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## California Fostering Connections to Success Act (AB 12) Extending Foster Care Benefits FACT SHEET

### Summary

The California Fostering Connections to Success Act was signed into law September 30, 2010 through Assembly Bill (AB) 12. This legislation recognized the importance of family and permanency for youth by extending benefits for AAP, KinGap and foster care. Effective January 1, 2012, the bill allows eligible 18 year olds in foster care to remain in foster care up to age 19 years. Starting January 1, 2013 foster youth can remain in foster care up to age 20 and starting January 1, 2014 up to age 21 contingent upon budget appropriation by the state legislature. Youth over age 18 in foster care are designated as “non-minor” dependents.

### Goals and Benefits

- Enables youth to maintain a safety net of support while experiencing independence in a secure and supervised living environment.
- Extended time as “non-minor” dependents will allow youth the opportunity to become better prepared for successful transition into adulthood and self-sufficiency if they participate in qualifying education and employment training.

### Basic Eligibility Requirements

- At the six month hearing prior to youth turning age 18, the social worker/probation officer must have a plan to ensure the youth meet at least ONE of the following criteria on or after January 1, 2012:
  - 1) Completing high school or equivalent program (e.g. GED); OR
  - 2) Enrolling in college, community college or a vocational education program; OR
  - 3) Employed at least 80 hours a month; OR
  - 4) Participating in a program designed to promote or remove barriers to employment; OR
  - 5) Unable to do one of the above requirements because of a medical condition.
  - 6) Probation youth who are in a foster care placement will be eligible to remain in foster care under AB12
- Foster youth must sign an agreement to reside in an eligible placement location and agree to work with social worker to meet goals of the Transitional Living Plan.
- Foster youth must decide by age 18 whether to continue in foster care; if not, youth must request through the courts to have their dependency terminated.
  - If the youth requests termination of their dependency, the court may establish a trial period of independence until youth turns 21 year of age.
  - During this time, the youth can decide to re-enter foster care.

## **Foster Placement Options**

- Eligible placements options for youth after age 18 include:
  - 1) Remain in existing home of a relative or NREFM; licensed foster family home; certified foster family agency home, or home of a non-related legal guardian (approved by the juvenile court).
  - 2) Group home placement can only continue for a non-minor dependent who has graduated high school if he/she meets eligibility criteria #5 (medical condition).
  - 3) THP-Plus Foster Care (approved).
  - 4) Supervised Independent Living setting (approved). This is a new placement option, which may include an apartment, room and board arrangements, college dorms and shared roommate in a supervised independent living setting. The youth may directly receive all or part of the foster care rate pursuant to the mutual agreement.

## **Kin GAP**

- Youth living with a relative under Kin Gap will be eligible for extended care under AB12. The relative caregiver will receive the same payment until the youth is 21 years of age, if the guardianship was established when the youth was age 16 or older. Youth with mental or physical disabilities are eligible for extended care under AB12, regardless of when they entered KinGAP.
- To be eligible for federal Kin GAP, youth must:
  - 1) be in a foster care placement,
  - 2) have lived with an approved relative for at least 6 months,
  - 3) have a kinship guardianship established with that relative by juvenile court,
  - 4) have his or her court case dismissed by either the dependency court or the delinquency court.

## **Additional information**

- Youth who are custodial parents have the same rights to participate in foster care after age 18 as all other youth.
- Youth who are consumers of the Regional Center services can continue to receive dual agency and supplemental rates.
- The caregiver rates are in the process of being determined.

This fact sheet summarizes the key elements of AB12 as passed by law. Many supporting and related elements pertaining to implementation of AB 12 are in the process of being determined.

If you have question or need additional information please email: [AB12@dss.ca.gov](mailto:AB12@dss.ca.gov)

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