

An Overview of NC's Foster Care 18 to 21 Program

Legal Basis:

- This program stems from the Fostering Connections to Success and Increasing Adoptions Act of 2008 (H.R. 6893/P.L. 110-351).
- In October 2015, the NC General Assembly revised statutes to extend foster care benefits and services to young adults ages 18 to 21. The following statutes apply to Foster Care 18 to 21 Services:
 - http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_108A/GS_108A-48.pdf
 - http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_131D/GS_131D-10.2B/pdf
 - http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_7B/GS_7B-910.1.pdf

Program Eligibility:

An individual who has reached 18 years of age but is not yet 21 years of age, and was in foster care upon his/her 18th birthday, may receive foster care services if the individual is:

- Enrolled in secondary education;
- Enrolled in postsecondary or vocational education;
- Participating in a program or activity designed to promote or remove barriers to employment;
- Employed for at least 80 hours per month; or
- Incapable of completing the educational or employment requirements due to a medical condition or a disability.

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Funding:

All young adults receiving Foster Care 18 to 21 services are eligible to receive monthly foster care maintenance payments.

- Payments will be the standard board rate, and will include standardized rates for child placing agencies and residential foster care facilities.
- Available funding includes Federal Title IV-E funds and State Foster Home Funds (SFHF).
- Each entry into the program is considered a new foster care episode and will require a new eligibility determination.

Court Hearings:

- Young adults will enter the program through a Voluntary Placement Agreement for Foster Care 18 to 21 (DSS-5097).
- An initial court review hearing must be held within 90 days of the date the young adult enters into a Voluntary Placement Agreement with the county agency.
- The court may schedule additional hearings to monitor the placement and progress of the young adult.
- The young adult or county agency may request additional hearings at any time.
- **No Guardian ad Litem will be appointed** in Foster Care 18 to 21 cases.

County Oversight:

Agency responsibilities include:

- Monthly Contacts and Quarterly In-Home Assessments
- Transitional Living Plans
- Transition Support Team Meetings
- Independent Living Skills
- Eligibility Verifications
- Yearly Credit Checks

Placement Options:

- Foster Home/Facility
 - Family Foster Home
 - Therapeutic Foster Home
 - Group Home
- College/University Dormitory
 - On-Campus Dormitory
 - On-Campus Apartment
 - College Co-Op
- Semi-Supervised Independent Living Arrangement
 - Shared apartment/townhome/house
 - Relative or Family Friend
 - Host Home

Termination Reasons:

- The young adult reaches 21 years of age;
- The young adult no longer meets eligibility criteria*;
- The young adult requests, verbally or in writing, that services be terminated; or
- The court has determined the young adult has violated the Voluntary Placement Agreement for Foster Care 18 to 21.

*A temporary break in participation does not automatically disqualify the young adult from continuing to receive services.

Re-Entries:

Young adults can re-enter the program as many times as he/she chooses, as long as the following eligibility criteria is met:

- Is 18, 19, or 20 years old; and
- Meets at least one of the eligibility requirements for Foster Care 18 to 21.

Intercounty and Interstate:

Young adults can be placed out-of-county or out-of-state when receiving Foster Care 18 to 21 services.

Intercounty:

- County child welfare agencies must work together to develop a plan that best meets the needs of the young adult.
- An Intercounty Agreement (addendum to the VPA) must be completed at the time the young adult signs the VPA for Foster Care 18 to 21.

Interstate:

- Interstate Compact on the Placement of Children (ICPC) regulations must be followed when placing young adults receiving Foster Care 18 to 21 services across state lines.
- If the receiving state is unwilling to provide supervision and services through ICPC, the county child welfare agency is responsible for developing a plan with the young adult to ensure requirements for Foster Care 18 to 21 are met, and supervision and services are provided.

Foster Care 18 to 21 Policy can be found here: <https://www2.ncdhhs.gov/info/olm/manuals/dss/csm-10/man/CSs1201c12.pdf>