

**BEING IN  
FOSTER CARE**

**LEGAL ISSUES**

**EVERYDAY LIFE**

**BIG QUESTIONS**

**LEAVING  
FOSTER CARE**

**YOUTH**

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**HANDBOOK FOR**  
**YOUTH**  
**IN FOSTER CARE**

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# ABOUT THIS HANDBOOK

This handbook is for youth placed in foster care through a local social services district (not the juvenile justice system). The handbook was written for youth entering foster care for the first time as well as youth already in foster care. We hope that whether you are about to be placed or have been in foster care for a while, you will find the information helpful.

The handbook describes your rights and responsibilities while you are in foster care. It also describes what happens when you are older and leave foster care. It represents minimum New York State requirements, but your county or agency may have some additional rules.

The handbook covers lots of topics, but knowing where you can get more help if you need it is important. Be sure to talk to an adult you trust if you have other questions or need more information.

**When you see big quotation marks . . .**

**“ ”**

**you will know that those are the words of a youth in foster care – just like you.**

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**August 2004**

**HANDBOOK FOR  
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# 1

## BEING IN FOSTER CARE

### What, How, Where

#### WHAT IS FOSTER CARE?

Foster care is a place to live while you and your family can get the services and support you need. Foster care is meant to take care of children and youth when their parents can't, and to provide a safe home.

“

**Foster care is a place you go to be safe and protected, a place where you can work out family problems.**

”

#### Why Are You in Foster Care?

Young people come into foster care for different reasons. Sometimes parents abuse or neglect their children. Other parents know they can't care for their children and ask for help.

Some youth enter care because they need help with behaviors that are getting them into trouble.

**YOU HAVE THE RIGHT TO KNOW WHY YOU'RE IN FOSTER CARE. ASK YOUR CASEWORKER IF YOU DON'T KNOW.**

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## Different Kinds of Foster Care

There are different kinds of foster care because families and children have different needs.

### You may be placed in...

- **Foster Home with relatives** – the home of relatives who will be your foster parents. This is called “kinship foster care.”
- **Foster Home with foster parents** – a family setting, where there may be other youth in foster care. The foster parents may have their own children living there too.
- **Group Home (7–12 youth, for youth ages 5–21) or Group Residence (13–25 youth, for youth ages 10–21) or Child Care Institution (13+ youth, for youth ages 12–21)** – a place to live for youth who need more services or supervision than a foster home could provide. A pregnant teen may be placed in a special group home or residence.
- **Therapeutic Foster Boarding Home** – a foster home that gives special care to youth with behavioral, emotional, and/or medical needs. The foster parents get special training and support.
- **Agency-Operated Boarding Home** – a family-type home (often for sibling groups, independent living, or mother/child), for up to 6 residents.
- **Supervised Independent Living Program (SILP)** – usually an apartment that is shared with at least one other youth. This is a supervised program for youth who are learning to make the transition from foster care to living as self-sufficient adults.

The Office of Children and Family Services (OCFS) also operates residential juvenile justice programs. The services and rules in these programs are different from the settings listed above.

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## HOW ADULTS GET TO BE CAREGIVERS

The job of an adult caregiver is to take care of you, keep you safe, and help you develop until you can be with your family, be adopted, or live independently with permanency resources.

**CAREGIVERS** = foster parents, group home staff, and child care staff. In this handbook, we use the term “caregivers” to include single parents, couples, and staff.

### All foster parents must be...

- Fingerprinted to see if they have committed any crimes.
- Checked by the Child Abuse Hotline to see if they abused or neglected a child.
- Trained to be caregivers for children and youth in foster care.

Adults who want to be foster parents have to show that their home meets the regulatory requirements and is safe. Even after they become foster parents, they must have their home inspected each year. They go to classes to learn more about being a foster parent, or to better help youth with special needs. They should have a copy of the New York State Foster Parent Manual, which explains the rights and responsibilities of foster parents.

**“Get to know your foster parents.  
It’s going to help you down the road.  
Don’t hold everything in.”**

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### **Other caregivers must...**

- Meet agency requirements.
- Be checked by the Child Abuse Hotline to see if they abused or neglected a child.
- Trained to provide care in an agency setting.

There must be enough caregivers or staff to care for the number of children in the facility. There are regulations that guide how many staff are needed to care for a particular number of children in a facility.

Your caregivers will also know what you and your family need to work on so that you can return home safely, be adopted, or live independently once you are discharged from foster care. All caregivers are required to respect your privacy and maintain confidentiality about what you and your family are experiencing.

## **YOU & YOUR CASEWORKER**

When you enter foster care, you will have a caseworker. The caseworker is assigned by the local Department of Social Services (DSS) in your county. You may also have a caseworker assigned by your foster care agency. These caseworkers must work together to help you.

### **Your caseworker's role is to...**

- Know you and your family.
- Protect your safety.
- Protect your rights.
- Answer your questions and give you information you need.
- Make arrangements for services you need.

- 
- Make a visiting plan for you and your family.
  - Visit you, your family, and your caregivers regularly.
  - Explain to you and your caregivers why you are in care.
  - Help you and your family work out issues and make changes.
  - Help you make plans for your future.

Your caseworker is required to visit you at least twice during the first month you are in foster care. The purpose of the visits is to work with you on a plan to resolve the problems that led to you being placed in foster care, and to help you adjust to your placement.

**YOU HAVE THE RIGHT TO KNOW HOW OFTEN YOUR CASEWORKER IS REQUIRED TO MEET WITH YOU.**

**After the first month, your caseworker is required to visit you...**

- At least once every 3 months, or
- At least once a month if you have special needs for services. For example, a youth may have a physical, mental, or emotional condition that affects his or her ability to carry out daily activities without services.

**TALK TO YOUR CASEWORKER ABOUT HOW YOU ARE DOING.**

It is the caseworker's job to find out if you are feeling alright, going to a health care provider, doing OK in school, and getting services you need. The caseworker must make sure you are safe in foster care.

The caseworker must also visit your caregivers on a regular basis – at least twice during the first month you are in foster care and at least every 3 months after that. **There should be contact by telephone or face-to-face with the caregivers at least once a month.**

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**Be honest with your foster parents and your caseworker. You will be working together in the future to make your life better. Don't hide. It won't help you.**

”

**If you have problems where you live, call your caseworker.**

- Make sure you have your caseworker's full name and telephone number.
- If you don't get the help you need from your caseworker, don't give up. Ask to speak to the caseworker's supervisor. You can also call your law guardian.

**Help your caseworker get to know you.**

- Having a good relationship with your caseworker will help build trust
- It's OK for you to tell your caseworker, "Don't make promises you can't keep."

“

**Let placement help you, but you need to help yourself more.**

”

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## THE FIRST FEW DAYS IN CARE

### When you come to a new place...

- You should be introduced to your caregivers and all the other people who live there.
- You should find out about the rules.
- Make sure you know the name, address, and phone number of where you live and who to contact in an emergency.
- Find out how to get information when you need it.
- If something is bothering you, tell your caregiver or caseworker.
- Read this handbook and know your rights while you are in foster care.

“

**The first few days it's hard because you're in a new setting, you have to get to know new people, and you have to build trust again. You don't know anyone so you're a little scared.**

”

On your first day someone should show you around and tell you the rules. You will find out where your room is and where you will eat and where you will shower.

At first, you may feel scared, nervous, and upset. You may feel like you can't trust anyone. That's normal. To help yourself, ask questions.

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**Avoid negativity, go in with an open mind, watch how things go down, and formulate your own opinion.**

**At first everything is really hard, but as you adapt, it can be a good experience.**

**It's not about the big things that people do for you that matter the most – it's the small things.**

”

## SEEING YOUR FAMILY

### Visiting plan

#### The visiting plan includes...

- How often visits will be.
- How long each visit must last.
- Where visits will take place.
- Whether the visits are supervised by someone from the local DSS or foster care agency.
- Who will be present during the visits.

Your visiting plan may stay the same for a long time. It may change often. How often the plan changes will depend on things like how your family is doing, your safety during visits, and your behavior.

Visiting plans cannot be changed without permission from the caseworker. **Caregivers cannot allow visits that the caseworker has not approved.**

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## **Your Rights**

### **You have the right to...**

- Visit at least every other week with your family or the person you will be discharged to when you leave foster care, unless prohibited by the judge or for other reasons.
- Visit more often if you are going home soon.
- Visit in private (unless the judge and/or the local DSS says that visits must be supervised, usually for your safety).
- **Not be punished by keeping you from seeing your family.**

When you go into foster care, your caseworker must set up a plan for visiting with your family (unless there is a court order not to have visits).

### **Your caseworker is required to...**

- Talk to you, your family, and your caregivers about visits.
- Include you, your family, and your caregivers in making a plan for visits.
- Write down the plan.
- Give a copy of the written plan to you, your family, and your caregivers.

**The agency must give your family money or transportation to get to and from visits, if they need it.**

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If you are in a foster home, your caseworker should try to set up visits so that your foster parents and parents get to know each other.

If you can't make a visit for any reason, call your caseworker to plan a different time. Don't just "not show up." You wouldn't want your parent to do that.

**If you don't feel comfortable visiting your family, tell your caseworker.**

### EXCEPTIONS

Youth who are at least 13 years old and placed by the court as a PINS (person in need of supervision) or JD (juvenile delinquent) in an institution have the right to have visits with their families at least every 3 months (if visitation with the family every other week is impossible). If the institution is more than 100 miles away from the youth's home, there is no legal requirement for the amount of family visits. But if you are in this situation, talk to your caseworker about how you can visit your family.

If the plan is not for you to return home after foster care, the number of visits and who you visit, may be different. If your plan is independent living with permanency resources (*see Glossary*) or adoption, you and your caseworker will work out an individual plan for visits.

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## **SISTERS & BROTHERS**

Your caseworker is required to try hard to place you and your sisters and/or brothers (siblings) together if they need to be in foster care too. If there are no safety or other issues about being together, your caseworker should try to keep you together.

If you and your siblings are placed separately, ask your caseworker why. **Your caseworker is required to arrange for visits with your siblings at least every 2 weeks.**

“

**My brother is older and lives on his own. He had a son when I was in placement. It is important that I be able to see them because my nephew is 1 now and I have only met him once.**

”



A large, stylized number '2' in a light blue color, positioned inside a vertical orange bar on the left side of the page.

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# LEGAL ISSUES

## FAMILY COURT

Family Court deals with issues of families, children, and youth. Every child who is placed in foster care has a case that goes to Family Court. After a child is placed, there will be court hearings to determine whether placement in foster care should continue.

For the hearings, the Family Court judge works with the agency with custody – usually the local Department of Social Services (DSS) – to approve the placement decision and review your situation to see if you should remain in foster care.

### When Will You Go To Family Court?

- Immediately before or soon after you enter foster care. If you have been in foster care for more than a month and have not gone to court, call your caseworker.
- At least every 12 months, the judge will review the information about you and your family's progress to decide if you need to stay in foster care. Foster parents or other caregivers can come to the courthouse with you. The judge will decide if they can go into the courtroom.

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## Your Law Guardian

A law guardian will represent you in court. A law guardian is **your** lawyer, not anyone else's. (Your family may have their own lawyer, and so will DSS.)

### Your law guardian's role is to...

- Protect your rights.
- Tell the court what you want.
- Tell the court what he or she thinks is best for you.

You have the right to call or write your law guardian when you need to.

Remember, everything you talk about to your law guardian is **confidential**. This means that your law guardian cannot tell other people what you have said without your permission. If you don't know who your law guardian is, ask your caseworker.

## DEPARTMENT OF SOCIAL SERVICES

Every county in New York State has a local Department of Social Services (DSS) that runs the county's foster care and adoption program. In New York City, this agency is the Administration for Children's Services (ACS). When youth are placed in foster care, the Family Court gives the local DSS commissioner temporary custody of them. Temporary custody means that while you are in foster care, DSS is responsible for...

- Keeping you safe while you are in foster care.
- Seeing that your needs are met.
- Planning for your future.

The DSS commissioner has temporary custody whether you are in a foster home or a group home, or if you are placed with a foster care agency.

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You always will have a county caseworker assigned to you by the local DSS.

### **Foster Care Agencies**

Often DSS works with foster care agencies to arrange placement in foster care and other services. If you are placed with a foster care agency, you will have an agency caseworker assigned to work closely with you. This agency caseworker communicates with your DSS caseworker about your needs.

You have the right to call your DSS caseworker if you are upset about a decision made by an agency or your agency caseworker. If you are upset about a decision made by your DSS caseworker, you can contact the DSS supervisor.

## **SERVICE PLAN REVIEWS**

Service Plan Reviews (SPR) are meetings to help plan for your future. Everyone at the meeting goes over the case plan. You, the caseworker, supervisor, birth parents or other relatives, and foster parents are invited to the meeting.

### **The purpose of the meeting is to...**

- Discuss the need for you to be in care.
- Set goals for your stay in care.
- Figure out how to meet those goals and what services should be arranged.
- Decide who will help you meet your goals – the roles of everyone around you.
- Agree what you and your family need to work on.

- 
- Discuss your progress and plan for the future – selecting a **permanency planning goal**.

### **PERMANENCY PLANNING GOAL (PPG)**

Your PPG or “permanency goal” states what the plan is for your future. Every child in foster care has a permanency goal. Depending on what your goal is, you and your family may need to take certain steps and receive certain services that will help you achieve your goal. You have the right to know what your permanency goal is.

### **When are SPRs held?**

- After you are in care for 3 months.
- Every 6 months after that.

### **Who is invited to the Service Plan Review?**

- You.
- Your parents.
- Your caregivers.
- People who are helping you or your family while you are in foster care.
- Staff in the agency caring for you.
- Other people important to you.

“ You play a part in your own planning. ”

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## PERMANENCY & YOUR FUTURE

A big part of planning is to help you have a permanent home. Your permanency goal will be one of the following...

- Return home to your family.
- Be adopted.
- Live with a relative or friend.
- Live independently with permanency resources (*see Glossary*).
- Live in an adult residence, group home, or residential treatment center or facility.

If you are 14 or older, you will receive services that help you plan and prepare for the transition to a successful adulthood. This will be discussed in the SPR. You are required to actively participate in designing program activities that will help you do this.

Your goal may change depending on your family's actions and circumstances. You can have input into your permanency goal. At SPRs, you have the right to speak about your goal, whether you think it is the right one for you, and what you think will help you reach your goal.

**YOU HAVE THE RIGHT TO KNOW YOUR PERMANENCY GOAL. ASK YOUR CASEWORKER IF YOU DO NOT KNOW WHAT IT IS.**

Foster care is intended to be temporary. If you stay in care for 15 out of 22 months and cannot return home safely, the local DSS and Family Court may take action to find you another permanent home. Your parents' rights may be terminated, so you can be free for adoption. There are exceptions to this requirement if special circumstances exist (for example, if you are placed in care with a relative).

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## GETTING ARRESTED

Any young person who commits a crime may be arrested. Here's usually what happens...

- Youth over the age of 7 and under 16 who commit crimes will have to go to Family Court. Based on the crime, the judge may determine that the youth is a juvenile delinquent (JD) who may have to live in a juvenile facility or other foster care setting.
- If you are 16 or older, you are considered an adult in the courts and your case will go to Criminal Court.

**If you are arrested, talk to your law guardian.**

## IF YOU ARE AN IMMIGRANT

Children who are immigrants can become permanent residents of the U.S. and obtain a green card by applying for Special Immigrant Juvenile Status. An immigration lawyer will file the application to the Bureau of Citizenship and Immigration Services (BCIS), which used to be Immigration and Naturalization Service (INS).

**This special status allows an approved applicant to...**

- Live permanently in the U.S.
- Work legally in the U.S.
- Get financial aid for college.
- Get some public benefits like Public Assistance, Medicaid, and Food Stamps.

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**To be eligible for this status, you must be an immigrant who is...**

- Unmarried and under 21 years old.
- Placed in foster care before your 18th birthday due to abuse, neglect, or abandonment, as determined by a Family Court judge.
- In foster care when the application is filed and until you receive the special status.

A youth who commits a crime may not be eligible for Special Immigrant Juvenile Status.

Also, a Family Court judge must decide that it is not in your best interest to return to your country of origin.

Applying for Special Immigrant Juvenile Status can take a long time. If you are an immigrant when you enter foster care, it is very important that you speak to your caseworker about starting the application process. Your caseworker should be able to help you arrange a meeting with an immigration lawyer.



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## EVERYDAY LIFE

### FIRST THINGS FIRST

#### Privacy

Everyone has a right to privacy. You have the right to be given space that is private and to store personal things safely and securely.

Other people have a right to their privacy too. You do not have the right to get into their things without permission.

If your caregivers have reasonable cause to believe you have something dangerous, illegal, or stolen, they are required to call your caseworker or someone else at the agency. Your property may be searched only when there is reasonable cause to suspect that you have something dangerous, illegal, or stolen. Reasonable cause is based on specific information, not just a hunch or feeling.

Your body, wallet/purse, and clothes may be searched by your caseworker and caregivers only if they have reason to believe there is a risk of serious harm to you or others from your use or distribution of something dangerous, illegal, or stolen.

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## When To Get Permission

### You must ask your caregivers for permission for things like...

- Going to school games, dances, and club meetings.
- Having friends over.
- Spending the night at a friend's house.
- Going somewhere with a friend's family.
- Playing sports.
- Going to the movies.

If you live in a facility, check the rules of the facility.

Your caregiver may sign your report card.

**“ Placements should have sports and extra-curricular activities for us. ”**

### You may need to ask your caseworker for permission for things like...

- Driving.
- Playing certain sports that are considered to be dangerous, like horseback riding and downhill skiing.
- Operating power tools.
- Spending an overnight outside the county where you live.

If your caseworker says “no” to a certain activity, ask why and try to understand the reason. If you still don't agree with the reason or understand it, you have the right to contact the caseworker's supervisor.

**“ Being in placement is sometimes hard because there are so many people to get permission from to do anything. ”**

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## DAILY STUFF

### Where You Sleep

#### In foster homes, there must be...

- Separate bedrooms for children of the opposite sex over 7 years old.
- No more than 3 people per bedroom.
- No child above the age of 3 sleeping in the same room with an adult of the opposite sex.
- A separate bed for each child. Bunk beds may be used.
- No bed located in any unfinished attic or basement.

#### In group homes, there must be...

- Separate bedrooms for children of the opposite sex over 5 years old, except for mothers and their children.
- No more than 3 children per bedroom.
- Separate bedrooms for caregivers.
- A separate bed for each child spaced at least 2 feet apart from other beds.
- Good natural light and ventilation, with at least one window opening to the outside.
- No bed located in any unfinished attic or basement.

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## **Clothes**

You have the right to help shop for your own clothes. Your caregivers must buy you clothing, or you may get a clothing allowance directly from your caseworker. You will have a limited budget. Ask your caseworker about your local DSS's policy on clothing allowance.

### **You have the right to have clothes that are...**

- Appropriate for school, weekends, and dressing up.
- Appropriate for the season, like a winter coat.
- Kept clean and in good condition.

Ask how to do laundry so you can take care of your own clothes.

## **Hygiene**

Keeping clean is part of staying healthy. You have the right to take a shower or bath every day and to be given soap, shampoo, deodorant, toothbrush, and toothpaste specific to your needs. Be sure to ask for supplies and products based on your own needs if you don't have them. Although you may not always get the brand you prefer, you should be provided with these supplies. Talk to your caseworker if you are not receiving them.

## **Hair...Styling, Length, Color**

Your caregivers and caseworker do not have the right to change the style, length, or color of your hair.

## **Piercing & Tattooing**

If you are thinking about piercing or tattooing any part of your body, you **must** talk to your caseworker first. Since you are in foster care, you may have to get consent from your parents or the agency.

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## Going Places & Seeing Friends

You may want to go places with friends and visit them at their homes. Caregivers are required to know where you are and what you are doing. It is their job to help keep you safe. They may want to meet your friends and talk to their parents. If they have concerns about your safety, they may restrict your activities.

If you want to visit with an old friend from home, your caseworker must give permission. Caregivers may give permission when your friend is new and lives in the same area where you live.



**We need to be with our friends, have jobs, and play sports in our own communities. We need home visits to do this.**



## Using the Telephone & Computer

Ask an adult where you live if there are rules about using the telephone and computer. Some places have set hours for you to get calls. There may be rules about the amount of time you can talk on the phone or use the computer. You have the right to privacy during phone calls.

You have the right to call your caseworker, lawyer, or counselor whenever you need to. Your caseworker will determine when you may call your parents, brothers and sisters, and friends from home.

If you want to make a long distance call, ask about the rules where you live. If you want your own e-mail, try to work out the best way to do that. There are free e-mail accounts you can use if your foster home is already hooked up to the Internet.

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## WHEELS

### Getting a Driver's License

In New York State, you must be 16 years old to get a driver's license. If you want a driver's license, talk to your caseworker about what you have to do. You can get information from your local Department of Motor Vehicles (DMV) or at [www.nysdmv.state.ny.us](http://www.nysdmv.state.ny.us). You will have to get the consent of your parents or the local DSS.

First, you have to apply for a learner's permit. You will need a certified birth certificate and a Social Security card. If you don't have them, ask your caseworker. To get a learner's permit, you must take a written test, pass a vision test, prove who you are and your age, and pay a fee. Your caregiver or caseworker may sign your application.

Check with your school for information about the driver education course.

“

**To get to work, see your friends, and school we need to get our license. Staff aren't always able to bring us.**

”

### Driving a Car

It is up to your caregivers if you can use their car to learn to drive or practice driving. Sometimes their insurance will not cover you as a driver. If their insurance does not cover you, you may not drive their car.

If you want to bring a car from home or buy a car, many issues will need to be addressed. In addition to being willing to drive

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responsibly, you will need the agency's permission and be able to pay for costs like insurance and repairs.

## **MONEY**

You may have money from a job, an agency allowance, an allowance from your caregivers, independent living stipend, or some other source, like a trust fund. You may decide how to spend and save your own money.

You have the right to open a savings account, no matter how old you are. You can open the account in your name only. However, the bank may require you to have a cosigner. When you are discharged from foster care or transferred to the care of another agency, this money is to be turned over to you or the other agency.

You will receive an allowance from the agency. The local DSS decides when you get it and how much it is. If you are entitled to an independent living stipend, the amount you receive will depend on your age.

Youth who turn 18 in foster care may receive money from any trust funds or guardianship accounts that have been established for them. Your caseworker will need to make the arrangements for transferring money to your account.

If you have school expenses, like books, activity fees, field trips, school club dues, class ring, yearbook pictures, and art supplies, talk to your caseworker about how to pay for them. The local DSS decides how much the agency will help with these expenses.

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## WORKING

If you are 14 or older, you may be able to have a part-time job. First, talk with your caseworker and caregivers about what you would like to do and if this is a good time to have a job.

New York State has laws about minimum ages:

- **Under age 14** you may not be employed (except in jobs like delivering newspapers, baby-sitting, shoveling snow, yard work, caddying, etc.).
- **14 & 15 year olds** may work after school.
- **16 year olds and up** may work.

All employment requires permission of your caregiver and caseworker. Special permission from your local DSS is required for jobs using power driven machinery.

Be ready to talk about schoolwork and your grades, and also about your behaviors. You will need to plan for transportation to and from the job. You will need to get an employment certificate, known as working papers, if you want to work. This is a form you can get at school.

### **You will need to bring with you...**

- Your birth certificate. You have the right to have a copy of your birth certificate – your caseworker should get it for you.
- A letter from your health care provider that says you are healthy and can work. To get the provider’s letter you will have to have a physical exam.

You may also need the signature of your parent or legal guardian. Check with your caseworker.

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You don't need working papers for jobs like baby-sitting, shoveling snow, yard work, or caddying.

Finally, you will also need a Social Security number, and you may need to file a tax return. Your parents may already have a number for you. Ask your caseworker to help you get a number if you don't have one. You have the right to have a copy of your Social Security card.

If you are working and have trouble with your grades or behavior, your caregiver must let your caseworker know. This may affect your permission to work.

## **CHORES**

You may be asked to do some household chores like setting the table, taking out the trash, or folding laundry. This is a normal part of family life, and chores like these will help you gain skills and a sense of responsibility. You shouldn't expect pay for this kind of work within the foster home or facility.

If you feel you are being asked to do too much around the house, talk it over with your caregivers. If your caregivers don't agree, talk to your caseworker.

## **PROBLEMS IN THE FOSTER HOME OR FACILITY**

If you think that you are not being treated right, you should tell your caseworker what you think is wrong. Your caseworker is required to help you and your caregivers work things out. It is the caseworker's job to do this.

If you do something wrong, there will be consequences, like being grounded or losing privileges. Your caseworker may feel that the consequence is reasonable. If you don't agree, your caseworker and caregivers may talk about making a change.

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Sometimes kids are punished even if they have done nothing wrong. **It is not OK to be mistreated** (hit, deprived of meals or visits). If you are mistreated, tell someone. And tell your caseworker. If you are being abused or maltreated, call the Child Abuse Hotline at 1-800-342-3720, or ask your caseworker or someone at school to call for you.

**“ Consequences and rules should be appropriate for your age and for the offense. ”**

## **RUNNING AWAY**

If you are having a problem where you live, **don't run away!** It is better to talk to an adult who will help you than to run away. Keep talking until you get help. If you can't talk to your caseworker, call your caseworker's supervisor. If you can't talk to the supervisor, call your law guardian.

### **If you run away, there will be consequences...**

- You may need to return to the same foster care setting.
- You could be placed in a different home or other setting.
- You could be placed in a juvenile detention facility.
- Or you could get hurt or killed.

If your caregivers think you've run away, they must call your caseworker. Your caseworker will call the police. Remember to always tell your caregivers where you will be.

**“ There are options and alternatives. You don't have to leave care or run away when you have problems. ”**





# 4

**YOU  
HAVE  
THE  
RIGHT TO  
RECEIVE  
HEALTH  
CARE  
SERVICES.**

## BIG QUESTIONS

### HEALTH

Taking control of your body is your responsibility.

#### **Consent for Health Services**

Anyone younger than 18 years old, including a child in foster care, is a **minor**. In New York State, there may be times when a minor does not need anyone to say OK for him or her to get health care. If a minor can understand the risks and benefits of treatment, he or she does not need anyone else to consent for:

- Emergency health care.
- Certain mental health services.
- Certain alcohol and drug abuse services.
- Reproductive health care. Reproductive health care includes: family planning; abortion; prenatal care; care during labor and delivery; HIV testing and care for STDs (sexually transmitted diseases).

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For general health and mental health services, your parent or legal guardian – or the local DSS commissioner – may need to give consent and have access to information.

Unless you are old enough to go by yourself, your caregivers should take you to your health care provider. When they can't, they are required to make other arrangements to get you to your appointment.

### HEALTH CARE PROVIDER

A health care provider is a doctor, physician's assistant, or nurse practitioner. Your health care provider does not have to be a doctor as long as he or she is legally able to provide the service you need.

OB-GYN = obstetrician, a doctor who specializes in the care of women during pregnancy and childbirth; gynecologist, a doctor who specializes in the medical care of a female's sex organs, hormones, and reproductive organs.

**Medicaid or another insurance** will cover the cost of appointments. You or your family don't have to pay. If you are asked to pay, contact your caseworker.

### Initial Health Activities

When you first enter foster care, you will be asked questions about your health to see if you have problems that need attention right away. A caseworker or health care provider will ask about any illness, injury, or allergies, and if you take any medications. This is usually called a "health screening."

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**Within 30 days of entering foster care, you are required to get a...**

- Complete physical examination
- Dental assessment
- Mental health assessment

Many young people get a substance abuse (**tobacco, alcohol, drugs**) screening. There are many types of programs to help you stop or not start using these substances. If you are “at risk,” you will be referred to a program designed to meet your needs.

**Public health law states that smoking is not allowed in group homes, public institutions, youth centers, and detention facilities.** If you have any questions, ask your caseworker.

All youth in foster care are required to have a **mental health assessment**, and receive mental health services if needed. An appointment should be made with a mental health provider (psychologist, psychiatrist, social worker) who will ask if you are depressed, confused, or need help adjusting to foster care. Help might include therapy or counseling, either alone or in a group.

**“ Peer counseling is important, because sometimes you need to talk to someone like you. ”**

After the **physical exam**, if you need treatment for an illness or condition, the agency must provide or arrange for follow-up care. The health care provider might refer you to a specialist. If you need dental work, more appointments should be made with the dentist.

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## HIV/AIDS

Within 30 days of entering foster care, you will get a “risk assessment” to find out if you are at risk for HIV. A caseworker or nurse will ask you questions about sexual activity, drug use, and other risk factors. This will help to find out if you should be tested for the virus.

### **Before getting tested, you will get counseling about...**

- AIDS and HIV.
- What the HIV test is for and what results mean.
- How to prevent HIV and how it is spread.

You cannot be given an HIV test without your consent in writing, unless you have been determined to not have the capacity to consent (*see Glossary*)...in which case your parent or the local DSS commissioner may consent.

There are specific rules about privacy for youth in foster care who are HIV positive. Youth who test positive for HIV will get counseling on their right to confidentiality and how to prevent exposing others to HIV.

### **Follow-up Health Activities**

To stay healthy, all children and youth must visit their health care provider for regular checkups. It’s important to keep up to date on your immunizations, which protect you against certain diseases like measles or chicken pox.

The local DSS is responsible for keeping a copy of your record of immunizations. You will need it for school and college admission.

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## Consent & Confidentiality

You have the right to give **consent** (say yes or no) for certain mental health services, certain alcohol and substance abuse services, reproductive health care, and HIV services, if you have been determined to have the capacity to consent (*see Glossary*). This information is confidential (private). You don't need to ask your parents or any other adult for their consent when you need services. You don't have to tell others about your choices, but sometimes it's good to discuss things with an adult you trust.

You have the right to see your health records. The health care provider must provide the information within 10 days of receiving a written request from you.

## Taking Medicine

Health care providers prescribe medication for many reasons – to keep you healthy, to help you feel better, or so you won't get sicker. You may need to take medication every day or just for a certain illness. You have the right to know why you have to take a medicine and what it is for.

If you don't like taking a medicine, or if it gives you side effects (headache, nausea, etc.), ask if you can take something else or try something different, like going to therapy or changing your diet. You can't be forced to take a medication, but be sure you know what will happen to you if you don't take it. Talk to your health care provider about your decision.

**THE KID'S HEALTH WEBSITE HAS INFORMATION ON BODY, MIND, FOOD, FITNESS, SCHOOL, JOBS, DRUGS AND ALCOHOL, SEXUAL HEALTH, AND GIVES ANSWERS AND ADVICE. GO TO [WWW.KID'SHEALTH.ORG/TEEN](http://WWW.KID'SHEALTH.ORG/TEEN).**

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Ask the health care provider to explain what you are being treated for and why. If you are given medication, ask about when and how to take it, how it works, and if there are any side effects. If you are still unsure, ask your caregiver to help get answers.

**Try to learn...**

- What it is called.
- Whether it can be taken as a pill or liquid.
- If there are side effects.
- How long you have to take it.
- If you should take it with food.

## SEXUALITY

The decision to have sex or not is personal and important. Some of the reasons for waiting to have sex are: you may not be ready, you don't want to get pregnant or get a girl pregnant, and you don't want to get a disease or infection.

If you do decide to have sex, you have the right to get protection to prevent pregnancy, HIV, and other sexually transmitted diseases (STDs). If you aren't sure what method to use (condoms, birth control pills, diaphragms, etc.), ask your caseworker, caregiver, or health care provider, or go to a family planning clinic like Planned Parenthood.

### Services

You may hear the terms "reproductive health care" or "family planning services." These include pelvic exams, pap tests, contraceptives, pregnancy testing, counseling on safer sex and sexual decisions, treatment for vaginal infections, and testing and treatment for HIV and STDs.

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**You have the right to give consent for all of these services.** You do not need to ask your parents or your caregivers for their consent when you need services. You do not have to tell others about your choices. This information is confidential.

When you turn 12 years old, your caseworker will send your caregivers a “family planning notice” each year you are in foster care. This letter says that you have the right to get information and counseling about sexuality if you ask for it. You may also receive a letter.

As part of routine health care, all females age 12 and older have the right to have a gynecological examination if they are thinking about becoming sexually active, have been sexually active, or are having problems with their period (menstruation). A family nurse practitioner or an OB-GYN doctor will do this exam.

### **Pregnancy**

**Young women...**If you think you are pregnant, you will want to know for sure. You can get tested by your health care provider or by an OB-GYN, clinic, or a family planning clinic like Planned Parenthood. You can ask your caregiver or caseworker where to go for testing, but you don't have to. You have the right to go by yourself or with a friend.

If you are pregnant, you will have to decide what to do. You are not required to tell others about being pregnant, but it might help you to talk to an adult you trust. Family planning clinics provide counseling; your caseworker is required to give you information about this service.

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**In counseling, you can talk about your options if you have the baby...**

- It may be possible to have your baby with you in foster care.
- Sometimes both the mother and her baby are in foster care, but they don't live together.
- A relative may take care of your baby while you are in foster care.
- You can give the baby up for adoption.

You can talk about **establishing paternity** with the baby's father and whether he will help care for the baby. Paternity is established through a comparison of blood samples of the father and the baby.

**THE GROWING UP HEALTHY HOTLINE GIVES INFORMATION ON PREGNANCY CARE AND FAMILY PLANNING. THE TOLL-FREE NUMBER IS 1-800-522-5006. YOU CAN CALL 24/7 AND LISTEN IN ENGLISH, SPANISH, AND MANY OTHER LANGUAGES.**

It is very important to get regular health care while you are pregnant (prenatal care). Without care, your baby may be born very small or may not develop normally, and you both may have medical problems. You can get prenatal care – regular check ups – from your health care provider, OB-GYN, or other programs.

You may decide to end the pregnancy (have an abortion). The law says that you do not have to report this to your parents, caregivers, or caseworker.

**Young men...** If you are about to become a father, you will have many important decisions to make. As the baby's father, you have certain rights and responsibilities to see and help take care of the baby. You may also have to pay child support.

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You should establish paternity through Family Court to prove you are the father. The blood test can also tell if you are **not** the father. The baby's mother can go to court to prove paternity if you say you are not the father.

### **Emergency Contraception**

Sometimes youth have unprotected sex. They may have been forced to have sex. They may have forgotten to take their birth control pill, or perhaps a condom broke. Whatever the reason, a way to prevent pregnancy is to use emergency contraception (EC) right away. EC is a high dose of birth control pills. EC does not end a pregnancy. Instead, it works to prevent it before it happens. You can learn about EC from a doctor, family planning clinic, or from your health care provider.

### **Sexually Transmitted Diseases**

**You could get a sexually transmitted disease (STD) if you have sex and don't use protection.** At first, you may not even know you have an infection or disease. As the illness gets worse, it can make you feel very uncomfortable and even in pain. If untreated, some STDs can lead to very serious medical conditions. Some cause permanent damage and can make it difficult or impossible to have a baby or father a child (sterility). Syphilis, gonorrhea, genital warts, and chlamydia are STDs that are easily treatable if caught early.

Remember, STDs are passed through sexual activity. You and your partner should both be tested.

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Each year, American youth under age 20 experience nearly four million sexually transmitted infections (STIs).<sup>1</sup> In the United States, half of all new HIV infections occur in people under age 25; one-fourth in people under the age of 21.<sup>2</sup>

If you are sexually active, it's a good idea to get tested at least once a year to be safe and sure. Talk to your health care provider about how to get tested.

The best way to avoid any STD is to **always use a condom** (and other forms of protection, such as the female condom or dental dam) when you have sex, and to be selective about your partner.

“ We need more education on STDs because there is so much that we need to know. ”

## Websites & Other Resources

**Advocates for Youth** [www.advocatesforyouth.org](http://www.advocatesforyouth.org)

Helps young people make informed, responsible decisions about their reproductive health and sexual health. In English, Spanish, and French.

**Ask Beth** [www.ppsp.org/askbeth/askbeth.html](http://www.ppsp.org/askbeth/askbeth.html)

Female sexual health issues, including medical concerns, infections, pregnancy, and birth control.

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<sup>1</sup> American Social Health Association. Sexually Transmitted Diseases in America: How Many Cases and at What Cost? Menlo Park, CA: Kaiser Family Foundation, 1998.

<sup>2</sup> Office of National AIDS Policy. Youth and HIV/AIDS 2000: A New American Agenda . Washington, DC: White House, 2000.

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**Emergency Contraception** [www.not-2-late.com](http://www.not-2-late.com)

Preventing pregnancy after unprotected sex. In English, Spanish, and French. Hotline: 1-888-Not-2-Late (1-888-668-2528)

**I Wanna Know** [www.iwannaknow.org](http://www.iwannaknow.org)

Answers questions about teen sexual health and STDs, including puberty, “sex on the brain,” prevention, and a parent’s guide.

**It’s Your (Sex) Life** [www.itsyoursexlife.org](http://www.itsyoursexlife.org)

A teen’s guide to safe and responsible sex; topics include pregnancy and contraception, HIV/STDs, and communication.

**Sex, Etc.** [www.sexetc.org](http://www.sexetc.org)

Sex-related topics, including girl’s health, guy’s health, GLBTQ (*see Glossary*), teen parenting, abortion, adoption, and body image.

**Teenwire** [www.teenwire.org](http://www.teenwire.org)

Teen issues, interactive contraceptive information, sexuality, and relationship information.

**Sexual Orientation**

Each person has his or her own “sexual orientation.” Some young people are straight or heterosexual and are attracted to the opposite sex. Some are **gay, lesbian, bisexual, transgender, or questioning** their sexual identity (GLBTQ). People who are gay (male) or lesbian (female) are attracted to others of the same sex. Bisexual refers to being attracted to people of both sexes. People who are transgender feel they don’t fit into the socially accepted definitions of male/female gender and may want to be like the opposite sex. Some people wear the clothes of the opposite sex (cross-dress).

Telling someone about your sexual identity is your choice. Ask your caseworker to explain the policy on confidentiality before sharing that information.

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You have the right to be safe emotionally and physically in your foster care placement and in school. No one should be allowed to hurt you or call you names because of your sexuality. Let your caseworker know if this is happening to you.

You may need to talk to someone about questions you have. Your caseworker must help you get services if you need them. Services could be counseling with someone trained to work with GLBTQ young people or other special programs just for GLBTQ youth.

If you still feel that you are being treated unfairly, talk to your law guardian. Remember, conversations with your lawyer are totally confidential. If you are in immediate danger, call 911. You have the right to find another counselor, law guardian, or health care provider if you feel they don't accept you because of your sexual orientation.

### **Websites & Other Resources**

#### **The Hetrick Martin Institute**

401 West Street

New York, NY 10014

Phone: (212) 674-2400

Offers classroom for gay youth and resources and expertise in addressing gay youth issues.

#### **LGBT Youth of Color** [www.youthresource.com/feat/poc](http://www.youthresource.com/feat/poc)

Provides links for Asian/Pacific Islander, Native American, African American, Latino and Latina LGBT youth. Also provides a link to Two Spirit Youth Online Club for Native American LGBT youth.

#### **PFLAG** [www.pflag.org](http://www.pflag.org)

1101 14th. Street, N.W. Suite 1030

Washington, DC 20005

The National Office for Parents and Friends of Lesbians and Gays

Phone: (202) 638-4200

E-Mail: [PFLAGNT@aol.com](mailto:PFLAGNT@aol.com)

“

I like the school section because it explains how you can get help when you need it.

”

## SCHOOL

### Going To a New School

Most likely, you will need to attend the school in the neighborhood where you are placed. Some placements have schools right on the agency grounds. If the school is different from the one you have been attending, your caseworker will request your school records. Your caregiver or caseworker will help you enroll in the new school. You have the right to start going to your new school right away even if your records aren't there yet.

### Getting Help

If you are behind or ahead of the work in class, let your teacher know. If you need help to catch up, ask about getting a tutor.

Some youth have special learning needs. Once they are tested to see where they need help, they are eligible for **Special Education** services at their school. An Individual Education Program (IEP) will be set up for the student and it will be reviewed at a yearly meeting (“review”) with the school’s Committee on Special Education (CSE). The student, caregivers, parents, and others should attend the meeting to approve the plan.

### Attending School

New York State law says that you must attend school until the end of the school year in which you turn 16, or 17 in New York City. All youth in foster care must attend school every day that school is

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open. You may be absent if you are sick. In fact, if you have certain illnesses, you may have to stay out of school until you are better. You may be absent when you have an appointment with a health care provider, dentist, counselor, law guardian, or the court. If you want to be absent for any other reason, your caregiver or caseworker must approve the absence ahead of time. Remember to follow the rules of your school about giving written excuses for your absence.

### **Punishment in School**

Corporal punishment (physical force) is **not** allowed in schools in New York State.

#### **School staff can use “reasonable physical force” to...**

- Protect themselves.
- Protect another person from physical injury.
- Protect school property.
- Restrain or remove a student when a student is disruptive and refuses to stop.

### **Suspension**

#### **You can be suspended from school for behaviors like...**

- Talking back to a teacher.
- Fighting.
- Damaging or destroying school property.
- Breaking school rules.

- 
- Disobeying a reasonable order given by school staff.
  - Possession, use, or sale of drugs or alcohol on school grounds.
  - Possession of a weapon or an object that can be used as a weapon.

**You cannot be suspended for...**

- Truancy (skipping school).
- Hairstyle.
- Clothing, except when it creates a major disruption, is a health or safety hazard, or has an obscene message.

**GET THE SCHOOL'S  
HANDBOOK AND  
LEARN THE RULES  
AND YOUR RIGHTS.**

**Searches & Seizures**

Your school **can search** your locker at any time. School staff can also search your book bag or purse if they have reasonable cause to think you are breaking the law or a school rule. Reasonable cause is based on specific information, not just a hunch or feeling.

**“ I am my own person and I want to choose my own religion and not have someone choose it for me. ”**

**RELIGION AND CULTURE**

It is important that you feel comfortable where you live. Talk to your caregivers if you want to attend church services or practice your religion in another way. Talk to them about the things you do to express your culture – like not eating certain foods, or celebrating special holidays, like Kwanzaa. Even if your caregivers have different beliefs, they should support your choices and traditions.



# 5

## LEAVING FOSTER CARE

“

Sometimes you don't know what to do after care and need to start planning. This handbook can help you.

”

### PLANNING FOR YOUR FUTURE

While you are in foster care, there is a plan for your future. The plan has a permanency goal for where you will live after you leave foster care.

#### These are the different goals...

- Return home to your family.
- Live with a relative or friend.
- Be adopted.
- Independent living with permanency resources.
- Adult residential care.

You have the right to know your permanency goal. Your caseworker should talk to you one-on-one and in Service Plan Review meetings about your options when you leave foster care. You have the right to participate in the plan for your future.

- 
- If your goal is to **return home to your family**, you are supposed to return as soon as possible but at least within 15 months of entering foster care. Sometimes this doesn't happen. You have a right to know why you are not returning home if that is your goal.
  - Your goal may be to **live with a relative or adult friend**. A relative or friend may or may not be given legal custody or guardianship.
  - Your goal may be **adoption**. No matter how old you are, you can be adopted. Your foster parents may be able to adopt you, or you may be adopted by another family. If you are 14 or older, you must give your consent to be adopted. But even if you have refused adoption in the past, your caseworker may continue to talk to you about your interest in being adopted so that you have the opportunity to change your mind about being adopted.

Youth 18 and older have the right to consent to their own adoption; there is no need for legal action to terminate their parents' rights.

- Your goal may be **independent living with permanency resources**. If you are 14 or older, you may have this goal. The section starting on page 52, Leaving Foster Care/Discharge to Independent Living, talks about planning for this goal.
- Your goal may be **discharge to adult residential care** if you need specialized services from agencies like the Office of Mental Health or the Office of Mental Retardation and Developmental Disabilities.

### **Adult Permanency Resources**

If you have the goal of independent living with permanency resources, your caseworker must help you identify and establish a relationship with an adult that you like and respect – someone who

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is willing to give you guidance, advice, and emotional support as you make the transition from foster care to self-sufficiency. Of course, your local district would need to make sure that this adult is an appropriate resource for you.

These adults, who are called “adult permanency resources,” could be members of your family – like grandparents, older siblings, aunts, uncles, and cousins. Or they could be current and former foster parents, neighbors, parents of close friends, agency staff, group home staff and childcare staff, teachers, coaches, or mentors from school, work, summer camp, and after school programs.

## **LIFE SKILLS SERVICES**

Developing life skills or skills in daily living, such as knowing how to cook, clean, and problem-solve, are important so that you can make a successful transition to adulthood.

No matter what your permanency goal is, if you are 14 to 20 years old and in foster care, you must receive instruction in life skills.

### **Life skills services give youth help in...**

- Forming and sustaining positive relationships.
- Problem-solving/decision-making/goal planning.
- Preventive health and wellness.
- Education and supports.
- Vocational/career planning.
- Employment skills.
- Budgeting and financial management.
- Housing.
- Home management.
- Accessing community resources.

The agency is required to give you a monetary stipend when you are actively participating in life skills activities. Stipend payments must be suspended for any period of time that you are not actively participating in your life skills services.

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## LEAVING FOSTER CARE/ DISCHARGE TO INDEPENDENT LIVING

### Planning for Discharge

To help plan for your discharge from foster care, the agency must send you a written notice 90 days before the planned date of discharge if you are being discharged to independent living. The agency must also list the people, services, and agencies that can help you in your transition to self-sufficiency. The agency must help you make contact with them.

The agency does not need to send the notice to a youth who has left foster care without consent and has been absent from the placement for at least 60 days.

### What Needs To Be in Place When You Are Discharged?

To provide for your safety, permanency, and well-being after discharge, your caseworker will help you to...

- Have an adult permanency resource – a relative, foster parent, agency staff, teacher, or other adult – that you can go to for emotional support, advice, and guidance.
- Have sufficient money to pay for rent and other expenses, or have a referral to Temporary Assistance for an eligibility determination, if needed.
- Know that after discharge, until you turn 21, you can receive services –financial, housing, counseling, employment, education, and other support services that help you make the transition to self-sufficiency – and have the name/telephone number of the worker to contact if you need help after discharge.
- Have health insurance, including dental care, and insurance for mental health services and medications. Your eligibility for

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Medical Assistance will continue when you are discharged from foster care until you receive legal notice that your eligibility must be redetermined or has been discontinued.

- Have important documents, like your birth certificate, Social Security card, medical records, and education records, or have arrangements to receive these documents.
- Know ways to handle safety issues and situations.
- Have arrangements with community-based services.

### TURNING 18

Youth can stay in foster care until their 21st birthday. To stay in foster care after age 18, you must give your consent to remain in foster care **and** you must be in school, or in college, or regularly attending a vocational or technical training program, or lack the skills or ability to live independently.

### Trial Discharge

Before your final discharge from foster care, you will have a period of trial discharge. DSS must offer a trial discharge period for at least 6 months. Under certain circumstances, the trial discharge period may be extended until you reach 21.

During the trial discharge period, even though you will be living on your own in the community, DSS will still have custody. The purpose of trial discharge is that if you become homeless, the agency has to find housing for you or give you the opportunity to re-enter foster care. **If you are 18 or older and not on trial discharge, you cannot return to foster care.**

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### **A trial discharge is required for...**

- All youth being discharged to independent living with permanency resources.
- All youth age 16 and older who have been in foster care for 12 out of the past 36 months.

**Casework contacts.** During this time, your caseworker should meet with you at least once a month. If you are over 18 and attending an educational or vocational training program at least 50 miles away, the caseworker may contact you by telephone or mail.

### **Supervision until 21**

The agency must also provide supervision and services to:

- Youth discharged to independent living with permanency resources.
- Former foster care youth who remained in foster care until 18 years of age or older, until they reach 21.

During the period of “Supervision Until 21,” youth are no longer in the custody of DSS. However, as long as you are under the age of 21, you may be eligible for such services as financial, housing, counseling, employment, education, and other supports needed to make a successful transition to adulthood. The agency must give you the name and phone number of the person to contact if you need services.

### **Housing Services**

Youth being discharged to independent living with permanency resources may be eligible for the following housing services...

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**Preventive housing subsidy services.** Youth who have been in foster care for at least 90 days and are being discharged to independent living, may be eligible for a preventive housing subsidy of up to \$300 a month for 3 years if they are prepared for discharge and need assistance with housing rent payments.

**Chafee Room and Board Services.** Youth 18 through 20 years of age may be eligible for Chafee Room and Board Services. Under this program, youth may be eligible to receive funds for rent, utilities, furnishings, and/or money for security or utility deposits. There are rules related to supervision and sometimes school attendance and employment.

Chafee Room and Board Services may be available at the time of discharge from foster care or at a later time so long as the youth is still under 21 years old. Not all local DSS districts offer this program. Check with your caseworker to see if it is available through your DSS.

**Section 8 housing.** Youth who are 18 – 21 years old and preparing for independent living may also qualify for a Section 8 rental assistance voucher. Your local Public Housing Authority (PHA) can give you information on this and other public housing assistance if you are eligible. Your caseworker, along with the PHA, should be able to help you fill out the applications to obtain these services.

## **Health Care**

Before leaving foster care to live on your own, your agency must arrange for you to have a complete physical examination (unless you have had one in the past year) and follow-up care, if needed.

You have the right to receive the results of the examination and have them explained to you.

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### **The agency should also...**

- Talk to you about the importance of continuing medical care, such as treatments and medicine that you take.
- Help you continue seeing your health care provider, or find a new one if you are moving away.
- Send your medical records to the health care provider. You will be asked to sign a form to give your permission.
- Help you continue receiving mental health treatment, if you need it.
- Tell you about and help you apply for Medicaid and the Child Teen Health Plan to pay for your health care

After discharge, you have the right to get your medical records from the agency and from your health care provider.

### **EMANCIPATION**

You may hear about someone being emancipated. A minor is emancipated if legally released from the control of his or her parents and granted some or all of the legal rights of an adult. New York State law does not permit the emancipation of minors under age 18. Youth under 18 are not emancipated when they are in foster care or if they have run away from home.

### **GOING TO COLLEGE**

Decide if you want to go to college. No matter how old you are, you can have the goal of going to college. Being in foster care should not change that goal. Make sure your caseworker knows that you want to go to college. Staying in school and seeking more educational or vocational training opportunities will help you achieve success and self-sufficiency.

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There are many different kinds of colleges in New York State. The public State University of New York (SUNY) system has two-year community colleges and four-year colleges around the state. New York City has the public City University of New York (CUNY) system. There are also private four-year colleges, career and technical schools, trade schools, and certification programs.

Ask your caseworker for help in filling out applications and figuring out how to pay for college. Be sure to ask about the federal Education and Training Voucher program, which may help pay for your costs in college (see page \_\_ for a description of the program).

If you go away to college, DSS may make payments toward room and board when you are in the custody of DSS and attending college away from your foster care setting. These payments may be made only for room and board. The amount cannot be more than DSS would pay to a foster parent or agency for your care.

### **Getting Ready To Apply**

To be admitted to college you will need to take exams, fill out college applications and financial aid applications, and visit college campuses, if possible. Start as early as your sophomore year, and plan ahead so you have enough time to complete each step.

### **Here are the main steps...**

- 1) Prepare yourself by taking challenging classes, studying hard, and getting involved in your school and community.
- 2) Talk to your school counselor to learn about colleges and what you need to do to get in. Start during your sophomore year and continue to meet with your counselor.
- 3) Study for the exams you need to take, like the PSAT, the SAT, and ACT exams, and sign up to take them. Your school counselor will give you the information you need.

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- 4) Apply to colleges. It is best to apply to several schools, not just the one you want to get into right now. You can get the application forms from the college websites or by writing for an application. Apply early. Make sure you know the deadline. Most colleges have a January deadline.
  - 5) Apply for financial aid as soon as you can (*see below*). Find information on the financial aid process at [www.fafsa.edu.gov](http://www.fafsa.edu.gov).

### **Paying for College – Financial Aid**

There are three basic types of financial aid: grants or vouchers, work-study, and loans. Grants are like gifts because you don't have to pay them back. Some grants, called scholarships, are based on grades, athletic skill, and other abilities. Work-study is a part-time job, usually on campus, that helps you earn money to pay for your college expenses. Loans must be paid back after you leave college. Most students get a "package" mixing all three types of financial aid.

Apply for financial aid as early as you can. You might miss out on getting money if you wait to apply.

First, learn how to apply for financial aid.

#### **Here are the main steps...**

- 1) Fill out a Free Application for Federal Student Aid (FAFSA). This form is the application to apply for federal student grants, work-study aid, and loans. You may also use this application to apply for most state and some private aid. You can file a paper application by mail (ask your school counselor or public library for a copy), or you can file electronically via FAFSA on the Web, at [www.fafsa.ed.gov](http://www.fafsa.ed.gov). If you apply electronically, you can get help on the website or even live online help.

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## APPLYING FOR FINANCIAL AID TIPS FOR YOUTH IN FOSTER CARE

- Get documentation that proves you are (or were) in foster care. This could be a letter from your caseworker on agency letterhead.
- Get a federal PIN number. This is your electronic access code number, which allows you to sign your financial aid form electronically and access and update your application online. You will need your Social Security number, date of birth, and mailing address to get a PIN. You can get this number at [www.pin.ed.gov](http://www.pin.ed.gov).
- Check the “ward or dependent of the court” box on the application (college or financial aid). Since you are (or were) in foster care, you are an “independent student.” Your foster parents are not your legal guardians for purposes of applying for financial aid.
- Skip the “parental income information” section.
- Ask your caseworker if the agency will pay the application fees, or ask schools if they will waive the fees.
- Ask your caseworker if you are eligible for the federal Education and Training Voucher program (see page 60). You may be able to receive up to \$5,000 a year to attend a college or training program.
- Ask for help. Make sure that your agency knows you want to go to college. When applying for college, get to know people in the admissions office and financial aid office. If people know who you are, they are more willing to advocate for you.

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Check the “ward or dependent of the court” box to indicate that you are in foster care.

Check if the schools you are applying to accept the FAFSA. Federal student aid will be paid to you through your school. The school will notify you by sending you an award letter.

After the first year, you will only need to fill out a Renewal FAFSA.

- 2) Fill out other forms if required. Some private colleges ask for more information. Contact the college to be sure you have what it requires.
- 3) Make copies of anything you fill out.
- 4) Send electronically where possible, or mail the material by “certified mail” at the Post Office.

### **Types of Financial Aid**

**Education and Training Voucher Program.** The new federal Education and Training Voucher (ETV) program was set up for youth who are aging out of foster care to help them get education and training. You may be eligible to receive up to \$5,000 a year in federal funds to attend a college or vocational training program.

Even if you were adopted from foster care after you turned 16, You may be able to get a voucher. If you receive a voucher when

#### **JOINING THE MILITARY**

Youth age 17 in foster care need the consent of their parents or the agency to enlist in the armed forces. If you are 18 or older, you do not need consent.

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you are 21, you may be able to continue getting a voucher until you are 23.

**The voucher money may be used to pay for costs like...**

- Tuition
- Academic support – mentoring, career counseling, tutorial services, exam preparation.
- Books, supplies, computers, fees, clothing, transportation.
- Room and board during school and school breaks.
- Child care for a youth who is a parent.

Ask your caseworker about how to apply for the program. Youth are eligible for the program if they are:

- Eligible for services under the Chafee Foster Care Independence Program (in foster care until age 18, or formerly in foster care and 18-to-21 years old).
- Adopted from foster care after the age of 16.
- Already participating in the ETV program on their 21st birthday, until they turn 23 as long as they are enrolled in a college or vocational training program and are making satisfactory progress toward completing the program.

**State grants**

- Tuition Assistance Program (TAP). TAP awards help pay for tuition if you attend a college in New York State.
- Aid for Part-Time Study. This program gives grants to eligible part-time students enrolled in college.

- 
- AmeriCorps Education Award. This is for students who do community service in exchange for an education award.
  - Higher Equal Opportunity Program (HEOP). If you have had academic problems in high school, you may be eligible to receive help through this program. HEOP may help you with paying for college and tutoring, mentoring, and academic advising if you go to a public college. Ask colleges directly for an application.
  - Scholarships. New York State has many different kinds of scholarships available, like veterans' awards, awards for academic excellence, health care opportunity awards, and others.
  - Assistance under the Vocational and Educational Services for Individuals with Disabilities (VESID) program if you are receiving Special Education services.

### **Federal grants**

- Pell Grant. The amount of this grant depends on whether you are a full-time or part-time student and how much it costs to attend the college. As a youth in foster care, you qualify for this grant.
- SEOG Grant. The federal Supplemental Educational Opportunity Grant is intended for first-time, full-time students with exceptional financial need. As a youth in foster care, you qualify for this grant.
- Federal Work-Study. Money is earned while attending school. It does not need to be repaid. In most cases, jobs are on campus, and students are responsible for finding their own jobs.

**Federal loans.** If you don't get enough money from grants to cover the cost of the college, you can apply for a student loan. You will have to repay the loan, but the interest rate is low.

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- **Stafford Loan.** With a subsidized Stafford Loan, you will not have to pay interest while you are in school or for a “grace period” after you graduate. Then you will need to repay the loan at a low interest rate.
  - **Perkins Loan.** You will need to repay this loan to the school at a low interest rate.

**Private scholarships.** Many organizations like churches, civic groups, youth groups, and community foundations offer scholarships to students. Check with the public library and look in the telephone book for names of organizations. Ask your caseworker too.

### **Websites & Other Resources**

#### **New York State Higher Education Services Corporation (HESC)**

[www.hesc.com](http://www.hesc.com)

A one-stop source for higher education information in New York State.

#### **New York Mentor** [www.nymmentor.edu](http://www.nymmentor.edu)

Information on New York State colleges with a planning tool to help you meet admissions standards.

#### **Mapping Your Future** [www.mappingyourfuture.org](http://www.mappingyourfuture.org)

Planning tools to help you get ready.

#### **New York State Education Department – Higher Education**

<http://usny.nysed.gov/highered/>

Information on different types of financial aid in New York State and how to apply for it. Call toll-free: 1-888-697-4372.

#### **Student Aid on the Web** [www.studentaid.ed.gov](http://www.studentaid.ed.gov)

All you need to know about applying for federal student aid. Website of the U.S. Department of Education. Call toll-free: 1-800-433-3243; for hearing impaired: 1-800-730-8913.



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# GLOSSARY

**This is a list of terms (and what they mean) that are used in this handbook. You may hear many of these terms while you are in foster care.**

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**I like the glossary because it describes words and abbreviations I didn't know.**

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**ACS** – Administration for Children’s Services, the local DSS district for New York City.

**Adult permanency resource** – a caring, committed adult who has been determined by a local DSS to be an appropriate and acceptable resource for a youth. The adult should be committed to providing emotional support, advice, and guidance to the youth to help him or her make the transition to a successful adulthood.

**Agency** – a private agency that arranges placement in foster care and provides other services. Agencies are supervised by DSS.

**AIDS** – Acquired Immune Deficiency Syndrome, a disease that damages the immune system and leads to infections or cancer.

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**Allowance** – money given to the youth by the agency. The local DSS determines the amount and how often it is given.

**Arrest** – Any youth who commits a crime may be arrested. Youth under 16 years old will usually go to Family Court. Youth who are 16 and older will go to Criminal Court.

**Birth parents** – a child’s biological parents, also called natural parents.

**BCIS** – Bureau of Citizenship and Immigration Services, the federal agency that handles immigration to the United States. It used to be the Immigration Naturalization Service (INS).

**Capacity to consent** – an individual’s ability, determined without regard to the individual’s age, to understand and appreciate the nature and consequences of a proposed health care service, treatment, or procedure, or of a proposed disclosure of confidential HIV-related information, as the case may be, and to make an informed decision concerning the service, treatment, procedure, or disclosure.

**Caregivers** – foster parents, group home staff, and childcare staff.

**Case plan** – a plan made by DSS with the youth and family and updated every six months. It includes the services provided to the youth and family and makes clear the activities necessary to reach the goals of the plan.

**Caseworker** – a worker who helps children in foster care with their placement and their plan for the future. The caseworker’s role is to provide for the safety, permanency, and well-being of children and youth in foster care. Caseworkers protect children’s rights and safety, answer questions, and arrange for services for children and families.

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**Chafee Room and Board Services** – money paid for a youth’s living arrangements, including rent, furnishings, security deposit, and other start-up costs. Not all local DSS districts offer this program.

**Child Abuse Hotline** – the number to call when someone suspects child abuse or maltreatment. The call goes to the State Central Register of Child Abuse and Maltreatment (SCR). The number for the general public is 1-800-342-3720.

**Child/Teen Health Plan** – medical standards for children in foster care in New York State. The Plan defines the minimum requirements for services covered by Medicaid.

**Chores** – household jobs that are a normal part of family life, like setting the table or taking out the trash.

**Clothing allowance** – money to cover clothing needs for a child in foster care. Sometimes this is given directly to the youth in foster care.

**Condom** – method for birth control and prevention of STDs.

**Consent & confidentiality** – the right to give consent (say yes or no) for mental health, alcohol and substance abuse, reproductive rights, and HIV services. Information about these topics is confidential.

**Contraception** - protection to prevent pregnancy, HIV, and other STDs. The main methods are condoms, birth control pills, and diaphragms.

**Corporal punishment** – punishing a child by physical force.

**Criminal Court** – the court that handles criminal cases, which involve illegal actions.

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**CSE** - Committee on Special Education, a committee that arranges for Special Education services for eligible students.

**Custody** – legal responsibility for a youth and authority to act in place of the parent, granted by Family Court. The DSS Commissioner has custody of children and youth while they are in foster care.

**Discharge to independent living with permanency resources** – a permanency planning goal to assist foster care youth in their transition to self-sufficiency by connecting them to an adult permanency resource, to help equip the youth with life skills and, upon discharge, link the youth with any needed resources in the community.

**Driver Education course** – a course offered by schools to teach students how to drive.

**DSS** - Department of Social Services, the local public agency that runs a county’s foster care and adoption program. The DSS Commissioner has custody of children and youth while they are in foster care. In New York City, DSS is called the Administration for Children’s Services (ACS).

**EC** – emergency contraception, a high dose of birth control pills. After unprotected sex, EC is intended to prevent pregnancy.

**Education & Training Voucher Program (ETA)** – a federal program set up for youth who are aging out of foster care to help them get education and vocational training.

**Emancipation** – having the legal rights of an adult. Youth under 18 are not emancipated when they are in foster care or if they have run away from home.

**FAFSA** – Free Application for Federal Student Aid, the form used to apply for federal student grants, work-study aid, and loans, as well as some state and private aid.

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**Family Court** – the court that deals with issues of families, children, and youth.

**Family planning services** – reproductive health services like pelvic exams, pap tests, contraceptives, pregnancy testing, counseling on safer sex and sexual decisions, treatment for vaginal infections, and testing and treatment for HIV and STDs.

**Foster care** – care provided to children and youth in the care and custody of DSS. Foster care includes placement with approved relatives, foster families, group homes, residential programs, and other placements for children under the age of 21.

**Foster care settings:**

- **Foster Home with relatives** – the home of relatives who are approved specifically to be a child’s foster parents. This is sometimes called “kinship foster care.”
- **Foster Home with foster parents** – a home with adults who are certified foster parents. This is a family setting where other children in foster care may live. The foster parents may also have biological children of their own.
- **Group Home or Group Residence** – a place to live for youth who need more services or supervision than a foster home could provide.
- **Therapeutic Foster Boarding Home (TFBH)** – a foster home that gives special care to youth with behavioral, emotional, and/or medical needs. The foster parents get special training and support.
- **Agency-Operated Boarding Home (AOBH)** – a family-type home (often for sibling groups, independent living, or mother/child).

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- **Supervised Independent Living Program (SILP)** – an program where a youth, who is still in foster care, learns to live in the community as a self-sufficient adult, often with one or two other youth.
  - **Residential Treatment Center (RTC) and Residential Treatment Facility (RTF)** – a setting where youth with special needs for services and supervision live, usually in cottages or houses, and go to school.

**GLBTQ** – Gay, lesbian, bisexual, transgender, or questioning one’s sexual orientation.

**Green card** – an immigrant visa that allows an alien to become a permanent, legal resident of the U.S. Not actually green, it is the size of a driver’s license.

**Guardian** – an adult who has physical and legal responsibility to act as a parent to a child. Usually, the court grants guardianship to the adult.

**Health care provider** – a doctor, physician’s assistant, or nurse practitioner. Your health care provider does not have to be a doctor as long as he or she is legally able to provide the service needed.

**Hearing** – a session in Family Court when a judge listens to lawyers and caseworkers talk about a case and makes a decision (ruling).

**HIV** – Human Immunodeficiency Virus, the virus that causes AIDS.

**JD** – Juvenile Delinquent, a youth between the ages of 7 and 16 who commits offenses (crimes). The youth may be placed in foster care.

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**JO** – Juvenile Offender, a youth between the ages of 13 and 15 who commits certain serious crimes (like murder, arson, rape, burglary) and is convicted in adult criminal court. The youth must be placed in a secure detention center.

**IEP** – Individual Education Program, a plan set up for a student who receives Special Education services at school.

**Immigrant** – someone who comes from another country and is not a permanent legal resident of this country.

**Immunizations** – shots that protect against certain diseases like measles or chicken pox. All children should get shots according to the NYS Recommended Childhood Immunization Schedule.

**Kwanzaa** – a seven-day holiday that celebrates African family, community, and culture.

**Law Guardian** – the lawyer for a child in foster care.

**Life skills services** – services to help foster care youth and former foster care youth prepare for employment and college or vocational training.

**Medicaid** – public health insurance that helps pay the medical bills for most children in foster care.

**OB-GYN** – obstetrician-gynecologist. An obstetrician is a doctor who specializes in the care of women during pregnancy and childbirth; a gynecologist is a doctor who specializes in the medical care of a female’s sex organs, hormones, and reproductive organs.

**Paternity** – being a father. A youth can establish paternity in Family Court by use of a blood test.

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**Permanency** – having a permanent, stable, safe place to live and grow up.

**Permanency Planning Goal** – a goal that states the discharge plan for a child in foster care.

**PINS** – Person In Need of Supervision, a youth under the age of 18 who is beyond the control of his or her parent. The youth may be placed in foster care.

**Preventive services** – services that are aimed at helping prevent children from being placed in foster care so that the family can stay together.

**Public Health Law** – the laws that govern public health like smoking in public places and handling of food in restaurants.

**SAT**– an exam taken by high school students who are applying to college. The SAT I: Reasoning Test is a three-hour exam that measures verbal and math reasoning skills. The SAT II: Subject Tests are one-hour tests that measure knowledge in a specific subject.

**Section 8** – a program that helps eligible families with money to rent safe, decent housing.

**Search and Seizure** – the right of school staff to search a student’s locker or bags if they have “reasonable cause” to think the student is breaking the law or a school rule.

**Sexual orientation** – a person’s sense of sexual identity such as straight, gay, lesbian, bisexual, transgender, or questioning.

**Service Plan Review (SPR)** – a regular meeting to discuss the youth’s plan for the future, including the permanency goal and any services needed. The caseworker, supervisor, youth, birth parents or other relatives, and foster parents are invited to the meeting.

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**Siblings** - sisters and brothers.

**SILP** – Supervised Independent Living Program, a supervised program for youth who are learning to make the transition from foster care to living as self-sufficient adults in the community.

**Social Security number** – an identifying number that people need in order to work, file a tax return, get a driver’s license, and receive certain public benefits.

**Social worker** – an individual with a bachelor’s degree or master’s degree in social work who works with families and children to provide counseling and other services.

**Special Education services** – Services arranged at school that help eligible students learn better.

**Special Immigrant Juvenile Status** – special status allowing an eligible immigrant who is in foster care and under 18 years old to live permanently in the U.S., work legally in the U.S., get financial aid for college, and receive some public benefits.

**STD/ STI** – sexually transmitted disease/sexually transmitted infection, a disease/infection spread through sexual activity. Examples are syphilis, gonorrhea, chlamydia, and HIV.

**Stipend** – money provided to youth who participate actively in the agency’s life skill services (independent living) program.

**Substance abuse** – addiction to alcohol and/or drugs.

**Suspension from school** – a decision by a school that a student must stay away from school for a certain period. Schools can suspend students for certain behaviors like breaking school rules, fighting, and having a weapon on school grounds.

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**Supervision until 21** – supervision and services (financial, housing, counseling, employment, education, and other support) that must be provided to any youth discharged to independent living or youth who remain in foster care until 18 years of age or older, until they reach 21.

**Trial discharge** – a period of time (at least 6 months) when a youth in foster care is living on his/her own in the community, before final discharge from foster care. During trial discharge, DSS still has custody of the youth.

**Truancy** – staying away from school without permission.

**Trust fund** – money that is kept aside in a special account by an adult for a child’s future use.

**Visiting plan (visitation)** – a plan for visits between youth in foster care and their family, specifying how often, how long, where, who, and whether the visits must be supervised.

**Vocational training program** – a program offered by a school, college, or business that trains people in skills for a certain job (vocation).

**Working papers** – a form that states that a youth is old enough to work. This form is available from schools.

## IMPORTANT CONTACTS

**Caseworker** \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

**Supervisor** \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

**Law Guardian** \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

**Foster Parent** \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

**Health Care Provider** \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

**Dentist** \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

**Counselor/Therapist** \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_





**New York State  
Office of  
Children & Family  
Services**

Capital View Office Park  
52 Washington Street  
Rensselaer, NY 12144-2796

Visit our website at:  
**[www.ocfs.state.ny.us](http://www.ocfs.state.ny.us)**

For child care, foster care and  
adoption information, call:  
**1-800-345-KIDS**

To report child abuse and  
neglect, call:  
**1-800-342-3720**

For information on the  
Abandoned Infant Protection  
Act, call:  
**1-866-505-SAFE**

For information about services  
for the blind, call:  
**1-866-871-3000**  
**1-866-871-6000 TDD**

**State of New York**  
George E. Pataki, Governor



**Office of Children & Family Services**  
John A. Johnson, Commissioner

Pursuant to the Americans with Disabilities Act, the New York State  
Office of Children and Family Services will make this material available  
in large print or on audiotape upon request.

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