

Requirements and Resources for Older Youth in Foster Care

What determines whether a young person leaving foster care approaches adulthood and independence with the resources and expectations to be successful, or ends up isolated, homeless, unemployed, and without hope for a bright and happy future? There is no simple answer to that question; often, the difference between success and failure is not very great. Common sense, research, and testimony from foster youth underscore the importance of comprehensive preparation for independent living, opportunities for economic success, and encouragement to aim high.

The following requirements are provided for county and tribal case managers to ensure that comprehensive planning and preparation is provided to youth in foster care youth, ages 14-21. The document is intended to outline required actions and includes statutes, bulletins, website and other resources for support.

All ages

Support age-appropriate and developmentally appropriate activities for foster children: Agencies support foster children's emotional and developmental growth by permitting them to participate in activities or events that are accepted as suitable for children of the same chronological age/developmentally appropriate. [MN Statute, section 260C.212, subd. 14 \(a\)](#)

Resources: Normalcy and Prudent Parenting Standards [video @ YouTube](#) and [Best Practice Guide](#), DHS 7684

Foster Care Bill of Rights outline the importance of sibling relationships and lifelong connections.

- Sibling relationships are empowering/critically important for them over the course of a lifetime.
- These relationships are bonds and most often are the longest meaningful connections in life.
- For those who enter foster care, being supported by their siblings can promote safety, well-being and a sense of security.
- Sibling separation can cause long-term trauma that would likely interfere with future relationships that they try to build.
- For the welfare of children, where one sibling is removed from the home, or all are removed but in separate placements, their legal right is to remain connected and should not be limited. MN Statutes, sections [260.012 e \(4\)](#) and [260C.212, subd 2\(d\)](#).

Sibling Bill of Rights - [MN Statute 260C.008](#)

- Child welfare agency staff shall provide a copy of the [Sibling Bill of Rights Commissioner's Form](#) to children at the time they enter foster care, and to adult siblings of a child entering foster care, when known, and to their foster care provider. The form should be signed by the child, caseworker, and foster care provider. This should also be documented in a case note in the Social Service Information System (SSIS).
- All children already in care on August 1, 2018, adult siblings of these children, and their foster care providers, shall also be provided a copy of the Sibling Bill of Rights by the responsible child welfare agency.

Age 14+

Complete a life skill assessment to use in developing an Independent Living Plan: Individualized planning should be guided by a comprehensive assessment of youth's needs. Other assessments, such as psychological test results, vocational interest and aptitude tests and academic assessments, should also be reviewed.

Assessment options:

- [Casey Life Skill](#) assessment for youth ages 14-21, is a free, online youth-centered tool assesses life skills youth need for their well-being, confidence and safety as they navigate high school, postsecondary education, employment and other life milestones.
- Self Sufficiency Matrix at <http://selfsufficiencymatrix.org/zrm-int.aspx>

Independent Living Plan (ILP):

- Help youth, age 14 and older, create their independent living plan. The plan lays out the youth's goals, who they want to help them achieve these goals, and their timeline for completing that goal.
- Youth may select one member of the team to be their advisor and advocate for reasonable and prudent parenting standards. MN Statutes, sections [260C.212, subd. 1 \(c\) \(12\)](#) and [260C.452, subd. 2;](#) section [260C.212 subd. 1 \(b\)](#)

Resource: Helping Youth Transition from Out-of-Home Care to Adulthood [best practice guide.](#)

Establish and maintain connections with family, community and caring adults [MN Statute 260C.212, subd 1 \(c\) \(12\) \(vii\)](#)

Resources:

- [Permanency Pact:](#) Identify adults to provide supports after foster care.
- [Youth Connections Tool:](#) Improve the level of connectedness of youth with supportive adults.

By grade 9:

Planning for students successful transition to postsecondary education and employment: School districts, must assist students by no later than grade 9 to explore their educational, college, and career interests, aptitudes, and aspirations and develop a plan for a smooth and successful transition to postsecondary education or employment. MN Statute, [section 120B.125](#)

MN office of Higher Education resources:

- [College Prep Timeline](#)
- [Earn college credit in high school](#)

Ages 14-21

MN National Youth Transition Database (MNYTD) Independent Living Services screen:

- Complete for all youth (regardless of placement history) receiving an independent living service paid for or provided by the Minnesota Department of Human Services and your agency.
- Includes all independent living services and activities provided by your agency (whether with Successful Transition to Adulthood for Youth (STAY) funding or not) and independent living services provided by an agency receiving grant funds from DHS.
- Services provided by foster parents and group home staff also need to be recorded on an ongoing basis.
- MNYTD requires that any independent living services provided to transitional youth be entered in SSIS. Services may be quickly and easily entered on the IL Services screen. A new IL Services screen must be created for each federal reporting period.

Resource: [Bulletin #19-68-15](#)

Obtain/review the credit reports for youth, ages 14-21, annually, and until they leave foster care.

- **Ages 14-17:** The Minnesota Department of Humans Services submits quarterly the names of youth, ages 14-17, who have a birthday in the quarter and have been in placement 30 consecutive days, to Equifax, Experian and TransUnion credit agencies. Reports are emailed to agencies to review reports with youth and assist then with resolving any credit issues.
- **Ages 18-21:** County/tribal social service agencies assist youth to obtain their credit reports from the three credit agencies. [MN Statute 260C.212, subd. 1 \(c\) \(12\) \(iv\).](#)

Resources:

- [Bulletin #19-68-02](#)
- [Website](#) for additional resources
- **Training videos:** (1) [Case Worker Responsibility and Credit Report for Youth in Foster care](#) and (2) [Understanding Credit](#)

Monthly social worker visits: Every child in foster care or on a trial home visit shall be visited by the child's caseworker or another person who has responsibility for visitation of the child on a monthly basis, with the majority of visits occurring in the child's residence. MN Statute, section, 260C.212, subd. 4a.

Resource: New Practice Guide for Caseworker and Child Visits [Bulletin #20-68-03.](#)

Provide vital documents: Per MN Statutes, section [260C.452 subd 4\(c\)](#), the court shall ensure that the responsible agency and the placement provider assists the child in obtaining the following documents prior to leaving foster care:

- Social Security card
- Child's birth certificate
- State identification card or driver's license
- Tribal enrollment identification card
- Green card, or school visa
- Child's school, medical, and dental records
- Contact list of the child's medical, dental, and mental health providers
- Contact information for the child's siblings, if the siblings are in foster care.

Social/medical history and education report: Whether under state guardianship or not, if a youth leaves foster care by reason of having attained the age of majority under state law, the youth must be given at no cost a copy of the child's social and medical history, as defined in section 259.43, and education report. MN Statutes, section [260C.219 \(e\)](#)

Ages 14 ½ - 21

Court review of ILP: When a youth is age 14 or older, the court shall review the ILP/services to the youth related to the well-being as the child prepares to leave foster care. The review shall include the plans for items necessary for future safety and well-being after foster care. MN Statute, sections [260C.203 \(d\)](#) and [260C.452 subd. 4](#)

Ages 15 or older

Reestablishment of legal parent and child relationship means the physical reunification of a child under the guardianship of the commissioner of human services and a previously terminated legal parent and restoration of all rights, powers, privileges, immunities, duties, and obligations that were severed and terminated by the court under section [260C.317](#). [MN Statutes 260C.329](#)

Under age 18

When minors give birth, hospitals are expected to report every birth to a minor (under 18 years old) to the county in which the minor parent resides and inform the minor mother that the report has been made, using the [72 Hour Report of Birth to Minor, DHS-2518](#) (PDF) form. County social service agencies are expected to contact the mother if she does not have a case manager and complete an assessment using the [Minor Parent Assessment and Service Plan DHS-7981](#) (PDF) if they do not have a case manager.

Resource: See [website](#) for more information.

Age 17 ½

NOTICE: Foster Care Benefits page age 18: Six months prior to the youth's 18th birthday, provide written notice to youth in foster care under this chapter who cannot reasonably be expected to return home or have another legally permanent family by the age of 18, the child's parents or legal guardian, if any, the child's guardian ad litem, and the child's foster parents of the availability of foster care up to age 21, when the child is eligible under subd 3 and 3a. MN Statutes [260C.451 subd 1](#).

Resources:

- [Bulletin #20-68-07](#)
- [Website](#)
- [Extended Foster Care brochure](#)

Extended foster care eligibility: Youth in foster care immediately prior to their 18th birthday may continue in foster care past age 18 unless: (1) the child can safely return home; (2) the child is in placement pursuant to the agency's duties under section [256B.092](#) and Minnesota Rules, parts [9525.0004](#) to [9525.0016](#), to meet the child's needs due to a developmental disability or related condition, and the child will be served as an adult under section [256B.092](#) and Minnesota Rules, parts [9525.0004](#) to [9525.0016](#); or (3) the child can be adopted or have permanent legal and physical custody transferred to a relative prior to the child's 18th birthday.

Subd. 3a. Eligibility criteria. The child must meet at least one of the following conditions to be considered eligible to continue in or return to foster care and remain there to age 21. The child must be: (1) completing secondary education or a program leading to an equivalent credential; (2) enrolled in an institution that provides postsecondary or vocational education; (3) participating in a program or activity designed to promote or remove barriers to employment; (4) employed for at least 80 hours per month; or (5) incapable of doing any of the activities described in clauses (1) to (4) due to a medical condition.

Foster care setting: The particular foster care setting, including supervised settings, shall be selected by the agency and youth's best interest consistent with section [260C.212, subdivision 2](#). Supervision in approved settings must be determined by an individual determination of the child's needs by the responsible social services agency and consistent with section [260C.212, subdivision 4a](#)

Reentering foster care and accessing services after 18 years of age and up to 21 years of age. (a) Upon request of an individual who had been under the guardianship of the commissioner and who has left foster care without being adopted, the responsible social services agency which had been the commissioner's agent for purposes of the guardianship shall develop with the individual a plan to increase the individual's ability to live safely and independently using the plan requirements of section [260C.212, subdivision 1](#), paragraph (c), clause (12), and to assist the individual to meet one or more of the eligibility criteria in subdivision 4 if the individual wants to reenter foster care. The responsible social services agency shall provide foster care as required to implement the plan. The responsible social services agency shall enter into a voluntary placement agreement under section [260C.229](#) with the individual if the plan includes foster care. (b) Individuals who had not been under the guardianship of the commissioner of human services prior to 18 years of age may ask to reenter foster care after age 18 and the responsible social services agency that had responsibility for planning for the individual before discharge from foster care shall provide foster care or other services to the individual for the purpose of increasing the individual's ability to live safely and independently and to meet the eligibility criteria in subdivision 3a, if the individual: (1) was in foster care for the six consecutive months prior to the

person's 18th birthday, or left foster care within six months prior to the person's 18th birthday, and was not discharged home, adopted, or received into a relative's home under a transfer of permanent legal and physical custody under section [260C.515, subdivision 4](#); or (2) was discharged from foster care while on runaway status after age 15. (c) In conjunction with a qualifying and eligible individual under paragraph (b) and other appropriate persons, the responsible social services agency shall develop a specific plan related to that individual's vocational, educational, social, or maturational needs and provide foster care as required to implement the plan. The responsible social services agency shall enter into a voluntary placement agreement with the individual if the plan includes foster care. (d) A child who left foster care while under guardianship of the commissioner of human services retains eligibility for foster care for placement at any time prior to 21 years of age

Jurisdiction: Individuals in foster care pursuant to this section are adults for all purposes except the continued provision of foster care. Any order establishing guardianship under section [260C.325](#), any legal custody order under section [260C.201, subd. 1](#), and any order for legal custody associated with an order for permanent custody under section [260C.515, subd. 5](#), terminates on the child's 18th birthday. The responsible social services agency has legal responsibility for the individual's placement and care when the matter continues under court jurisdiction pursuant to section [260C.193](#) or when the individual and the responsible agency execute a voluntary placement agreement

Ages 18-21- 90 days prior to discharge

Develop a transition plan: Youth discharged from foster care at age 18 or older, the responsible social services agency must develop a personalized transition plan as directed by youth during the 90-day period prior to the expected date of discharge.

Resource: Helping Youth Transition from Out-of-Home Care to Adulthood [best practice guide](#)

Independent living plan: Upon the request of youth in foster care immediately prior to their 18th birthday and who is in foster care at the time of the request, the responsible social services agency shall, with youth and other appropriate parties, update the independent living plan required under section [260C.212](#), subdivision 1, paragraph (c), clause (12),

Minnesota Proof of Foster Care: County social service agencies and tribes participating in the American Indian Child Welfare Initiative must provide official documentation of previously being in foster care to any youth aging out of foster care between the ages of 18 and 21. Proof of foster care may be necessary for youth to prove eligibility for programs or benefits such as Medicaid (Medical Assistance). The form must be completed by the social service agency director or their designee and provided to the youth upon discharge from foster care. Tribes participating in the Initiative may determine whether to use the provided format or an alternative format that meets the requirements of the Family First Prevention Services Act. County social service agencies are responsible for complying with the proof of foster care requirement for Indian child(ren) under tribal court jurisdiction when the county is financially responsible

Ages 18-21 – 30 days prior to discharge from foster care

NOTICE of termination of foster care: When youth leave foster care at age 18 or older, the responsible social services agency shall give youth written notice that foster care shall terminate 30 days from the date the notice is sent. The youth or their guardian ad litem may file a motion asking the court to agency's determination within 15 days of receiving the notice. Youth shall not be discharged from foster care until the motion is heard. The responsible social services agency shall work with the child to transition out of foster care. A copy of the termination notice shall be sent to youth and youth's attorney, if any, the foster care provider, guardian ad litem, and the court. The responsible agency is not responsible to pay foster care benefits for any period of time after youth leaves foster care. MN Statute, section [260C.451, subd 8](#) and [260C.452 subd 5](#). The written notice of termination of benefits shall be on a form prescribed by the commissioner and shall give notice of the right to have the responsible social services agency's determination reviewed by the court under this section or sections [260C.203](#), [260C.317](#), and [260C.515, subd 5](#) or 6. Form is in SSIS.

Ages 18-26

Affordable Care Act: Youth leaving foster care on their 18th birthday or later are eligible for Medical Assistance (MA) up to age 26. The former foster care category of MA includes individuals who turned 18, or aged out of foster care, prior to Jan. 1, 2014.

Resources:

- Former foster care youth interested in applying for MA should go to the [MNSure website](http://www.mnsure.org/) at www.mnsure.org/.
- [Overview document](#): DHS 7678, Medical Assistance Benefits for Former Foster Care Youth.

Before 26th birthday

Eligible students apply to the [Education and Training Voucher \(ETV\) program](#) to receive up to \$5,000 per year to attend post-secondary schools. All eligible youth submitting complete applications are awarded funds if they have a need and funds are available.

Resources:

- [Program Guidelines](#) provides program information, instructions on completing applications, and resources for planning and paying for post-secondary schools.
- [Expense Guidelines](#) for what funds cover.
- Video: [Fostering success: An overview of Minnesota's Education and Training Voucher - YouTube](#)
- [Brochure](#)
- First time and renewal [online application](#).