

Expanding Transitional Services for Emancipated Foster Youth:

AN INVESTMENT IN CALIFORNIA'S TOMORROW



Children's Advocacy Institute
UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

January 2007

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UNIVERSITY OF SAN DIEGO SCHOOL OF LAW**

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JANUARY 2007

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ABOUT THE RESEARCH

This report was prepared by the University of San Diego School of Law's Children's Advocacy Institute (CAI) staff and law students. Founded in 1989, CAI's mission is to improve the health, safety, and well-being of children. CAI advocates in the legislature to make laws, in the courts to interpret laws, before administrative agencies to implement laws, and before the public to educate and build support for laws to improve the status of children. In addition to its advocacy program, CAI operates an academic program, providing a combination of classroom instruction and clinical training in child advocacy to USD law students. CAI's academic program is funded by the USD School of Law, and its advocacy program is funded by external grants, contracts, and gifts.

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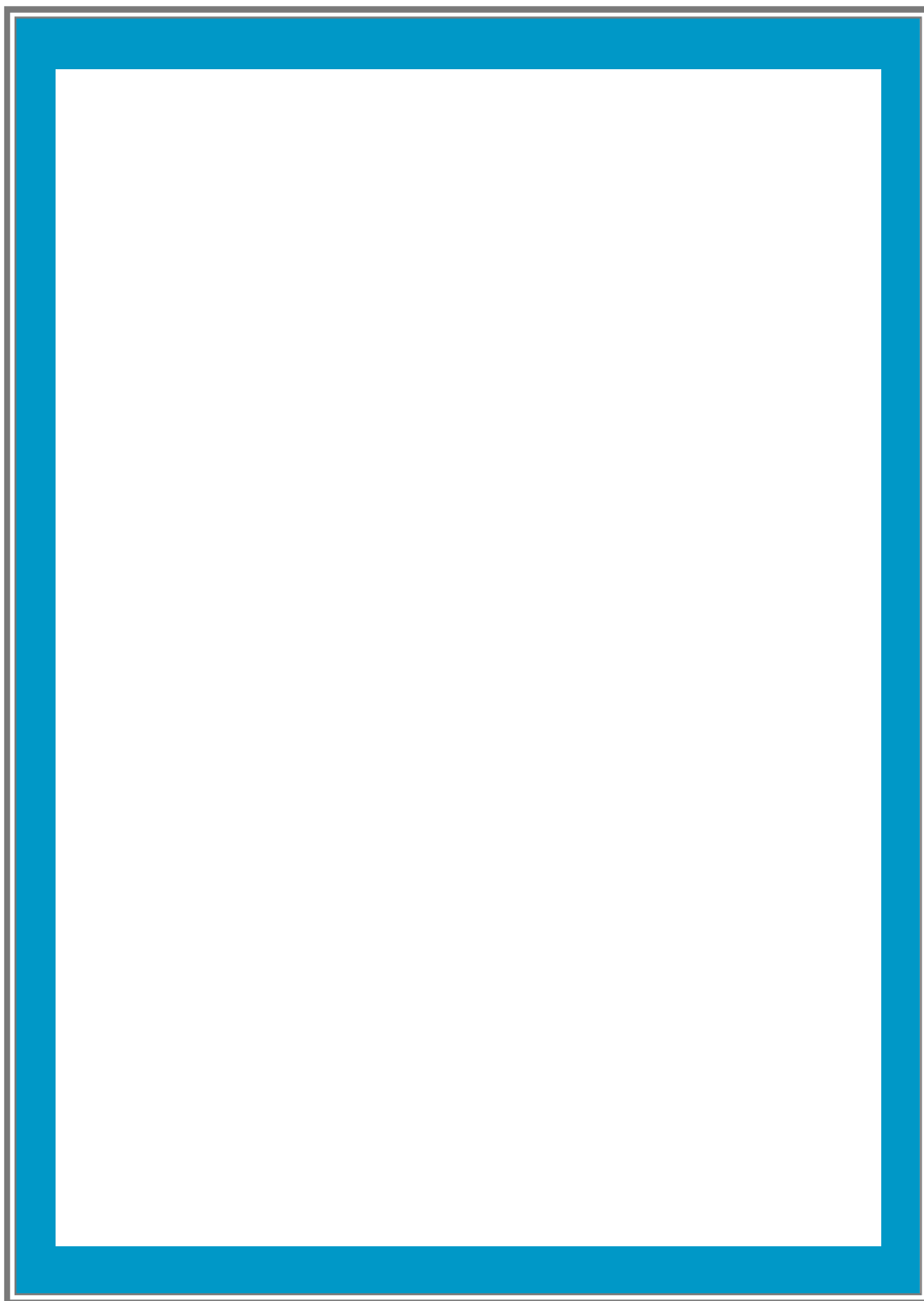
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EXECUTIVE SUMMARY

Although foster care is intended to be a temporary arrangement—as social services agencies assist families toward reunification or pursue other permanency options, such as adoption or legal guardianship—over 4,000 youth “age out” of California’s foster care system each year. The terms “aged out” or “emancipated” describe foster youth who are discharged from the foster care system when they attain a certain age.

California, like almost all states, has statutes authorizing dependency courts to retain jurisdiction of foster youth beyond age 18. Generally, however, jurisdiction is only retained for a specific purpose—and only then for the minimum amount of time necessary. Time after time, the state—which has assumed the role of parent in these cases—turns her children out into the street at age 18 with no place to live, no means of supporting themselves, no safety net, and no hope for their future.

Current Outcomes for California’s Foster Children

What happens to youth after they are forced out of California’s foster care system? Not surprisingly, the majority of former foster youth fail to achieve self-sufficiency. Studies of California’s former foster youth found that:

- 65% emancipate without a place to live.
- Less than 3% go to college.
- 51% are unemployed.
- Emancipated females are 4 times more likely to receive public assistance than the general population.

In any given year, foster children comprise less than 0.3% of the state’s population, and yet 40% of persons living in homeless shelters are former foster children. A similarly disproportionate percentage of the nation’s prison population is comprised of former foster youth.

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Current Programs and Services are Inadequate

While some state and federal funding is available for independent living programs (ILP) and services for former foster youth, it is inadequate to properly provide the kind of support necessary to enable these youth to transition to self-sufficiency. In California, funding and services for this population vary county by county, with different eligibility policies, program administration, funding, and services. As a result, current programs for emancipating foster youth are fragmented and under-funded, fail to provide comprehensive assistance and services, and do not reach a significant number of former foster youth in a meaningful way.

While some state and federal funding is available for independent living programs (ILP) and services for former foster youth, it is inadequate to properly provide the kind of support necessary to enable these youth to transition to self-sufficiency.

Recent studies have shown that the average young person must rely on parental support during the transitional period, and does not become self-sufficient until age 26. Money is not the only way parents support their children during this period;

parental support also continues in the form of free or subsidized housing, food, and medical care—as well as the many intangible ways that a family provides support to its children. Foster children do not have this safety net.

Recent studies have shown that the average young person must rely on parental support during the transitional period, and does not become self-sufficient until age 26.

If California continues to neglect her emancipated foster youth population, their outcomes will continue to be bleak. But turning these young adults out on the street at age 18 with minimal assistance does not just affect their futures; such a policy decision has significant long-term implications for the state as well. From a financial perspective, significant costs resulting from the status quo system take the form of public assistance, homeless aid, health care for the indigent, loss of taxable income, and incarceration. Other societal costs—arguably more important but harder to quantify—include the loss of potentially educated and skilled members of the workforce, who could help keep California’s workforce competitive with the rest of the world.

Other States’ Efforts to Improve Outcomes

Faced with similar circumstances, some states have implemented expanded transitional services, which involve programs and funding that go beyond traditional ILP services. For example, Illinois, Arizona, Connecticut, and Florida have each taken meaningful steps toward improving the transitional experience for emancipated foster youth, providing them with a meaningful opportunity to pursue higher education and vocational training that enable them to become self-sufficient. Features of the innovative programs offered by these states include the following:

- In Illinois, youth may remain wards of the court until age 21 provided they are involved in a postgraduate educational or vocational training program. In order to remain wards, the youth must petition the court. Extended foster care is the youth’s option, not the court’s. If jurisdiction is retained, the court holds status hearings and the youth continues to have an assigned caseworker. However, the caseworker’s involvement depends on the youth’s needs. Youth may remain in state-subsidized foster homes, transitional living programs, or on their own.

- Arizona’s “extended foster care” differs from Illinois in that the court terminates jurisdiction. Youth remain in care on a voluntary, contractual basis. In exchange for a \$585 monthly stipend and services from the social service agency, the youth must actively pursue education or vocational training. Under certain circumstances, youth who are employed but not attending school or who are involved in therapy may also remain in care. Monthly stipends are sent directly to the participating youth.

- In addition to traditional ILP services, Florida offers additional funding for former Florida foster youth attending a post-secondary education institution or vocational training programs. Florida does not retain judicial jurisdiction over youth participating in its extended foster care program.

- Connecticut law provides that a youth committed to the Department of Child and Families’ care shall be discharged at age 18 unless the child is attending high school full-time or pursuing postgraduate education or vocational training. Connecticut has developed at least three different programs to meet the needs of young adults remaining in care. All of Connecticut’s extended foster care programs require the youth to have been in DCF’s care prior to turning age 18.

CAI’s Proposal: The Transition Guardian Plan

The Children’s Advocacy Institute (CAI) is proposing that California adopt the “Transition Guardian Plan” as part of the expansion of transitional services for emancipating foster youth. This model, which was the basis for the cost benefit analysis discussed below, attempts to replicate as closely as possible the performance of parents in the transition of their children into independent adulthood. Such parents spend a median of \$44,500 on their children after they reach the age of 18, and the average youth does not achieve self-sufficiency until reaching 26 years of age. Money provided by parents to adult children is spent on housing assis-

tance, transportation, utilities, tuition, and other expenses. Foster children, for whom the state serves as parent, receive less than 5% of that total—notwithstanding their apparent need for a substantially larger investment than the average youth might need.

Under CAI’s proposal, former foster youth who opt to participate in the Transitional Guardian Plan will receive a monthly stipend and support services.

Under CAI’s proposal, former foster youth who opt to participate in the Transitional Guardian Plan will receive a monthly stipend and support services. The stipend is sent to a court-appointed adult guardian who meets with the youth on a monthly basis to distribute the funds, plan for their use, and verify the youth’s continuing progress toward self-sufficiency. The stipend would be based on the youth’s needs, but would typically range from a high of \$850 per month in the first year of participation down to \$258 per month during the fifth year of participation, decreasing as the youth becomes more self-sufficient.

Most dependents of the court do not wish to remain in foster care—some find that status demeaning and others seek independence from what are often institutional settings. The Transition Guardian Plan recognizes that common strong preference and creates emancipated status for the youth. However, the court continues jurisdiction over a fund established to facilitate transition to adulthood, and the court appoints a guardian to administer those funds pursuant to an agreement between the child and the court.

CAI believes that the Transition Guardian Plan offers the optimal framework for expanding transitional services for emancipating foster youth. The steps involved in the Transition Guardian Plan are as follows:

- After the youth reaches 16 and before his/her 18th birthday (during which many jurisdictions have transition programs to prepare youth for independent living), the juvenile court will appoint a transition guardian to assist the youth into independence and to administer a state fund of vouchers/monies as individually appropriate. Ideally, this guardian will be someone with a prior relationship with the youth—to accomplish the continuity otherwise lacking for many of these children. Hence, the guardian may be the foster care provider, a relative, a CASA, the youth’s attorney, or some other person who is competent, responsible, cares about the youth and in whom the youth has confidence. The guardian should be paid \$100 per month per youth overseen, or a similar figure.
- The court will have jurisdiction over the guardianship and the vouchers/monies. Prior to reaching the age of 18, the youth will enter into an agreement with the court on an “independence plan.” The plan will be negotiated between the youth (with full participation by his/her counsel), his/her guardian, and his/her social worker. The court will approve the plan, as well as the guardian. These plans will involve six-month reports to the court on progress under the plan. The youth (or someone on behalf of the youth) may petition the court with regard to that guardianship or the agreement, for alteration of either.
- Ideally, for the sake of consistency, the juvenile court should serve this court function since it has had jurisdiction over the youth since the start of dependency status. Such an assignment reinforces the continuity advantage noted above. The workload addition from this additional function should not be onerous given its largely reportorial nature. It is the position of judicial oversight that makes abuse of monies by guardians relatively unlikely. Close supervision or hearings and complex proceedings would be uncommon. If a given jurisdiction’s juvenile courts lacked capacity, a presiding court could assign this function to another department, with the expectation that such an assignment would be long-term and that such youth would not find continually changing adult figures in his/her life.

The advantages of this plan include the following: (a) it recognizes the youth’s desire for independent status; (b) it preserves continuity of care; and (c) it allocates funds over a time period, through vouchers or circumscribed payments, consistent with the individual needs of the child to obtain independence. The purpose behind the plan is to replicate as closely as possible what a responsible parent does to assist his/her child into independent adulthood.

**Table 1. Transition Guardian Plan
Costs Per Youth, Over Five Years**

Year	Monthly stipend	Annual stipend	Guardian	15% admin. & eval.	Total per year	Cumulative 5- year total
1	\$850	\$10,200	\$1,200	\$1,710	\$13,110	\$13,110
2	\$765	\$9,180	\$1,200	\$1,557	\$11,937	\$25,047
3	\$612	\$7,334	\$1,200	\$1,282	\$9,826	\$34,873
4	\$429	\$5,148	\$1,200	\$952	\$7,300	\$42,173
5	\$258	\$3,096	\$1,200	\$644	\$4,940	\$47,113
Totals		\$34,968	\$6,000	\$6,145		\$47,113

As shown in Table 2, the estimated total cost of this program for California would be approximately \$123 million annually, once it has been in place for five years. As noted below, the savings generated by that investment in educational attainment—income—and public tax collection, and in avoidance of incarceration and public welfare costs, will far exceed that investment.

Table 2. Total Costs for All Youth Expected to Participate in the Transitional Guardian Plan

Year of participation	% partic'g	% partic'g	Cost/youth per year	Cost/all youth per year	Cumulative Total
1	70	2,940	\$13,110	\$38,543,400	\$38,543,400
2	65	2,730	\$11,937	\$32,588,010	\$71,131,410
3	60	2,520	\$9,826	\$24,761,520	\$95,892,930
4	55	2,310	\$7,300	\$16,863,000	\$112,755,930
5	50	2,100	\$4,940	\$10,374,000	\$123,129,930

Long-Term Financial Benefits of Transition Guardian Plan

CAI has evaluated the cost of expanding transitional services for all foster youth, and the eventual cost savings that would be attributable to keeping former foster youth out of prison, off the streets, and off welfare and public health programs, and instead helping them become self-sufficient, contributing, healthy, and tax-paying members of society.

According to the analysis, the state will realize considerable long-term benefits if it implements the Transition Guardian Plan and the program is successful for those who participate. The analysis shows a benefit-to-cost ratio of 2.98 to 1 (or 1.85 to 1 present value) for one cohort and 3.1 to 1 (or 1.9 to 1 present value) for 40 cohorts. These numbers translate to a cumulative net benefit of \$243,582,669 (or \$98,094,977 present value) for just one cohort. Using discounted dollars (present value), the cumulative net benefit attributable to 40 cohorts totals \$2,386,133,827.

Significantly, the Transition Guardian Plan would begin to realize an annual benefit after 12 years, and the plan would begin to realize a net cumulative benefit after 23 years.

**Table 3. Transitional Guardian Plan: Costs, Benefits,
and Benefit-Cost Ratio for One Cohort**

	Costs	Benefits	Benefits - Costs	Benefits to cost ratio
Constant dollars	\$123,129,930	\$366,712,599	\$243,582,669	2.98
Present value, discounted at 3%	\$114,729,661	\$212,824,638	\$98,094,977	1.85

Even assuming a lower 75% success rate, the Transition Guardian Plan would result in a benefit-to-cost ratio of 2.3 to 1 (or 1.4 to 1 in present value) for 40 cohorts over their careers.

Importantly, the analysis examines benefits to California in only three specific areas: cost avoidance from fewer admissions to state prison, cost avoidance from fewer former foster youth receiving TANF payments, and benefits to the State and Federal treasuries due to higher income taxes paid, based on improved lifetime employment earnings through increased education. The analysis of these areas is based on generally conservative figures and assumptions. In addition to these areas, other substantial financial benefits will accrue to California due to the increased lifetime earnings of these youth. In addition to the income tax benefits documented in the analysis, the state will see economic stimulus effects from the increased spending of these youth through their purchasing, saving, and investing at higher levels. Other tax revenues, such as sales taxes and property taxes, will also be enhanced by increased economic potential of these former foster youth. Finally, the Transition Guardian Plan will have additional benefits associated with cost-avoidance that are not calculated in CAI's analysis. Avoiding expenses associated with the use of mental health services, homelessness, use of welfare beyond TANF such as food stamps, substance abuse and second generation foster care are expected to result in a substantial benefit to the state but are not included in CAI's analysis.

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Funding Options

CAI has identified several options for funding expanded transitional services.

Waiver. A waiver allows a state to waive state and federal restrictions on the use of funds to allow more flexibility in the use of the funds. For example, California recently obtained a Title IV-E Child Welfare waiver. This waiver permitted the state and selected counties to waive federal and state restrictions on the use of Title IV-E funds in order to use funds flexibly to implement child welfare service innovations. Participating counties used funds to provide intensive, individualized services, thereby permitting children to remain at home, return home sooner or to be placed in permanent family settings. One funding option is to obtain a federal waiver that would allow flexibility for funding services to youth transitioning out of foster care. Much like the Title IV-E waiver prevented youth from having to enter foster care, a waiver here would work toward preventing former foster youth from having to enter the welfare system.

Income Tax. Imposing a 1% tax on the income of individuals who make over \$400,000 a year and couples who make over \$800,000 a year would generate funding for expanded transitional service programs. However, it is difficult to pass initiatives that would raise the income tax and there are other, more promising options; therefore, CAI does not recommend this option.

Sales Tax. Imposing an additional sales tax on particular products, such as those that are typically used to make methamphetamine is another funding option for expanding transitional services. However, this would be difficult to institute and there are other, more promising options.

State General Fund. Illinois, Connecticut, and Arizona and many other states use state general funds in addition to Federal Chafee Funds to supplement their programs. California does this as well, but could appropriate more of the general fund to aid programs created to assist foster youth transitioning to adulthood. For this reason, it is of vital importance to educate policymakers about the challenges former foster youth face and the benefits of expanding services to them.

Federal Funds/Public–Private Partnerships. CAI believes many federal funds could be accessed to fund the expansion of transitional services. For example, some California counties give former foster youth priority for Section 8 housing vouchers. Other counties have partnered with non-profit organizations to raise funds for former foster youth. Guardian Scholars and First Place Fund for Youth are two examples of programs that partner private and public funding sources to provide services for former foster youth.

Proposition 63 Funds. Proposition 63, the Mental Health Services Act (MHSA), imposes a tax to raise funds for mental health services. The act states as one of its purposes prevention and early intervention services and medical and supportive care. Given the high incidence of mental health issues among former foster youth, it is clear that both foster youth and foster youth alumni should be a priority for this funding.

California and the federal government have made some gestures to acknowledge the needs and improve the services available to the approximately 4,200 foster youth aging out of California’s foster system each year—but the system is still in great need of improvement.

Key Recommendations for California

- California should adopt the Transition Guardian Model for expanding transitional services for emancipating foster youth as a complement to other available programs, giving these young people a choice of available programs and services.
- California’s expanded transitional services must include a detailed evaluation plan, and advocates and policymakers must ensure that evaluations are properly completed.
- General federal funding sources must be sought to support expanded transitional services. Sources include the Department of Housing and Urban Development (HUD) and the Department of Justice (DOJ).
- The program must be voluntary. Young people should not be forced to stay in foster care beyond age 18.
- Current and former foster youth must have a consistent, responsible, caring adult presence in their lives, such as a mentor or a CASA. Any proposed program must include this element.
- Current and former foster youth must have a strong voice in the system; it is important to obtain their feedback throughout the entire process.
- The transitional plan agreement/contract must be jointly developed by the youth and the guardian who will be overseeing the agreement/contract.
- Current and former foster youth must be involved in the development of expanded transitional services.
- All expanded transitional services must be equally available in every county in California. The fragmented approach with which California’s Independent Living Programs are administered is not acceptable.

- Information regarding any expanded transitional services program must be widely available and easily accessible by the foster youth, providers, and other adults in the foster youth's life.
- Foster parents, providers, lawyers, social workers, and CASAs should all receive information and training regarding expanded transitional services available to foster youth.
- Any paperwork necessary to receive expanded transitional services must be minimal and easy to access, understand, complete, and submit.
- All youth who have come under the jurisdiction of the dependency court and will emancipate from care must be eligible.

Lessons To Guide Advocates and Policymakers Seeking Reform

CAI has identified the following ten lessons to guide advocates and policymakers in developing a program of expanded transitional services consistent with our stated respect for family values.

1. FORMER FOSTER YOUTH MUST HAVE A VOICE. Current and former foster youth do not have access to the organizational or monetary resources available to other special interest groups. That said, groups that represent former foster youth, particularly those like California Youth Connection (CYC) which are composed largely of former foster youth, need to be given a seat at the table. Policymakers need to continue to listen to these organizations because not only are they composed largely of former foster youth, they are well connected to the community of current foster youth. Further, organizations that represent current and former foster youth need to communicate and work together, both on a state and national level to promote the interests of emancipated foster youth.

California, as the parent of these children, has a special obligation to ensure their well-being; addressing that obligation must be a highly visible priority. To that end, special legislative committees, such as the Select Committee on Foster Care, are vital to addressing the needs of the state's foster children. Creating these committees, however, is not enough. State lawmakers need to be held accountable in the media and at the voting booth for their actions and voting records with regard to the children and young adults to whom they have a special obligation.

Finally, emancipated youth need an independent ombudsperson who can listen to and address complaints with regard to systemic issues that affect former foster youth. The ombudsperson should be easy to reach and readily available at all times.

2. PUBLIC OUTREACH AND PROVIDER EDUCATION. It is vitally important that those who come into contact with foster youth be educated as to the services available to those youth. At first glance, this may seem an obvious proclamation; however, many people who play an important role in the lives of foster youth are unaware of all that is available to these youth.

For example, there is a need for an easily accessible database that catalogs all of the services available to foster youth by county. Because the system in California is so fragmented and each county offers different services at different levels, it is often difficult for former foster youth to make the best use of what is offered. This database would serve to inform foster youth and those with whom they are in contact of all that is available to them, from housing and employment assistance to independent living skills programs and educational assistance.

3. MULTI-FACETED APPROACH. The most successful transitional programs are those that address the needs of the youth participants with multi-faceted services. Programs that provide a combination of assistance with housing, living skills, education, employment, and mentoring yield the best results. These programs must be carefully crafted to fulfill the needs of young adults who have often spent much of their lives raised by "a system" and feel the need to break free from systemic bureaucracy. Thus, the programs should focus on permanency and not simply mimic another placement. The success of the multi-faceted approach is evidenced by the outcome statistics for programs like First Place Fund for Youth and the Guardian Scholars program.

4. MENTORING. The single most important aspect of any transitional program is the availability of mentoring and a support system. Case studies reveal that successful former foster youth attribute their success in large part to the support of a person or group of people. It is vitally important for foster youth who are transitioning out of the system to have access to at least one responsible person they trust who would encourage and assist them while they traverse the life changes that will have such an enormous impact upon their success as an adult.

5. YOUTH OUTREACH. Too often, former foster youth are not aware of the programs that are available to them. They need to be made aware of the available programs, and they need to know how and where to access these programs. The best programs in the world will not do any good if the population they are meant to benefit is not aware of their existence.

There are several ways to ensure that former foster youth are aware of the programs available to them upon their emancipation from the system. Lawmakers and those who enforce the laws need to ensure that they do more than simply pay lip service to the important task of informing this population about programs available to them. California needs to ensure that the youth have a plan in place—a plan the youth has created with the assistance of a responsible adult who is genuinely interested in his or her well-being. California needs to make access to information on services to former foster youth widely available, perhaps via the internet and toll-free phone numbers. Finally, California needs to make the information easily accessible and straightforward so the population at which it is aimed will understand exactly what is available to them, along with how and where to access it.

6. CHOICE. Most emancipated foster youth have been in the system for a long period of time, often for years. This is a system into which they were placed through no fault of their own and over which they had little, if any, control. It is important to give these youth control of their lives when they emancipate. California, like any other parent, needs to give them a chance to make the wrong decision and change their mind. Any program designed to assist emancipating foster youth should be tailored to the individual; the emancipated youth should be in control of the program. Further, any program designed for emancipating youth should contain a provision allowing the youth to opt back into the program at least once after choosing to opt out.

7. ACCESS. Programs for youth transitioning out of foster care need to be user-friendly and easy to access. Former foster youth are regularly required to be familiar with, and be able to complete, a maze of paperwork for services they need. Services like health care, educational assistance, and housing should be readily available to foster youth upon aging out of the system. These services should require as little paperwork as necessary both for the initiation and the renewal of services.

8. OUTCOMES. It is often difficult to gauge the success of different programs offered to assist former foster youth because upon emancipation, most states lose track of these young people. On a federal level, there should be a uniform system in place to measure the success of states' programs. Currently, the federal government is creating the National Youth in Transition Database (NYTD). This will be an invaluable source of information to advocates, but only if the federal government collects relevant, accurate information. To that end, CAI has submitted comments to the Administration for Children and Families (ACF), the federal body tasked with rulemaking in this area.

Additionally, California needs to attempt to maintain contact with former foster youth for many reasons. It will help identify challenges that young people in this population face, which will in turn enable California and advocates for former foster youth to better address those problems. Further, it will enable advocates and lawmakers to expand and improve services. Finally, it will enable advocates and states to gauge outcome results and adjust services and programs accordingly to better benefit the population they were created to serve.

9. JURISDICTION. California must give former foster youth a choice at age 18 whether or not they would like to remain under the jurisdiction of the court. Alternatively, upon termination of jurisdiction, California should allow youth to decide whether or not they would like to receive continuing transitional services from the state, giving the youth until age 21 to decide to access transitional services.

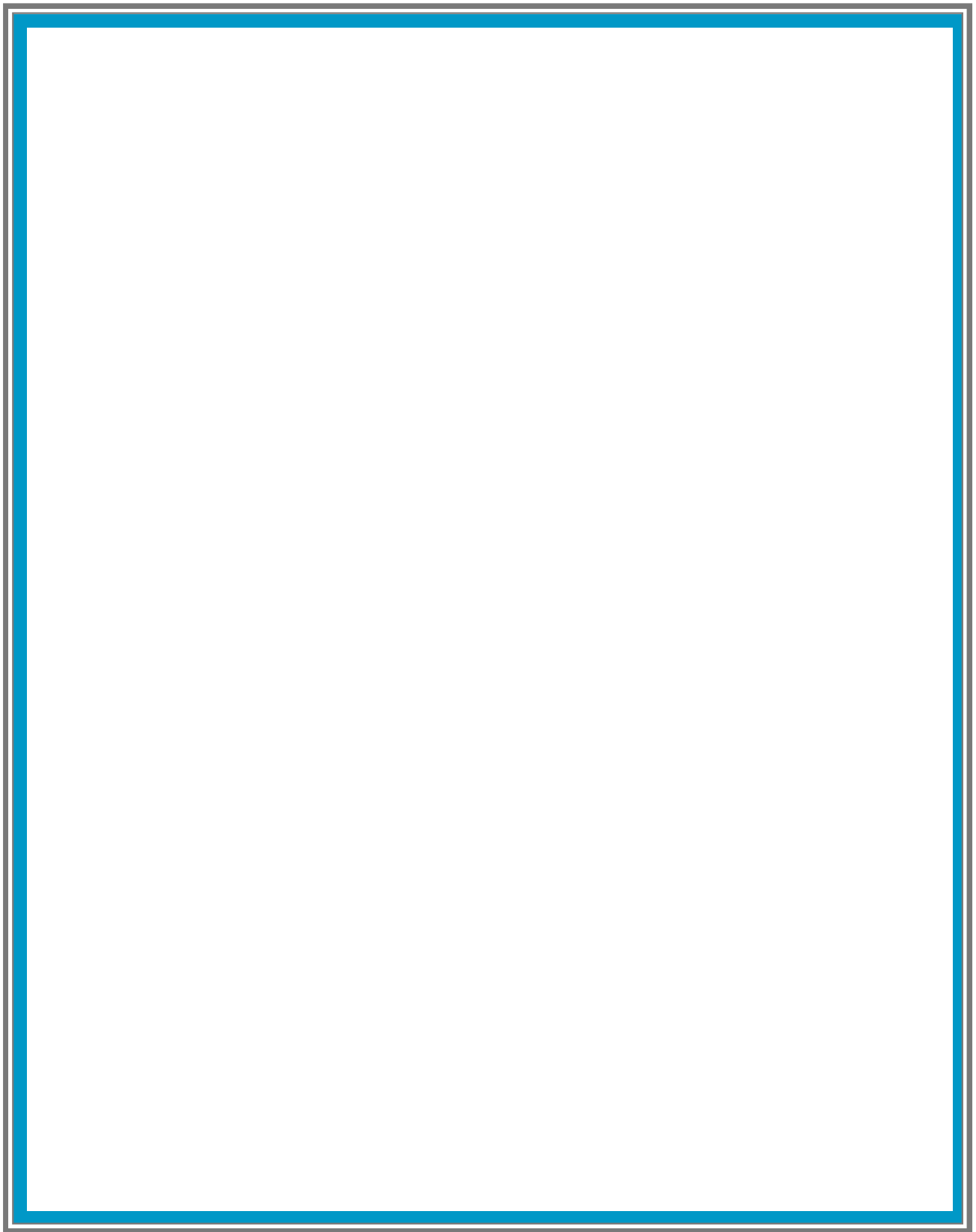
Finally, any legislation which allows foster youth to opt out of services should contain a provision which would provide them with an opportunity to opt back in before their 21st birthday.

10. FUNDING. The funding structure for programs should not create insurmountable hurdles to program implementation. As evidenced by California's THP-Plus and STEP programs, the high county share of cost for these transition programs made it difficult for counties to participate. Thus, youth were not able to benefit from the legally created, but highly unimplemented programs.

State funding should be based upon the youth need for the programs. Programs need to be funded on a realistic scale, taking into consideration the number of transitioning foster youth who need assistance and the amount of assistance they need. Funding needs to be practical and realistic, not symbolic. Additionally, the federal and state governments must statutorily protect against supplantation or diversion of program funding.

Finally, advocates need to find creative ways to use the funding provided to obtain the best result for the youth. Some private-public partnerships have achieved extraordinary results for the population they serve. The goal of advocates is to provide all of California's emancipated foster youth with the opportunities that will yield these outstanding results and a successful, independent life after foster care.





1. INTRODUCTION

Although foster care is intended to be temporary—as the social services agency assists the family toward reunification or moves toward another permanency option such as adoption or legal guardianship—approximately 20,000 foster youth “age out” of the system each year in the U.S., including 4,000 in California.¹ The terms “aging out” or “emancipated” are used to describe foster youth who are discharged from the foster care system when they attain a certain age. Though this age is statutorily prescribed by each state, the majority of our nation’s foster youth are 18 years old when their state-parent is judicially relieved of her duty to provide the care, custody, and control of the child.

Almost all states, including California, have statutes that authorize the court to retain jurisdiction beyond age 18. Generally, however, jurisdiction is only retained for a specific purpose, and only then for the minimum amount of time necessary. In California, foster youth are statutorily allowed to remain in care until age 19 if they will not complete high school by age 18. However, if the youth has not completed or will not complete high school by age 19, the court may legally terminate jurisdiction. There are currently no statutory requirements preventing California, the foster youth’s state-parent, from turning out her children onto the street without high school diplomas.²

Even when a former foster youth ages out with a high school diploma or GED, he/she has far less financial and emotional support than does the typical 18-year-old. The young person may not even have a home, save for a homeless shelter.³ The average 18-year-old was never removed from his/her home, never suffered abuse or neglect, was not forced to move from placement to placement, and typically had a permanent connection with at least one adult. Most importantly for our purpose, typical 18-year-olds are not considered ready to live independently, financially, and/or emotionally from their parents. Research from the social and medical sciences, as well as familial trends and public opinion studies, find that the typical young adult is not fully self-sufficient until the age of 26.⁴ An 18-year-old youth who has “aged out” of the foster care system is anything but typical, and the average age of self-sufficiency for this population is arguably much higher.

CAI contends that California, as parent to the state’s foster youth, must — at a minimum — match the effort made by average parents who continue to provide support to young adult children beyond age 18.

Over the past twenty years, important progress has been made to assist former foster youth after they age out. However, research by the University of San Diego School of Law’s Children’s Advocacy Institute (CAI) has found that much more assistance is necessary to ensure that former foster youth have the same opportunities as their peers with no foster care history. Specifically, CAI contends that California, as parent to the state’s foster youth, must — at a minimum — match the effort made by average parents who continue to provide support to young adult children beyond age 18. CAI proposes that by expanding transitional services where former foster youth is involved in postsecondary education or a vocational training program, California can reverse the poor outcomes for its former foster youth. For the purposes of this report and its related advocacy efforts, CAI is terming its proposal Expanded Transitional Services (ETS); CAI’s specific proposal in this regard is to establish a Transition Guardian Plan, discussed in more detail below.

Further, CAI contends that investing more resources in the emancipated foster youth population will have long-term financial benefits for the state. This report includes a cost-benefit analysis comparing the cost of making a meaningful investment in ETS (using the Transition Guardian Plan) with the benefits that would accrue from diverting former foster youth from years of public assistance, prison, and homelessness, and instead enabling them to become self-sufficient, contributing members of society. The analysis shows that the Transition Guardian Plan would result in significant financial benefits to California in several respects (see Section X).

The final section of this report provides suggestions and recommendations to help facilitate the changes that are necessary to provide emancipated foster youth with a meaningful opportunity to realize self-sufficiency.

11. THE ADULT CHILD

For the estimated 4,000 California foster youth who age out of foster care each year at age 18, the state petitions the court to terminate the parent-child relationship. In California and other states recognizing age 18 as the age of majority, 18-years-olds have the right to vote, enter binding contracts, buy or sell property, marry, make a will, consent to all types of medical treatment, buy cigarettes, and join the military without parental consent. The age of majority is also the age at which parents and/or state-parents (when the youth is in foster care) are no longer responsible for the care, custody, and control of the child. In other words, when children turn 18, their parents are no longer legally obligated to financially support them.⁵

In 1970, 21 was the age of majority. The 1971 passage of the 26th Amendment giving 18-year-olds the right to vote in federal elections resulted in new federal and state statutes lowering the age of majority to 18. However, as Daniel Brannen points out in “The Year 18 Myth,” the age of majority was not lowered in recognition of an 18-year-old’s maturity and ability to successfully live independently. Instead, the 26th Amendment was America’s response to the need for draftees for the Vietnam War.⁶ Similarly, state statutes terminating dependency jurisdiction at age 18 are not based on the belief that 18-year-olds possess the ability to be self-sufficient. These statutes are fiscal decisions based on the belief that federal funding sources end at age 18. As discussed in Section IV below, this belief is misplaced.

The age of majority was not lowered in recognition of an 18-year-old’s maturity and ability to successfully live independently. Instead, the 26th Amendment was America’s response to the need for draftees for the Vietnam War.

Research suggests that an 18-year-old’s inability to attain self-sufficiency may be rooted in biology. The National Institute on Mental Health, the Society for Adolescent Medicine, and the World Health Organization believe the brain remains immature at age 18 and continues to develop into early adulthood. The biological age of maturity may be as late as 26.⁷ This age may be even later for foster youth, as stressors such as physical or sexual abuse or neglect (only one of which is required for entry into the foster care system) can lead to developmental and psychosocial delays.

As the cost of higher education and living expenses increases, national studies find parents supporting their children until their mid-30s. The National Opinion Research Center found that most Americans do not consider a person an adult until age 26, or until he/she has finished school, landed a full-time job, and begun to raise a family.

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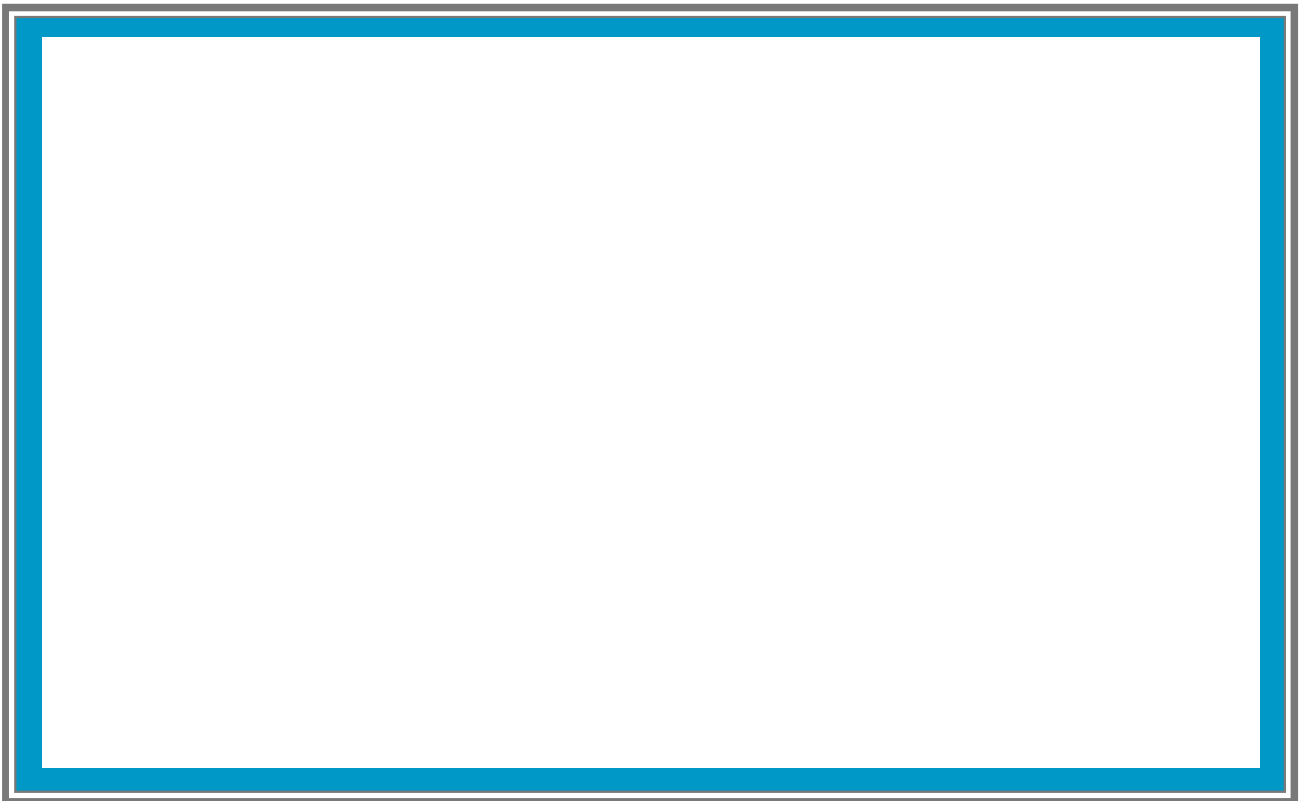
According to the 2005 study conducted by the Institute of Social Research at the University of Michigan, 34% of people between the ages of 18 and 34 receive cash from their parents each year. The average amount received each year was found to be \$3,410.⁸ A similar study by the Pew Research Center suggests the number may be even higher, finding that 47% of persons between 18 and 40 with a living parent continued to receive money from their parents.⁹ Both studies found that young adults receive more money from their parents during their early 20s to help pay for tuition, room and board, and education-related expenses.

Money is not the only way parents support their children during this transitional period. Parental support also continues in forms such as housing, emotional support, and time.

Money is not the only way parents support their children during this transitional period. Parental support also continues in forms such as housing, emotional support, and time. For example, the 2005 U.S. Census reported that 18 million households have an adult child living at home.¹⁰ Although this finding includes children living in college dormitories, parents typically pay for that housing. The University of Michigan's Institute of Social Research found that 47% of youth surveyed received an average of 367 hours in time help; this breaks down to 9 weeks of full-time (40 hours per week) assistance.¹¹ Although no study has calculated how many hours of transitional services California former foster youth receive each year, anecdotal evidence shows it is not nearly as extensive.

Indeed, many young people are delaying marriage and child-rearing until completing college and beginning a career. An ever increasing number of young adults are returning to live with their parents—or never leaving their parents' home at all. Reasons for this trend include the rising cost of living, increased educational expenses during college, increased education debt upon graduation, and the inability of even working adults to earn enough to afford housing.

As society has recognized the rising “age of majority,” new terminology has developed. Persons above age 18 but still relying on their parents for financial and other assistance are known as “adulthoodescents” or “boomerang kids”—adult children who return to their parents' homes after living independently. Adult children boomerang home for a variety of reasons, most often a significant financial downturn caused by factors such as a lost job, sudden health expenses, or a change in living arrangements. Additionally, the rising cost of living and rising higher education expenses make it impossible for many working adults to support themselves.



III. FEDERAL LAWS & POLICIES IMPACTING FORMER FOSTER YOUTH

A. 1986 – 1998: TITLE IV-E INDEPENDENT LIVING INITIATIVE

In 1986, the federal government amended the Social Security Act to include the Title IV-E Independent Living Initiative (ILI), which provided funding to assist foster youth with the transition from foster care to independent living. Between 1986 and 1998, these funds were limited to current foster youth, primarily those ages 16–18 years of age, and were focused on teaching skills necessary for self-sufficiency. States had the option to continue services and support after the youth aged out of the system; however, no additional federal funding was available. Further, the amendment specifically prohibited the use of funds for housing stipends or transitional housing programs for emancipated foster youth. Thus, it was not uncommon for newly-emancipated foster youth to move from a foster home to an adult homeless shelter. During this period, the nation's former foster youth were left with few supports, and were expected to survive on their own or access social service systems developed to assist homeless adults, not transition-age youth.¹²

By 1999, a substantial body of research concluded that despite Title IV-E ILI funding, the majority of former foster youth failed to achieve self-sufficiency. Research found that within two years of exiting the foster care system:

- 60% of former foster youth had been homeless for at least 1 night
- 35% of former foster youth had accessed public assistance¹³
- 40% of people living in homeless shelters were former foster youth¹⁴

This research, as well as the abundance of Congressional testimony given in support of additional federal funding for former foster youth, made it evident that former foster youth—like their counterparts with no foster care history—were clearly ill-equipped to live on their own and support themselves at age 18.

B. 1999 – PRESENT: JOHN H. CHAFEE FOSTER CARE INDEPENDENCE ACT

In 1999, Congress passed the John H. Chafee Foster Care Independence Act (FCIA), doubling federal funding for independent living programs from \$70 million to \$140 million. FCIA's stated purpose was

to provide States with flexible funding that will enable programs to provide financial, housing, counseling, employment, education and other appropriate supports and services to former foster care recipients between age 18 and 21 years of age to complement their own efforts to achieve self-sufficiency.

FCIA replaced Title IV-E ILI and significantly changed independent living services for former foster youth.¹⁵

The most important change was the federal mandate that states use a portion of FCIA funds to serve former foster youth up to age 21. FCIA also included provisions permitting optional state participation in extending Medicaid coverage to age 21 and using up to 30% of FCIA funds to provide housing assistance, such as stipends and/or transitional living programs, to former foster youth. FCIA continued independent living services to current foster youth.

Congress' extension of mandatory services and optional benefits to age 21 was an important shift in the federal government's recognition that many youth aged 18–21 require continued funding and support in order to transition to self-sufficiency. As discussed above in Section II, the average young adult is not fully self-sufficient until age 26.¹⁶

C. 2002 – PRESENT: CHAFEE EDUCATIONAL TRAINING VOUCHERS

In 2002, the federal government continued its progress toward enabling former foster youth to become self-sufficient, productive adults. Congress improved federal funding for former foster youth by authorizing \$60 million for Educational

Training Vouchers (ETV). These vouchers, limited to \$5,000 annually per youth and renewable each year, are available to eligible former foster youth attending postsecondary education or a vocational training program. Youth are eligible if they aged out of foster care or were adopted from foster care after their 16th birthday. Youth participating in the program on their 21st birthday are eligible to receive the voucher until they turn 23 years old.¹⁷

D. STATES' USE OF FOSTER CARE INDEPENDENCE ACT FUNDS

FCIA is administered and overseen by the Administration for Children and Families (ACF) within the Department of Health and Human Services (HHS). In order to receive FCIA funds, states must submit multi-year plans detailing how they will comply with and implement FCIA, how the funds will be spent, and how the program will be evaluated.¹⁸ States must also submit annual reports to ACF.

In 2004, the U.S. Government Accountability Office (GAO) reviewed the state plans from 49 states, the District of Columbia, and Puerto Rico. According to their results, the passage of FCIA led to significant increases in independent living services for former foster youth. Thirty-six states reported increased provision of independent living services to youth older than had previously been served.¹⁹ A comparison of the number of states offering emancipated youth services such as education assistance, counseling, independent living arrangements, employment assistance, and daily living skills in 1998 with the number of states offering those services in 2003 indicated an average increase of 18%.²⁰ Thirty-one states now provide Medicaid benefits to some former foster youth.²¹ Further, forty-six states reported offering assistance with room and board.²²

Unfortunately, outcome measures to assess the performance of states' independent living skills programs are lacking. Although FCIA requires states to conduct evaluations to determine the effectiveness of their Independent Living Program (ILP), the GAO found ACF did not require states to establish baseline measures, use a uniform reporting format, or report youth outcomes.²³ As a result, state information is varied in its usefulness to determine progress and the types of services and supports being provided. For example, of 90 annual progress reports reviewed, 52 did not include data that could be used to evaluate program effectiveness. HHS is currently evaluating select ILPs; an official report is expected in 2007.²⁴

Unfortunately, outcome measures to assess the performance of states' independent living skills programs are lacking.

Another challenge of evaluating FCIA involves the great difficulties in collecting information on former foster youth. Since these youth are no longer dependents or under court jurisdiction, no one is required to maintain contact. Since states must depend on the youth to initiate contact, they are unable to collect data such as whether the youth is employed or where the youth is living. States also expressed concern that youth who are doing well are more likely to maintain contact and participate in evaluations, thus resulting in distorted favorable outcomes.²⁵

Under the provisions of FCIA, states define eligibility criteria for many independent living services, including financial assistance for room and board. The result is great disparity between states in the type of financial supports and services available to former foster youth.²⁶ For example, in Florida, only former foster youth participating in the Road to Independence program are eligible to receive Medicaid. Forms of housing assistance under FCIA vary from one-time stipends for household supplies to monthly stipends to supervised apartment sites with subsidized rent.²⁷

The problem of service disparities is not limited to the state level. Independent Living Services (ILS) and financial supports for emancipated foster youth vary even within states. In California, all 58 counties develop and administer their own

ILS programs.²⁸ The different county housing assistance services for former foster youth illustrate the resulting disparities. For example, Trinity County provides \$350 per month for room and board for up to six months after dependency is terminated.²⁹ San Diego County has upwards of six transitional living programs and provides rental stipends on a discretionary basis, whereas Amador County has no housing programs for former foster youth.³⁰ Across California, counties have different eligibility policies, program administration, program funding, and program services. In “Out on Their Own: California’s Foster Youth and the Inequalities of the Independent Living Program,” Junn and Rodriguez argue that the result is unequal treatment and opportunity for former foster youth. This disparate system also causes significant access problems for current and former foster youth moving across county borders.

Chafee ETVs are also administered differently between states. In Texas, ETVs are used for a broad range of educational expenses, including housing, child care, food, and/or shelter, whereas Connecticut uses the funds to provide computers to youth in postsecondary education and training programs.³¹ Some states have also tapped non-federal funds to enhance former foster youths’ ability to attend postsecondary education or vocational training. Recognizing research showing that postsecondary education or vocational training is the most effective way for a low-income person to become self-sufficient and to ensure a person has the knowledge and skills necessary to maintain long-term employment, many states provide tuition waivers for former foster youth. These waivers are in addition to ETVs, other federal aid, and scholarships for which the youth is eligible. Some states, such as Kentucky, provide a stipend for ancillary expenses such as clothing and incidentals. Still others provide little to no state financial support for former foster youth to attend higher education or training.³²

Despite FCIA’s challenges, it has undoubtedly improved the lives and opportunities of former foster youth.

E. FEDERAL POLICIES INHIBITING FORMER FOSTER YOUTH SELF-SUFFICIENCY

On the downside, various federal policies actually inhibit a former foster youth’s ability to achieve self-sufficiency. For example, in *Washington State Dep’t of Social and Health Services v. Keffeler*,³³ the U.S. Supreme Court held that a state may take a foster child’s Social Security benefits away from him/her in order to reimburse the state for the child’s foster care costs. In this proceeding, 12-year-old Danny Keffeler and his grandmother attempted to have the state return the Social Security checks Danny was entitled to because his mother had died. The state had taken the money by claiming that it was the representative payee for the benefits, and the Department of Social and Health Services used the money to reimburse itself for part of what it paid out to Danny’s foster parents. The U.S. Supreme Court held that this withholding was valid and did not violate the anti-attachment provision of the Social Security Act. Thus, although the state voluntarily assumes the role of parent for foster children, it is allowed under federal law to take monies rightfully due these children to help pay for their care.

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Also, a portion of the FCIA limits the value of resources that foster children may accumulate up to \$10,000. Further, this \$10,000 limit is applicable only to the youth who are participating in an eligible Independent Living Program.³⁴ The remaining young people in the foster care system may be limited to as little as \$2,000 in savings. Accordingly, if a foster youth has a part-time job and intends to save money to cover college and/or living expenses after foster care, the government imposes an arbitrary limit on his/her ability to do so.

IV. CALIFORNIA'S FORMER FOSTER YOUTH

Similar to the national findings, California's former foster youth do not fare well after leaving foster care. Studies of California former foster youth found that:

- 51% are unemployed³⁵
- Emancipated females are 4 times more likely to receive public assistance than the general population³⁶
- 46% have not completed high school
- Less than 3% go to college
- 65% emancipate without a place to live³⁷

Given these outcomes, it appears that California's current scheme of transitional services is failing our emancipated foster youth.

A. RELEVANT CALIFORNIA STATUTES

In California, the foster care termination statutes are based on the misplaced belief that federal funds could not be used to support foster youth beyond age 18.³⁸ California, like all states, receives federal foster care funds from Title IV-B and Title IV-E of the Social Security Act. These provisions authorize the use of funds for foster care up to age 21 or such age of majority as provided under state law.³⁹ Since the majority of states, including California, define the age of majority as 18 and have statutes authorizing the court to terminate foster care jurisdiction at age 18, the majority of foster youth age out at age 18.⁴⁰ Thus it is state law, not federal law, that results in forced foster youth emancipation at age 18 and bars the provision of foster care benefits between ages 19 and 21.⁴¹

Most states that terminate foster care at age 18 have statutes that allow the state to retain jurisdiction beyond age 18, usually to age 21. Generally, however, jurisdiction is only retained for a specific purpose, and only then for the minimum amount of time necessary. California is no exception.

California's Welfare & Institutions Code Section 303 states that foster care may continue up to age 21.^{42,43} However, provided certain statutory requirements are met, the court may terminate jurisdiction at age 18. Under Section 391, foster care may be terminated where the county agency has provided the youth with personal documents, such as an identification card and birth certificate, and has provided assistance with education, vocational opportunities, and housing.⁴⁴ Though the court has discretion to continue jurisdiction where it finds the agency has failed to comply with Section 391 or it is in the best interest of the child, research indicates this is rare.⁴⁵ Between July 2004 and June 2005, at least 4,255 California foster youth left the foster care system because of emancipation—with the vast majority of them being cut loose at age 18.⁴⁶

Between July 2004 and June 2005, at least 4,255 California foster youth left the foster care system because of emancipation—with the vast majority of them being cut loose at age 18.

A county seeking termination of jurisdiction under Section 391 must submit a report to the court, verifying that the following information, documents, and services have been provided to the child:

- (1) Written information concerning the child's dependency case
- (2) The following documents, where applicable:
 - Social Security card,
 - certified birth certificate,
 - identification card,
 - death certificate of parent or parents, and
 - proof of citizenship or residence.

- (3) Assistance with
 - obtaining health insurance, including assistance completing Medi-Cal application
 - referral to transitional housing, if available, or assistance in securing other housing; and
 - assistance in obtaining employment or other financial support.
- (4) Assistance in applying for admission to college or to a vocational training program or other educational institution and in obtaining financial aid, where appropriate.
- (5) Assistance in maintaining relationships with individuals who are important to a child who has been in out-of-home placement in a group home for six months or longer from the date the child entered foster care, based on the child's best interests.

Section 391(c) provides that the court has discretion to continue jurisdiction if the county welfare department has failed to comply with Section 391 and continued jurisdiction would be in the best interest of the child; that nothing in the section should be construed to limit the discretion of the court to continue jurisdiction; and that the court may terminate jurisdiction if the youth has been offered services and the child has refused, or if the child cannot be located. Subsection (c) was an amendment supported by the County Welfare Directors and Juvenile Court judges to clarify that jurisdiction may be terminated when these factors are present.⁴⁷

Section 391(c) states that the court shall continue jurisdiction only for the period necessary for the county department to comply with Section 391, and a review of Legislative Intent Service documents indicate that Section 391 was only intended to allow the Juvenile Court to continue jurisdiction until the department fulfilled its obligations; this continuance was estimated at three additional months of foster care assistance and case management services to emancipated foster youth in need of further ILP information and services in order to have their jurisdiction dismissed.⁴⁸

The only express statutory exception to California's "18 and out" policy is Section 11403, which allows foster youth to remain in care until age 19 when they will not be able to complete high school by age 18. However, if at 18 the youth will not be able to complete high school by age 19, the court may legally terminate jurisdiction.⁴⁹ Unbelievably, state law does not prevent California, the foster youth's parent, from turning out her child into the street without a high school diploma or GED.⁵⁰

In addition to existing statutory law, policymakers considered several measures during 2006 that would impact the health and well-being of emancipated foster youth. A few good steps toward improving post-emancipation assistance were incorporated into the 2006–07 Budget Act, such as additional funding to improve the availability of transitional housing for emancipated foster youth and increase financial aid for foster youth. Regrettably, however, none of the following measures were approved by the Legislature:

- SB 2489 (Leno), which would have provided foster youth with financial assistance and other support necessary to complete college.
- AB 2709 (Maze), which would have expanded existing hiring preferences to include foster youth.
- SB 1289 (Cedillo), which would have allowed foster youth to stay in their placement voluntarily until age 21, as long as they participate in an ILP and are furthering their education.
- AB 1983 (Bass), which would have extended foster care services voluntarily to youth from age 18 to 24.
- AB 2284 (Jones), which would have ensured automatic Medi-Cal eligibility for early emancipated youth.

Although California courts have rejected automatic termination upon a dependent's 18th birthday, it is common practice for jurisdiction to be terminated at this age.

B. RELEVANT CALIFORNIA CASELAW

Although California courts have rejected automatic termination upon a dependent's 18th birthday, it is common practice for jurisdiction to be terminated at this age.⁵¹ The courts, following Section 391's legislative intent, cite the lack of federal funding for continued foster care as the reason jurisdiction is terminated. As noted above, federal foster care continues until the state-determined age of majority.

In re Tamika C., *In re Holly H.*, and *In re Robert L.* are the three California cases addressing termination of jurisdiction upon the dependent reaching the age of majority. In all three cases, the court confirmed that termination of jurisdiction at age 18 was proper so long as the county complied with Section 391.

In re Tamika C. *In re Tamika C.* is the most recent California case addressing Section 391. Tamika C. had been in foster care since she was 18 months old. In second grade, she was held back due to low grades and immaturity. Throughout her education, Tamika was enrolled in remedial courses. When Tamika was 18, she was on schedule to graduate with her class but due to repeating second grade, she was only a junior in high school. Her social worker gave her two options: she could either graduate one semester early so she would graduate by age 19 and thus qualify to remain in foster care, or if Tamika chose to graduate with her class, termination would be sought immediately.

Tamika, who was participating in her education and progressing appropriately toward her diploma, wanted to graduate with her class. At the termination hearing, Tamika's counsel argued jurisdiction should be retained until she graduated with her class and that due to her remedial courses, she should not be expected to complete school in an abbreviated fashion. The county argued that there were no unusual circumstances warranting the continuation of jurisdiction and that the total financial burden of supporting Tamika until she graduated with her class would fall on the county as no federal assistance would be available. The court terminated jurisdiction.⁵²

The appellate court found the county welfare department failed to provide educational assistance as required pursuant to Section 391 prior to termination where the assistance amounted to forcing the dependent to finish high school in an abbreviated timeframe, knowing that she was a slow student and that she needed to improve her grades in order to achieve her goal of being accepted into beauty school. The court noted that while Section 391 did not require that the department assure the dependent obtained her high school diploma, the educational component of this section "surely did not envision that the department would throw roadblocks in the dependent's educational goals."

The *Tamika C.* court distinguished Tamika from *In re Holly H.* because Tamika was making every effort to better herself, graduate in a timely manner, and had utilized the services offered to her. Research discussed later in this paper details how some states have provided continuing financial support for dependents after they turn 18 provided they are participating in an educational or employment program. This *quid pro quo* arrangement ensures that the additional funds are being used for activities that will assist the youth to become contributing members of society and should not be viewed as a pseudo-welfare program.

In re Tamika C. is the only opinion where jurisdiction was extended for failure to satisfy Section 391 requirements. In several poignant statements, the appellate court chastises the lower court and the county agency for emphasizing dollars and funding issues over the child's best interests.⁵³

Also notable for our purpose are the court's remarks that should Tamika's caretakers, who had stated she could continue living with them regardless of whether jurisdiction was retained, change their minds or unforeseen circumstances inter-

vene, she would be left without a home before she finished high school.⁵⁴ The court also noted that “[t]he purpose of Section 391 was to reverse a disturbing trend of foster youth being emancipated before they are ready to live independently.”⁵⁵

In re Holly H. Holly H.’s attorney appealed termination of jurisdiction, arguing Holly was still in need of services. Holly H. had been a dependent since age 3, had been diagnosed with dysthymic depression as well as lupus and kidney disease. At the termination hearing, Holly’s social worker detailed extensive services offered to Holly and Holly’s refusal to cooperate. The social worker reported Holly had been provided with her birth certificate, Social Security card, and had had 2 appointments, which Holly missed, to obtain her California identification card. Initially, the judge continued the hearing, ordering the department to produce Holly. This order was reversed after the county objected to the difficulty in their ability to produce her. At this time, Holly H. was 18 years of age, had reportedly left the county and was living with her boyfriend.⁵⁶

At the second termination hearing, Holly’s attorney argued Holly was in continued need of services and that there was a continuing risk of harm because Holly’s Social Security benefits had been discontinued (after she failed to show up for an appointment), that she was not employed, and her SSI application had not been processed. In terminating jurisdiction, the Juvenile Court recognized the attorney’s concerns but found the county had complied with Section 391. The court noted Holly did not appear at either termination hearing. The court also noted but declined to rule on the county’s contention that the appeal should be dismissed because there was no evidence Holly authorized it.

In finding the Juvenile Court did not abuse its discretion in terminating jurisdiction, the Court of Appeal cited the services available to former foster youth until age 21 under the Foster Care Independence Act, the services available to Holly H. through her county independent living skills program, and that she had been provided with names of local attorneys to assist her with her SSI appeal. The court reiterated the availability of these services until Holly H. reached age 21 and stated, “[n]o party, either below or on appeal has identified a single specific service that Holly would be afforded and would utilize if she remained in the juvenile court system that she is not receiving through the independent living skills program.”⁵⁷

In re Robert L. While *Robert L.* occurred prior to the authorization of Section 391, the case continues to be cited as establishing the applicable standard for termination of jurisdiction for a dependent who has reached the age of majority. Robert L. wanted to remain a dependent of the Juvenile Court to access foster care funding to assist his grandparents in paying for his food, clothing and shelter while he attended college. At the time of the appeal, Robert L. had completed two years at California State University, Northridge. In retaining jurisdiction, the Juvenile Court acknowledged termination of jurisdiction would make it more difficult for Robert to complete college.⁵⁸

In reversing this order and remanding the case with directions that the Juvenile Court terminate jurisdiction, the appellate court found the dependency system was not mandated “to subsidize higher education.”⁵⁹ The court concluded that Robert had obtained stable placement and “absent any evidence of current or future harm to [him], the juvenile court abused its discretion in extending jurisdiction.”⁶⁰

V. HOUSING ISSUES FACING CALIFORNIA'S FORMER FOSTER YOUTH

A. CALIFORNIA'S HOUSING CRISIS

Housing prices in California have been some of the highest in the nation for over a decade. Today, they are soaring. According to a recent report, a minimum wage worker in California must work 131 hours per week, 52 weeks per year to afford rent on a two-bedroom apartment,⁶¹ or make \$22.09 an hour and work a 40 hour week, 52 weeks a year⁶² to meet the recommended level of 30% of income going toward housing. A foster youth who has just emancipated from the system may not need a two-bedroom apartment; however, just to be able to afford a studio in California, he/she would need to work 92 hours a week, 52 weeks a year, at minimum wage—or earn \$15.48 per hour at a 40-hour per week job, 52 weeks a year.⁶³ These grim realities are merely what it would take for former foster youth to rent an apartment; the American dream of home ownership is well beyond their reach.

A foster youth who has just emancipated from the system may not need a two-bedroom apartment; however, just to be able to afford a studio in California, he/she would need to work 92 hours a week, 52 weeks a year, at minimum wage—or earn \$15.48 per hour at a 40-hour per week job, 52 weeks a year.

The number by which California's population is increasing far outpaces the number of new housing units built each year. California's population is projected to grow by 600,000 people a year over the next decade.⁶⁴ The year 2004 saw the largest number of units built in recent years; 212,000 new units were built that year.⁶⁵ Additionally, there is a large gap between how many multi-family units are built and how many are needed.⁶⁶ The result has been soaring home prices and escalating rent. This trend will likely continue, particularly as the California real estate market cools leading to an anticipated decrease in new development.

In its current state, the housing market in California would make it difficult for an 18-year-old with familial support to afford an apartment. It presents a particularly daunting obstacle to success for foster youth emancipating from the system who have no such support. In addition to the lack of familial support, former foster youth often have not received the same quality education as their peers due to frequent school changes; therefore, they are much less likely to attend college and much more likely to be unemployed.⁶⁷ Former foster youth who are employed upon emancipation lack the education and/or work experience to make much more than minimum wage. In fact, a study by Goerge, et al. found that in 1997 foster youth earned \$6,000 a year on average; far below the poverty line, which was \$7,890. This is one reason why transitional programs like the Transitional Housing Placement Program (THPP), Transitional Housing Placement-Plus (THP-Plus), and Supportive Transitional Emancipation Program (STEP) are so essential to achieving a successful outcome for former foster youth.

B. TRANSITIONAL FOSTER CARE HOUSING ASSISTANCE

Former foster youth are hit particularly hard by the housing crisis in California. Statistics show that 65% of these young people emancipate without a place to live.⁶⁸ Taken with the condition of California's housing market, the challenges these young people face obtaining employment, and the lack of a higher education at age 18, housing for emancipated foster youth presents an immense problem—one that urgently needs to be addressed.

Transitional housing assistance has seen significant progress from both the federal and California governments over the past two decades. Federally, Congress enacted the Consolidated Omnibus Budget Reconciliation Act of 1985, which added

Section 477 to Title IV-E of the Social Security Act. It allocates funds to states to help foster youth make the transition to adulthood and created the Independent Living Program (ILP).⁶⁹ The John H. Chafee Foster Care Independence Act, enacted in December 1999, increased funding for ILP, expanded eligibility for ILP to 20-year-olds, and allowed up to 30% of ILP funds to be set aside for transitional housing for former foster youth to age 21.

California provides for the housing needs of foster youth preparing to transition and those transitioning out of the system through the Transitional Housing Placement Program (THPP), the Transitional Housing Placement-Plus program (THP-Plus), and the Supportive Transitional Emancipation Program (STEP). THPP programs are tailored to foster youth ages 16–18 who are preparing to emancipate from the system. The program provides assistance at a rate of 75% of the average group home rate for housing and services to participants.⁷⁰ STEP provides a monthly stipend, equal to the rate paid to a foster family, to former foster youth who are pursuing higher education.⁷¹

The most promising transitional housing programs for former foster youth are the THP-Plus programs, which are available to youth who have emancipated from the foster care system. Recent legislation has expanded eligibility for the THP-Plus program, which is now available to youth ages 18–24. There are five THP-Plus housing models: the single-site transitional model, the single-site permanent model, the scattered-site transitional model, the scattered-site permanent model, and the host family model. While there are pros and cons to each model, the preferred model will depend on the unique needs of the foster youth involved. In each model, THP-Plus services and rental subsidies can be provided for up to a 24-month period.

In the single-site transitional model, the participants live in housing at a single location owned or leased by the THP-Plus provider.⁷² At the conclusion of the program, the participant must move out of the unit.⁷³ This allows for more availability of units, but it also creates instability for former foster youth, many of whom have been moved around frequently for a significant part of their lives already. While the single-site models provide youth with the support of others who are similarly situated, these models have been likened to “glorified” group home settings by youth who have lived at the sites.

The single-site permanent model allows participants to live in housing at a single location owned or leased by the THP-Plus provider.⁷⁴ In this model, participants may continue to live in the unit at the conclusion of the program, but their rent is no longer subsidized. Because the youth will not be forced to move at the conclusion of the program, permanent models are preferable to transitional models for many former foster youth. Youth may tend to view the transitional setting as just another placement. In contrast, the permanent setting creates more responsibilities because this is a unit in which the youth may live for a long period of time. As a result, youth in these settings often take better care of the units, and fare much better in the long-term.⁷⁵

The scattered-site transitional model allows participants to live in multiple housing locations in the community that are owned or leased by the THP-Plus provider. As with the single-site transitional model, at the conclusion of the program, the participant must move out of the unit; therefore, it does not provide the ideal permanency for the participants.⁷⁶ On the other hand, scattered site models have the advantage of creating more of a real world experience for the participants. Also, because there is more choice in where to live, these models will allow the participants to live in an area of the community that may be closer to their job or school, whereas the single-site models do not provide that flexibility.

The scattered-site permanent model allows participants to live in multiple housing locations in the community that are owned or leased by the THP-Plus provider. Here, the participants may continue to live in the unit at the conclusion of the program.⁷⁷ Like the scattered-site transitional model, this model provides youth a greater measure of independence and real world experience. Additionally, like the single-site permanent model, this model provides a more stable setting.

Finally, there is a host family model. In this model, participants live in a family setting with a relative, current or former foster family, or other consistent caring adult who has been screened and approved by the THP-Plus provider. Whether or not the participant moves out of the host family home at the conclusion of the program is determined on an individual basis.⁷⁸ This model provides youth with the kind of support and mentoring that many young adults receive from their parents while they attend college. It is a new model, and the first of its kind is being implemented in Stanislaus County.

On paper, THPP, STEP and THP-Plus programs provide a promising solution to the housing needs of former foster youth. However, they are profoundly under-funded.

C. CALIFORNIA'S UNDER-FUNDING OF TRANSITIONAL HOUSING PROGRAMS

On paper, THPP, STEP and THP-Plus programs provide a promising solution to the housing needs of former foster youth. However, they are profoundly under-funded. California's 2006–07 proposed budget provided a mere \$8.2 million for these programs, with \$5 million earmarked for the THP-Plus program that serves youth 18–24. The Governor appropriated additional funds to the programs in the final budget, which provides a small measure of help, but much more funding is required to ensure that these programs reach all who need them.

Another recent development that will help to expand the transitional housing programs is the revision of their funding mechanisms. Originally, THP-Plus required the counties to pay for 60% of costs, and the state only covered 40%. The result has been that very few counties have been able to offer the programs—in fact, only 17 of California's 58 counties have approved THP-Plus plans. The passage of a trailer bill to the 2006–07 Budget Act changed the funding structure of THP-Plus. As of July 1, 2006, that program is funded entirely by the state. However, that trailer bill also limits participation in THP-Plus by restricting available funding for this program to the amount appropriated in the annual state budget.

The total amount appropriated to the transitional housing programs falls woefully short of the amount required for them to be effective and accomplish the purposes for which they were created. The programs, as they are currently funded, provide little more than lip service to the housing problems this population faces upon emancipation. To put the budget numbers into perspective, consider that last year 4,255 youth aged out of foster care. The THP-Plus program provides assistance at 70% of the average group home rate, which is currently about \$5,000. Therefore, the amount of assistance THP-Plus should provide for each participant in the program is \$3,500; however, the amount actually paid per participant is generally between \$1,800 and \$2,400 per month. Just to provide for those who emancipated from foster care last year, the state would need to appropriate nearly \$179 million. Considering that THP-Plus is available to youth who age out of foster care for 24 months, even a \$179 million appropriation would provide for, at best, 50% of the eligible population.

The Independent Living Program (ILP) Annual Statistical Report for the Federal Fiscal Year October 1, 2004 through September 30, 2005 illustrates the extraordinarily low number of youth who actually receive services from the transitional housing programs. In that fiscal year, 26,623 youth completed ILP services or a component of the services.⁷⁹ Of that population, 5 participated in STEP, 532 participated in THPP, 108 participated in THP-Plus with STEP, and of the over 7,500 likely eligible youth, 137 participated in THP-Plus⁸⁰—about 2% of the eligible population.

Of that population, 5 participated in STEP, 532 participated in THPP, 108 participated in THP-Plus with STEP, and of the over 7,500 likely eligible youth, 137 participated in THP-Plus —about 2% of the eligible population.

Clearly, there are not enough THP-Plus programs available for all youth who need them. This problem needs to be addressed both at the county and the state level. With the new funding structure for the programs, funding will depend, in part, on demand from counties with such programs. Counties need to create THP-Plus plans or contract with agencies that have THP-Plus plans adequate to serve the population within the county; they then need to indicate their intentions to the state. The state then needs to fully fund the programs so they can be made available to all foster youth preparing to emancipate and every former foster youth who needs them. The success of First Place Fund for Youth in Alameda County suggests that this would be a good investment.

D. MODEL FOR SUCCESS: FIRST PLACE FUND FOR YOUTH

First Place Fund for Youth has its roots in Oakland, California. The program utilizes a scattered-site permanent model to provide transitional housing services to emancipated foster youth.⁸¹ First Place Fund owns the participant's unit or the lease to the unit and subsidizes the participant's rent. Gradually, the portion paid by First Place Fund is reduced to the point that the participant is paying the full rent at the end of the two-year program.⁸² Moreover, First Place Fund provides the participant with life skills training, move-in assistance, a move-in stipend of \$200, a \$50 food stipend, and monthly community building events wherein participants select and plan an event.⁸³ First Place Fund presents an excellent model of a transitional housing program because it allows the participant to have a sense of permanency; the unit does not represent another in a long line of temporary placements. Most importantly, participants have realized vastly improved outcomes.

Outcome data suggests that youth who participate in First Place Fund's program are six times less likely to become incarcerated, four times less likely to be homeless, four times less likely to receive public assistance, and 50% more likely to be employed.⁸⁴

VI. EDUCATION ISSUES FACING CALIFORNIA'S FORMER FOSTER YOUTH

One of the most fundamental building blocks to a productive and successful adult life for former foster youth is access to higher education. Unfortunately, only 50% of foster youth complete high school, compared with their peers who complete high school at a rate of 70%.⁸⁵ Further, a higher education is often not practically accessible, even for those foster youth who obtain a high school diploma. This is reflected in the fact that only 20% of foster youth who complete high school even begin to pursue postsecondary education, compared with 60% of their peers.⁸⁶ The percentage of all former foster youth who attain a college degree is even lower, at only 1–3%.⁸⁷ Several factors must come together to make higher education truly accessible for this population of young people.

Only 20% of foster youth who complete high school even begin to pursue postsecondary education, compared with 60% of their peers.

A. ACCESS TO TUITION

Former foster youth must have access to the financial resources needed to pay for a higher education. The cost of such an education is rising. Nationally, the cost of tuition and fees at public four-year universities has risen by 40% since 2001, when adjusted for inflation.⁸⁸ Some estimates put the cost of a University of California undergraduate degree at around \$100,000.⁸⁹ At the same time, a college education is more essential to success than ever before. On average, college graduates make over \$1,600 a month more than high school graduates,⁹⁰ and are much less likely to experience unemployment. While their peers have parents to help finance a higher education and help to navigate through the often complex labyrinth of paperwork required to obtain financial assistance and apply to college, former foster youth have no such advantage.

B. ACCESS TO MONETARY SUPPORT BEYOND TUITION

Scholarships covering tuition expenses are not enough. Former foster youth need financial assistance for the day-to-day living expenses associated with attending college. Approximately 70% of teens in the foster care system have a desire to go to college, and 20% of them begin to attend college but drop out at an alarming rate.⁹¹ Only 1–3% of former foster youth actually complete college.⁹² This is due in part to the fact that the high cost of living forces many to work full-time while carrying a large course load in college. Aside from the state, they have no parents around to supplement their income, to help them make ends meet, to provide temporary housing, or to support them through the rough times that are typical at this life stage.

Former foster youth who endeavor to achieve a higher education face an additional barrier with regard to housing. Unlike the other students who have a home to return to over school breaks such as Christmas and summer vacation, former foster youth have nowhere to go. They often lack a solid support system, and without year-round housing, many face the prospect of homelessness. One proposed solution to this problem is the THP-Plus program discussed in the report section on transitional housing. However, the program is extremely under-funded and not widely available at this point.

C. ACCESS TO HEALTH AND MENTAL HEALTH SERVICES

Health problems can create serious setbacks in college. Health issues can lead to missed classes, incomplete homework, and fatigue, any of which will cause a student to fall behind. Clearly, it is important for every college student to have access to adequate health care. It is, however, of particular import for former foster youth who have a higher rate of chronic health problems than their peers who have not been in the foster care system.⁹³

Foster youth experience mental health issues at a rate that far exceeds that of their peers who have never been in the foster care system.⁹⁴ Mental health issues, particularly depression and post traumatic stress disorder (PTSD) create additional serious obstacles to completing a college degree when coupled with the already stressful life changes that accompany college. For these reasons, former foster youth in college need to have access to mental health services both on and off campus.

D. ACCESS TO MENTORS

It is essential that former foster youth have a support system in place. They would greatly benefit from having a mentor to encourage them and guide them through the process of applying for, adjusting to, and succeeding in college. A recent report revealed that one of the biggest reasons foster youth do not attain a higher education is that they lack a stable adult mentoring presence in their lives.⁹⁵ When a young person has an adult mentor to guide them through the college experience, they often achieve success in college. Many former foster care youth who have succeeded in college attribute their success, in large part, to the support and guidance of a mentor or group of people who supported them throughout the process.⁹⁶

E. CALIFORNIA: AVAILABLE PROGRAMS

There has been considerable progress throughout the past decade, both nationally and in California, with regard to assisting foster youth obtain a higher education. As mentioned earlier in this report, federally, the Chafee Act was amended to include educational assistance to former foster youth. The California Student Aid commission oversees the distribution of Chafee funds to former foster youth in California. Unfortunately, the Educational Training Vouchers (ETVs) are underfunded, and there is not enough money to fund a voucher for everyone who applies.⁹⁷ In a small but important step, the 2006–07 Budget Act included an additional \$5.7 million to create a state-only program of education and training vouchers for emancipating foster youth, similar to the federal Chafee program.

The Higher Education Outreach and Assistance Act for Emancipated Foster Youth (California Education Code §89340 *et seq.*) offers more needed assistance for former foster youth by requiring California state colleges and universities to provide them with outreach services and technical assistance. It also requires California state colleges and universities to review programs, improve delivery of services, track the progress of former foster youth and engage in other activities designed to improve services and outreach for former foster youth.

Former foster youth will often qualify for other state and federal financial aid programs, due to the fact that many are independent and have little or no income to claim. Cal Grants, Pell grants, and the federal TRIO program are examples of other state and federal programs that, while not specifically designed for foster youth, are a resource from which they could benefit.

F. CALIFORNIA: MODEL FOR SUCCESS – GUARDIAN SCHOLARS

The Guardian Scholars program has seen much success helping former foster youth access a postsecondary education. Started at California State University, Fullerton, Guardian Scholars partners public and private interests. The University, which is publicly funded, provides the staff for the program, while scholarships are covered by private donations.

Guardian Scholars provides former foster youth with five-year scholarships to participating colleges and universities in California. Currently, there are twenty public colleges and universities across California participating in the program. Each program is unique to the university that offers it.

Guardian Scholars addresses the many unique needs of foster youth. Foster youth are encouraged to apply and the program takes their circumstances into consideration when screening the applicants. The applicants must be eligible to attend California state university and they should have a 2.5 GPA for consideration at Cal State Fullerton, for example.

Participants obtain as much state and federal aid as possible. The program provides them with any remaining funding that they will require. In addition to financial aid, a specialist from the financial aid department becomes a liaison to the students who participate in the program. The liaison assists each youth in completing the necessary forms and applications to maximize the amount of aid each student receives while keeping student loans at a minimum.⁹⁸ There is a designated program director who provides care and support for the students.⁹⁹

Guardian Scholars provides year-round housing tailored to the circumstances at each school. Most participants take summer classes and stay in the dorms all year. Summer classes also enable the participants to catch up or to retake a class in which they did not do well. Additionally, the program provides mentoring, including peer mentoring, to the recipients of the scholarships. Finally, Guardian Scholars provides a Summer Bridge program that works to help the participating students to matriculate in Math and English classes.

Guardian Scholars has been very successful and could serve as a model to other programs. It has seen a 75% retention rate among the women participants in the program and a 65% retention rate among the men.¹⁰⁰ To put these statistics into perspective, note that just 13% of the former foster youth who begin college go on to obtain their degrees.¹⁰¹

G. MOVING FORWARD: CALIFORNIA'S ASSISTANCE WITH HIGHER EDUCATION

Although California has made great strides toward providing her foster children with the education they require to succeed, there is still immense need for improvement. The Chafee educational vouchers are an invaluable resource for foster youth; however, as with other programs developed for this population, ETVs are underfunded and there is not enough supply to meet the demand. Early in 2006, a conference call conducted by the California Student Aid Commission, in which CAI participated, revealed that there were not enough vouchers to fill the demand this year, and next year looked just as bleak. As noted above, California's 2006–07 Budget Act included an additional \$5.7 million to create a state-only program of education and training vouchers for emancipating foster youth, similar to the federal Chafee program—but much more needs to be done.

As with other programs developed for this population, ETVs are underfunded and there is not enough supply to meet the demand.

The federal government needs to provide more funding for the Chafee ETV program. California should provide more funding to expand successful programs like Guardian Scholars to other schools. Programs, such as Renaissance Scholars, that reach out to high school foster youth and assist them with college preparation are a good start with regard to outreach and should be expanded. However, policymakers must address the fact that a foster child's preparation for higher education should not begin the year before college. A good, stable education is one of the most vital building blocks to the successful development of a child, yet too often foster children are moved from school to school—each time losing up to six months of what they have learned.¹⁰² California needs to address this issue. The small percentage of foster children who do make it through college are often a testament, not to the strength of the system, but to the resilience and determination of the individual youth who has beaten the odds to succeed.

VII. HEALTH CARE ISSUES FACING CALIFORNIA'S FORMER FOSTER YOUTH

Researchers have discovered that foster youth have disproportionately high rates of physical, developmental, and mental health problems, and require easy access to health care throughout their transition period.¹⁰³ Health care costs in California, like housing and education costs, are exorbitant. For example, one 2003 study found that the estimated annual costs for asthma treatment were over \$4,900.¹⁰⁴ Thus, a chronic or serious illness will cause severe financial strife for any uninsured individual in California. That said, former foster youth are a particularly vulnerable population where health care is concerned. Upon aging out of the system, nearly 50% of foster youth must cope with the chronic health problems that are the consequence of the early abuse and/or neglect that resulted in their placement in foster care.¹⁰⁵ Hence, they face the prospect of having to contend with astronomical medical bills.

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Like many states, California has extended Medicaid to foster youth aging out of the system.¹⁰⁶ California's program, Medi-Cal, is currently available to youth aging out of foster care at 18 until age 21. However, the state has carved out exceptions to this eligibility for youth who, while they come from similar circumstances, are in different groups. Medi-Cal coverage until age 21 is not as readily available, for example, to youth who emancipate from the system before they are 18 or those who were in the Kin-Gap placement on their 18th birthday.

During 2006, legislation was proposed to expand the number of former foster youth eligible for Medi-Cal coverage. AB 2284 (Jones) proposed an expansion to the definition of eligible youth that would include all youth removed from their homes and who turn 18 while out of their home.¹⁰⁷ Unfortunately, AB 2284 was killed in the Senate Appropriations Committee's suspense file.

Mental health is an area of particular concern and importance for former foster youth. A stunning report released by Casey Family Programs sheds light on the high incidence of mental health issues in foster care alumni. The study found that the 12-month incidence of panic disorder among foster care alumni was three times that of the general population, drug dependence was seven times more prevalent among alumni, and alcohol dependence was twice as high.¹⁰⁸ Probably the most stunning finding is that foster care alumni experience post traumatic stress disorder (PTSD) at a level that is five times that of the general population. To put this in perspective, the incidence of PTSD among foster care alumni is 21.5%, which exceeds the levels of PTSD experienced by war veterans. The incidence of PTSD among Vietnam War veterans is 15%, the incidence among Iraq war veterans is 13%, and the incidence among Afghanistan War veterans is 6%.¹⁰⁹

Foster care alumni experience post traumatic stress disorder (PTSD) at a level that is five times that of the general population. To put this in perspective, the incidence of PTSD among foster care alumni is 21.5%, which exceeds the levels of PTSD experienced by war veterans.

In 2004, California voters passed Proposition 63—the Mental Health Services Act (MHSA). Funds generated by the tax imposed by the MHSA are to be used for mental health services. The MHSA states as one of its purposes prevention and early intervention services and medical and supportive care. Given the high incidence of mental health issues among former foster youth, it is clear that both foster youth and foster youth alumni should be a priority for this funding. It is important for individuals who work with current and former foster youth to be aware of this funding and how to best access it.

VIII. INDEPENDENT LIVING PROGRAMS

Life presents many rites of passage, or experiences young people have as they grow. Learning how to cook, maintaining a checking account, buying a first car, and renting an apartment are examples. Most young people are guided through these experiences by a parent. In the case of foster youth, the state-parent must provide this essential guidance. The failure to provide this guidance can have serious repercussions for the foster youth whom it would benefit. For example, all too often former foster youth find themselves in financial difficulty because they lack understanding about banking and credit cards—knowledge that is typically imparted to most young people by their parents. These financial problems will follow a young adult for years, and may become a hindrance to obtaining financial aid for school, renting an apartment, or obtaining credit to buy a car.

ILPs in California are intended to assist foster youth by teaching them money-management skills, preparing them for the job market, helping to plan for college, and imparting other essential skills.¹¹⁰ The FCIA provides federal funding to California, as it does to other states, for the purpose of implementing its ILP. States must provide a 20% match to the total allocation of federal funds.¹¹¹ Though FCIA provides California with some flexibility as to the implementation of the program, the state is accountable to the Secretary of Health and Human Services for the program's performance.¹¹²

The California Department of Social Services (DSS) distributes FCIA funds to the counties.¹¹³ Each of California's 58 counties administers its own ILP. According to one commentary, fewer than 50% of eligible foster youth receive ILP funding.¹¹⁴ The problem lies with the fragmented structure of California's ILPs. Because each county institutes its own programs, counties with more resources are able to offer superior ILPs to foster youth living in the county. The fragmented structure also creates problems for youth who move to different counties at any point while they are receiving services. California must address the inequities in the administration of its ILPs and the problems resulting therefrom.

IX. EXPANDING TRANSITIONAL SERVICES

CAI's review of existing literature and studies about former foster youth, social and economic trends, and alternative state practices, as well as focus groups with current and former foster youth and providers, indicate that California must expand and improve its transitional services. As envisioned by CAI, such an expansion would allow foster youth between the ages of 18 and 23 to receive ongoing services and financial supports similar to traditional foster care (housing, food, access to educational opportunities, etc.).

A. EXISTING MODELS OF EXPANDED TRANSITIONAL SERVICES

In general, most aftercare ILP services include referrals to community resources and case management to assist former foster youth between the ages of 18–21. In addition to these traditional services, many states are moving toward what we will term Expanded Transitional Services (ETS). ETS programs involve services and funding that go beyond traditional ILP services. Depending on state policies, the youth may remain in care until age 19–23. However, while many states describe these youth as “remaining in care,” this description may or may not mean that the court retains jurisdiction and/or the social service agency provides services in the same manner as in the traditional foster care system for those under age 18.

Keeping in mind that different parents have different parenting styles and varying resources and individual youth needs vary, it may very well be that states and localities know what services and eligibility criteria will best meet the needs of their former foster youth. As California considers expanding transitional services when the former foster youth is involved in an education or vocational program, much can be learned from models (*i.e.*, the parenting style) used by other states.

1. ILLINOIS

In Illinois, youth may remain wards of the court until age 21 provided they are involved in postgraduate education or vocational training programs. In order to remain a ward, the youth must petition the court. Extended foster care is the youth's option, not the court's. If the youth does not petition the court, he or she may receive federally funded Chafee ILP services. However, the youth does not have an option to return to care.

If jurisdiction is retained, the court holds status hearings and the youth continues to have an assigned caseworker. However, the caseworker's involvement depends on the youth's needs. Youth may remain in state-subsidized foster homes, transitional living programs, or on their own.

Illinois funds their programs with federal Chafee funds, supplemented when needed by the state's General Revenue Fund. Provided that the youth continues to progress in his/her education or vocational training, the state will continue to provide financial and other supportive services until age 21. Youth may stay in the Youth in College program until the semester they turn 23 if they maintain a C average (funded by the General Revenue Fund).

Illinois Outcomes. Illinois was the only state with an expanded transitional services program that had comprehensive outcomes available. In Chapin Hall's Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 19, interviews were conducted with a total of 736 foster youth ages 17 or 18. When follow-up interviews were conducted one year later, 72.5% of the Illinois respondents remained under the Juvenile Court's jurisdiction. The study further found significant differences between the respondents remaining in care and those no longer in care. Respondents remaining in care were more likely to have received specific independent living services and independent living subsidies.

The educational disparities between respondents in care as compared to respondents who left care indicated a positive relationship between continued foster care and educational or vocational enrollment. Respondents remaining in care were twice as likely to be enrolled in an educational or vocational training program. Respondents still in care lacking a high school diploma or GED were two times more likely to be enrolled in an education program than discharged respondents.

Further, youth remaining in care were three times more likely to be enrolled in a two- or four-year college. The Chapin Hall study also found that youth remaining in care were more likely to have access to health and mental health services. Females were less likely to become pregnant, and incarceration rates also decreased.

While the Chapin Hall study did not focus on discerning specific reasons for the greater success of youth remaining in care, obvious conclusions can be drawn from a comparison of the general aftercare ILP services against the traditional social service agency services. A social service agency must provide a youth with basic necessities such as food, shelter, and clothing. According to Maslow's Hierarchy of Needs, only after one's basic needs are met can one move upward toward personal development. Invariably, agencies also provide case management services, health insurance, and assist the youth with accessing services.

2. ARIZONA

Arizona's expanded transitional services differ from the Illinois system in that the court terminates jurisdiction. Youth remain in care on a voluntary, contractual basis. In exchange for a \$585 monthly stipend and services from the social service agency, the youth must actively pursue education or vocational training. Under certain circumstances, youth who are employed but not attending school or who are involved in therapy may also remain in care.

If the youth does not enter into the contract upon termination, the agency will keep the youth's case open for 60 days. During that time, the youth has the option to sign the contract and access the monthly stipends. The monthly stipend is sent directly to the youth. Further research will be conducted to determine how Arizona accounts for funds.

Youth who do not enter the voluntary contract are eligible for some ILP services.

Arizona funds its young adult program with federal Chafee funds and a 20% match out of the state's Children's Services fund. Arizona's Independent Living subsidy program is funded out of the state general fund for youth age 17, and from the federal Chafee funds for youth 18 and older.

Though Arizona does not have outcome information available, the program participation rate indicates that youth do access the program. Over the past three years, 1,200 youth were eligible for voluntary extended foster care. Over one-third accessed the program.

3. FLORIDA

In addition to traditional ILP services, Florida offers additional funding for former Florida foster youth attending a post-secondary education institution or vocational training programs. Florida does not retain judicial jurisdiction over youth participating in its extended foster care program.

Road to Independence Scholarship. The Road to Independence Act authorizes the Road to Independence Scholarship program. This Scholarship is available to Florida dependents who were in the custody of the state at the time of his/her 18th birthday, spent at least six months in foster care, are Florida residents, and have been admitted or enrolled full-time in an accredited high school, adult education program, postsecondary institution or vocational training program.¹¹⁵

The amount of the award is statutorily prescribed and is based on the living and education needs up to but not exceeding the amount of earnings possible from working a full-time minimum wage job. Based on the current federal minimum wage of \$5.15 per hour, the monthly stipend may not exceed \$892. The "Summer School Incentive" provides additional funds for postsecondary summer school.

The youth's needs are assessed by the social service agency. This assessment is statutorily prescribed and considers the youth's living and educational costs and monies received from grants, scholarships, earnings, other income, and waivers. The young person is required to apply for any other grants or scholarships for which he or she may qualify.

In general, a face-to-face meeting between the youth and the social service agency is only required to complete the initial RTI assessment. Participants are required to renew scholarships annually. Participants must also provide necessary documents and information upon request. Failure to renew or provide requested documents and information for four consecutive months will result in a reduction of the award to a minimum of \$25 per month or termination of the award.¹¹⁶

Tuition and Fee Waivers for In-State Institutions. In addition to the RTI, Florida offers tuition and fee waivers for eligible young adults attending a public Florida university, college, community college, or vocational school.¹¹⁷

4. CONNECTICUT

Connecticut General Statute §46b-129 provides that a youth committed to the Department of Children and Families' (DCF) care shall be discharged at age 18 unless the child is attending high school full-time or pursuing postgraduate education or vocational training. Connecticut has developed at least three different programs to meet the needs of young adults remaining in care. All of Connecticut's expanded transitional programs require the youth to have been in DCF's care prior to turning age 18.

Connecticut provides several valuable services to former foster care youth. In addition to Regional Independent Living Coordinators, Connecticut has Regional Youth Advisory Boards to assist with establishing emancipation services. Further, Connecticut provides a six-month aftercare component for youth who are discharged from the foster care system. The aftercare component is available to youth who are discharged from DCF care and who have not yet reached their 24th birthday. The aftercare program provides alumni groups/workshops; referrals to housing, employment, counseling, and educational opportunities; a newsletter; assistance with accessing records; directory of community resources; and supportive, drop-in components.

The Community Housing Assistance Program (CHAP) is available to DCF youth from ages 17–21 and can be extended to age 23 in certain circumstances. To be eligible, the youth must be committed to DCF prior to his/her 17th birthday, be currently enrolled or participating in or have completed a DCF-approved Life Skills Program, and exhibit adequate social, behavioral, and life skills per a social worker assessment and case record, and who are employed at least part-time. The Program Supervisor may agree to exceptions based on certain criteria.

CHAP provides intensive case management services, requiring 5 hours a week. Each youth receives a monthly subsidy. The subsidy is 75% of the youth's monthly budget; the maximum monthly subsidy is \$1,698. The youth develops a budget with a case manager. CHAP requires the youth's budget to be proportioned as follows: 1) 25% of the youth's net income must be contributed to the budget, 2) 40% of the youth's net income must be deposited into a savings account, and 3) the remaining 35% is for discretionary funding.

Expectations and participation in CHAP is based on a written agreement. The written agreement will vary based on individual situations.

Another supportive service is payment of the youth's higher education expenses. Connecticut defines higher education expenses to include tuition, books, room and board, tutoring, and health care. As with CHAP, participants in the higher education program must sign a contract which details the expectations of the youth.

Unfortunately, Connecticut does not currently have any scientifically reliable outcome statistics.

B. EXPANDED TRANSITIONAL SERVICES PROGRAM MODELS

Assuming California adopts a policy change to expand its transitional services available to former foster youth up to age 23, the next step will be to identify the best program model.

Of course, competing interests will always define the best program model differently. From a fiscal standpoint, the best model is one that achieves the greatest benefit for the least cost. The Cost-Benefit Analysis section of this report will

address this issue further. From a child welfare perspective, the best model is one that achieves the greatest benefit for the youth. The following section focuses on possible program models.

Based on existing programs, foster youth and foster youth service provider input, and research of federal and state law, the following expanded transitional services program models have been identified:

1. CONTRACT MODEL

Several expanded transitional services program models emerged from CAI's review of existing state programs. Some states adhere closely to one model while other state programs are a hybrid of several models. Many states, such as Arizona, Florida and Connecticut, follow a "Contract Model" where the youth and the social service agency voluntarily enter an agreement for services and funding to continue while the youth meets the program requirements. However, the youth's dependency case has been judicially terminated. The youth receives a monthly stipend; the amount varies per state. As long as the youth fulfills the contract terms, state support continues.

2. PURE EXTENDED FOSTER CARE MODEL

There is conflicting information about whether Illinois follows a "Pure Extended Foster Care Model" or a "Modified Extended Foster Care Model." Some studies indicate Illinois retains jurisdiction over the young person at age 18. The youth may continue to live in their foster homes or may opt to enter transitional living programs. However, due to an 18-year-old's "adult" status, youth living in group homes must generally move. Jurisdiction is retained until the youth or the social service agency petitions for termination.

3. MODIFIED EXTENDED FOSTER CARE MODEL

In the "Modified Extended Foster Care Model," the court retains jurisdiction over the youth. However, participation in the program is voluntary. Periodic status hearings are held to ensure the youth is progressing in the program. The state agency continues to be responsible for the provision of social workers.

4. CASA/MENTOR PAYEE MODEL

In the "CASA/Mentor Payee Model," jurisdiction is terminated but if the youth opts to participate in the program, he/she will receive a monthly stipend and support services. The stipend is sent to a state-approved adult who then meets with the youth on a monthly basis to distribute the funds, plan for their use, and verify the youth's continuing progress toward self-sufficiency. This model combines the mentor and advocacy role of a Court Appointed Special Advocate (CASA) with the role of a Payee as related to Social Security benefits. The primary difference between this model and the Modified Foster Care Model is that the adult mentor/case manager role is not required to be held by a state worker. CAI envisions that, like a CASA, this adult mentor would be an individual who is genuinely interested in making a long-standing commitment to guiding the young person into adulthood.

5. TRANSITION GUARDIAN MODEL

The "Transition Guardian Model" is similar to the "CASA/Mentor Payee Model," but would add court supervision and involvement. A youth volunteering for the program would, with the assistance and supervision of program administrators, nominate a guardian. The court would grant or deny the guardianship petition along much the same procedures as the current guardianship process.

This model, which was the basis for the cost-benefit analysis discussed below, attempts to replicate as closely as possible the performance of parents in the transition of their children into independent adulthood. Such adults now spend a median of \$44,500 on their children after they reach the age of 18, and the average youth does not achieve self-sufficiency until reaching 26 years of age. That money is spent on housing assistance, transportation, utilities, tuition, and other expenses.

Foster children, for whom the state serves as parent, receive less than 5% of that total—notwithstanding their apparent need for a substantially larger investment than the average youth might need.

This model, which was the basis for the cost-benefit analysis discussed below, attempts to replicate as closely as possible the performance of parents in the transition of their children into independent adulthood.

Most dependents of the court do not wish to remain in foster care—some find that status demeaning and others seek independence from what are often institutional settings. The Transition Guardian Model recognizes that common strong preference and creates emancipated status for the youth. However, the court continues jurisdiction over a fund established to facilitate transition to adulthood, and the court appoints a guardian to administer those funds pursuant to an agreement between the child and the court.

CAI believes that the Transition Guardian Model offers the optimal framework for expanding transitional services for emancipating foster youth. The steps involved in the Transition Guardian Model are as follows:

- After the youth reaches 16 and before his/her 18th birthday (during which time many jurisdictions have transition programs to prepare youth for independent living), the juvenile court will appoint a transition guardian to assist the youth into independence and to administer a state fund of vouchers/monies as individually appropriate. Ideally, this guardian will be someone with a prior relationship with the youth—to accomplish the continuity otherwise lacking for many of these children. Hence, the guardian may be the foster care provider, a relative, a CASA, the youth's attorney, or some other person who is competent, responsible, cares about the youth and in whom the youth has confidence. The guardian would be paid approximately \$100 per month per youth overseen.
- The court will have jurisdiction over the guardianship and the vouchers/monies. Prior to reaching the age of 18, the youth will enter into an agreement with the court on an "independence plan." The plan will be negotiated between the youth (with full participation by his/her counsel), his/her guardian, and his/her social worker. The court will approve the plan, as well as the guardian. These plans will involve six-month reports to the court on progress under the plan. The youth (or someone on behalf of the youth) may petition the court with regard to the guardianship or the agreement, for alteration of either.
- Ideally, for the sake of consistency, the juvenile court should serve this court function since it has had jurisdiction over the youth since the start of dependency status. Such an assignment reinforces the continuity advantage noted above. The workload addition from this additional function should not be onerous given its largely reportorial nature. It is the position of judicial oversight that makes abuse of monies by guardians relatively unlikely. Close supervision or hearings and complex proceedings would be uncommon. If a given jurisdiction's juvenile courts lacked capacity, a presiding court could assign this function to another department, with the expectation that such an assignment would be long-term and that such youth would not face continually changing adult figures in his/her life.
- The voucher value/fund to be administered by the court/transition guardian would be set at the median level for American parental financial contribution to their children after they reach 18 years of age. As noted above, this would indicate a total figure of \$44,500, to take the form of vouchers or payment of rent and other expenses until the youth reaches independence under the terms of his/her individual plan (see CAI's cost-benefit analysis for breakdown of payments per month during the five possible years of participation).

The advantages of this model include the following: (a) it recognizes the youth's desire for independent status; (b) it preserves continuity of care; and (c) it allocates funds over a time period, through vouchers or circumscribed payments, consistent with the individual needs of the child to obtain independence. The purpose behind the model is to replicate as closely as possible what a responsible parent does to assist his/her child into independent adulthood.

Each investment is likely to yield a lifetime of return from the former foster youth whose future it assists.

The state is the parent of these children and should commit to providing care that at least matches the median commitment of other parents. The estimated total cost of this program for California would be approximately \$123 million annually. The savings generated by that investment in educational attainment (income) and public tax collection, and in avoidance of incarceration and public welfare costs, will far exceed that investment. Each investment is likely to yield a lifetime of return from the former foster youth whose future it assists.

The state is the parent of these children and should commit to providing care that at least matches the median commitment of other parents.

C. YOUTH OBSERVATIONS

As part of its research, CAI went directly to former foster youth to ask them what they thought about ETS and what characteristics they would like as part of ETS. This input is critical to understanding what type of changes will best meet the needs of former foster youth.

In addition to its focus groups and interviews, CAI has surveyed dozens of former foster youth from across California. Youth were identified to participate in the focus groups through contacting organizations serving former foster youth, such as transitional living programs, the California Youth Connection, and independent living program service providers.

To participate, the youth had to have aged out of the California foster care system. The youth had to sign an Informed Consent Form and agree to respect the confidentiality of all participants.

In its initial research, CAI originally coined the term extended foster care (EFC) to describe the expanded transitional services being envisioned. It has become abundantly clear to CAI that the term extended foster care is not popular with former foster youth, as it raises connotations of a system that they are eager to leave. For that reason, CAI is now using the term “expanded transitional services” (ETS) to describe its proposal.

1. OBSERVATIONS FROM FOCUS GROUP PARTICIPANTS

Young people who participated in focus group discussions felt, by and large, that extending foster care, and/or expanding transitional services, is a good idea. One important suggestion offered was that the youth be given the option to stay in foster care or terminate it. The focus group participants also felt that the youth should have some responsibility associated with continued assistance to age 21; for example, attending school or working full-time. The participants had much the same response to the prospect of extending care to age 23.

The participants liked the Arizona Model in which former foster youth receive a stipend once a month, but did not see much difference between Arizona’s program and the transitional living programs (TLP) California offers. They went on to discuss the lack of transitional living programs. Many had applied to several TLPs and knew of other young people on waiting lists for every program offered. The TLP staff confirmed that these programs have long waiting lists.

When presented with CAI’s Transition Guardian Model, the participants said that they would participate, but did not want to deal with frequent court hearings. It is important to note here that as currently proposed, the Transition Guardian Model would not require the participants to attend court hearings frequently, because the court would have jurisdiction over the money and the guardian, not the participants. The participants had various responses regarding who should be the transition guardian, but agreed that they should be able to choose their own transition guardian.

Finally, the participants all agreed that if the Transition Guardian Model is put into place, youth should not be required to go directly into the program. Many stated that they were eager to initially leave the system behind them, but probably would have returned had such an opportunity been available.

2. SURVEY RESULTS

CAI surveyed current and former foster youth, as well as foster care providers. Both surveys were posted online for two months, and were also available in paper form. The responses were as follows: 91 current and former foster youth responded and 152 providers responded.

Youth Survey Results. Given the outcomes experienced by these young people, it is not a surprise that 64% of the respondent youth surveyed (35 of 54) do not think that the state does a good job supporting former foster youth; 22% (12 of 54) believe the state does a good job of supporting former foster youth; the rest were undecided.

Only 13% of the youth felt that Independent Living Services provide them with enough assistance, while 38% felt that the services provide are okay, but more are needed; 44% agree that the services offered are not nearly enough and 4% had never heard of them.

When specifically questioned about the services available to them, the youth responded as follows:

	Enough	OK, but more are needed	Not nearly enough	Never heard of it
Independent Living Program Services (ILP)	13%	38%	44%	4%
Chafee Education and Training Vouchers	17%	22%	41%	20%
Transitional Living Programs (TLP)	4%	27%	60%	9%
Medi-Cal	18%	51%	29%	2%

The educational assistance provided by the Chafee Education and Training Vouchers (ETV) was similarly reviewed by the youth. Just 17% felt that the assistance provided by the ETVs is sufficient. However, 22% thought the program is okay, but more assistance is needed, 41% thought that the ETV program does not provide nearly enough assistance and, unfortunately, 20% had never even heard of the program.

Transitional Living Programs such as THP-Plus are vital to a foster youth in achieving a successful transition out of the system and to self-sufficiency. Unfortunately, only 4% of those surveyed felt that the Transitional Living Programs provided are enough. 27% felt that the programs provided were okay, but more are needed. Remarkably, 60% of the youth surveyed stated that the Transitional Living Programs offered are not nearly enough. Regrettably, 9% of respondents had never heard of Transitional Living Programs.

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Housing services for former foster youth are lacking. Of the youth respondents, 63% stated that the availability of housing is poor. Of the remaining youth, 23.9% find that the availability of housing is adequate, 2.2% find it excellent, and 10.9% said they did not know. The Medi-Cal system enjoyed the most positive reviews by the youth respondents, with 18% stating that the services offered are enough and 51% stated that the services are okay, but more are needed. However, 29% do not believe that Medi-Cal is nearly enough and 2% had never heard of it. Additionally, Medi-Cal was reviewed

more favorably than other services with regard to its availability; 17.4% of youth respondents stated that it is always/consistently available and 54.3% stated that it is sometimes available. However, 10.5% of the respondents stated that Medi-Cal is almost never available and 17.4% did not know. Noteworthy is that 40.5% of those surveyed found the paperwork required for Medi-Cal to be confusing. Hence, though Medi-Cal enjoyed better reviews than the other programs, there is still a compelling need for improvements to the system where foster youth and former foster youth are concerned.

CAI included questions in the survey relating to extended jurisdiction and the Transition Guardian Model. Of the youth respondents, 57.1% stated that if they had a choice, they would have participated in an extended foster care program beyond age 18; 16.7% said that they would not have participated; and 26.2% responded that they might have participated. Further, 65% of respondents agreed that foster youth remaining in care past age 18 should have a guardian assigned to monitor progress and assist in the transition process.

Youth also agree, for the most part, that services should be extended at least through age 21. The following chart reflects their responses:

Age	21	23	25
Agree	65.8%	40.5%	23.8%
Disagree	19.5%	28.5%	45.3%
Undecided	14.0%	31.0%	31.0%

The lower percentage of youth who believe extended foster care should be made available may owe more to the term “foster care” and the associations therewith than the desire to have services terminate before age 23.

Many of the youth who responded to the survey were very interested in pursuing a college education: 78.9% were interested in pursuing a college degree, while 10.5% were interested in either a college education or vocational training. The remaining 10.5% had not yet decided which path to pursue following high school. It is important to note that not one of the respondents expressed a desire to quit pursuing education or training beyond high school. It is also important that while most of the respondent youth have aspirations beyond high school, the majority of them (53.7%) do not believe that there is enough assistance available for them to do so. Only 30.8% believe that there is enough assistance available to attend college or a vocational program, and the remaining 15.4% are undecided.

While these surveys reflect the views of current and former foster youth, CAI contacted these youth through organizations that advocate for them, and they may be better connected than other youth in this population. It is vital to hear the voices of those youth who may not be as well-connected as those CAI contacted through advocacy organizations. To that end, CAI is reaching out to former foster youth in the homeless community and in the corrections system to gain insight to their experiences emancipating from California’s foster care system.

Provider Survey Results. In addition to the survey of former foster youth, CAI surveyed providers. Providers include foster parents, Court Appointed Special Advocates (CASAs), service providers, dependency lawyers, social workers and others who have regular contact with foster youth as they prepare to emancipate from the foster care system.

The provider survey was posted online; there were also paper copies available. The results indicate that providers, like youth, do not believe that the state adequately supports former foster youth. Specifically, 72.5% of the provider respondents do not believe that the state does a good job of supporting former foster youth. Of the remaining respondents, 9.2% feel that the state does a good job of supporting former foster youth, and 18.3% were undecided.

When questioned specifically about the services California offers its emancipated foster youth, the majority of the provider respondents believe that, at best, more services are needed. They responded as follows:

	Enough	OK, but more are needed	Not nearly enough	Never heard of it
Independent Living Program Services (ILP)	7%	49%	43%	1%
Chafee Education and Training Vouchers	5%	41%	36%	18%
Transitional Living Programs (TLP)	3%	17%	80%	0%
Medi-Cal	26%	54%	20%	0%

The responses raise several concerns. First, according to both the providers (80%) and the youth (60%), transitional living programs are lacking. These services, which include the THP-Plus program, are vital to ensuring the successful transition from foster care to self-sufficiency. Second, according to the survey responses, the services that are offered are not enough. Finally, several providers had not heard of Chafee Educational Training Vouchers. This indicates a need for promotion of education and awareness of all services available to emancipated foster youth.

The lack of available transitional housing for emancipated foster youth was, again, glaringly apparent in the providers' responses to the question of housing availability. Overwhelmingly (84.2%), they indicated that availability of housing for emancipated foster youth is poor. Only 8.8% indicated that the availability of housing was adequate, and not one indicated anything above adequate. Seven percent did not know.

Medi-Cal again enjoyed better reviews than other programs for emancipated youth. Providers reported Medi-Cal to be at least available either always/consistently (37.1%) or sporadically (61%), and only 1.9% reported that it was never available. Though Medi-Cal is reported as being more readily available than other transitional services, the majority of provider respondents (57.1%) also reported that the paperwork required to sign up for and receive Medi-Cal is confusing. Paperwork for emancipated foster youth should be simple, easy to complete, and kept to a minimum. Eligibility requirements should be clear and should not create a complex tangle of requirements through which the youth will need to navigate in order to obtain health care.

Like the youth, the majority of providers believe that foster youth should be allowed to remain in care until they are at least 21: 79% believe that foster youth should be able to remain in care until they are 21, 41.5% believe that foster youth should be able to remain in care until age 23, and 21.9% believe they should be able to remain in care until age 25. The caveat here is that the terminology used, "extended foster care," was intended to encompass transitional services extended to youth after their exit from foster care. The "foster care" terminology may have had an impact on the responses to these questions. It is important to note that, while the majority of providers disagree that a youth should be able to remain in care until age 25, only 35.9% disagree with the notion of extending foster care to age 23; the rest are undecided.

Providers and youth also agreed that there are not enough supports in place to enable youth to pursue college or a vocational degree after high school (providers 82%, youth 53%).

CAI included questions in the provider survey reflecting components of the Transition Guardian Model program; following is a chart representing provider responses to the length of time a youth should be allowed to remain in foster care:

	Post-18	21	23	25
Agree	73.8%	79.0%	41.5%	21.9%
Disagree	0.9%	10.5%	35.9%	50.5%
Undecided / It Depends	25.2%	10.5%	22.6%	27.6%

Additionally, providers were asked if a former foster youth should receive a monthly disbursement to help cover living expenses: 54.2% agreed, 8.4% disagreed, and 37.4% said it depends. For the most part, those who said “it depends” elaborated that it depends on the individual’s situation.

The majority of providers also agreed that if a foster youth remains in extended foster care after age 18, she/he should have a guardian assigned to monitor progress and assist through the transition period: 67.3% agreed, 4.7% disagreed, and 28% were undecided.

The opinions held by service providers provide valuable insight to the needs of youth transitioning out of the foster care system. These providers are close to the youth and have seen young people meet the challenges of emancipation. As such, they know what it takes for a young person to succeed in the transition from foster care to self-sufficiency.

X. TRANSITION GUARDIAN PLAN: COST-BENEFIT ANALYSIS

CAI has evaluated the cost of using the Transition Guardian Plan to expand transitional services for all foster youth, and the eventual cost savings that would be attributable to keeping former foster youth out of jail, off the streets, and off welfare and public health programs, by instead helping them become self-sufficient, contributing, healthy, and taxpaying members of society.

As shown in Table 1, the Transition Guardian Plan would provide a total of \$34,968 in stipends to each emancipated foster youth over the five years of eligibility. An additional \$6,000 would be paid to the transition guardian, and \$6,145 would cover administrative and evaluation costs.

The Transition Guardian Plan would provide a total of \$34,968 in stipends to each emancipated foster youth over the five years of eligibility.

**Table 1. Transition Guardian Plan
Costs Per Youth, Over Five Years**

Year	Monthly stipend	Annual stipend	Guardian	15% admin. & eval.	Total per year	Cumulative 5- year total
1	\$850	\$10,200	\$1,200	\$1,710	\$13,110	\$13,110
2	\$765	\$9,180	\$1,200	\$1,557	\$11,937	\$25,047
3	\$612	\$7,334	\$1,200	\$1,282	\$9,826	\$34,873
4	\$429	\$5,148	\$1,200	\$952	\$7,300	\$42,173
5	\$258	\$3,096	\$1,200	\$644	\$4,940	\$47,113
Totals		\$34,968	\$6,000	\$6,145		\$47,113

As shown in Table 2, the estimated total cost of this program for California would be approximately \$123 million annually, once it has been in place for five years. As noted below, the savings generated by that investment in educational attainment— income—and public tax collection, and in avoidance of incarceration and public welfare costs, will far exceed that investment.

**Table 2. Total Costs for All Youth Expected to
Participate in the Transitional Guardian Plan**

Year of participation	% partic'g	% partic'g	Cost/youth per year	Cost/all youth per year	Cumulative Total
1	70	2,940	\$13,110	\$38,543,400	\$38,543,400
2	65	2,730	\$11,937	\$32,588,010	\$71,131,410
3	60	2,520	\$9,826	\$24,761,520	\$95,892,930
4	55	2,310	\$7,300	\$16,863,000	\$112,755,930
5	50	2,100	\$4,940	\$10,374,000	\$123,129,930

The analysis examines benefits to California in only three specific areas: cost avoidance from fewer admissions to state prison, cost avoidance from fewer former foster youth receiving TANF payments, and benefits to the State and Federal treasuries due to higher income taxes paid, based on improved lifetime employment earnings through increased education. The analysis of these areas is based on generally conservative figures and assumptions.

According to CAI's analysis, the state will realize considerable long-term benefits if it implements the Transition Guardian Plan. Analysis shows a benefit-cost ratio of 2.98 to 1 (or 1.85 to 1 present value) for one cohort and 3.1 to 1 (or 1.9 to 1 present value) for 40 cohorts. These numbers translate to a cumulative net benefit of \$243,582,669 (or \$98,094,977 present value) for just one cohort. Using discounted dollars (present value), the cumulative net benefit attributable to 40 cohorts totals \$2,386,133,827.¹¹⁸

Significantly, the Transition Guardian Plan would begin to realize an annual benefit after 12 years, and the plan would begin to realize a net cumulative benefit after 23 years (see Appendix A, Table 7).

Significantly, the Transition Guardian Plan would begin to realize an annual benefit after 12 years, and the plan would begin to realize a net cumulative benefit after 23 years.

Table 3. Transitional Guardian Plan: Costs, Benefits, and Benefit-Cost Ratio for One Cohort

	Costs	Benefits	Benefits - Costs	Benefits to cost ratio
Constant dollars	\$123,129,930	\$366,712,599	\$243,582,669	2.98
Present value, discounted at 3%	\$114,729,661	\$212,824,638	\$98,094,977	1.85

Even assuming a lower 75% success rate, the Transition Guardian Plan would result in a benefit-to-cost ratio of 2.3 to 1 (or 1.4 to 1 in present value) for 40 cohorts over their careers.

In addition to the three specific benefit areas included in the analysis, other substantial financial benefits will accrue to California due to the increased lifetime earnings of these youth. In addition to the income tax benefits documented in the analysis, the state will see economic stimulus effects from the increased spending of these youth through their purchasing, saving, and investing at higher levels. Other tax revenues, such as sales taxes and property taxes, will also be enhanced by increased economic potential of these former foster youth. Finally, the Transition Guardian Plan will have additional benefits associated with cost-avoidance that are not calculated in CAI's analysis. Avoiding expenses associated with the use of mental health services, homelessness, use of welfare beyond TANF such as food stamps, substance abuse and second generation foster care are expected to result in a substantial benefit to the state but are not included in CAI's analysis.

In addition to the three specific benefit areas included in the analysis, other substantial financial benefits will accrue to California due to the increased lifetime earnings of these youth.

XI. EXPANDED TRANSITIONAL SERVICES: FUNDING OPTIONS

CAI has identified several options for funding expanded transitional services.

Waiver: A waiver allows a state to waive state and federal restrictions on the use of funds to allow more flexibility in the use of the funds. For example, California recently obtained a Title IV-E Child Welfare waiver. This waiver permitted the state and selected counties to waive federal and state restrictions on the use of Title IV-E funds in order to use funds flexibly to implement child welfare service innovations. Participating counties used funds to provide intensive, individualized services, thereby permitting children to remain at home, return home sooner, or be placed in permanent family settings.¹¹⁹ One ETS funding option is to obtain a federal waiver that would allow flexibility for funding services to youth transitioning out of foster care. Much like the Title IV-E waiver prevented youth from having to enter foster care, a waiver here would work toward preventing former foster youth from having to enter the welfare system.

Income Tax: Imposing a 1% tax on the income of individuals who make over \$400,000 a year and couples who make over \$800,000 a year would generate funding for ETS programs. However, it is difficult to pass initiatives that would raise the income tax and there are other, more promising options; therefore, CAI does not recommend this option.

Sales Tax: Imposing an additional sales tax on products that are typically used to make methamphetamine is another funding option for ETS. However, given the recent failure of Proposition 86, which would have taxed cigarettes to raise money for prevention and health care, this option would be difficult to institute and there are other, more promising options.

State General Fund: Illinois, Connecticut, Arizona and many other states use state general funds in addition to federal Chafee Funds to supplement their programs. California does this as well, but could appropriate more of the general fund to aid programs created to assist foster youth transitioning to adulthood. For this reason, it is of vital importance to educate policymakers about the challenges former foster youth face and the benefits of expanding services to them.

Federal General Funds: CAI believes many federal general funds could be accessed to fund ETS. Some HUD programs could prove to be helpful where housing is concerned. For example, some California counties give former foster youth priority for Section 8 housing vouchers.

The 2001 and 2003 tax cuts saved California taxpayers \$37 billion a year.¹²⁰ The Transition Guardian Model proposed by CAI would cost an estimated \$123 million and represents one-third of 1% of the tax savings. This is a miniscule share of federal tax savings and should be an acceptable price to pay to support the youth to whom California is the parent and for whom the state has taken responsibility.

Public-Private Partnerships: Other counties have partnered with non-profit organizations to raise funds for former foster youth. Guardian Scholars and First Place Fund for Youth are two examples of programs that partner private and public funding sources to provide services for former foster youth.

Proposition 63 Funds: Proposition 63, the Mental Health Services Act (MHSA), imposes a tax to raise funds for mental health services. The act states as one of its purposes prevention and early intervention services and medical and supportive care. Given the high incidence of mental health issues among former foster youth, it is clear that both foster youth and foster youth alumni should be a priority for this funding.

XII. RECOMMENDATIONS AND LESSONS TO GUIDE REFORM

California and the federal government have made some gestures to acknowledge the needs and improve the services available to the approximately 4,200 foster youth aging out of California’s foster system each year—but the system is still in great need of improvement.

California should adopt the Transition Guardian Model for expanding transitional services for emancipating foster youth as a complement to other available programs, giving these young people a choice of available programs and services.

A. KEY RECOMMENDATIONS FOR CALIFORNIA

- California should adopt the Transition Guardian Model for expanding transitional services for emancipating foster youth as a complement to other available programs, giving these young people a choice of available programs and services.
- California’s expanded transitional services must include a detailed evaluation plan, and advocates and policy-makers must ensure that evaluations are properly completed.
- General federal funding sources must be sought to support expanded transitional services. Sources include the Department of Housing and Urban Development (HUD) and the Department of Justice (DOJ).
- The program must be voluntary. Young people should not be forced to stay in foster care beyond age 18.
- Current and former foster youth must have a consistent, responsible, caring adult presence in their lives, such as a mentor or a CASA. Any proposed program must include this element.
- Current and former foster youth must have a strong voice in the system; it is important to obtain their feedback throughout the entire process.
- The transitional plan agreement/contract must be jointly developed by the youth and the guardian who will be overseeing the agreement/contract.
- Current and former foster youth must be involved in the development of expanded transitional services.
- All expanded transitional services must be equally available in every county in California. The fragmented approach with which California’s Independent Living Programs are administered is not acceptable.
- Information regarding any expanded transitional services program must be widely available and easily accessible by the foster youth, providers, and other adults in the foster youth’s life.
- Foster parents, providers, lawyers, social workers, and CASAs should all receive information and training regarding expanded transitional services available to foster youth.
- Any paperwork necessary to receive expanded transitional services must be minimal and easy to access, understand, complete, and submit.

- All youth who have come under the jurisdiction of the dependency court and will emancipate from care must be eligible.

B. LESSONS TO GUIDE ADVOCATES AND POLICYMAKERS SEEKING REFORM

CAI has identified the following ten lessons to guide advocates and policymakers in developing a program of expanded transitional services consistent with our stated respect for family values.

1. FORMER FOSTER YOUTH MUST HAVE A VOICE. Current and former foster youth do not have access to the organizational or monetary resources available to other special interest groups. That said, groups that represent former foster youth, particularly those like California Youth Connection (CYC) which are composed largely of former foster youth, need to be given a seat at the table. Policymakers need to continue to listen to these organizations because not only are they composed largely of former foster youth, they are well connected to the community of current foster youth. Further, organizations that represent current and former foster youth need to communicate and work together, both on a state and national level to promote the interests of emancipated foster youth.

California, as the parent of these children, has a special obligation to ensure their well-being, and addressing that obligation must be a highly visible priority. To that end, special legislative committees, such as the Select Committee on Foster Care, are vital to addressing the needs of the state's foster children. Creating these committees, however, is not enough. State lawmakers need to be held accountable in the media and at the voting booth for their actions and voting records with regard to the children and young adults to whom they have a special obligation.

Finally, emancipated youth need an independent ombudsperson who can listen to and address complaints with regard to systemic issues that affect former foster youth. The ombudsperson should be easy to reach and readily available at all times.

2. PUBLIC OUTREACH AND PROVIDER EDUCATION. It is vitally important that those who come into contact with foster youth be educated as to the services available to those youth. At first glance, this may seem an obvious proclamation; however, many people who play an important role in the lives of foster youth are unaware of all that is available to these youth.

For example, there is a need for an easily accessible database that catalogs all of the services available to foster youth by county. Because the system in California is so fragmented and each county offers different services at different levels, it is often difficult for former foster youth to make the best use of what is offered. This database would serve to inform foster youth and those with whom they are in contact of all that is available to them, from housing and employment assistance to independent living skills programs and educational assistance.

3. MULTI-FACETED APPROACH. The most successful transitional programs are those that address the needs of the youth participants with multi-faceted services. Programs that provide a combination of assistance with housing, living skills, education, employment, and mentoring yield the best results. These programs must be carefully crafted to fulfill the needs of young adults who have often spent much of their lives raised by "a system" and feel the need to break free from systemic bureaucracy. Thus, the programs should focus on permanency and not simply mimic another placement. The success of the multi-faceted approach is evidenced by the outcome statistics for programs like First Place Fund for Youth and the Guardian Scholars program.

4. MENTORING. The single most important aspect of any transitional program is the availability of mentoring and a support system. Case studies reveal that successful former foster youth attribute their success in large part to the support of a person or group of people. It is vitally important for foster youth who are transitioning out of the system to have access to

at least one responsible person they trust who would encourage and assist them while they traverse the life changes that will have such an enormous impact upon their success as an adult.

5. YOUTH OUTREACH. Too often, former foster youth are not aware of the programs that are available to them. They need to be made aware of the available programs, and they need to know how and where to access these programs. The best programs in the world will not do any good if the population they are meant to benefit is not aware of their existence.

There are several ways to ensure that former foster youth are aware of the programs available to them upon their emancipation from the system. Lawmakers and those who enforce the laws need to ensure that they do more than simply pay lip service to the important task of informing this population about programs available to them. California needs to ensure that the youth have a plan in place—a plan the youth has created with the assistance of a responsible adult who is genuinely interested in his or her well-being. California needs to make access to information on services to former foster youth widely available, perhaps via the internet and toll-free phone numbers. Finally, California needs to make the information easily accessible and straightforward so the population at which it is aimed will understand exactly what is available to them along with how and where to access it.

6. CHOICE. Most emancipated foster youth have been in the system for a long period of time, often for years. This is a system into which they were placed through no fault of their own and over which they had little, if any, control. It is important to give these youth control of their lives when they emancipate. California, like any other parent, needs to give them a chance to make the wrong decision and change their mind. Any program designed to assist emancipating foster youth should be tailored to the individual; the emancipated youth should be in control of the program. Further, any program designed for emancipating youth should contain a provision allowing the youth to opt back into the program at least once after choosing to opt out.

7. ACCESS. Programs for youth transitioning out of foster care need to be user-friendly and easy to access. Former foster youth are regularly required to be familiar with, and be able to complete, a maze of paperwork for services they need. Services like health care, educational assistance, and housing should be readily available to foster youth upon aging out of the system. These services should require as little paperwork as necessary both for the initiation and the renewal of services.

8. OUTCOMES. It is often difficult to gauge the success of different programs offered to assist former foster youth because upon emancipation, most states lose track of these young people. On a federal level, there should be a uniform system in place to measure the success of states' programs. Currently, the federal government is creating the National Youth in Transition Database. This will be an invaluable source of information to advocates, but only if the federal government collects relevant, accurate information. To that end, CAI has submitted comments to the Administration for Children and Families, the federal body tasked with rulemaking in this area.

Additionally, California needs to attempt to maintain contact with former foster youth for many reasons. It will help identify challenges that young people in this population face, which will in turn enable California and advocates for former foster youth to better address those problems. Further, it will enable advocates and lawmakers to expand and improve services. Finally, it will enable advocates and states to gauge outcome results and adjust services and programs accordingly to better benefit the population they were created to serve.

9. JURISDICTION. California must give former foster youth a choice at age 18 whether or not they would like to remain under the jurisdiction of the court. Alternatively, upon termination of jurisdiction, California should allow youth to decide whether or not they would like to receive continuing transitional services from the state, giving the youth until age 21 to decide to access transitional services.

Finally, any legislation which allows foster youth to opt out of services should contain a provision which would provide them with an opportunity to opt back in before their 21st birthday.

10. FUNDING. The funding structure for programs should not create insurmountable hurdles to program implementation. As evidenced by California's THP-Plus and STEP programs, the high county share of cost for these transition programs made it difficult for counties to participate. Thus, youth were not able to benefit from the legally created, but highly unimplemented programs.

State funding should be based upon the youth need for the programs. Programs need to be funded on a realistic scale, taking into consideration the number of transitioning foster youth who need assistance and the amount of assistance they need. Funding needs to be practical and realistic, not symbolic. Additionally, the federal and state governments must statutorily protect against supplantation or diversion of program funding.

Finally, advocates need to find creative ways to use the funding provided to obtain the best result for the youth. Some private-public partnerships have achieved extraordinary results for the population they serve. The goal of advocates is to provide all of California's emancipated foster youth with the opportunities that will yield these outstanding results and a successful, independent life after foster care.





