

KNOW YOUR RIGHTS

WHAT YOU NEED TO KNOW BEFORE LEAVING FOSTER CARE

You have a right to stay in foster care until you turn 21, as long as you are participating in a school or job training program or can't live on your own. There are good reasons to stay in foster care, but you can't be forced to stay in care after you turn 18 if you don't want to. Here's information to consider when making that important decision and planning for life after foster care.

Do you have trusted adults who will be there for you after foster care?

Think about who those people are in your life. If you're not sure, this is a good time to **ask for help in forming those relationships**. This is an important topic to discuss with your caseworker and your lawyer.

Do you have a place to live after foster care?

Before you leave foster care, ACS must help you find a place to live that is safe and stable for **at least one year** after you leave

foster care. The agency is not allowed to send you to a homeless shelter. Here are some housing options:

- **NYCHA public housing:** If you qualify for NYCHA, you were in NYC foster care at age 18 and you apply before age 21, you will receive "priority." This means you will be offered an apartment more quickly than someone without priority. The wait is still long. You can check on your NYCHA application by calling 718-707-7771 or online at selfserve.nycha.info.
- **NY/NY III:** If you are between 18 and 25 and are leaving or have recently left foster care (or you were in foster care more than a year after your 16th birthday) and are at risk of homelessness, you can apply.

Both NYCHA and NY/NY III require you to pay 30% of your income toward rent each month. Because you only pay a part of the rent, this type of housing is called "subsidized."

- **Other housing:** If you get an apartment that isn't NYCHA or NY/NYIII, you can apply to ACS for \$300 a month to help pay the rent, but this help only lasts until you turn 21.

You may also be eligible for up to \$1800 from ACS to help pay for things like furniture and moving expenses. You can apply for this money until age 21 1/2. Your lawyer can explain these options.

Do you want to go to college?

If you go to college outside of NYC, **ACS will help pay for college housing and a meal plan** (called "room & board") while you're in foster care. ACS will cover either the cost of your room & board or the amount it would pay to a foster parent, whichever is less (on average, \$795/month). They may do this until you're 23, if you're in college full-time and have a 2.0 GPA. **ACS also has to give you a place to go during school breaks.**

While you're in care, **ACS may also pay for things like books, activity fees, yearbooks, and SAT preparation classes.** Usually, they will only pay for these if your lawyer gets a court order.

Youth in foster care also qualify for federal financial aid and a number of scholarships. You may also get an ETV, which can pay up to \$5000 per year for education-related expenses (the ETV application is at www.statevoucher.org).

Do you need help paying for clothes?

While you are in foster care, **ACS must pay about \$80/month for your clothing.** They may also pay extra for special clothing, like for graduation or prom. Although this money may be given to your foster parent, you should be responsible for buying the clothing. You are also entitled to an "age-appropriate" allowance, but there is no rule about how much it must be. **If you leave care, you won't get the clothing stipend or any other allowance.**

Do you know how to get health insurance?

All youth who were in the NY foster care system and had Medicaid at age 18 are **entitled to Medicaid coverage in New York State until age 26**, regardless of income or resources. Other states may not provide you with this benefit. Talk to your lawyer if you plan to move out-of-state.

Before you leave care:

- Make sure that you have your birth certificate, social security card, and at least one form of photo ID.
- Review your current credit report with your caseworker or another trusted adult.
- Apply for public assistance and/or food stamps before you leave care if you think you will need it.
- Apply for Social Security Income (SSI) if you think you might be eligible because of a disability.

After you leave care:

ACS is supposed to monitor you until you turn 21, even after you leave foster care. This means that a caseworker should speak to you on a monthly basis after you leave care. The caseworker is required to see you in person at least once every 3 months. If you've had steady housing and income for 6 months, the contacts can be by phone every 3 months. You can also call your lawyer for assistance.

You don't have to speak to the caseworker if you don't want to, but he or she may be able to help you if you need support.

What if I leave and then I want to come back?

If you decide that you want to come back into foster care within 2 years and you are not yet 21 years old, you might be able to do so. You will need to show that you have "no reasonable alternative" to foster care, and you will have to agree to go to school or job training. If you want to come back into foster care, contact your caseworker and your lawyer.

You can reach your lawyer at this number:

Or call 212-577-3512 to get your lawyer's number



MAKING THE CASE FOR HUMANITY

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