

# OLDER YOUTH AND THE FOSTERING CONNECTIONS ACT

## Considerations

### Older youth and foster care

**Almost 28,000 youth “aged out” of foster care in 2010** and more than 200,000 “aged out” over the past ten years, leaving the child welfare system without a permanent family connection.

**Youth who “age out” of foster care are more likely to face poor outcomes than their peers.** They are more likely to be homeless, unemployed, and incarcerated compared to the general population.

**Remaining in foster care past age 18 has been shown to improve outcomes for youth.**

Adolescent brain science shows that significant brain growth occurs during adolescence and emerging adulthood and the brain can be successfully “rewired” during these years. Young people in foster care have the potential to succeed in life, work and relationships when given the right supports, opportunities and challenges.

Since the Fostering Connections Act passed, **15 states and D.C. have opted to extend foster care past age 18 with federal support**, however, much work remains to address the unique needs of teens in foster care and prevent foster youth from exiting at 18 without the skills and relationships they need to succeed.

*By Hope Cooper, True North Group, Elizabeth Jordan, Child Trends and Marci McCoy-Roth, True North Group*

## Overview

One of the great challenges of the child welfare system remains how to serve the unique needs of older youth in foster care. This includes supporting youth transitioning from foster care when they become ineligible for foster care services because of their age (typically around age 18). It also includes better preparing youth earlier in adolescence to ensure that they develop the skills and relationships they need by age 18 to ensure a successful transition to adulthood.

Studies show that when youth exit foster care at age 18, also known as “aging out”, they typically face a number of significant challenges that all young adults eventually face, from supporting themselves financially, to finding safe and stable housing, to acquiring health insurance, to pursuing work or higher education. Exacerbating these challenges, youth who “age out” of foster care typically face these challenges without the assistance, advice, and support of a permanent family. In addition, too often foster youth have not had the necessary supports and services prior to reaching age 18 to build a strong foundation for their transition to adulthood. For example, teens in foster care often live in group homes that restrict their access to healthy relationships and to the normative developmental opportunities provided by sports, part-time jobs, after-school programs and other similar activities.

Perhaps not surprisingly, youth who “age out” of foster care often have negative health, employment and education outcomes. They are less likely to be employed or to have health insurance (Roth, 2010). A national study found that only 54 percent of foster youth who had “aged out” of the system had graduated from high school two to four years after discharge (Courtney, 1998). Additional research has shown youth who “age out” are more likely to experience negative outcomes including poverty, homelessness, incarceration, and mental or physical illness; and to lack the life and educational skills necessary to live successful, independent lives” (Kushel, 2007). Although there has been a slight decrease in the numbers of youth who exited foster care by “aging out,” the proportion of children who age out is still rising: in 2001, 7.1 percent of foster care exits were due to “aging out,” in 2010 they were over 11 percent (Roth, et al., 2011).

The Fostering Connections to Success and Increasing Adoptions Act (The Act) made a number of changes to federal policy aimed at better supporting permanency outcomes for older youth as well as their overall health and

well-being. These changes encompass new supports and services to help youth navigate the difficult transition from foster care to independence, including the option for states to extend support for foster care to youth up to age 21 with matching federal resources and requiring youth complete a transition plan before “aging out” of foster care. This important legislation was inspired by the powerful advocacy of former foster youth who shared their first-hand knowledge of the difficulties and obstacles facing youth “aging out” of foster care. The personal stories of these young leaders were supported by major research studies documenting the wide array of negative outcomes experienced by former foster youth.

### **Fostering Connections provisions on extending foster care to older youth**

The Fostering Connections Act includes requirements and options for state child welfare agencies in serving older youth:

**Extension of federal assistance beyond age 18.** The Act provides a state option to continue Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to youth up to age 21 in accordance with specific criteria enumerated within the Act. This allows state child welfare agencies to receive federal financial support while offering the financial supports and protections to older youth.

**Extension of services to older youth who achieve permanency.** The Act extends eligibility for Chafee Foster Care Independent Living Program services to children who are adopted or enter into a guardianship at age 16 or older. Eligibility for education and training vouchers is also extended to youth who enter into a guardianship at age 16 or older, matching previous eligibility guidelines for youth who were adopted at age 16.

**Transition plan requirement.** The Act requires that all youth, with the assistance of their caseworker, develop a personalized transition plan during the 90 days prior to “aging out” of foster care at age 18 (or up to 21 as the state may elect). The transition plan should be **youth-led** and personalized to the special needs of each individual young person. The plan must address housing, health insurance, education, local opportunities for mentors and continuing support services, and workforce supports and employment services.

**Additional benefits.** In addition to the sections specifically tailored towards older youth, older youth in foster care benefit from other sections of the Act including kinship guardianship, adoption, sibling placements, educational stability, notification of relatives, and expanded training requirements. (Geen, 2009)

### **Background on implementation of older youth provisions under the Fostering Connections Act**

Since 2009, at least seventeen states have enacted legislation aimed at implementing the older youth provisions. These include bills requiring the state agency to extend care beyond age 18 as well as bills codifying federal regulations, such as the transition planning requirements.

Thus far, fifteen states and the District of Columbia have received federal approval of Title IV-E state plan amendments extending fostering care beyond age eighteen. These include: Alabama, Arkansas, California, the District of Columbia, Illinois, Maine, Maryland, Michigan, Minnesota, Nebraska, New York, North Dakota, Oregon, Tennessee, Texas, and Washington. Four additional states have submitted plans which pending approval. A vast majority of the

plans extend care through age 21. Many of the state plans also embrace other optional provisions of the Act such as allowing options for supervised independent living arrangements; trial independence and re-entry; voluntary placement agreements, and providing direct foster care maintenance payments to young adults.

California's Assembly Bill (AB) 12 is an example of a state's comprehensive approach to enacting the older youth provisions of the Fostering Connections Act. AB 12 resulted from a collaborative effort to improve outcomes for thousands of youth in California's foster care systems. Legislators, agency officials, private foundations, service providers, youth leaders and many others worked together in developing the legislation and continue to collaborate on implementation efforts. Implementation of AB 12 is being supported by a robust information campaign, the After 18 campaign. It is an engaging and broad campaign designed to reach older youth in foster care. After 18 provides a series of videos, conversation guides, and social networking messages geared towards disseminating information about California's new services for older youth.

At this point, we do not know the full impact that the Fostering Connections Act has had on states' policies to extend independent living services, educational and training vouchers or youth-led transition planning. Based on available information, it appears that these requirements are being implemented in an uneven way across the country. Further research is needed to evaluate how the Fostering Connections Act has impacted the outcomes of youth "aging out" of foster care.

With regard to transition planning, a helpful resource for states was produced by the *National Child Welfare Resource Center for Youth Development (NRCYD)*, "Transition Planning with Adolescents: A Review of Principles and Practices Across Systems," available at <http://www.jimcaseyyouth.org/transition-planning-adolescents-review-principles-and-practices-across-systems>. This resource provides a rich overview of transition planning across various public service sectors and highlights promising practices of transition planning for older foster youth, including examples from Hawaii, Iowa, Oregon, Louisiana, Minnesota and New Mexico.

### **Policy considerations: what's next for older youth in foster care?**

The Fostering Connections Act set forth significant new policy and practice goals to assist foster youth during their time in foster care as well as their outcomes upon leaving foster care. The Federal legislation signaled to state child welfare agencies a priority around multiple areas of well-being among youth: education, health, permanent family relationships and transition to adulthood. The Fostering Connections Act has brought national attention to the important needs of older youth in foster care and has prompted thoughtful action among many state policy and programmatic leaders. However, more needs to be done. There are several big challenges that merit attention of federal policy makers:

**Extending care beyond 18.** Even with the federal funding option, less than half of all states have extended care beyond age 18.

- All states would benefit from more information about the importance of extending care. Research about the adolescent brain and positive youth development coupled with the fiscal impact of protecting this population from poor outcomes can help

states understand the various ways in which young people benefit from supports and services beyond age 18. Fiscal analysis can also highlight the important savings to states in designing age-appropriate services and supports to foster youth past age 18.

- The National Resource Center for Youth Development held a meeting in September 2012 for those state agencies that have received federal approval (or are awaiting approval) to extend foster care beyond age 18. Federal-state leadership efforts that facilitate the exchange of information and innovative ideas are valuable and should continue. States would especially benefit from learning how to better design extended care to meet the unique developmental needs of young adults, attract foster youth to the program, and facilitate enrollment in available services and supports. In addition, state child welfare agencies would benefit from opportunities to learn how to coordinate across public agencies including those that provide services to adults, such as housing and workforce development.
- Congress can also play a role by holding hearings to highlight state approaches or by urging the Administration for Children and Families to take additional leadership in supporting states.

**Permanency and well-being.** State child welfare agencies need specific guidance for engaging older youth and potential permanent caregivers so that older youth can achieve permanency other than “aging out”. The state option to extend care provided by the Fostering Connections Act gives agencies an additional three years to help youth create or develop a permanent family connection. The needs and concerns of caretakers of older youth and youth themselves are unique. Chronic illness, psychotropic use, high school dropout rates, and teen pregnancy are disproportionately high among the foster youth populations. There is much need for more professional training and resource development in this area. Permanency materials and conversation guides for prospective caregivers should be tailored to address the needs and concerns of this population. Evidence from studies such as the Wendy’s Wonderful Kids program evaluation shows that permanency through adoption is achievable for older youth with special needs. As referenced in the health and education sections of this paper, more work remains to be done to ensure that foster youth have the educational stability and access to health care services that are critical to their overall well-being.

**Oversight.** States that have extended care beyond age 18 are addressing oversight issues in different ways. Quality oversight for youth in extended care presents certain challenges and opportunities. Oversight of foster care beyond age 18 must recognize that these young people are legal adults. Oversight must ensure a proper balance in holding both the young person and the child welfare agency accountable for providing age-appropriate services and support. Congress can hold hearings, ask for briefings from ACF, and request government studies to better understand the way states are approaching oversight in extended care plans.

High-quality oversight will allow states to answer questions such as: What is the training of court professionals? What are policies and practices regarding the use of sanctions and expulsions from foster care? What type of case planning is being done for young adults? Are young adults supported in achieving their goals for permanency, education, health, work?

**Youth engagement.** The Fostering Connections Act was clear in its charge to state child welfare agencies to engage youth in a meaningful way in their transition planning. The

transition planning process as required by the Act provides youth with the opportunity to discuss essential components to healthy adulthood with their caseworkers and other trusted adults before leaving care. To ensure the intended goal and maximum benefit of the Act is being achieved, Congress could require a study, such as by the Government Accountability Office, to examine how states are implementing this provision and to assess what, if any, further federal action might be needed to achieve high-quality, youth-led transition planning. For example, is 90 days ample time for the transition planning? Is the young person prepared to be leading his or her transition planning? If not, what can be done to ensure the young person has the skills and tools to adequately lead this process? Are the appropriate professionals and trusted adults involved in the transition planning process?

### Conclusion

The Fostering Connections Act offers tremendous support for older youth as they transition from foster care to healthy, productive and independent adults. Through offering states the option of extending foster care, adoption, and guardianship assistance to age 21 and allowing transition services to youth, the Act makes strides to improve outcomes for this at-risk population. However, more states need to opt to extend assistance past age 18 to truly reap the benefits.

### About the authors

Hope Cooper is Founding Partner of True North Group, a consulting agency dedicated to providing top-notch, strategic advice to non-profit and government organizations serving vulnerable groups. She brings twenty years of public policy experience focused on improving outcomes and opportunities for vulnerable populations. Most recently, Ms. Cooper served as Vice President for Public Policy at Child Trends, a child development research center in Washington, D.C. Prior to that, she was a senior program officer at The Pew Charitable Trusts where she designed and directed public policy initiatives, including Pew's foster care reform initiative. Ms. Cooper spent ten years on Capitol Hill and held senior policy positions, including on the Senate Finance Committee and Senate Special Committee on Aging where she steered multiple pieces of legislation through the policy process. She has also worked in a senior government relations position at the national headquarters of the American Red Cross.

Elizabeth Jordan is a Senior Policy Analyst the Public Policy & Communications area of Child Trends. She is currently involved in projects related to early childhood education, child welfare, and adolescent health. Ms. Jordan previously worked at the American Bar Association Center on Children and the Law where she conducted an in-depth, 50-state review of laws and policies impacting kinship caregivers. She also served a two-year term as a judicial law clerk for child welfare judges at the D.C. Superior Court. Ms. Jordan holds a J.D. from The American University, Washington College of Law and B.A. from Seattle Pacific University.

Marci Roth joined True North Group ([www.truenorthgroup.com](http://www.truenorthgroup.com)) as a partner in February 2013. Most recently, Marci was the Senior Director of Policy and Communications at Child Trends where she directed communications, research and policy projects on issues ranging from early childhood to adolescent health. Prior to that she served as a program officer at The Pew Charitable Trusts where she directed the communication and research activities for a major federal initiative to reform foster care. Marci also worked in state government in Wisconsin, first for the Legislative Audit Bureau as a program evaluator, and then for the Department of Health and Family Services as a research analyst working on vulnerable

populations issues. Marci received a Masters of Communication from the Annenberg School for Communication, at the University of Pennsylvania. She also has a Masters of Public Affairs and Policy Analysis from the La Follette School of Public Affairs at the University of Wisconsin-Madison. She received a Bachelors of Arts in Economics from Yale University.

## References

- Child Welfare Information Gateway. (2012). *Foster care statistics 2010*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau. Retrieved November 30, 2012 from <http://www.childwelfare.gov/pubs/factsheets/foster.pdf#Page=1&view=Fit>.
- Courtney, M.E., and Piliavin, I. (1998). Foster youths' transitions to adulthood: Outcomes 12 to 18 months after leaving out-of-home care. Madison: WI, School of Social Work, University of Wisconsin-Madison, 1998, cited in Pew Commission on Children in Foster Care. (2004). *Fostering the Future: Safety, Permanence, and Well-Being for Children in Foster Care*. <http://pewfostercare.org/>.
- Mark Courtney, Amy Dworsky, Gretchen Cusick, Judy Havlicek, Alfred Perez, Tom Keller, Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 21, Chapin Hall Research Center for Children, University of Chicago, (December 2007): 68-70. Retrieved December 3, 2012 from [http://www.jimcaseyouth.org/docs/ch\\_midwest\\_study121207.pdf](http://www.jimcaseyouth.org/docs/ch_midwest_study121207.pdf).
- Geen, Rob (2009). *The Fostering Connections to Success and Increasing Adoptions Act: Implementation Issues and a Look Ahead at Additional Child Welfare Reforms*. Child Trends. Retrieved November 30, 2012 from [http://www.fosteringconnections.org/tools/assets/files/CT\\_Whitepaper\\_Rob\\_Geen\\_09.pdf](http://www.fosteringconnections.org/tools/assets/files/CT_Whitepaper_Rob_Geen_09.pdf).
- Jim Casey Youth Opportunities Initiative. *Foster Care to 21: Doing it Right*. Retrieved November 30, 2012 from <http://www.jimcaseyouth.org/issue-brief%E2%80%9494foster-care-21-doing-it-right>.
- M.B. Kushel, I.H. Yen, L. Gee & M.E. Courtney, Homelessness and Health Care Access After Emancipation: Results from the Midwest Evaluation of Adult Functioning of Former Foster Youth. *Archives of Pediatric Medicine* 161 no. 10 (2007). Retrieved December 3, 2012 from <http://archpedi.amaassn.org/cgi/content/full/161/10/986>.
- McCoy-Roth, Marci, Kerry DeVooght, and Megan Fletcher (2011). *Fostering Connections Resource Center, Analysis No. 5: Number of Youth Aging out of Foster Care Drops below 28,000 in 2010*. Retrieved November 30, 2012 from <http://www.fosteringconnections.org/tools/assets/files/Older-Youth-brief-2011-Final.pdf>
- McCoy-Roth, Marci, Madelyn Freundlich, and Timothy Ross (2010). *Fostering Connections Resource Center, Analysis No. 1: Number of Youth Aging out of Foster Care Continues to Rise*. Retrieved November 30, 2012 from [http://www.fosteringconnections.org/tools/assets/files/Connections\\_Agingout.pdf](http://www.fosteringconnections.org/tools/assets/files/Connections_Agingout.pdf).
- National Foster Care Coalition (2009). *Fostering Connections to Success and Increasing Adoptions Act: Frequently Asked Questions on the Provisions Designed to Impact Youth and Young Adults*. Retrieved November 30, 2012 from <http://www2.grandfamilies.org/LinkClick.aspx?fileticket=rSywxmruRA0%3d&tabid=65&mid=402>