based on the needs of the individual, but generally speaking are to:

- Develop permanent connections with caring and committed adults.
- Develop independent living skills and have opportunities for incremental responsibility.
- Live in the least restrictive placement.

7. What does a young adult have to do to meet the participation conditions to remain in foster care?

In order to receive services and supports after the age of 18, a young adult must meet ONE of the following participating requirements, set forth in federal law:

- Completing high school or equivalent program (i.e. GED) (enrollment is defined according to the definition employed by the school or program); OR
- Enrolled in college, community college or a vocational education program (half-time enrollment, as the college, community college or vocational program defines half-time enrollment); OR
- Employed at least 80 hours a month (this must be paid employment); OR
- Participating in a program designed to remove barriers to employment (this is the “safety net” category which is intended to support young adults until they can find employment or enroll in school); OR
- Unable to do one of the above requirements because of a medical condition (short or long-term medical or mental health condition as verified by a health practitioner).

8. How can a young adult re-enter foster care?

A young adult who has opted out of remaining in foster care has the option to re-enter foster care at a later date prior to reaching the maximum age limit. They can re-enter by signing a Voluntary Re-entry Agreement with the county child welfare agency, or by petitioning the juvenile court to have the court resume dependency or transition jurisdiction. In order to re-enter, the young adult must agree to meet one of the participation criteria, agree to be placed in a supervised setting, and be under the jurisdiction of the court.

9. Can a young adult lose extended foster care services and supports?

Services and supports to a young adult can be suspended if any of the following occurs:

- The young adult requests to be discharged from foster care.
- The juvenile court makes a finding that the young adult is not in compliance with one of the five participation conditions.
- The young adult is not living in a supervised foster care setting.
- The young adult gets married.
- The young adult joins the military.

In these instances, the court may terminate dependency or transition jurisdiction and assume general jurisdiction.

COURT

10. Does the young adult have to go to court to make it official?

Not exactly. A young adult will remain in care until they decide not to participate, or do not meet the eligibility requirements. They must also attend court every 6 months while they are participating. If the young adult is unable to attend court in person he/she can request a telephonic appearance. The court must hold a hearing before it ends the young adult's participation in the program. The county social worker must submit reports to the court that explain the situation. In addition, the court must inform a young adult who wants to opt-out of the right to remain in extended foster care, the services and supports of extended foster care, and the right to re-enter.

11. What does it mean for a young adult over 18 to be in foster care under the jurisdiction of the juvenile court?

To receive foster care services and supports after the age of 18, a young adult must remain under the jurisdiction of the juvenile court. This means that the youth continues to have a 6-month review hearing in court or an administrative review. During that hearing, the court will ensure the young adult continues to meet one of the participation conditions for continued foster care services and supports, and that the social worker or probation officer is continuing to assist the young adult in meeting these eligibility conditions.

The court will also assess the young adult's progress in meeting the goals in his or her Transitional Independent Living Plan (TILP), and efforts made by the placing worker to assist the young adult to obtain permanent connections with caring and committed adults. The young adult must meet face to face with his/her social worker once every month and participate in the activities described in his/her TILP.

PLACEMENT

12. Does a young adult have to remain in the same foster care placement when s/he turns age 18?

No. In general, a young adult may continue living in the same setting that s/he was living in prior to turning 18, or they can live in another placement. And, as was true before the young adult turned 18, the setting where they live must continue to be an approved or licensed foster care setting, depending on the type of placement or facility.

13. How does the California Fostering Connections to Success Act affect group home placements for young adult age 18 to 20?

The California Fostering Connections to Success Act allows a young adult to remain in a group home placement after age 18 and up to age 19 in order to promote educational stability. After age 19, continuation in a group home is prohibited unless it is necessary due to a medical condition. Even if the young adult has a medical condition, remaining in a group home should be a short-term option until a more appropriate and permanent placement can be found.

14. What is THP-Plus Foster Care and how is it different that the current THP-Plus program?

THP-Plus Foster Care is a Supervised Independent Living Setting available to young adults in extended foster care, ages 18 to 20. It is modeled after the exiting THP-Plus program for non-dependents, and provides young adult with housing and supportive services in an age-appropriate setting. THP-Plus Foster Care differs from the current THP-Plus program in three ways:

1. Participating young adults will have contact with a county social worker;
2. Participating young adults will have review hearings every 6 months;
3. THP-Plus Foster Care will be approved by the county placing agency and the approved provider then will certify the facility or site of placement.

15. What is a Supervised Independent Living Placement (SILP) and how is it different from the other placement options available to young adults 18 to 20?

The Supervised Independent Living Placement (SILP) is a new placement option for young adults age 18 to 20. It is specified in their Transitional Independent Living Plan (TILP) and could include apartment living, room and board arrangements, college dorms and shared roommate settings.

16. What are the steps for getting a Supervised Independent Living Placement (SILP) approved?

There are two steps in approving a SILP placement for a young adult.

1. The SILP must be approved by the county as meeting health and safety standards appropriate for legal adults.
2. The young adult must participate in a readiness assessment, such as the Ansell Casey Life Assessment, prior to being approved to live in a SILP. A young adult whose placement is a Supervised Independent Living Placement may receive the foster care payment directly. This must be documented in the young adult's TILP.

17. Can a young adult reside out of county or out of state and still qualify to remain in foster care?

Yes, a young adult continuing to receive foster care services and supports can reside out of county or out of state and still qualify for benefits.

BENEFITS

18. What are the foster care rates paid for young adults age 18 to 20?

The amount of the benefit depends on where the youth is living. Young adults (or their caregivers) are eligible to receive the foster care rate that is set according to the young adult's placement and, in some cases, their special needs.

- There are different rates available for relatives, guardians, foster family homes, group homes, and foster family agencies. The same rules that currently govern the amount of the benefit for these different placements continues in effect for those young adults who remain in these placements after the age 18 as non-minor dependents. If a young adult remains in one of these placements, his or her benefit will remain unchanged as a result of turning 18 and continuing in foster care as a non-minor dependent.
- A parenting young adult continues to be eligible to receive the Infant Supplement in his/her placement and also continues to be eligible for the \$200 supplement for signing a Shared Responsibility Plan with the caregiver.
- Young adults in SILP placements are eligible for the basic foster care rate for 15 to 20 year olds. Young adults in a SILP are not eligible for specialized care increments. However, a parenting young adult is eligible to receive the Infant Supplement in the SILP.

Young adults participating in extended foster care are also eligible to receive Medi-Cal and a county clothing allowance (if available), just like they were receiving prior to turning 18.

19. Does a young adult have to continue in foster care in order to receive services like Medi-Cal and Independent Living Program Services?

No. A young adult who elects to exit foster care at age 18 and to forego the extended foster care services and supports remains eligible for Medi-Cal and Aftercare Independent Living Program Services up to age 21. In addition, these young adults remain eligible for non-federally funded THP-Plus up to age 24; although, space in the program is limited and is not guaranteed.

Other services such as CalFresh (formerly known as food stamps), emancipated youth stipends, and education and training vouchers (grants) are also available to young adults who have left foster care.