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Background

By the time they age out of foster care, usually at age 18, many young people bear the scars of physical abuse and emotional trauma. Children in foster care often face exposure (including prenatally) to alcohol and other drugs; parental abuse, neglect and abandonment; violence in their homes and communities; separation from birth families; and frequent changes in foster care placement. These experiences can place children at great risk of developing physical, emotional and behavioral problems that can lead to school failure, teen pregnancy, homelessness, unemployment and incarceration.

Key Facts: Older Youth in Foster Care

- Nationally, there are approximately 400,000 children in foster care on any given day, with nearly half (200,000) age 14 or older.
- Nearly 26,000 youth age out of foster care at age 18 each year.

Significant Challenges: Aging Out at 18

- More than one in five will become homeless.
- 58 percent will graduate high school by 19 (compared to 87 percent of peers not in foster care).
- 71 percent of young women will be pregnant by 21.
- At age 26, only half are employed.
- One in four will become involved in the juvenile justice system within two years after leaving foster care.

Research-based Rationale

A Chapin Hall Center for Children study found that youth who remain in foster care experience less economic hardship and involvement in the criminal justice system than those who left care. Allowing young people to remain in foster care can yield substantial financial benefits. For example, allowing young people to remain in care until age 21 doubles the percentage who earn a
FEDERAL LEGISLATION

Fostering Connections to Success and Increasing Adoptions Act of 2008
While a number of states have provided a variety of services to foster youth after age 18, these services have been entirely state funded. The federal Fostering Connections to Success Act of 2008 (FCA), however, offers states the option to continue providing Title IV-E reimbursable foster care, adoption or guardianship assistance payments to children up to the age of 19, 20 or 21 if the youth is:

- Completing secondary education or a program leading to an equivalent credential
- Enrolled in an institution that provides post-secondary or vocational education
- Participating in a program or activity designed to promote, or remove barriers to, employment
- Employed for at least 80 hours per month
- Incapable of doing any of the above because of a medical condition.

Preventing Sex Trafficking and Strengthening Families Act of 2014
To further assist older youth in foster care to successfully transition to adulthood, in 2014, the Preventing Sex Trafficking and Strengthening Families Act eliminated Another Permanent Planned Living Arrangement (APPLA) as a permanency goal for children under 16. The legislation also requires state child welfare agencies to consult with foster children age 14 and older in the development of, or revision to, his or her case plan. It requires the plan to include a document describing the rights of the child to education, health, visitation and court participation as well as the right to stay safe and avoid exploitation. Additionally, state child welfare agencies must provide foster youth aging out of care at 18, or greater if the state has so elected, with a birth certificate, a Social Security card, health insurance information, medical records, and a driver’s license or a state identification card.

State Actions
Approximately 22 states and the District of Columbia have enacted legislation to extend foster care beyond age 18. The 22 states include: Alabama, Arkansas, California, Connecticut, Hawaii, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New York, North Dakota, Oregon, Pennsylvania, Tennessee, Texas, Virginia, Washington and West Virginia.

Indiana
Indiana passed “Collaborative Care Services” legislation in 2012 that allows youth, ages 18 and older, to request a court to approve a Collaborative Care services plan until he or she reaches age 20. Eligible youth must be employed; attending school or a vocational or educational certification or degree program; participating in a program or activity designed to promote, or remove barriers to, employment; or must be incapable of performing any of those activities due to a documented medical condition. The program employs specialized case managers who handle a caseload of youth 17.5 years of age and older only. Youth receive support while completing secondary, post-secondary, trade school, GED programs or while starting a career. Support can include:

- Rent and utilities
- Clothing allowance
- Assistance building a support network
- A variety of continued services that can include therapy and psychiatric care
- Continued health insurance

Youth must play an active role in case planning and implementation and are responsible for participating in college degree, from 10.2 to 20.4, thereby increasing their earning potential.

In addition to the Chapin Hall study, recent adolescent brain research shows that there is a second chance to help young people overcome adversity and begin to thrive and that there is no “point of no return” for young people in foster care. In fact, there is a window of time during adolescence to counteract the damage caused by prior traumatic experiences. When the adolescent brain is exposed to developmentally healthy experiences, it can actually “rewire” itself. This can help any young person, regardless of prior trauma, get on a better path to a bright future.
monthly face-to-face visits with their Collaborative Care case managers, maintaining records of eligibility and having a say in decision-making.

Nebraska

In 2013, Nebraska enacted legislation to create an age-appropriate, youth-focused system of voluntary services and support to foster youth up to age 21. Eligible young adults who choose to participate sign a voluntary agreement with the Department of Health and Human Services to receive services; they can opt in and/or opt out any time before turning 21. Starting at age 16, potentially eligible youth will receive information about the program every year. Services include:

- Medicaid coverage
- Housing support—continued foster care maintenance payments will provide ongoing support for options such as foster family homes, apartments, houses, college dorms, or a foster care facility or institution if the young person has a medical condition or specific developmental needs.
- Age-appropriate case management services that include helping the young person meet his or her goals; developing a case plan with a proposal for independent living, and furthering efforts to achieve permanency and make permanent connections with caring adults.

Nebraska also offers assistance to 19- to 21-year-olds who entered into a guardianship agreement at age 16 or older but were NOT with a licensed relative. They have to meet the same requirements for work or school participation as youth placed with licensed relatives, but receive only extended guardianship subsidies dependent upon a yearly legislative appropriation.

A Young Adult Voluntary Services and Support Advisory Committee developed recommendations for the best use of the state funding to support youth who were placed with unlicensed relatives. The committee also made initial recommendations for implementing the statewide Young Adult Voluntary Services Program. The committee will continue to meet biannually to share recommendations and annual reports with the Nebraska Children's Commission, the legislative Health and Human Services Committee, the Department and the governor.

Resources
- The Chapin Hall Center for Children at the University of Chicago: http://www.chapinhall.org/research/report/midwest-evaluation-adult-functioning-former-foster-youth
- NCSL’s Supports for Older Youth in Foster Care: http://www.ncsl.org/default.aspx?tabid=28544