

April 15, 2020

Commissioner Elizabeth Darling
Associate Commissioner Jerry Milner
Administration on Children, Youth and Families
U.S. Department of Health and Human Services

Dear Commissioner Darling and Associate Commissioner Milner,

We write as a group of advocates working with and on behalf of older youth who are in or have aged out of foster care. We would like to schedule a call to discuss the attached recommendations.

In the midst of this current pandemic, foster care youth and alumni are being disconnected from work, school, and external support systems. Lacking family support, they are at risk of losing housing, and even their lives.

- ***An increasing number of transition age foster youth throughout the nation*** have reported struggling to pay rent, including those who were enrolled in college but living off-campus
- ***As many as 10,000 former foster youth who previously lived in dorms*** are at risk of homelessness as colleges increasingly de-populate dorms to accommodate social distancing and staff safety.
- ***In a recent COVID-19 survey conducted by FosterClub***, 39% of respondents reported housing insecurity, 27% had been laid off, 40% had their hours at work severely cut, 33% had less than a weeks worth of cash at hand, 28% were low on food, and 23% expressed the desire for emotional support.
- ***Nationwide, approximately 1400 foster youth face emancipation each month.*** It is unconscionable and inhumane to terminate custody for these young adults under these conditions of international unrest and uncertainty.

For every crisis, there is an opportunity to think creatively, and come up with proactive solutions. We have the opportunity to provide a safety net for these young people. While action to respond to the needs of young people must come from many avenues and agencies, we believe that there are immediate actions that the Administration for Children and Families can take using its existing authority. Below and attached are actions we believe are necessary to meet the needs of young people during this crisis. We urge you to move swiftly and take action to meet the immediate needs of young people and help child welfare agencies support youth to make a successful transition to adulthood out of the foster care system.



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We are committed to working with you to meet the needs of older youth during the COVID-19 crisis. We would appreciate the opportunity to discuss these recommendations and how we can provide support - please let us know the best date/time for a call.

Thank you for your time and consideration,

Celeste Bodner, **FosterClub**

Alexandra Citrin, **Center for the Study of Social Policy**

April Curtis, **Foster Care Alumni of America**

Lisa Dickson & Doris Edelman, **ACTION Ohio**

Christen Glickman, **Youth Villages**

Amy Harfield & Melanie Delgado, **Children's Advocacy Institute**

Jenny Pokempner, **Juvenile Law Center**

Jennifer Rodriguez, **Youth Law Center**

John Sciamanna & Shaquita Ogletree, **Child Welfare League of America**

Stefanie Sprow & Steven Olender, **Children's Defense Fund**

Ruth White, **National Center for Housing and Child Welfare**

Request for Action by the Administration for Children and Families to Support Older Youth in and from Foster Care During the COVID-19 Crisis

Older youth, including transition-aged youth, in foster care are particularly vulnerable to placement instability, unnecessary placement in congregate settings, disruptions to their education and employment, social isolation, and attacks on their health and safety during the current national emergency. Their vulnerability to harm and poor outcomes has increased during the COVID-19 crisis.

During a time when many are able to rely on their families for support, youth in foster care must rely on the child welfare system to ensure their safety, health, and well-being. To support these youth, it is critical that youth are placed in family-like settings (rather than congregate care) and have access to critical supports – including stable housing and their caseworkers and other providers – and are able to maintain their ability to remain in foster care and re-entry if they so choose.

Below are actions we believe can and should be taken now to promote health, safety, and well-being during the COVID-19 national emergency. We recommend that these actions be taken as soon as possible and be in place for at least 6 months following the end of national and state emergencies.

- 1. Keep young people connected to services and housed during and following this health crisis by:**
 - a. Suspending participation requirements (school, work, program participation) related to extended foster care eligibility.
 - b. Issuing guidance that all young people are eligible for extended care based on category 3 (removing barriers to employment) or category 5 (related to medical factors) under 42 U.S.C.A. 675 (8)(B)(iv).
 - c. Prohibiting states from discharging youth age 18 -21 who are in extended foster care unless the youth expressly requests to discharge and it is to permanency.
 - d. Streamlining the process by which states can take the option to provide extended foster care.
 - e. Encouraging states that have extended foster care to provide re-entry.
 - f. Encouraging states that provide re-entry to develop expedited processes, including through voluntary placements that do not require immediate court involvement.
 - g. Encouraging and supporting communities to apply for FUP and the FYI “on demand” distribution mechanism and put partnerships into place immediately to be ready for referrals.
- 2. Help meet the immediate needs of young people for housing, food, and other material support by:**
 - a. Encouraging eligible states to take the option to increase Chafee eligibility to age 23 and expediting the Children’s Bureau’s approval process.
 - b. Accelerating Chafee reallocation requests related to the use of and need for unused Chafee funds and transfer other unused funds into the Chafee account for distribution.
 - c. Directing states to develop mechanisms to release funds quickly and in real-time directly to youth, including, but not limited to, Title IV-E funds for youth in extended foster care for placement and supports, Chafee funds for an array of supports, and any additional funds allocated for emergency or urgent needs.
 - d. Providing states and county examples of best practices that allow for expedited release of funds.
 - e. Developing and disseminating user-friendly fact sheets for current and former foster youth and child welfare professionals on an array of issues, including, but not limited to: changes in the delivery of foster care services, understanding COVID-19 and how to stay safe and healthy, how to access any benefits under the federal relief bills, including stimulus and unemployment funds.

- 3. Ensure that youth are connected to vital resources, people, and assistance in this time of crisis by:**
 - a. Directing states to develop and implement guidance for caseworkers to increase frequency of virtual visitation and revise case plans to be responsive to the youth's current housing, education, employment, health, and well-being needs.
 - b. Directing states to develop immediate plans for ensuring that all youth have access to both internet and smartphones and/or computers, to allow for contact with agency personnel, service providers, telemedicine, educational programming, employment, food, and family and social connections.
 - c. Encouraging states to coordinate with local private and public utility companies, educational agencies, and other community agencies to leverage resources to ensure that youth are able to access the internet for connecting to school, work, and family.
 - d. Establishing a national hotline or warmline for transition aged youth who are or have been involved with child serving systems to provide information about COVID-19 and how to access assistance, services, and resources.

- 4. Direct states to develop a plan for increased supports and financial resources for expectant and parenting youth to ensure appropriate health care for the parent and child (including prenatal care) and support for the adolescent's and child's healthy development and well-being.**

- 5. Ensure former foster youth are insured by:**
 - a. Working with The Center for Medicaid and CHIP Services to encourage states to apply for Medicaid 1115 waivers to provide coverage to former foster youth until age 26 regardless of the state they were in foster care.
 - b. Developing procedures to expedite and streamline the 1115 process so young people can have access to coverage during and following the crisis.

- 6. Direct and support states to develop targeted approaches to support youth in family-based settings and reduce/eliminate the use of congregate care and placement in emergency shelters to protect the health and safety of youth, including by:**
 - a. Encouraging states to expedite reunification for cases where reunification is the plan and re-evaluating cases where it could be the plan.
 - b. Investing in enhanced supports for kinship and resource family settings, such as increased financial support, funding for peer support programs, and increased respite capacity.
 - c. Directing states to implement targeted recruitment and retention strategies for resource families and kin that can support older youth, such as investing increased resources in family finding and child specific recruitment to locate resources.
 - d. Encouraging states to elect the option to waive all non-safety licensing requirements for kinship resources.
 - e. Directing states to implement strategies to reduce new entries into group care and emergency shelters.
 - f. Prohibiting the creation of group settings to address placement needs of youth who have or have been exposed to COVID-19.
 - g. Ensuring that states continue to protect the health, safety and personal rights of youth, including processes for filing complaints, for youth who remain in group settings during the crisis.