



TEXAS FOSTER YOUTH JUSTICE PROJECT

Legal Help for New Beginnings



AGING OUT

FOR YOUTH AND YOUNG ADULTS WITH
EXPERIENCE IN FOSTER CARE IN TEXAS

NINTH EDITION
2024



Toll Free 877.313.3688



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www.TexasFosterYouth.org



THE TEXAS FOSTER YOUTH JUSTICE PROJECT

The Texas Foster Youth Justice Project provides free legal help to people who have experience in foster care or young people who are homeless or do not have any family support. We help people understand their rights, access benefits, and overcome certain barriers that may keep them from supporting themselves. We provide legal information, guidance, referrals, and representation to remove barriers to living independently. We also educate the general public about the legal needs and concerns of foster and homeless youth. Texas RioGrande Legal Aid created the Texas Foster Youth Justice Project in 2007 with the support of the Travis County Women Lawyers Foundation and the Texas Supreme Court's Permanent Judicial Commission for Children, Youth & Families with additional funding provided by the Texas Access to Justice Foundation. The first edition of this Guide was made possible through a collaboration of Texas C-BAR and generous volunteers from Skadden, Arps, Slate, Meagher & Flom LLP.

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INTRODUCTION

As you get ready to leave the foster care system, you may have mixed emotions—ready to become an adult, but scared or confused about being on your own. These feelings are normal for all young adults. Even though you are about to live on your own, you are not alone. There are many people who want you to succeed.

You probably have many questions about leaving foster care: *Where will I live? Can I go to college? How will I pay for school? What if college isn't for me? What type of job do I want? How will I pay bills?*

Without planning, these questions can make you feel nervous and overwhelmed. But, as any responsible adult knows, careful planning is one key to success. It is never too early to plan your exit from foster care. While some of the things you need to do may seem challenging, we want you to know that there are supportive people and groups that are ready to help.

This guide is written for youth in the Texas foster care system who are either U.S. citizens or whose immigration status is legal permanent resident—those who have a “green card”. If you are not a citizen or do not have your green card, you need to be sure steps are being taken to get you a green card. See the **Immigration and Citizenship Issues** section of this guide and contact the Texas Foster Youth Justice Project if you need help.

In this guide, we use the acronyms CPS (Child Protective Services) and DFPS (Department of Family and Protective Services). DFPS is the Texas state agency that works to protect children and vulnerable adults from abuse and harm. CPS is a program of DFPS that manages the foster care system and adoptions. You should know that in some areas of Texas, Community Based Care (CBC) organizations are handling many parts of the foster care system, including placement and case management. Whether your case is being handled by CPS or one of the CBC organizations, the rules they have to follow are the same. You have the same rights and you are supposed to be provided the same supports and services if you are in a CBC region.

Because this guide cannot cover everything and laws are always changing, if you have questions you may talk to your caseworker, Preparation for Adult Living (PAL) staff and the various government agencies to find out how the law applies to you and your plans. In each section of this guide, we provide the contact information for the groups that we discuss. For information on the actual laws, rules, and procedures, please check out the following:

- **Texas Family Code:** www.statutes.legis.state.tx.us (most provisions are in chapters 263 and 264)
- **CPS handbook:** www.dfps.state.tx.us/handbooks/CPS (most provisions in section CPS 10000)
- **Texas Administrative Code:** [https://texreg.sos.state.tx.us/public/readtac\\$ext.viewtac](https://texreg.sos.state.tx.us/public/readtac$ext.viewtac) (Title 40 Part 19)
- **The Texas Foster Youth Justice Project is always available to help you out as well.**

You can find lots of additional, helpful information at www.TexasFosterYouth.org.

Finally, please give us your comments about this guide and tell us about the things you went through as you left the Texas foster care system. We want to know what this guide is missing and how we can improve it in the future.

The Texas Foster Youth Justice Project can be reached at **(877) 313-3688** or **info@texasfosteryouth.org**.



■ **YOUR
RIGHTS IN
FOSTER CARE**

WHAT ARE YOUR RIGHTS IN FOSTER CARE?

Before talking about your exit from foster care, we want to remind you of the rights that you have as long as you are in foster care. The most basic rights protect your general well-being. **You can find a list of your rights while in foster care in Appendix A of this guide and here: https://www.dfps.texas.gov/Child_Protection/Foster_Care/Childrens_Rights.asp.** We also discuss some other rights on the following pages.



Basic Rights

Live in a safe, comfortable and healthy home, with your own place to store your things and where you receive healthy food, adequate clothing, and appropriate personal hygiene products.



Healthcare

Receive adequate medical, dental, vision and mental health care, express your opinion about your medical care, and, once you turn 16, ask the judge for permission to make some or all decisions about your health care.



Free from all abuse

Be free from physical, sexual, emotional, and all other abuse and be free from physical or harsh punishment.



Religious Freedom

Attend religious services and activities of your choice.



Treated Equally

Get to do the activities that other kids your age do, such as sports, school clubs and activities, and going out with friends.



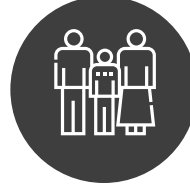
Respect and Safety

Be treated with respect and protected from getting hurt.



Privacy

Make and receive confidential and uncensored telephone calls and send and receive confidential, unopened and uncensored mail, unless a judge or your caseworker does not allow this.



Attend Court

Go to court hearings and speak to the judge about where you are living and what you want to happen to you and your family.

WHAT TO DO IF YOUR RIGHTS ARE VIOLATED

You can talk with a caseworker, Court Appointed Special Advocate (CASA), attorney, teacher, or another adult you trust. If you still feel that any of your rights have been violated or ignored after you have talked with one of those people, or you don't feel comfortable talking about the issue with any of those people, you can file a complaint. When you file a complaint, be sure to include your full name, date of birth and how they can contact you.

Foster Care Ombudsman Youth in Foster Care Under Age 18

File your complaint with the Foster Care Ombudsman—an official who does not work for CPS and whose job is to handle complaints by youth in foster care whose rights have been violated or ignored. Ways to file:

- **Call:** (844)286-0769 (8am to 5pm, Monday through Friday)—
If you have a hearing or speech disability, you can call the toll-free Relay Texas service at 7-1-1 or (800)735-2989
- **Fill out online form:** <https://www.hhs.texas.gov/services/your-rights/hhs-office-ombudsman/ombudsman-children-youth-foster-care>
- **Mail a letter to:** Texas Health and Human Services Commission, Foster Care Ombudsman, MC H-700
PO Box 13247, Austin, TX 78711-3247
- **Fax a letter to:** (888)780-8099

DFPS Office of Consumer Affairs Adults age 18 and Older With Foster Care Experience

File your complaint with the DFPS Office of Consumer Affairs. Ways to file:

- **Call:** (800) 720-7777 (8:00am to 4:30pm, Monday through Friday)—If you have a hearing or speech disability, you can call the toll-free Relay Texas service at 7-1-1 or (800) 735-2989
- **Fill out online form:** www.dfps.texas.gov/Contact_Us/Questions_and_Complaints/OCA.asp
- **Email:** oca@dfps.texas.gov
- **Fax a letter to:** (512) 339-5892
- **Mail a letter to:** OCA/DFPS, PO Box 149030, MC: Y946, Austin, TX 78714-9030

ARE YOUR RIGHTS ARE BEING VIOLATED?

If you or someone you know is being abused, you can call 9-1-1 in an emergency. If it is not an emergency, you can report abuse or neglect by calling: (800) 252-5400 or making a report online at www.TXAbuseHotline.org.

The Texas Foster Youth Justice Project is also available to provide free and confidential legal advice and assistance. Call: (877)313-3688 or e-mail info@texasfosteryouth.org.

RIGHT TO OBTAIN YOUR CPS RECORDS

When you are placed in foster care, the Department of Family and Protective Services (DFPS) keeps a case record. This includes all documents and computer records that DFPS has about you and your placement in foster care. It also includes information from any reports and investigations about abuse or neglect.

Once you are 18 years old, you can request a copy of your CPS records from DFPS. While you can do this on your own, many former foster youth report that they have difficulties getting their records, so it is better to seek the free assistance of the Texas Foster Youth Justice Project at (877) 313-3688. If you want to request your records yourself, you need to fill out Form 4884 Request from Former Foster Youth for Case Records. If you were never in foster care but CPS investigated reports that you were abused or neglected, you need to fill out the Form 4885 Request for Case Records. You can fill out both of these forms online or print the forms and send them in by U.S. mail.

You can find the forms and more information at: https://dfps.texas.gov/policies/Case_Records/personally_involved.asp

You can reach DFPS Records Management by:

- **Email:** records@dfps.texas.gov
- **Phone:** (877) 764-7230
- **Mail:**
Department of Family Protective Services
Attn: RMG (Y-937)
P.O. Box 149030
Austin, Texas 78714-19030

When you fill out the record request form, you will need to list an email address. You must have an email address that you check often because you are sent your records and any notifications by e-mail. Make sure you have written your e-mail password in a safe location so that if you lose your phone or if you must access your email from some other device, you will be able to remember the password. When your records are ready you are sent an e-mail from DFPS Records Management Group, no-reply@nexternal.us, with the subject line that says “*Your request has been completed!*” In that e-mail will be information about accessing your records in the DFPS records portal. **You only have a short period of time to access the records and then your access to them is shut off. So, it is important that you check your e-mail every few days and download the records as soon as they are available.** If the Texas Foster Youth Justice Project represents you and obtains the records, we will take care of accessing the records once they are available, make sure CPS has really given you all of the records you should be getting, and can send them on a USB flash drive so you have a more permanent physical copy to access in the future. If you have a legal need for them, the Texas Foster Youth Justice Project can help you get them more quickly. You may see that some parts of your records are blacked-out (redacted); DFPS has the right to black-out certain information that is considered confidential by state law.

DFPS records are confidential—this means that they are private. In most cases only DFPS staff, your attorney, and CASA may look at your DFPS records unless a court orders that someone else can see them. For example, medical information may be shared with your doctor. Your caseworker might provide some information to your foster parent, your biological parent, and school staff. What is provided should be only what is necessary for your care and education. If someone is considering adopting you, after they have gotten to know you, they will be given a copy of your records. Anyone who looks at any part of your DFPS records must keep it confidential. You may talk to your caseworker about what personal information is being shared with other people.

RIGHT TO PARTICIPATE IN YOUR PERMANENCY PLANNING MEETING

Your caseworker will develop a service plan for you and should talk to you about what should be in it. The service plan is sometimes called your Child's Plan of Service or just your Child Plan. Your foster parent, caregiver, attorney, CASA, and relatives should be asked about what should be included in your service plan. You should be given notice of any scheduled permanency plan meetings and can invite people you identify as family or supportive persons to attend; CPS must let you bring at least 2 people. You should be given a copy of the service plan. The plan should discuss where you live and how you are doing, your health and educational needs, what sort of structure you need at your placement, plans for getting you out of foster care and into a permanent home, and for preparing you for leaving foster care as you become an adult.

RIGHTS RELATED TO CASEWORKER, COURT APPOINTED SPECIAL ADVOCATE, ATTORNEY AD LITEM, GUARDIAN AD LITEM, AND PROBATION OFFICER

As a foster youth, you have the right to contact your caseworker, Court Appointed Special Advocate (usually called CASA)/guardian ad litem, juvenile probation officer, or attorney ad litem (the attorney that represents you in your CPS case), even if you are in a residential treatment center (RTC). You have the right to meet with your caseworker in person on a regular basis and you have the right to report any problems to your caseworker. If you are in a Texas Juvenile Justice Department (TJJD) facility, county juvenile facility, or an adult jail or prison as a foster youth, your caseworker and attorney must check in with you and the court should continue to hold regular hearings and get reports about you.

You are supposed to be appointed an attorney ad litem (attorney) from the moment a court case is filed by DFPS. This is YOUR attorney – they are appointed to advocate for what you want and to take the necessary steps to try to get what you want while you are in foster care. Your attorney is supposed to meet with you before every court hearing, review your records, and participate in all the court hearings. They should treat you the same way they treat any adult client. You are protected by the same rules of confidentiality that protect all clients of attorneys—what

you say to your attorney remains private between you and your attorney unless you give permission to your lawyer to tell someone else. For example, that means that if you tell your attorney that you do not feel safe remaining in your home with your parents, your parents can't ask your attorney what you said. Your attorney will use the information you give to tell to the court what you want. If your attorney believes, based on information you give, that you or someone else will be seriously harmed or a child has been abused or neglected, the lawyer must report this, just like your caseworkers, teachers, and other adults are required to do.

You are also supposed to be appointed a guardian ad litem (GAL) if you enter foster care. Frequently your court appointed special advocate (CASA) is also appointed as your GAL. However, sometimes your GAL is an attorney and sometimes they are also the attorney ad litem representing you. A GAL is supposed to decide what is in your best interest, while your attorney is supposed to advocate for what you want and not what they think is best for you. If you entered foster care after September 1, 2021, you should have an attorney or GAL appointed to your case for as long as you are in foster care. If you entered foster care before September 1, 2021, the judge can dismiss your attorney and GAL if CPS is named your permanent managing conservator (PMC). Some judges will keep your attorney or GAL on your case as long as you are in foster care and extended foster care, even if the law doesn't require them to. It is important to let your attorney and GAL know what you want and need so they can help you let the judge know.

Learn More Here!

- **Understanding the roles of people involved in a CPS case:** <https://www.youtube.com/watch?v=x2O2t3fwBEk>
- **Your Lawyer Works for You - Part 1:** www.youtube.com/watch?v=2K62jeYDeCM
- **Your Lawyer Works for You - Part 2:** www.youtube.com/watch?v=fSjKjST559g

RIGHT TO YOUR COURT HEARINGS

You have the right to get notice of your court hearings, go to your court hearings, and talk to the judge at your hearings. Not only does Texas law give you this right, international human rights law recognizes the importance of youth participating in their court cases. Many youth in foster care have concerns about not attending court hearings. You can find out more information under *CPS Case Court Hearings* at www.texasfosteryouth.org/legal-resources/legal-resources-for-youth/being-in-foster-care and contact the Texas Foster Youth Justice Project for assistance.

During the Pandemic many courts began holding hearings by Zoom. If your court hearing is on Zoom, it should be even easier for you to be able to participate because you do not have to be taken to the hearing or miss school.

A judge is required to review your case at least every six months while you are in foster care or extended foster care and to make sure CPS is doing what it is supposed to do. Court hearings provide the best time to let the judge know about any concerns or unresolved matters and to ask the judge to order CPS to take care of certain matters. If you feel your concerns are not being addressed promptly, don't shy away from politely letting the judge know at the hearing and ask for responsibilities to be assigned and deadlines to be set. For example, if you are not getting to see your siblings or you are 16 years old and don't have your identification documents yet, let the judge know! Be sure to go to the last hearing before you plan to leave foster care so you can ask the judge and your caseworker questions about leaving care, help you can get after you leave, and talk about any other concerns you have. Ask your caseworker about this hearing well in advance so you can be prepared. Also, the court must keep your court case open for at least six months after you leave care; this is called extended court jurisdiction – *you can read more about it on page 15.*

VISITING YOUR BROTHERS AND SISTERS

While in foster care, you generally have the right to visit your family and other people (like teachers, people at your church, trusted adults, and friends). A judge can decide that it is not in your best interest to visit any of these people. Before your final court hearing, you should talk to your caseworker and attorney about asking the judge to give you the right to visit your brothers and sisters after you turn 18 years old. You can also ask the judge to give you these rights at the final hearing, but it is best to work this out with your caseworker and attorney before that hearing.

If you do not know where your brothers and sisters are or have not been given the chance to visit your family (including your brothers and sisters), then you should ask your caseworker, attorney, CASA or guardian ad litem, and judge to provide you with information about them and their whereabouts and why there might be restrictions on you seeing them. Once you leave foster care, Preparation for Adult Living (PAL) staff should be able to help you find siblings who are still in foster care or aged out of care in the last five years or so.

You can find Preparation for Adult Living (PAL) online at:

https://dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Preparation_For_Adult_Living/PAL_coordinators.asp.

You can also contact the Texas Foster Youth Justice Project.

After you turn 18, you also have the right to ask the judge directly to give you the right to visit your siblings as long as CPS is the reason you are separated from them. You will have to show the judge that it is in your siblings' best interest to have visits with you and that visits won't harm them. Contact the Texas Foster Youth Justice Project for help to file a petition for sibling access with the court.

OPEN A BANK ACCOUNT AND SAVE MONEY

You will want to save your own money and have your own bank account. If you are under 18 years old, you will need your caseworker or another trusted adult's help with opening an account. However, the money in your account belongs only to you. You should know that if you are receiving Supplemental Security Income (SSI), you cannot have more than \$2,000 in your bank account or cash. Learning how to save money is an important part of becoming an adult.

You should ask your PAL staff if you are able to open a checking and savings account through the DFPS financial literacy program – it is currently only available in certain regions.

For up-to-date information, see: https://www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/financial_pilot.asp.

See *Checking and Savings Accounts starting on page 101 for more details.*



HEALTH CARE DECISIONS

The judge, your caseworker, attorney, and CASA are all supposed to make sure you can express your opinion about your medical care. There are also special protections about “psychotropic” medicine—those medicines that impact your mood or behavior. If you have concerns or questions, speak up!

CPS cannot admit you to an inpatient mental health facility unless a doctor finds that you have a mental illness or symptoms of a serious emotional disorder and that there is a serious risk of harm to you or others if you are not immediately restrained or hospitalized.

You have a right to see a health care provider about birth control (contraceptives). The decision to provide you with birth control is between you and the provider. Your caseworker, or others, cannot prevent you from seeking birth control. Some forms of birth control, such as over-the-counter contraceptive pills, Plan B emergency contraceptive pills, and condoms don’t even require a visit to a health care provider. If your caregiver will not take you to a health care provider for family planning or tells you that you can’t go, your caseworker must make sure you get to go and help with arrangements to get you there.

Once you are 16, you have the right to ask the judge for permission to make some or all of your medical decisions. Be sure to speak up and tell everyone in your case that you want to do this.

You will need to complete the **CPS Medical Consent Training**: www.dfps.texas.gov/Training/Medical_Consent/default.asp. Completing the training is a good way to show you are mature enough to be making your own health care decisions. If you take psychotropic medications, there is a **Psychotropic Medication Training** you can take to learn more about them: www.dfps.texas.gov/Training/Psychotropic_Medication/default.asp. CPS is required to have a health care professional help 17-year-old youth learn how to manage their psychotropic medications. Being more involved in making your medical decisions will help you prepare to be responsible to handle your health care when you turn 18.

Abortion is currently banned in Texas. However, it is legal to travel to another state to seek abortion care if you are 18 or older or under 18 and have a parent’s permission (parental permission not required in all states).

You should know that if you feel you were harmed by over-medication or other severe mistreatment, you may have a legal cause of action, which means you may be able to sue the person or entity that harmed you. **You must file a lawsuit within two years of turning 18.**

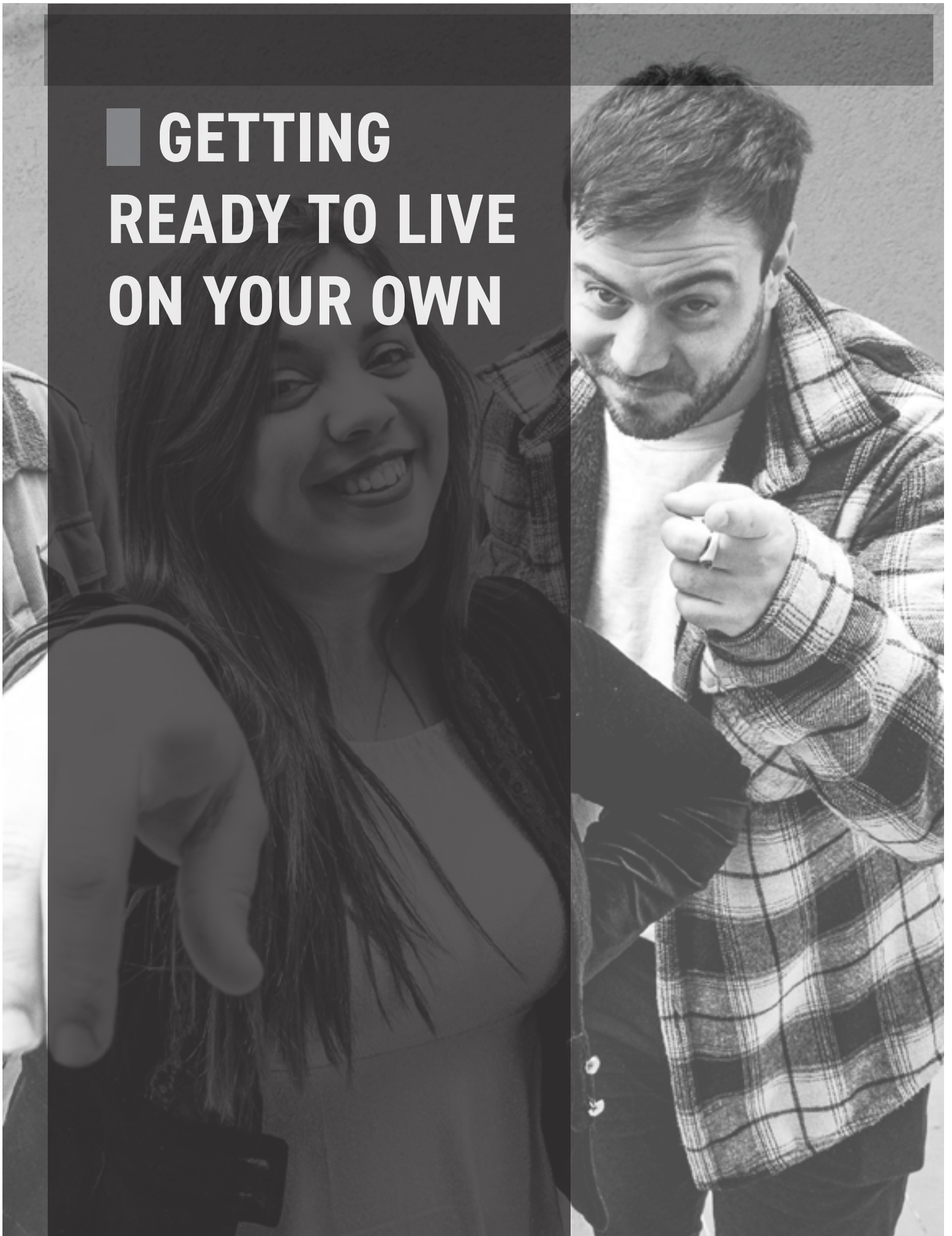
MENINGITIS VACCINATION

Be sure you are getting your meningitis vaccinations—you should be getting them between the ages of 12-16 and you should get a booster when you are 17 years old or older. You will need this to attend a Texas college and it should be free while you are on Medicaid for foster care children and under 20 years old. Once you are over the age of 19, it can be more difficult to get.

Participation in the Adult Living Program (PAL)

If you are 16 years old or older, you may (and should) meet with a PAL staff who will help you prepare for life after foster care. For more information about the PAL program, see **Preparation for Adult Living (PAL) Program** starting on page 17.

■ **GETTING
READY TO LIVE
ON YOUR OWN**





GETTING READY TO LIVE ON YOUR OWN

As the time for you to leave foster care gets closer, you may feel anxious and have many questions—such as where you will live, how you will support yourself, how you can continue to go to school, and what jobs are available. These worries are normal and there is support available to help you get ready to live on your own.

EXTENDED FOSTER CARE

Once you turn 18, you are legally considered an adult and can choose to leave foster care. CPS no longer has control over you. However, leaving foster care may not be the best thing to do. Most young adults, even those who did not age out of foster care, find it very difficult to live on their own. When you live on your own, you have to be able to pay for everything and handle all of the responsibilities. Most young adults really struggle to do this. There is limited, short-term financial assistance available to aged out foster youth. See page 47 for more information about the Transitional Living Allowance and Aftercare Room and Board. Without a stable job and careful planning, you will not be able to pay for important things like rent and utilities.

If you do choose to stay in foster care, or to return to foster care after turning 18, it is called extended foster care. When you are in extended foster care, you will have to follow the rules of the place you live. CPS will no longer have legal control over you; you will get to make your own decisions but must follow the requirements of extended foster care. There must also be an available placement. See Limited Placement Options for Older Foster Youth on page 14. If a placement is lost, CPS might not be able to find you another one.

You can stay in extended foster care from the age of 18 until the last day of the month you turn 22 if (1) you regularly attend high school OR (2) you are enrolled in a program leading to a high school diploma or a high school equivalency certificate (GED).

You can stay in extended foster care from the age of 18 until the last day of the month you turn 21 if you:

- Attend high school or a program leading to a high school diploma or a high school equivalency certificate (GED).
- Attend college or another institute of higher education, or a post-secondary vocational program or technical program. You must be enrolled for a minimum of six credit hours per semester.
- Participate in an employment program or activity that removes barriers to or promotes employment. This category can include a lot of activities. Talk to your caseworker and PAL staff (see page 17) about what things you could do that would help you improve your employment skills.
- Work at a job at least 80 hours a month.
- Are on vacation or breaks between school semesters. You can stay in extended foster care after graduation from high school or completion of a GED program before you start college or another post-secondary program for up to 3.5 months, but you must have plans to start school the next regular session. You can also return to extended foster care during vacation or breaks of your school program that are one to four months long. These breaks are a good time to get jobs, internships, and volunteer experience. You have to begin classes once the next session starts.
- Cannot do any of the above activities because of a documented medical condition. You have a documented medical condition if you receive Supplemental Security Income (SSI) benefits due to a disability.

You must continue to do these required activities to stay in extended foster care; if you don't, you will have to leave foster care. Your caseworker should be meeting with you at least once a month and discussing what you need to do to stay in extended foster care and there should be written plans in place. Let your caseworker and PAL staff know ASAP if you need help getting a job, enrolling in school or a program, or doing one of the above activities.

EXTENDED FOSTER CARE AGREEMENT You must sign an extended foster care agreement to stay in foster care after you turn 18 or return to extended foster care. This agreement explains what you must do to be in extended foster care and that it is your choice to stay in foster care. You are not agreeing to stay in until you turn 21! If you are trying to return to extended foster care, you must be given an opportunity to sign an extended foster care agreement. CPS cannot say you are not eligible to return to extended foster care just because you did not sign the agreement before you were 18.

RETURNING TO EXTENDED FOSTER CARE

You might be able to return to extended foster care after you leave, but there is no guarantee. CPS might not be able to find a placement for you, find one quickly, or find a placement in the area you want to live. Your former foster home may not have a spot open for you. If you have juvenile or criminal history, findings of child abuse or neglect, or a history of behavioral incidents in placements, it may be more difficult to find a placement for you.

If you want to return to extended foster care, you should contact the reentry liaison for extended foster care for your region using the information listed on this website:

https://www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/Extended_Foster_Care/Re-entry_Liaisons.asp.

Or you can contact your regional PAL staff using the information at this website:

www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Preparation_For_Adult_Living/PAL_coordinators.asp. You can also call the Texas Foster Youth Justice Project for assistance.

If you want to return to extended foster care during breaks between school semesters of one to four months, be sure to contact CPS at least one month ahead of time. Don't wait until the last minute!

SUPERVISED INDEPENDENT LIVING

Supervised Independent Living (SIL) is a type of extended foster care placement. In SIL, young adults live on their own while still getting casework and support services. SIL placements can be in apartments, dorms, or houses; there are several SIL providers and they have flexibility to set up the different kinds of SIL placements. Although a caseworker will check in with you at least once every month, there is no foster parent or staff person who will be supervising you 24 hours a day. Depending on what sort of housing your SIL program offers, there may be some onsite staff. In SIL, the cost of the place where you live is paid for by CPS and you are given some money to cover expenses like food and a phone. You have to handle day-to-day needs like preparing your meals, washing dishes, and doing your laundry. If you have a job while in SIL, you get to keep all the money. Since your housing expenses are covered, you can save this money for future big expenses such as housing expenses when you leave foster care or to buy a car. You will probably also find it is helpful to have some extra income to pay for clothes and other things you want because the amount of money you receive to cover your expenses is not a lot.

To be eligible for an SIL placement you must be between the ages 18-20, apply for an SIL placement with your caseworker, and show you are mature and responsible. You also must meet the extended foster care requirement that you work, attend school, participate in an employment program, or have a medical condition that prevents you from doing so.

You can read more about Supervised Independent Living on the DFPS website:

www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/Extended_Foster_Care/supervised_independent_living.asp.

You can see a list of all current SIL contracted providers in Texas here:

www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/Extended_Foster_Care/SIL_Contracted_Providers.asp.

If your SIL program is leasing the apartment or property where you live, state law requires that they let you co-sign the lease so you can develop a rental history. This will make it easier for you to rent housing on your own when you leave foster care.

SIL is popular with young adults, even those who had problems in foster care, because participants have much more freedom. The program provides relief from difficulties young adults face when leaving the foster care system. Several colleges, including many of the Texas A&M campuses, have SIL programs that allow you to live in campus housing just like any other student, which is a great way to have free housing and free tuition with your tuition and fee waiver.

TRIAL INDEPENDENCE

When you leave foster care at age 18 or older, state law requires that you have a trial independence period of at least six months, though the judge can approve up to 12 months. Your caseworker is supposed to ask the judge to order a 12-month trial independence period. During this period you may live independently and receive transitional living benefits such as the Transitional Living Allowance, Aftercare Room and Board, Education and Training Voucher (which you can even get while you are in foster care), transition support services, and Former Foster Care Children's (FFCC) Medicaid. Whether or not you are still in trial independence, you will have the option to return to extended foster care if you meet the rules and a placement can be found for you. Your CPS court case stays open during trial independence. While you can return to extended foster care after trial independence ends, the court case will probably be closed. If the court case is closed, it may make it more difficult to get court assistance and oversight if you are having problems getting transitional services. See [Extended Court Jurisdiction](#) later in this section.

Leaving foster care to go to college and live in the college's dorm is an example of trial independence. If you come back to extended foster care during the summer, you are out of trial independence and back in extended foster care. When you leave again for college in the fall, your trial independence period starts over.

Trial independence can sound confusing—just keep in mind that it is a way of helping young adult foster youth return to extended foster care and get extra help as they transition to independence. Returning to extended foster care during trial independence allows CPS to get financial support from the federal government to pay for extended foster care services, but you should not be limited from returning to extended foster care after your trial independence ends if you are eligible and a placement is available. If you decide you don't want to be in extended foster care and don't want any assistance beyond the benefits available to young adults who have aged out of foster care, nothing will happen. You don't have to do anything except take the necessary steps to receive the benefits and services you want.

LIMITED PLACEMENT OPTIONS FOR OLDER YOUTH IN FOSTER CARE

Unfortunately, placement options for older youth in foster care, particularly those over the age of 18, are limited. CPS and others continue to work on providing more placements for older youth in foster care and young adults. But there may not be a placement available for you if you want to return to extended foster care, especially if you had some trouble in previous placements. You should think carefully about plans to leave care and have enough money and guarantees of future income before you leave your current placement. It is better to save your limited transitional money for a time when you have detailed plans that are well underway. You will have serious challenges if you suddenly move out of foster care with no means to pay your rent and other bills. If you really don't want to stay in your current placement but are open to other foster care options, talk to your caseworker and PAL staff about what other options are available for you. For example, there might be a transitional living program or a Supervised Independent Living (SIL) placement that you could get on the waiting list for or your caseworker could try to find other foster home placements that may be available in the future.

LEAVING FOSTER CARE

When you decide to leave foster care, let your caseworker and PAL staff know at least one month ahead of time. This will give them time to make the necessary arrangements and get your benefits started. Youth who suddenly leave foster care often have difficulties accessing benefits. You can also ask the judge that oversees your CPS case to issue an order that says you are leaving foster care for a trial independence of 12 months, instead of the default of six months.

EXTENDED COURT JURISDICTION

When you turn 18, the court for your CPS case will keep your case open and continue to have power to monitor your case for a limited amount of time. If you stay in extended foster care, the court is required by law to continue to monitor your case. Once you leave foster care, the court still has power over your case for six to 12 months of trial independence. The court has this power over your case during trial independence in case you need court assistance during this time. It also has this power so that CPS can more quickly assist you if you decide to return to extended foster care. If you are not in extended foster care, hearings are not required to take place and you cannot be required to attend any hearing that the court may choose to hold during this time. However, if there are problems or concerns, attending the hearing is a good idea. CPS will not be supervising your situation or maintaining contact with you during this time unless you ask for transitional living services such as the Transitional Living Allowance (“PAL check”), Aftercare Room and Board, Education and Training Voucher, or transition support services. If your trial independence is ending and you do not want to return to extended foster care, you can still ask the judge to keep your court case open until you turn 21 in case you need future court assistance.

The best way to let the court know that you want your court case kept open until you are 21 or that you want a 12-month trial independence is to go to your court hearings and tell the judge. You should also tell your caseworker, CASA, and attorney. You can submit a request in writing to the court. If you submit a written request, be sure to include your full name, address, phone number, the name of the court, and your court case number if you know it. Contact the **Texas Foster Youth Justice Project at (877) 313-3688** if you need assistance or would like a sample written request to fill out and give to the judge.

Remember, at 18 years old you are an adult and are no longer in the legal custody (conservatorship) of CPS. The court can no longer tell you what to do or where to live. Extended court jurisdiction can support your employment or educational goals, address other important needs, and resolve matters that CPS did not take care of, such as providing identification documents and helping you contact your siblings.

If you think you need the court to help you get CPS to provide services or assistance, contact the Texas Foster Youth Justice Project.



CIRCLE OF SUPPORT

A Circle of Support meeting helps you plan for leaving foster care. The Circle of

Support meeting is made up of a group of caring adults you would like to be a part of your support system. These adults could be your foster parents, teachers, relatives, church members, or other mentors. Some youth want to invite biological family members, even parents whose rights have been terminated. This is allowed unless the caseworker determines it is unsafe for them to attend. If you think you are going to go live with family when you leave foster care, you need to let those planning your Circle of Support meeting know and let the judge know you want help to explore that as an option. A Circle of Support facilitator, who is different from your caseworker, will help you plan the meeting and lead the planning process at the meeting. The facilitator will see if you want to invite your attorney and CASA. A PAL staff may also be at the meeting. The group will help you prepare a written transition plan. You have the right to insist that your Circle of Support be planned in advance so those that you want to attend have time to make plans to come or participate by phone. You also have a right to insist that there be follow-up after the Circle of Support on action items, including scheduling another Circle of Support meeting.

PLANNING FOR YOUR LIFE AFTER FOSTER CARE

Once you turn 16, you should meet with your caseworker to begin planning to leave foster care. If your caseworker does not bring up the issue, you should! If you are locked up in juvenile detention or the Texas Juvenile Justice Department (TJJD) and you entered the facility while you were in foster care, you should still receive Preparation for Adult Living (PAL) program services. You are eligible for these services even if you are released after turning 18 and cannot return to extended foster care. Contact **Disability Rights Texas** at **(800) 252-9108** if no PAL services are offered in your facility or you need other assistance while you are locked up. For more information, see Preparation for Adult Living (PAL) Program beginning on page 17.

Your caseworker should also meet with your foster parents or caregivers, attorney, CASA, PAL staff, and transition support case manager. During these meetings, you and your caseworker should figure out the things you need to plan for, talk about staying in foster care after your 18th birthday, and go over what is involved in the PAL program. You and your caseworker will also create your transition plan (more details on the next page) through a permanency planning meeting or a Circle of Support meeting.

Getting a place to live after you leave foster care is often a huge challenge. CPS is required to take steps when you are 17 years old to help prevent you from becoming homeless. CPS should do the following:

- Find out if you can stay at your current placement after you turn 18,
- Help you complete any paperwork for transitional or Supervised Independent Living (SIL) programs at least six months before your 18th birthday, and
- Try to make sure that you are not living in a residential treatment center (RTC) when you are 17.

The restrictions of an RTC make it very challenging for older youth to prepare for a successful transition to life outside of foster care or transitional/supervised independent living programs.

Your PAL staff should complete a housing plan document with you to help you plan for the options you will have after you turn 18 if you choose to remain in extended foster care or exit to trial independence. If you have not completed this form six months before your 18th birthday, talk to your PAL staff or caseworker right away. These are things that should not wait until the last minute.

PREPARATION FOR ADULT LIVING PROGRAM (PAL)

The Preparation for Adult Living (PAL) program is supposed to help with your transition from foster care. You should receive help to learn the skills you need to live on your own as well as case management and limited financial assistance once you leave foster care. DFPS runs the PAL program and contracts with other organizations to provide additional services.

When you hear the acronym PAL, ask for more information about exactly who and what is being discussed. The term PAL is used to describe a lot of different activities and services in which DFPS staff and different organizations are involved. PAL staff are the people who work for the Preparation for Adult Living program and are the main point of contact for services and resources related to transitioning out of foster care, including anything considered part of the Transitional Living Services program.

The PAL program provides services to current and former foster youth who are 16–21 years old. In some cases, 14- and 15-year-olds can receive services as well. The program covers both youth currently in foster care and those who have aged out of care.

INDEPENDENT LIVING SKILLS ASSESSMENT

Before you are 14 and a half or within six months of entering foster care if you are older than 14, a PAL staff must complete a life skills assessment with you. The assessment is called the Casey Life Skills Assessment. It determines how much you know about the different things you will need to do to take care of yourself when you live on your own. You will be asked questions about buying groceries, managing money, taking the bus, and more. Someone who knows you well, such as a foster parent, staff person at your placement, or your caseworker also has to fill out an assessment about you. The assessment will help you, your caregiver, and your caseworker determine your readiness to live independently, what your strengths are, and where you need more training and experience—such as developing money management skills, cooking and cleaning skills, and job skills. You should use this as an opportunity to figure out what else you need to learn so you will be prepared to live on your own. Your caseworker is supposed to update your records each year to show what skills you have learned and what skills you still need to work on.

Unhappy About the Process?

Contact the Texas Foster Youth Justice Project at (877) 313-3688 if you are unhappy about the planning process or if there is no planning underway by the time you are 16 and a half.

How to Contact PAL Staff

You can find the office that serves your area of the state by going to:

https://dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Preparation_For_Adult_Living/PAL_coordinators.asp

or searching for DFPS Preparation for Adult Living online. Contact the office that serves the part of the state where you currently live. If the office tells you that they are not the correct PAL office or does not respond to your questions or assist you, contact state office PAL staff or a youth specialist.

LIFE SKILLS TRAINING CLASS

This is a class that is offered to all foster youth who are 16 and older. Often the class is referred to as PAL or PAL class, although it is only one part of the Preparation for Adult Living program.

The class helps train you to live independently and covers these 6 areas:

- HEALTH AND SAFETY
- HOUSING AND TRANSPORTATION
- JOB READINESS
- FINANCIAL MANAGEMENT
- LIFE DECISIONS AND RESPONSIBILITIES
- PERSONAL AND SOCIAL RELATIONSHIPS

This program covers at least 30 hours of training. Generally, you will go to class for several weeks in the evenings or on the weekends. In some areas of the state, the organization that provides the training may have you come in for a weekend long program or a program that is held for several days in a row during school breaks. This class introduces you to important things to help you start becoming independent, but you must continue to work on these life skills after you complete the class.

If you have any disabilities that are a barrier to participating in the life skills training class or any other programs/ events/services that PAL offers, CPS is required to make appropriate accommodations so that you can participate. If a youth does not speak English and needs an interpreter or class materials in another language, CPS is also required to provide those services.

IMPORTANT! You must successfully complete the work for at least five of the six topics listed above, including financial management, to be eligible to receive the \$1,000 Transitional Living Allowance. You can find more information about Transitional Living Allowance beginning on page 47. Once you leave foster care, it will be too late to take the class and become eligible for this benefit. Contact your regional PAL staff if you have not been scheduled for a class before your 17th birthday or if your placement is not taking you to the class. You can then contact the Texas Foster Youth Justice Project at **(877) 313-3688** if you still don't get into a PAL class.

In some cases, you may be allowed to complete the life skills training class with an independent study guide. Completing the independent study guide involves an adult working closely with you to supervise and support progress through different projects and tasks. While the class provides a detailed learning experience, this is another option if attending the regular class is not possible for you. If you have not completed some or all of the class areas listed above or you are scheduled to leave care and it won't be possible for you to be placed in a class before you leave care, you should request that you be given the independent study guide option. Be sure to plan and ask ahead of time as it will take at least 30 hours to complete the study guide.

FINANCIAL ASSISTANCE

Transitional Living Allowance and Aftercare Room and Board are two forms of financial assistance you may be able to receive once you leave foster care. You can find more information about these benefits beginning on page 47 in the Finding a Place to Live section.

HEALTH CARE BENEFITS

If you are in DFPS custody and receive Medicaid when you turn 18, you qualify for free health insurance until you turn 26. When you leave foster care when you are 18 or older, you should be automatically put on Former Foster Care Children's (FFCC) Medicaid. But you will have to take steps to stay on it until you turn 26. For more information, see the Medicaid and Other Public Benefits section beginning on page 59.

You must complete the PAL class in order to receive the \$1,000 Transitional Living Allowance after you leave foster care.

CASE MANAGEMENT FOR AGED OUT FOSTER YOUTH

Once you leave foster care, you can work with a case manager until you turn 21 who can help you as you transition to independence. A case manager usually works for a private organization that has a contract with DFPS. Different organizations provide services in each region of the state. A case manager can help with the following and more:

- Access public benefits
- Locate housing
- Seek employment and job training
- Apply for college or other education options
- Apply for financial aid
- Plan to successfully live on your own
- Budget your money
- Get a bank account

It will be up to you whether you want to use the services of a case manager. If you need help getting case management services, contact the regional or state Preparation for Adult Living office.

LIVING WITH BIOLOGICAL PARENTS WHEN AGING OUT OF FOSTER CARE

Some youth in foster care plan to return to their biological parents or the person CPS removed them from when they were placed in foster care. Sometimes CPS even places the youth there before they turn 18.

You are in foster care as long as CPS has custody of you, regardless of where you stay. However, if the judge grants custody of you to your biological parent(s) or someone else, or allows someone to adopt you before you turn 18, you will no longer be in foster care. This change can make you ineligible for some benefits. It is complicated and is something you should talk about in great detail with your PAL staff, attorney, CASA, and judge if you are considering leaving foster care before you turn 18.

Even if you age out of foster care, if you live with a biological parent or the person you were removed from by CPS, your Transitional Living Allowance and Aftercare Room and Board might not be paid if CPS is concerned the person you live with is a threat to your health and safety. CPS does not want to give money to someone who is mistreating you.

EDUCATIONAL, VOCATIONAL AND SUPPORTIVE SERVICES

All youth and young adults with experience in foster care can receive assistance from PAL staff, even if they are no longer in foster care or over 18 years old, with the following:

- Obtaining a State College Tuition and Fee Waiver form;
- Information about applying for the Education and Training Voucher (ETV); and
- Help with applying for college or other education options and applying for financial aid.

You can find more information about the State College Tuition and Fee Waiver and ETV beginning on page 31.

Additional services that are available to current and former foster youth based on need and funding availability include:

- Vocational assessments and/or training;
- GED classes;
- Preparation for college entrance exams;
- Driver Education and Obtaining Driver License (see Help with Driver License Education and Getting your Driver License on page 80);
- High school graduation expenses;
- Counseling; and
- Volunteer mentoring programs.



The Texas Foster Youth Justice Project is available to provide free and confidential legal advice and assistance.

Call: (877)313-3688 E-mail: info@texasfosteryouth.org

TRANSITION PLANNING ASSISTANCE

Regional PAL staff should provide important transitional services for youth who are still in foster care. Someone from the PAL program, often called a PAL staff or PAL coordinator, should be available to assist you and your caseworker as you prepare to transition. Regional PAL staff do the following and more:

- Participate in transition planning;
- Explain your foster youth benefits;
- Assist in identifying and accessing regional educational opportunities;
- Provide employment and housing resources;
- Help with problems getting identification documents; and
- Provide guidance in applying for higher education programs and financial aid.

OTHER PREPARATION FOR ADULT LIVING PROGRAM ACTIVITIES

Statewide Teen Conference: The Statewide Teen Conference is held each year at a college campus. Youth who attend must go with an adult sponsor such as your caseworker or PAL staff. The three-day conference includes workshops on issues that foster youth preparing for adulthood have to deal with.

Statewide Youth Leadership Council: The Statewide Youth Leadership Council consists of two current or former foster care youth from each region. The youth give input and a youth perspective for developing policy and programs. They make recommendations to improve services for children and youth.

Regional Youth Leadership Council: Some CPS regions have a local youth leadership council. To find out what is happening in your region, contact your regional PAL staff.

Regional Activities: From time to time, there may be other activities in your area, like teen conferences, college visits, wilderness trips, mentor programs, support groups, job development workshops, and youth forums.

PAL College Weekend: Youth who plan to attend college may participate in two days of workshops, campus tours, and speakers related to attending college. Workshops at the event include information on financial aid, what a college class is like, residence life, and life skills. The event is hosted by Texas A&M University at Commerce.

PEAKS Camp: A four-day camp for foster youth where you focus on building self-esteem, problem-solving, improving communication, and having fun!

Aging Out Seminars/Transitional Living Conferences: A one-day program for foster youth that builds on what you learned in your life skills training classes, including foster youth programs, benefits, resources, and other independent living topics.

If you are interested in attending any of the statewide or regional events or have questions about services or resources, please contact your regional PAL staff and let your caseworker know as well.

Youth Leadership Councils provide an opportunity for you to make your voice and opinions heard!

TRANSITION CENTERS

Transition centers are one-stop places to serve the many needs of older youth in foster care and former foster youth. They also may provide services to other older youth, including homeless youth, at-risk youth, and young adults, sometimes up to age 25. Current and former foster youth can use the transition centers. The transition centers serve as central locations for services such as the Preparation for Adult Living (PAL) program. You can learn important job skills, search for jobs, and explore careers. You can also get help with enrolling in college, flexible high school diploma programs, or GED programs, applying for financial aid and the Education and Training Voucher (ETV), housing, mentoring, and obtaining benefits available to aged out foster youth.

Each transition center offers different services. The best way to find out what your transition center offers is to visit and get to know the staff. As part of planning your transition from foster care, be sure you get to visit your local transition center. Remember, if you move to a different part of the state, there may be a transition center there you can use. Even if you don't live near a transition center, or can't easily get to it, you should call the center and find out more about what they do and how they can help you. Some transition centers can offer services virtually.

What You Can Find At A Transition Center

- Bus passes
- Housing assistance
- Counseling
- ETV and financial aid application help
- Limited case management for former foster youth ages 21 through 25
- Computer labs with e-mail and internet access
- Employment and education assistance
- Aged out foster youth financial benefits
- Case manager staff for aged out foster youth through age 20

GETTING READY TO LIVE ON YOUR OWN

CONTACT A TRANSITION CENTER NEAR YOU

This is a list of current transition centers in Texas at the time this guide was published. There may be new ones or changes to the ones on the list in the future; the number of transition centers has grown in the last few years.

For a list of the most current transition centers, check:

https://www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/transition_centers.asp.

ABILENE AREA

BCFS Abilene Transition Center
(325) 692-0033
www.bcfsd.org/location_regions/abilene

AMARILLO AREA

Buckner Foster Youth Independence
(FYI) Transition Center
(806) 373-1474
www.buckner.org/amarillo

AUSTIN AREA

LifeWorks Youth Resource Center
(512) 735-2425 or
(800) 414-5457
www.lifeworksaustin.org

BEAUMONT AREA

Buckner Foster Youth Independence (FYI)
Transition Center
(409) 833-1971
www.buckner.org/beamont

BELTON, TEMPLE, KILLEEN AND WACO AREA

Central Texas Youth Services:
Project FUTURE
Belton: (254) 939-3466
Harker Heights: (254) 768-2863
Waco: (254) 721-1991
www.centraltexasyouthservices.com

CORPUS CHRISTI AREA

BCFS Corpus Christi Transition Center
(361) 334-2876
www.bcfsd.org/location_regions/corpus-christi/

DALLAS AREA

Transition Resource Action Center (TRAC)
Toll free: (866) 466-8722
or (214) 370-9300
www.traconline.org

EL PASO AREA

El Paso Pride Center
(915) 533-4200
www.elpasohumanservices.org/pride-center

FORT WORTH

Transition Resource Action Center (TRAC)
Toll free (866) 466-8722
or (214) 370-9300
www.traconline.org/

HARLINGEN AREA

BCFS Transition Center
(956) 230-3849
www.bcfsd.org/location_regions/harlingen/

HOUSTON AREA

Houston Alumni and Youth (HAY) Center
(832) 927-7000
www.haycenter.org

KERRVILLE AREA

BCFS Kerrville Transition Center
(830) 896-0993
https://bcfsd.org/location_regions/kerrville/

LONGVIEW AREA

Developing Opportunities, Realizing Success (D.O.R.S.)
YouthTransition Center (ETCADA)
(903) 803-0100
www.etcada.com/transition

LUBBOCK AREA

Buckner Foster Youth Independence (FYI) Transition Center
(806) 795-7151
www.buckner.org/lubbock

MCALLEN AREA

BCFS McAllen Transition Center
(956) 630-0010
www.bcfsd.org/location_regions/mcallen/

SAN ANGELO AREA

Concho Valley Transition Center
(325) 655-3821

SAN ANTONIO AREA

BCFS San Antonio Transition Center
(210) 733-7932
www.bcfsd.org/location_regions/san-antonio/

TYLER AREA

BCFS Tyler Transition Center
(903) 526-0882
www.bcfsd.org/location_regions/tyler/

OTHER RESOURCES

Texas Youth Helpline

Texas Youth Helpline is another place where youth, including youth with experience in foster care, can go for help. You can call or text (800) 989-6884 or chat with someone at <https://www.dfps.texas.gov/youth-helpline/> to get confidential counseling, information and referrals, and help with finding services in your area.

Texas Foster Youth Connections

Texas Foster Youth Connections, found at www.texasfosteryouthconnections.org/, provides information and resources on a number of different topics and issues related to being in foster care, aging out of foster care, and living independently.

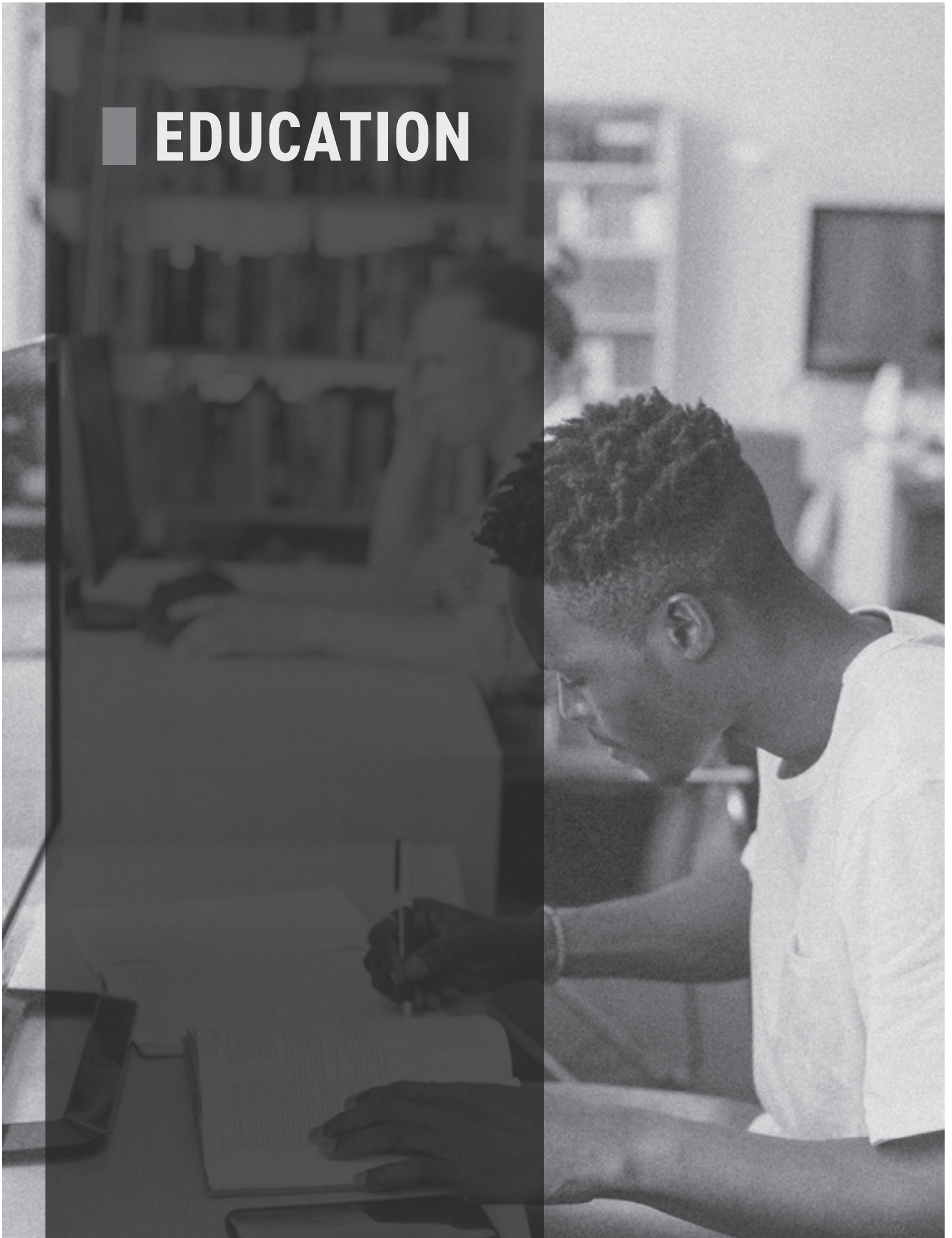
Call 2-1-1

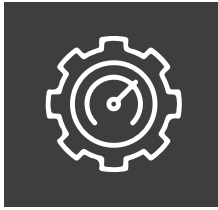
Dialing 2-1-1 is a way to connect with health and human services in your community. You can also visit <https://www.211texas.org/> to access health and human services programs information.

A Home Within

A Home Within offers free counseling services from a licensed therapist for people of any age who have spent at least one day in foster care. Visit www.ahomewithin.org/ to self-refer or refer someone else for counseling services.

■ EDUCATION





HIGH SCHOOL

Finishing high school or earning a GED certificate before you age out of foster care is very important. In fact, this is probably one of the best things that you can do to help yourself prepare to be an adult and improve your employment options, income, and future educational and training opportunities.

There are certain rights you have regarding attending high school even after you turn 18:

- If you are in high school, you can continue enrolling in public high school in Texas up until age 21.
- If you are younger than 21 on September 1st, you can enroll and complete that school year.
- If you are enrolled in high school, you can stay in extended foster care up until the last day of the month you turn 22.

While the school district may limit what schools you can attend based on your criminal record or disciplinary history, you should contact the Texas Foster Youth Justice Project for help and guidance if you are being denied enrollment because of your age or some other reason. Some school districts may have alternative programs to help you complete your high school education. As a youth in foster care, you are also entitled to the following services:

- Credit recovery;
- Accelerated instruction;
- Intensive instruction;
- Free or low-cost summer school classes to make up classes before the next school year begins; and
- Access to the Texas Virtual School Network to help you complete high school more quickly.

You should talk to your school counselor about these services. If the counselor is unfamiliar with these programs, ask to speak to the school district's foster youth liaison or homeless education liaison.

Some other important things to know about foster care and high school:

- When a foster youth moves to a new school, they must be immediately enrolled even if the student does not have their birth certificate or school records.
- You should be able to stay in the same school you were in when you entered foster care and when you change placements unless it is not in your best interest. Your school and CPS are supposed to figure out transportation. If you don't want to change schools, you need to demand help with transportation. However, schools won't be able to help with transportation if your new placement is far away from your school.
- If you change schools due to a change in placement, you cannot be kept from participating in activities or sports because you have not lived there long enough. **The UIL (University Interscholastic League) residency requirements do not apply to youth in foster care.**
- If you are in foster care and you miss school for any of the following reasons, your absence will be excused and cannot be used to deny your course credit if you miss more than 10% of class time due to those hours. It is still important to try to schedule these activities outside of school hours because, even if the absence is excused, you will need to make up the work and you will miss out on what happens while you are gone.
 1. Mental health or therapy appointments for you or your child;
 2. Court-ordered visitation or other court-ordered activities; or
 3. Activities required by your CPS service plan.
- If you are in the 11th or 12th grade when you transfer schools and your new school has different graduation requirements than your old school, you can get your diploma from the new school as long as you meet the requirements of your old school.
- Sometimes when you are in foster care you may miss school because you are forced to move schools or there may be issues related to your placement or your case. Your school cannot refer you to court for truancy (missing school) if you miss school because you are in foster care. The school needs to work with you, your placement, and CPS instead. The same is true if you missed school because you were homeless, were earning money for your family, you had to leave home due to abuse, or are pregnant. However, if you are just skipping school because you did not feel like going (not because of a foster care problem, homelessness, pregnancy, or because you were working), you can still be referred to truancy court. If staff at your school have told you that you are in trouble for missing school, be sure to talk to someone there, like a counselor or teacher, about your personal situation. Truancy is no longer a criminal offense and can only be addressed in a civil court.
- When your placement changes, the DFPS regional education specialists can help with issues like transportation to your old school, delays in enrollment because the school wants documents like your birth certificate, and course credit issues. You or anyone working with you can contact the DFPS education specialist for the area where your school is located - you can find the contact information at: www.dfps.texas.gov/Child_Protection/State_Care/education_specialists.asp.

HOME SCHOOLING

Your foster care provider can decide to home school you unless the court finds it is not in your best interest. If you are not happy with the home school setting because you do not think you are getting the education you should receive or because you want to be in school with other students your age, you need to tell your caseworker, attorney, CASA, and the judge about your concerns. DFPS must review and approve home school programs to make sure it meets your academic and social needs and goals, meets federal law requirements that you be able to remain in the same school you attended at the time of removal or placement change, and whether your Individualized Education Plan (IEP), if you have one, can be carried out in the home environment.

EDUCATION AND STAYING IN FOSTER CARE AFTER AGE 18

Extended foster care, or staying in foster care after you turn 18, is a great way to work on educational goals. You can find more information about extended foster care beginning on page 12. It can be very difficult to complete your education if you are working or struggling to pay for housing and living expenses. There are no financial aid programs to pay for housing for young adults who are finishing high school or completing a GED. Even with financial aid, it can be very difficult to pay for housing and living expenses while you attend college or vocational schools.

INDIVIDUALIZED EDUCATION PLANS (IEP)

If you are NOT in special education, then this section does not apply to you. If you are in special education, then you should have an IEP, or an individualized education plan. If you are a student with learning differences or disabilities and you do not have an IEP, please tell your caseworker, foster parent, CASA, attorney, and school supervisors and request an evaluation to see if you qualify for special education. An IEP has many benefits that you should not miss.

An IEP is an individual education plan for youth in special education. This plan should be specific to each student. Every student who receives special education services must have an IEP to help the student meet his or her educational and social goals. If you are in special education, then your school system should schedule Admission, Review, and Dismissal (ARD) committee meetings to review and revise your IEP.

The ARD committee generally should include:

- You;
- Someone from the school system;
- Your foster parent;
- The person the court has appointed to be your surrogate parent for educational purposes;
- A special education teacher;
- A regular education teacher;
- A person to help explain your evaluation results;
- A person to discuss services that will help you when you leave school; and
- Anyone else with knowledge about you.

You can invite anyone to come to your ARD committee meeting. A surrogate parent could be your foster parent, CASA, guardian ad litem, or other qualified person. Your caseworker, teacher, or residential facility staff cannot be your surrogate parent.

The ARD committee must review your IEP at least once a year. You and your foster parents or surrogate parent should also talk about your IEP throughout the school year. You and your foster parents or surrogate parent can request changes to your IEP at any time.

If you have a severe impairment that limits your ability to work and you want to apply for SSI (Supplemental Security Income), your school records related to special education, including any evaluation results, can be very important to helping to establish your disability and you should request them within four years of leaving school or the school may not have them anymore. See page 68 for more information about RSDI and SSI.

Beginning at age 14, your IEP must list the services that you will need to help you get ready to leave school. These services should focus on your specific needs and interests and can include plans for more education or training, social skills development, and help finding and keeping a job. If you do not feel that your IEP is meeting your goals, you should talk to your caseworker, foster parent, CASA, attorney, and the judge who oversees your CPS case.







GENERAL EDUCATION DEVELOPMENT (GED) CERTIFICATE

If you don't finish high school but still want a high school diploma, you should look into the options your school district and local community have for finishing high school. You can enroll in public schools until you turn 21. If you don't want to attend a traditional high school, your school district or local charter schools may offer alternative programs, including online learning. If you don't want a high school diploma, then you should think about getting a GED certificate. If you are struggling in school, you will probably need to take a lot of classes and study hard to prepare to take the GED test.

The GED certificate shows that you have learned the skills that would have allowed you to graduate from high school. Most employers and many colleges view a GED certificate the same as a high school diploma. People who do not have their GED certificate or high school diploma usually have a harder time finding a job and get paid less than people who have a GED or high school diploma.

Eligibility

You may take the GED test without CPS approval if you are:

-  **AT LEAST 18 YEARS OLD.**
-  **A RESIDENT OF TEXAS**
-  **NOT ENROLLED IN HIGH SCHOOL**
-  **NOT A HIGH SCHOOL GRADUATE**

Taking the GED When You are 16 or 17

If you are 16 or 17, you can ask permission from CPS to take the GED. Your caseworker will have to submit a request for you to take the GED to the regional educational specialist for approval and will have to explain why taking the GED is better for you than getting your high school diploma.

You can find more information in the Texas Foster Youth Justice Project's legal resources section at: www.texasfosteryouth.org/legal-resources/legal-resources-for-youth/education/.

Registration and Costs

The GED exam is offered at many places all around Texas and is also available to take online. You need to make sure you register only at an official GED testing center. There are many dishonest companies pretending to be official test centers, so only choose a testing center listed on the www.ged.com website or register to take an online exam through that website. Test fees are different for each location. Once you choose a testing center, you should ask the center for an application and ask about their fees. To get help paying for GED classes or testing, talk to your PAL staff, transition center staff, transition support case manager, caseworker, Texas Workforce Commission staff, or your regional education specialist. You should check with the place where you will take the test to see what identification and other things you will need to bring when you take the test.

To find more information about testing centers or taking the exam online, visit: www.ged.com

Test Preparation

As with any test, you should study before taking the GED exam. Talk with your PAL staff, transition center staff, transition support case manager, caseworker, the local Texas Workforce Commission office, or your regional education specialist about local programs that provide help in preparing for GED tests.

AFTER HIGH SCHOOL

If you already have your high school diploma or GED certificate—congratulations! That is an impressive and important accomplishment. You have already improved your ability to get a job and earn more money. But, you may not want to stop there.

You have probably heard that people with college degrees or vocational training earn a lot more than those with just high school diplomas or GED certificates. If college or a vocational school interests you, don't be scared of the costs or of going back to school. There are many groups that will help you apply to these schools and there is a huge amount of money available to help students pay for education.

If you have a disability, the Texas Workforce Commission Vocational Rehabilitation Services can help you with education and job counseling, training and job placement assistance, as well as other services after you leave high school. For more information, see Training and Placement Assistance If You Have a Disability beginning on page 39.

To help get you started on planning for life after high school, visit the Texas Workforce Commission (TWC)'s career planning website: <https://lmi.twc.texas.gov/>. This has lots of good information for young people about careers and education/training.

APPLYING FOR COLLEGE AND VOCATIONAL SCHOOLS

If you are thinking about going to a college or vocational school, you must apply for admission. The application process will have strict deadlines. To be sure you don't miss these deadlines and to find out exactly what the schools will need from you, you should contact the admissions department at the schools of your choice as soon as possible. This is important because some types of information, like your social security card, high school

transcripts, a photo ID, or immunization records, may take time to get if you do not already have them. To go to college, you probably need to take either the ACT or SAT standardized tests. Most community colleges will require you to take the TSI, Texas Success Initiative test, to show college readiness if you don't have ACT or SAT scores or your scores don't meet their requirements.

Schools usually want your test scores before the application deadline, which means you need to take the ACT or SAT months before the deadline. Most students take the test in the spring of their junior year or no later than early fall of their senior year of high school. You should speak with your school guidance counselor, foster parent, PAL staff, or caseworker about registering for and taking these tests in time to meet all deadlines as well as any special preparation programs you may qualify for and related fee waivers. While there are many people you can ask to assist you with applications for school and financial aid, it is up to you to make sure you follow up and take care of all the details because nobody will be making sure you do it.

- **See more information about the SAT here:** <https://satsuite.collegeboard.org/>
- **See more information about the ACT here:** <https://www.act.org/content/act/en-texas.html>

Most testing programs and college applications have fee waivers for low-income youth, which includes youth in foster care, so be sure to find out more about fee waivers. If you are in high school, your school counselor should be able to help you waive fees for tests and preparation programs.

VOCATIONAL TRAINING IS ALSO KNOWN AS CERTIFICATE PROGRAMS

You should look for programs at public colleges in Texas where you can use your State College Tuition and Fee Waiver. These are programs that don't require traditional college classes and let you focus only on the type of work you want to do. Many public community colleges have these types of programs as well as private schools. (See page 34).



FINANCIAL AID

Financial aid is money you can apply for that helps pay for college or vocational school. There are many different types of financial aid that you may be able to get. Some aid may be based on need (in other words, based on how much money and income you have or don't have). Other financial aid may be based on grades, test scores, or activities (like music or sports).


There are grants and scholarships that don't have to be repaid, loans that you must repay after you graduate, and work-study programs that let you work part-time at the school. Most Texas foster youth can go to a Texas public college or vocational/technical school for free! See **State College Tuition and Fee Waiver** on page 31.


You should not let money stop you from going to college or vocational school. Besides the tuition and fee waiver, as someone who ages out of foster care, you also have access to Educational Training Voucher (ETV) funds until you are 23 years old (see page 32). There are billions of dollars of financial aid available, but you will need to ask and do some work to find it. The financial aid departments at the schools in which you are interested can help you find these funds.


For more information about searching for scholarships, you can also visit: www.studentaid.gov, www.fastweb.com, or www.collegeboard.org.


Ask your high school counselor about other scholarship search sites and Texas or local scholarship opportunities. You should never have to pay for searching for or applying for scholarships—if you are asked to pay a fee, don't go further. Do not shy away from providing information about having been in foster care or other hardships you experienced while growing up. Many schools and financial programs have assistance available for students like you and want to help.


To apply for financial aid, keep these things in mind:


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Fill out a Free Application for Federal Student Aid (FAFSA) or, for certain immigrants, a TASFA. It is free to apply. No matter how many schools you are applying to, you only need to fill out one FAFSA application.
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It is very important that you submit your FAFSA as soon as possible after October 1st for the following school year because the sooner you submit your FAFSA, the better your chances of getting financial aid.
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Once your application is processed, you and the schools you have selected will be notified of the results. The schools can then start figuring out what financial aid is available to you.
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Once you submit your FAFSA or TASFA, you should contact the schools of your choice to see if any of them need more information. Applying to schools is not the same as applying for financial aid—you will need to do both.
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It is very important that you get help filling out the FAFSA from someone who is familiar with how foster youth should fill it out. There are some questions about being in foster care or a ward of the court that need to be answered a certain way to help you get the most financial aid.
- 

You do not need to include the income of your foster parents or other relatives! PAL staff, your transition support case manager, and transition center staff should be able to assist you. See page 17 for information about how to contact PAL staff.

Between your tuition and fee waiver, ETV funds, and federal grants like the Pell Grant, you should not need to get any loans. You want to avoid loans as it means you will have to pay a lot of your paycheck toward paying them back when you leave or finish school. If you are offered a loan, ask for help reviewing it with someone familiar with the foster youth educational benefits, such as a PAL staff, transition support case manager, or transition center staff.

If you drop out or leave school before the end of the term but you have received cash funds to use for living expenses, it is very important that you return the cash funds. You should talk to the financial aid office about what to do or you risk being unable to get financial aid in the future. Only U.S. citizens and certain categories of immigrants can fill out the FAFSA.

Find information about what immigration categories can use the FAFSA at:

<https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>

If your status does not meet the requirements, then you can fill out the TASFA (the Texas Application for State Financial Aid) and there is no fee to apply. Ask your school's financial aid office for it or access the form at:

<https://www.highered.texas.gov/students-families/tasfa/>.

STATE COLLEGE TUITION AND FEE WAIVER

The State College Tuition and Fee Waiver is a state law that exempts or waives payment of tuition and fees at state-supported colleges or universities in Texas for foster youth currently or formerly in the conservatorship of the Texas Department of Family and Protective Services (DFPS) and for those adopted from DFPS. See Texas Education Code Section 54.366. **Having the tuition waiver means you will not be asked to pay any tuition or fees at a college or university that is funded by the state.**

Do I Qualify?

You qualify for the tuition and fee waiver, if you were in DFPS conservatorship:

- The day before your 18th birthday;
- The day of your 14th birthday, if you are also eligible for adoption on that day;
- The day you graduated from high school or received the equivalent of a high school diploma;
- The day you were adopted, if that date was on or after September 1, 2009;
- The day permanent managing conservatorship was granted to a non-parent, if that date was on or after September 1, 2009;
- You were 14 years old or older on June 1, 2016, and left DFPS's permanent managing conservatorship to return to the legal responsibility of a parent;
- You were 16 years old or older on or after June 1, 2016, and left DFPS's temporary managing conservatorship to the legal responsibility of a parent; or
- You enrolled in a dual credit course or other course in which a high school student may earn joint high school and college credit, and were in DFPS conservatorship on the day of enrollment.

You must also have enrolled in a state-supported college or university as an undergraduate student or taken a dual credit course **before your 25th birthday**. You only need to enroll in one class and it can be any type of class where you earn college credit. It is not a requirement of the law that you complete the class.

PAL staff or adoption assistance regional staff will give you a signed state college tuition and fee waiver form to give to the school registrar's office. Be aware of any deadlines your school may have to receive your tuition and fee waiver form or else you may be charged tuition and fees for the semester! It is a good idea to keep an electronic and a paper copy of this letter. Participation in PAL services is not required to be eligible for the tuition and fee waiver. If you lose your form or are told by a college you need a more recent form, just ask for another one. But remember, it could take a few weeks to get it. (See page 17 for information about how to contact PAL staff). **The tuition and fee waiver does not cover living expenses such as dorm fees or your books and supplies.**

Students Adopted from DFPS Care, Who Have an Adoption Assistance Agreement

You are eligible for the tuition and fee waiver if you were adopted and were the subject of a financial assistance agreement providing monthly payments and Medicaid benefits. There is no age limit under this rule for the student to enroll in a college or university. To verify eligibility, contact an adoption assistance program specialist at (800) 233-3405 or **locate your regional adoption assistance contact here: https://www.dfps.texas.gov/Child_Protection/Adoption/adoption_support.asp#contacts**. In the past, individuals eligible for the tuition and fee waiver under an adoption assistance agreement had to maintain a certain grade point average and not take more credits than required by the degree program. A state law passed in June 2017 removed that requirement. (See *Texas Education Code Section 54.367*).

Where Can You Use the Tuition and Fee Waiver?

A list of qualifying schools can be found at: <http://www.collegeforalltexas.com>. Select Students and find the Helpful Information link. Then select Texas Institutions of Higher Education. Schools listed under Public Institutions are ones where you should be able to use your tuition and fee waiver.

Warning: Be sure your college has a copy of your tuition and fee waiver form and that it is listed on your financial aid award letter and your bill for school! You should submit another copy of the tuition and fee waiver form if it is not. It is up to you to make sure the school does not charge you for tuition and fees. Some former foster youth have had to repay financial aid or ended up with large student loan debt because the school was not including the tuition and fee waiver when calculating their financial aid and bill for tuition, fees, and housing. Sometimes this happens because the tuition and fee waiver form is not turned in to the school on time.

EDUCATION AND TRAINING VOUCHER (ETV) PROGRAM

The Education and Training Voucher (or ETV) program provides additional money for former foster youth who enroll in a college or training program. You may be eligible to receive up to \$5,000 per year under the ETV program to help with housing, food, books, childcare, computer equipment, medical insurance, transportation, tuition (if it is not a Texas public school where you can use your tuition and fee waiver), and some other expenses. The best part is that this benefit is in addition to the tuition and fee waiver. See **State College Tuition and Fee Waiver** on page 31.

If you qualify for both programs, you could go to a qualifying school for free and use the funds from the ETV program to meet other expenses. Generally, you should be able to receive funds under the ETV program if:

- You are 16 or 17 and in DFPS foster care and are likely to stay in care until you are 18, OR
- You are not yet 23, but aged out of DFPS foster care, OR
- You are not yet 23 and were adopted or entered Permanency Care Assistance from DFPS foster care after turning 16.

ETV is only available to cover the cost of attendance (COA) for your school. The COA usually includes tuition (if not already covered by the tuition and fee waiver), living expenses if you are not in foster care or extended foster care, books, class supplies or materials, or other personal expenses. The amount of funding a student may receive depends on the amount of financial aid already applied to the cost of attendance. If your financial aid meets or exceeds the cost of attendance, you will not be eligible to receive any ETV funds.

EDUCATION

If your school's allowable COA for housing, utilities, food, or personal items is more than what is being provided by your extended foster care placement, you can use ETV funds for those expenses.

If you think your financial aid or cost of attendance was not calculated correctly, you should contact your ETV coordinator, the coordinator's supervisor, or the DFPS state office transitional living services staff. You can also contact the Texas Foster Youth Justice Project. Young adults in the Supervised Independent Living (SIL) program should not have their SIL support count as financial aid for ETV purposes. If you have been denied ETV benefits but believe you are eligible, you should reapply and follow the steps above if you are denied again.

The website www.texasetv.com has more information about ETV, including eligibility. You can also call them at (877) 268-4063. There are deadlines to apply for ETV – you must complete the FAFSA and provide other documentation – so you need to start early and get assistance from your PAL staff or transition support case manager.

From time to time, ETV will ask you to provide documents that show you are making Satisfactory Academic Progress (SAP). Each school has its own way to measure SAP requirements, which takes into account your grades, your progress toward the requirements of your program, and that you are not above the maximum number of credit hours. The ETV program FIRST pays expenses directly for tuition, housing, and utilities for each semester, as appropriate. If you have already paid those expenses or they are covered by other financial assistance and your tuition and fee waiver, then you can give ETV staff documentation showing that the expenses have been paid. ETV can then release the remaining balance of funds directly to you with a completed Request of Funds Form. Your ETV coordinator can tell you more about this.

OTHER COLLEGE FINANCIAL ASSISTANCE

Many schools offer additional financial aid and other programs to help former foster youth.

The financial aid departments at the schools you are interested in attending can give you information about the financial aid programs. For information about college and financial aid visit: www.collegeforalltexas.com.

You can find additional information about resources and scholarships at the Texas Education and Training Voucher (ETV) website: www.texasetv.com.

HELP AND SUPPORT FOR FOSTER YOUTH AT TEXAS COLLEGES

Every Texas college is required to have a higher education foster care liaison to provide guidance and assistance to those attending or thinking about attending college. You can find a list of liaisons at:

<https://reportcenter.highered.texas.gov/roster/crs-cfat-foster-care-liaison-listing/>

If you still can't find out who the liaison is at the school, contact the Texas Foster Youth Justice Project at (877) 313-3688. It is a good idea to get to know your liaison. When you have a question or concern, they can help find the right person at the college to assist you.

Some colleges also have programs or social groups for youth with experience in foster care. The school's liaison can tell you if the school has one. It can be very helpful to know a few other students who have shared similar experiences before college. Some schools have Supervised Independent Living (SIL) programs that are specifically for students in extended foster care attending Texas colleges.

Check this list to see if a school you are interested in has this housing option:

www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/Extended_Foster_Care/SIL_Contracted_Providers.asp

(For more information about SIL, see page 13).

LEARNING A PROFESSION OUTSIDE OF COLLEGE

College is not your only option for learning new skills after you finish high school or get your GED. Other types of schools can also get you ready for a career.

It is important to remember, depending on the program, that you may still be eligible for the ETV program if you attend a vocational school, trade school, or technical institute, so please do not forget to apply for ETV. You should also look for public community colleges and vocational/technical schools that offer similar programs. Rather than go to a private school, you can use your tuition and fee waiver at public schools and avoid expensive student loans. Plus, if you have a physical or mental disability, you could also qualify for vocational training and assistance from the Texas Workforce Commission Vocational Rehabilitation Services. See Training and Placement Assistance if You Have a Disability on page 39.

Many high schools now offer classes that let students earn the same certifications that they could get through a vocational or trade school. By taking those classes in high school, you could get a certification and obtain a skill that would make it easier to find a job and earn more money as soon as you graduate from high school.

You can also learn skills for a trade outside of the classroom and get paid while you learn if you become an apprentice. This means that you would receive on-the-job training by working with others in that field. Apprenticeships are available in many industries, including construction, transportation, health care, advanced manufacturing, hospitality, and information technology. To learn more, visit www.Apprenticeship.gov.

MENTORS

During the transition planning process, you will work with your Circle of Support or transition team (see page 16) to set goals and make a plan for meeting those goals. Those same people can also help you prepare for college or vocational training. You should follow up with these people after you make the initial plan. Once you go to college or enter a vocational program, your school may offer guidance counselors to help you adjust to your new life. Ask your transition center, placement agency, transitional housing program, PAL staff, transition support case manager, and school staff for help finding other mentoring options in your community.

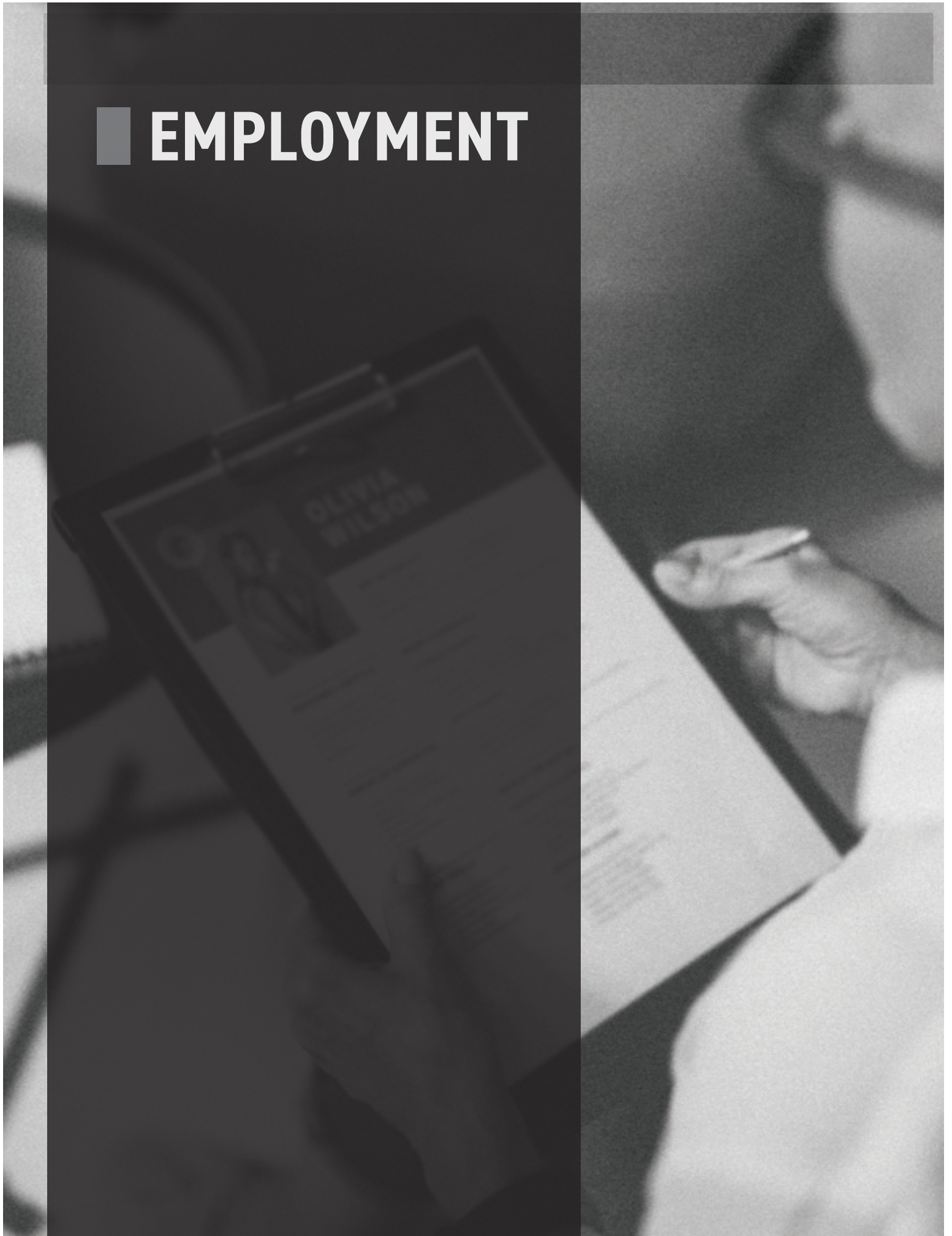
“

A mentor is someone who sees more talent and ability within you, than you see in yourself, and helps bring it out of you.”

– Bob Proctor

Vocational schools and trade schools offer certifications for many jobs that do not require a college degree, such as welding, computer repair, auto repair, truck driving, cosmetology (hairstylists, make-up artists, and beauticians) and other skilled fields. Technical institutes generally offer programs that take two years or less in skilled professions, such as medical assistant, electrician, dental hygienist, and computer programmer.

■ EMPLOYMENT



TRAINING

While you may choose to attend college or a vocational school to prepare for a career, you could also select a different path. If you decide that school is not right for you (or not right for you at this time), then it is important to think about how you will earn money to support yourself. Getting training in at least one area will give you more job choices and increase the amount of money you can earn.

Job training usually involves basic classes that prepare you for working in a job. You may learn the importance of being on time, being organized, and speaking properly to customers and coworkers. Job training may also include programs that teach you how to master a profession. Your PAL staff (see page 17 for PAL information), transition center staff, transition support case manager, local Texas Workforce Commission office, and school may be able to tell you about basic classes that teach you how to interview for, apply for, and handle a job. They can also help you locate other sources to learn the skills necessary to succeed in your chosen profession.

JOB ASSISTANCE PROGRAMS

You have access to many programs that will give you experience and increase your job options, even if you have not finished high school. A few of these programs are discussed in the following pages.

“

To bring about change, you must not be afraid to take the first step. We will fail when we fail to try. ”

— Rosa Parks

Texas Workforce Commission

The Texas Workforce Commission (TWC) visited at: <https://www.twc.texas.gov/>, offers services and resources related to finding a job and developing your job skills. TWC has an excellent website for students to use for **education and career planning**: <https://lmi.twc.texas.gov/>. Foster youth are a priority population for services, which means you can qualify for special programs including training, summer employment, and childcare assistance. The best way to access these services is to talk to transition center staff, your PAL staff, your transition support case manager, and others with contacts at the TWC. Often somebody from the TWC works at the local transition center. The TWC staff will know more about your eligibility as a foster youth for programs and services. They will also have information about local job-related programs.

Youth in foster care and young adults who aged out of foster care can now access **free driver education services** through the TWC. See **Help with Driver Education and Getting Your Driver License** on page 80. Texas currently has four Job Corps sites. These sites are in Laredo, El Paso, San Marcos, and Dallas. To learn more about Job Corps in Texas and how you can apply, **visit the Job Corps website at: www.jobcorps.gov** or call (800) 733-5627.

It is never too early to start thinking about getting a job.

Even while you are still in high school, having a job can get you ready for your future by teaching you necessary work skills and allowing you to earn and manage your own money. To help get you started on finding a job that is right for you, visit the Jobs section of Texas Foster Youth Connections at: www.texasfosteryouthconnections.org/youthconnections/jobs and www.texascareercheck.com.

Job Corps

Job Corps is a free program that helps youth aged 16–24 learn a trade, obtain a high school diploma or GED certificate, and find a permanent job. Job Corps offers hands-on training in more than 100 job areas. The program is self-paced, which means that the length of the program depends on your career goals and how quickly you learn. It can take from eight months to two years to complete the Job Corps program. While enrolled in Job Corps, you receive free housing, meals, basic medical care, and a living allowance.

If you want to apply for Job Corps, you must be a U.S. citizen or legally eligible to work in the U.S., have limited financial resources (in other words, not have a lot of money), not be on probation or under the supervision of a criminal court, and not use illegal drugs.

AmeriCorps

AmeriCorps State and National provides programs to youth aged 17 or older to work full- or part-time in nonprofit, faith-based, and government organizations. Nonprofit programs receive funds to address critical community needs in education, public safety, health, and the environment. The programs recruit, place, and supervise AmeriCorps members. An allowance is provided to all young adults in the programs. Some programs provide housing. The programs last 10–12 months. You may also be able to get additional money for college if you finish the AmeriCorps program. AmeriCorps also offers a few other programs in Texas:

- **AmeriCorps VISTA:** VISTA members help lift people and communities out of poverty by serving full-time to fight illiteracy, improve health services, create businesses, and increase housing opportunities.
- **AmeriCorps NCCC (National Civilian Community Corps):** a 10-month, full-time residential program for youth between the ages of 18–24. Participants work with charities and government groups to complete service projects.

FOR MORE INFORMATION

Visit www.americorps.gov or call (800) 942-2677 for more information about any of the AmeriCorps programs.

TRAINING AND PLACEMENT ASSISTANCE IF YOU HAVE A DISABILITY

The Texas Workforce Commission Vocational Rehabilitation Services (or VR) program can help you prepare for, find, and keep a job if you have a disability. To be eligible for the VR program, you must have a physical or mental disability, such as:

- Mental health condition,
- Physical disability,
- Hearing loss/deafness,
- Chronic health condition,
- Substance use disorder,
- Learning disability,
- Low vision or blindness, or
- Other physical or mental disabilities that prevent you from finding and keeping a job.

If you qualify for a VR program, you can receive services and benefits designed to help you with your unique needs. These services and benefits may include financial help, counseling, training, medical care, assistive devices, job placement assistance, and other services. The VR program also helps students with disabilities to plan the transition from school to work. You should begin working with the VR program well before you finish high school. Your high school staff should assist you in contacting the VR program and starting the process. Gaining skills needed for a career, learning how to prepare for a job interview, and knowing how to stay employed are just a few ways the VR program helps people with disabilities have successful careers. This TWC website has more information about the VR program: www.twc.texas.gov/services/vocational-rehabilitation-services.

TO FIND OUT WHETHER YOU QUALIFY FOR THE VR PROGRAM: contact the VR program office nearest you and ask for an appointment with one of the counselors. Let the counselor know that you have a disability that prevents you from obtaining or keeping a job.

TO FIND THE NEAREST VR PROGRAM OFFICE NEAR YOU: call (800) 628-5115 or get a list of all the VR program offices at:

<https://webp.twc.state.tx.us/services/VRLookup/>

FOR MORE INFORMATION ABOUT THE VR PROGRAM, including its services and how to apply, download the Vocational Rehabilitation Guide to Applicants online at: <https://www.twc.texas.gov/sites/default/files/vr/pub/vr-guide-for-applicants-twc.pdf>. If you are denied a service, have a complaint about their service, or need help applying for services, you can contact the Client Assistance Program at Disability Rights Texas at (800) 252-9108.

FINDING A JOB

To find a job, look at websites like: <https://www.monster.com>, <https://www.indeed.com>, <https://www.careerbuilder.com/>, and <https://www.workintexas.com>. You can also visit or call places where you think you would like to work and ask if they are accepting applications. Many places require you to complete an online application. Whenever you visit a place about a job, remember to dress neatly because first impressions are very important. The PAL program or your local transition center can help you prepare to be a good employee and look for a job. Look online for tips about interviewing for a job. A great way to gain experience for jobs is to volunteer with a group that interests you, like a charity, hospital, or church. By volunteering, you will get valuable experience, help your community, and get potential job references.

Once you apply for a job: it is important to follow up with the businesses where you applied—following up shows interest, is very professional, and could set you apart from others who apply. Some employers will want to contact a reference, which is someone who knows you well. References should not be friends or family members. Good references might be your CASA, a foster parent, a former employer, or a teacher. Be sure to ask someone if they are willing to be a reference before you give the employer their name, phone number, or email address.

Remember that having a phone number where you can receive calls and messages with a professional-sounding voicemail message is very important when you apply for jobs so employers can reach you. Be sure your voicemail is turned on and you regularly check messages and return calls.

If you don't have a cell phone or it is turned off because you can't pay the bill, you can try to get a free phone with voice minutes, texting, and possibly data from the federal Lifeline program. **Find more information about Lifeline here:** <https://stag.lifelinetexas.org/>. If you can't get a free phone, consider getting a basic, low-cost cell phone plan without data.

You should make sure you have a professional email address that you can access regularly to use for online applications and to follow up with potential employers. **You can find information about low-cost internet options here:** www.texaslawhelp.org/article/internet-access.

When you are hired for a job: you will need to show your employer your Texas DPS issued identification card or driver license, birth certificate, and your Social Security card, so be sure to have those documents. But keep your birth certificate and Social Security card in a safe place at home until you are notified you are hired and need to go in to complete paperwork.

STATE OF TEXAS HIRING PREFERENCE

Young adults who were in foster care when they turned 18 and who are 25 years old or younger have a hiring preference for state jobs. That means a person who aged out of foster care and applies for a state job should be hired for a position before any other applicant who has the same level of qualifications. **On the state employment application, you will need to respond yes to these questions:**

1. Were you a foster youth under the Texas Department of Family and Protective Services on the day before your 18th birthday?
2. If yes, are you currently 25 years of age or younger?

Your PAL staff can give you a letter that shows you qualify. See page 17 for information about how to contact your PAL staff.

EMPLOYMENT ISSUES “At-Will” Employment

Texas is an “at-will” employment state. This means an employer can fire an employee without having a reason as long as the firing is not based on discrimination or some other illegal reason.

Your Rights in the Workplace

You have rights in the workplace! Dishonest employers may try to take advantage of young workers because they do not think they will know their rights. It is important that you understand your rights and do not feel pressured to allow your manager, co-workers, or even customers to violate those rights. See the following page for a list of your workplace rights. You may have more workplace rights under other laws or under your company's own policies. For example, your employer must also provide you a safe working environment.

If you have any questions about your rights or for more information, visit the EEOC's youth website at: www.eeoc.gov/youth. You can also contact the Civil Rights Division of the Texas Workforce Commission at (888) 452-4778 or at: www.twc.texas.gov/programs/civil-rights.

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- 01** | **No Discrimination or Unfair Treatment** This means that your employer cannot make decisions about your job because of your race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, disability, age (age 40 or older), or genetic information. This right applies to all types of job decisions, including hiring, firing, promotions, training, wages, and benefits.
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- 02** | **No Harassment** Workplace harassment is offensive conduct that is based on race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, disability, age (age 40 or older), or genetic information. Harassment can happen in many different ways. It can be verbal (words), physical (touch), or visual (signs or gestures) and can occur at work or away from work. Examples of harassment include offensive jokes, racial or ethnic slurs, pressure for dates or sexual favors, unwelcome comments about a person's religion or religious garments, or offensive graffiti, cartoons, or pictures. The harasser can be your manager, a manager in another area, a co-worker, or others in your workplace, such as customers. For workplace harassment to be illegal, the conduct generally must either be very serious or happen often. If you believe you are being harassed at work, you should tell your supervisor or another manager, even if it happens only once or does not seem very serious.
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- 03** | **No Retaliation** Your employer cannot punish you, treat you differently, or harass you if you honestly report job discrimination or help someone else honestly report job discrimination, even if it turns out the conduct was not illegal.
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- 04** | **Changes Requested for Religious or Medical Reasons** You have a right to request reasonable changes to your workplace or job duties because of your religious beliefs or medical needs. Even though your employer does not have to say "yes" to every request, they should carefully consider each request and whether it would be possible given your job duties. This is known as making "reasonable accommodations."
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- 05** | **Private Medical Information** You have a right to keep your medical information private. Your employer should not discuss your medical information with others who do not need to know the information. The laws enforced by the U.S. Equal Employment Opportunity Commission (or EEOC) also strictly limit what an employer can ask you about regarding your health.
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- 06** | **Minimum Wage** The minimum wage is the lowest amount that you can be paid for each hour that you work. The minimum wage currently is \$7.25 per hour. Because taxes are deducted from your earnings, your paycheck will not equal the number of hours that you work times the current minimum wage. Your check stub should explain how your pay was calculated. If you have any questions, you should not be afraid to ask. Keep copies of your paycheck stub; you may need it to prove your income to be eligible for public benefits, housing programs, financial aid, and more.
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- 07** | **Time and a Half for Overtime** If you work more than 40 hours per work week, you should be paid one-and-a-half times your normal pay for each hour worked over 40 hours for the week. **See the U.S. Department of Labor's website at: www.dol.gov** for more information.

CHILD CARE

If you have children, but don't have or can't afford a safe place for them to stay while you are at work, going to school, or looking for a job, there are programs that can help. The Texas Workforce Commission's Child Care Services program helps eligible families with the cost of childcare. Your local Texas Workforce Solutions office can tell you if you are eligible for these benefits. Youth currently in foster care and young adults formerly in foster care are a priority to receive childcare assistance. This means you should be placed at the top of the list to get benefits when there is a waiting list. Your transition support case manager and transition center staff can help you establish if you are a priority for services. You can find out more about the **Child Care Services program** online at: <https://www.twc.texas.gov/programs/child-care>. You can also locate your nearest **Texas Workforce Solutions office** at: <https://texaschildcaresolutions.org/financial-assistance-for-child-care/how-to-apply-for-child-care-assistance/>.

GETTING PAID

Once you have a job, you will want to open a bank account if you don't have one already. With a bank account, you won't have to pay fees to cash your paycheck, and you will be able to better manage and save your money. Usually, banks require that you must be 18 to open a bank account by yourself, but some banks will open accounts for 17-year-olds. If you are under 18, you will probably need to find a trusted adult who can be the "guardian" on the account until you turn 18. Once the account is set up, you should be able to make your own deposits and withdrawals. The guardian on the account will also be able to deposit or withdraw money from your account—this is the reason to select someone you trust. If you are 18, the agency that provides transition support case management services in the area where you live can help you get a bank account, even if you are still in extended foster care.

Any money that you earn belongs to you. But you should know that if you are receiving Supplemental Security Income (SSI), you cannot have more than \$2,000 in cash resources. You should be sure to talk to your caseworker about how this could impact you.

For more information about saving money, see **Managing Your Money and Banking** beginning on page 99.

TAXES

Once you have a job or a savings account, you may need to file an income tax return. Remember that filing a tax return does not mean that you have to pay income taxes. When you are a low-income worker, filing a tax return can mean that you will get money back.

When you work, your employer subtracts an amount from each paycheck (called “tax withholdings”) and sends that money to the Internal Revenue Service (or IRS). The amount they withhold is an estimate based on IRS rules of the amount of taxes you will owe. The tax return that you file determines whether the estimate is correct. If too much money was withheld from your paycheck, then you will get a refund from the IRS by filing your annual tax return. If not enough money was withheld from your paycheck, you will need to pay the IRS or face serious penalties. You can get in trouble for failing to file an income tax return. Besides possibly getting a refund, you may earn extra money if you have children or the government provides some sort of economic impact or stimulus payment. Be sure to keep a copy of your income tax documents for your records because you may need it to prove your income for eligibility for public benefits, housing programs, financial aid, and more.

Your employer will also withhold Social Security taxes from your paycheck. This is a different type of tax and you won't get a refund on this money. Social Security tax helps fund Social Security and Medicare programs, which provide benefits for older adults, people with disabilities, and children.

Federal tax returns are due by April 15th every year. Texas does not have a state income tax for individuals, so you do not have to file a state tax return if you lived and worked only in Texas during the past year.

By January 31st of each year, your employer will send you a Form W-2 by mail or email, or they may make it available electronically via a secure online portal. Any bank where you had an account should mail you a Form 1099. The Form W-2 from your employer will show how much they paid you and how much tax they withheld in the prior year. The Form 1099 from your bank will show how much interest your money earned. You will need these forms to complete your tax return. If you don't receive a form from each of your employers and banks by the end of the first week of February, you should contact them. If you live with a family or lived with a family during the past year, you should discuss your income tax return with them because you need to understand how they will treat you on their tax return and whether they will claim you as a dependent.

You do not need to pay a business to prepare your taxes. Many local groups provide free tax return preparation assistance to low-income people in the early part of each year. Call 2-1-1 to find volunteer income tax assistance (VITA) sites near you or visit **the VITA locator** at: <https://irs.treasury.gov/freetaxprep/>. You will also likely qualify to electronically file your tax return for free. Ask the organization helping you or visit the IRS website at www.irs.gov. The IRS website also has other information about taxes. **Don't pay to have your tax return prepared!**

For more information about saving money, see **Managing Your Money and Banking** beginning on page 99.

DON'T PAY TO HAVE YOUR TAX RETURN PREPARED!

INCOME TAX DAY IS APRIL 15

CALL 2-1-1 TO FIND VOLUNTEER INCOME TAX ASSISTANCE (VITA) SITES NEAR YOU.

■ FINDING
A PLACE
TO LIVE



FINDING A PLACE TO LIVE

HOW TO FIND A PLACE TO LIVE

Once you leave foster care, you will need your own place to live. Housing is one of the issues you should talk about in your Circle of Support or permanency planning meetings. Remember that, even though you age out of foster care when you turn 18, there are still a number of services and opportunities available to you, including staying in extended foster care. Once you do leave, financial help is available to get you started on your own, but it will not last long nor cover all bills, so you will need to have a job or college financial aid.

See **Extended Foster Care** beginning on page 12 for how you can stay in foster care after you turn 18.

Before taking steps to rent a place to live, you should become familiar with the renting process. Talk to those who are working with you on planning for your future, such as PAL staff, your CASA, transition support case managers, and transition center staff, about it. **You can also find information at the Austin Tenants Council Project (which has information that applies statewide) at: www.trla.org/atc.**

As you start to look for an apartment or house to rent, be ready to answer questions about your income, credit history, any criminal record, and references. If you are going to have a roommate, your roommate will have to give the same information. A landlord will probably want proof that you earn enough money to pay rent. The landlord may also run a “credit check.” Credit checks show whether you owe money on any loans or credit cards and whether you have been late paying bills. If this is your first time on your own, you probably will have a “clean” credit report showing no loans, credit cards, or bill payment history. If there is inaccurate information in your credit report, you need to get it fixed as soon as possible. If you have correct information that shows you have been late paying bills or rent, you may have problems finding a landlord that will rent to you. You may also have problems if you don’t have any history and the landlord thinks your income is too low. Sometimes landlords want someone with more money to co-sign, which may not be possible.

If you have a criminal record, you should understand exactly what shows up on a criminal history report and what you might need to tell someone about. Since many bigger apartment complexes will run a criminal background check and are often unwilling to rent to people with a criminal history, you may need to look for other types of housing. See **Juvenile and Criminal Records** on page 96 for more information about steps you can take to erase certain criminal records. Many records cannot be erased. If your record can be erased, the process can take many months. Try to avoid any criminal involvement as it can make obtaining housing and employment very difficult.

Your housing choices depend on what you will be doing. Some programs, like Job Corps and AmeriCorps, provide housing. If you are going to college, the school may have places to live on campus called dormitories or “dorms.” Sometimes they have apartments, including apartments for families. There are also Supervised Independent Living (SIL) programs through extended foster care that provide housing on and near campuses. If you live in a dorm, however, you will need to have a plan for where you will stay during school holidays because dorms usually close during those times. See **Returning to Extended Foster Care** on page 13 about returning to foster care during school breaks. Don’t forget to ask the financial aid office and other offices at your college if the college offers special housing assistance to former foster youth.

Review **Housing Benefits for Youth Leaving Foster Care** on page 47 for more information on housing options.

See **Credit** beginning on page 105 for more information on credit reports, including how you can get a copy of your credit report for free.

HOUSING BENEFITS FOR YOUTH LEAVING FOSTER CARE

Transitional Living Allowance (TLA)

When you leave foster care, you can receive a \$1,000 Transitional Living Allowance (TLA). **To get TLA you must:**

- Have been in DFPS conservatorship when you turned 18 and are now no longer in foster care and living independently;
- Have been in a paid placement (paid by DFPS or Medicaid) within the 24 months before requesting TLA;
- Have a job or be actively looking for a job (unless you are medically unable to work, which includes receiving SSI), or be in school or a training program;
- Complete at least five hours of the life skills class (**also known as the PAL class—see page 18**), one hour of which must be financial management; AND
- Be a U.S. citizen or have legal immigrant status.

You must work with your PAL staff to request TLA. You can't get more than \$500 in a month and can only receive \$1,000 total. If you are entering the military or Job Corps, the total benefit is \$500. If you have a disability that prevents independent living and are moving into a supervised setting which is paid for by another source, the total benefit is \$500.

Aftercare Room and Board Assistance

If you are 18 to 20 years old and aged out of foster care at age 18 or older, then you may be able to get up to \$500 per month for rent, utilities, deposits for utilities and housing, and groceries. **To qualify you must:**

- Be working with your transition support case manager;
- Have a job or be actively looking for a job (unless you are medically unable to work, which includes receiving SSI), or be in school or a training program; AND
- Be a U.S. citizen or have legal immigrant status.

The maximum amount that you can receive under this program is \$3,000. Aftercare room and board funds are not an automatic benefit and you will need to show that you have the need. You will not be given cash; the funds will be in the form of gift cards for groceries or payments to landlords or utility companies.

Find CPS requirements for TLA and Aftercare Room and Board in the CPS Handbook sections 10240–56 by visiting: www.dfps.texas.gov/handbooks/CPS/Files/CPS_pg_x10200.asp#CPS_10240.

Foster Youth Housing Voucher Programs

There are housing voucher programs specifically for young adults with foster care experience called the Foster Youth to Independence (FYI) voucher and the Family Unification Program (FUP) voucher. **The eligibility requirements for someone to receive an FYI or FUP voucher are that you:**

- Spent at least one hour in foster care;
- Are at least 18 years of age and not more than 24 years of age;
- Left foster care or will leave foster care within 90 days; AND
- Are homeless or are at risk of becoming homeless (if you are staying with people because you can't get an apartment on your own, that qualifies as homeless).

To see if there are FYI or FUP vouchers available in your area, contact your regional youth housing liaison by visiting: www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/regional_housing_liaisons.asp.

If you are eligible for a voucher, you can use it to help pay for an apartment or house that rents for the amount of the voucher. You will have to follow certain rules, meet deadlines, and stay in contact with the public housing agency in order to keep your voucher, so it is very important that you understand exactly what the public housing agency expects you to do. See **Public Housing** on the next page for more information about using vouchers.

The local housing authority will also do a criminal background check. Sometimes housing authorities disqualify an applicant for a minor criminal offense even though it is not a mandatory disqualification. If you are disqualified because of your criminal record, contact the **Texas Foster Youth Justice Project** at (877) 313-3688 to discuss legal options.

You can find more information about housing options available through DFPS by visiting: www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/youth_housing.asp.

PUBLIC HOUSING

Most public housing assistance is offered through a program called “Section 8” housing. The waiting list for Section 8 housing can sometimes be very long. Some public housing agencies have special programs for aged out foster youth or young adults in crisis that are easier to get into, such as the Foster Youth to Independence (FYI) voucher or the Family Unification Program (FUP) voucher. Talk to your transition support case manager and PAL staff about applying for those special programs with your regional youth housing liaison.

If there is no special program you qualify for and you would like to see if you are eligible for public housing assistance, contact your local public housing agency. You can find your local public housing agency through the **Local Public Housing** link at www.hud.gov. To apply for assistance from a public housing agency, you will need to set up an appointment. Be sure to ask what you need to take with you to the appointment. You should expect to bring a completed public housing application, the names and dates of birth of people who will be living with you, proper identification, contact information of current and past landlords, and proof of your income.

The public housing agency will review your application and the other information they asked you to bring to determine how much financial help for housing they can give you. If you qualify for assistance, you will receive a voucher to use to pay for housing. You will have to follow certain rules, meet deadlines, and stay in contact with the public housing agency in order to keep your voucher, so it is very important that you understand exactly what the public housing agency expects you to do.

Once you are given a housing voucher, the public housing program should give you a list of apartments or houses in your area that accept the assistance; your transition support case manager and local transition center can tell you about

possible places as well. You should also check other sources, like online apartment rental sites, for possible rentals. Be sure to ask the public housing agency how long you might expect to wait before receiving assistance. **You can find more information about public housing by visiting:** www.hud.gov/topics/rental_assistance.

Subsidized Housing

Subsidized housing means apartment owners are paid by the government to offer cheaper rent to people who have a low income. There are other types of subsidized housing, including private properties that receive federal tax credits. These properties provide affordable rental rates to tenants who meet their income guidelines. You can find affordable housing in your area and more details about their funding programs using the housing resource locator at: <https://resources.hud.gov/>.

Additional Housing Assistance

Texas has several foster youth transition centers located throughout the state. Each center offers information regarding housing assistance, group housing, and shelter. See the **Transition Center** section on page 21 for more information.

SECTION 811: RENTAL ASSISTANCE FOR AGED OUT FOSTER YOUTH WITH DISABILITIES

The Section 811 Project Rental Assistance (PRA) program is a long-term rental assistance program available in certain metropolitan areas for aged out foster youth who have a disability and receive SSI. Individuals who are eligible for the program may remain in their apartment at least until age 62 if they choose, so it is an excellent option for those who are likely to receive SSI for a long time.

For assistance in applying for the program, contact your regional youth housing liaison:

www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Transitional_Living/regional_housing_liaisons.asp

For additional information visit: www.tdhca.texas.gov/programs/section-811-project-rental-assistance-program

FINDING A PLACE TO LIVE

EMERGENCY HOUSING AND SHELTERS

If you face eviction or are homeless, many groups can help. There are many faith-based organizations and other groups that assist homeless youth, especially those who have left the foster care system. **A few of these groups are:**

AUSTIN

Lifeworks

www.lifeworksaustin.org
(512) 735-2400

GALVESTON

(Near Houston)

The Children's Center, Inc.

www.childrenscentertexas.org
Crisis Line: (844) 763-8861
Phone: (409) 765-5212

NEW BRAUNFELS

(Between Austin and San Antonio)

Connections

www.connectionsifs.org
(830) 629-6571

PLANO

City House

www.cityhouse.org
(972) 424-4626

SAN ANTONIO

Roy Maas Youth Alternatives

www.rmya.org
(210) 340-7933

WACO AREA

(Bell, Coryell, Falls, Services Freestone, Lampasas, Limestone, McLennan, and Milam Counties)

Central Texas Youth

www.centraltexasyouthservices.com
(254) 939-3466

If you need help, but do not recognize a center in your area, then please contact your transition support case manager, local transition center, and your regional PAL office (see how to contact your PAL staff on page 17). You may also contact your local HUD office to find out about other available emergency shelters. If you are a pregnant woman or young mother, there may also be special housing options available to you so let those you contact for help know you are pregnant. Covenant House may also be able to help you find a safe place to live. Go to www.covenanthouse.org and click on Find Shelter to find the closest shelter to you.

Visit the Homeless Shelters Directory at:
www.homelessshelterdirectory.org/state/texas
to see a complete list of general homeless shelters in Texas. To find help with shelter and many other basic needs, you can call 2-1-1 or go to www.211texas.org.

HOUSING DISCRIMINATION

The Fair Housing Act says that landlords cannot discriminate. This means that they cannot refuse to rent to you (or rent to you on different terms, such as higher rent) because of your race, color, national origin, religion, sex (including gender identity and sexual orientation), family status, or disability. It applies to most housing and to all HUD-approved housing. **Most landlords also can't discriminate against pregnant women or families with children under the age of 18 living with:**

- A PARENT
- A PERSON WHO HAS LEGAL CUSTODY OF THE CHILDREN
- ANOTHER PERSON APPROVED BY THE PARENT OR LEGAL GUARDIAN

If you think your rights have been violated, you should fill out a Housing Discrimination Complaint Form and turn it into your local HUD office or report directly to HUD online, by phone, or by mail. You only have one year after a landlord violated your rights to file a complaint with HUD. You may sue someone that you believe violated your rights. You may also call **Texas Foster Youth Justice Project** at (877) 313-3688 for assistance or advice.

Security deposits are discussed beginning on page 52.

Report housing discrimination to HUD at:
www.hud.gov/fairhousing/fileacomplaint

RENTING AND YOUR RIGHTS

Leases

A lease is a contract that lets you rent an apartment or house. It explains what you have to do (like pay rent, take care of the place, and stay for a certain amount of time) and what the landlord has to do (like make repairs). If you or the landlord do not do what the lease says, that is called a “breach” and there can be consequences. If you do what the lease says, the landlord can’t make you leave until the lease runs out.

Unless a lease is for longer than one year, it does not have to be in writing. Generally, a written lease is better because it provides:

- **A RECORD OF YOUR RIGHTS AND WHAT YOU ARE REQUIRED TO DO,**
- **PROTECTION AGAINST THE LANDLORD BEING DISHONEST**
- **WRITTEN PROOF OF THE DETAILS**

Because most printed leases favor the landlord, it is important that you fully understand the lease. Never sign a lease without first reading and understanding it. Insist that you be given a copy of every page of the lease immediately after you and the landlord sign it. If the landlord says they do not have a way to make a copy, you should immediately take it to a place where you can make a copy and then return it to the landlord. Or you can use your phone to take photos or scan it, but be sure you can see and read all the text. Keep your copy in a safe place and if you just have photos, save them somewhere else besides just your phone.

Before Moving In

Before moving in, you and your landlord will need to sign the lease. You probably will need to pay the first month’s rent and a security deposit. If you pay in cash, you must get a receipt signed by the landlord that says when and how much you paid.

Just before moving in, you also need to walk through the apartment or house with your landlord and find any problems with the place you are renting, such as holes in the wall, dirty carpets, or appliances that don’t work. If you do not point out any problems immediately, the landlord may hold you responsible for those problems, even if you did not cause them. You and the landlord should make a list of these problems and you should get a copy immediately. You can also require that any serious problems be fixed before you move in. Take pictures of the place before you move in to have proof of what it looked like and save them somewhere else besides your phone. This can be handy when you move out.

Terminating Your Lease

Leases are generally month-to-month or for a specific period of time (for example, six or 12 months). The period of time is called the “term” of the lease. Leases for a specific period of time require that you lease the apartment or house for that whole time. If you have a written lease, it should discuss the steps you need to take to end or “terminate” the lease. Most leases will require you to notify your landlord at least 30 days before you want to end the lease, but some leases may require you to give your notice even earlier. Remember, even if you terminate the lease, if it is during the term, you probably will still owe the rent.

MONTH-TO-MONTH LEASES

A **month-to-month lease** is a lease that only requires you to rent the apartment for one month at a time. On the plus side, you can get out of this type of lease quickly. On the negative side, your landlord can increase your rent at almost any time or decide not to renew your lease, which could happen if the landlord finds someone willing to lease the same place for a longer time or for more money. If you break a lease before it ends, you could be sued for unpaid rent, advertising expenses, and other costs of re-renting the apartment and the landlord’s attorney fees and costs. Of course, you will always be responsible for any damage to the apartment. All of this can show up on your credit report and make it difficult to rent another apartment.

FINDING A PLACE TO LIVE

If your lease is month-to-month, unless your lease says something different, you must give written notice one month before you want to end the lease. For example, if you were trying to decide whether you wanted to move out of your apartment by the end of January, you would need to tell your landlord before January 1st or else you have to pay rent (even if you move out) through February. It is best (and often required) that you give written notice that you are going to move out and that you keep a copy of your notice. An email, as long as you confirm that it was received, can count as written notice.

If your lease is for a term, then you must be prepared to pay the rent for that entire period, even if you move out. Some landlords will allow you to terminate your lease early by paying an extra fee (usually one or more month's rent), but you should check your lease carefully. Also, even if you sign a lease for a certain number of months, do not assume it simply ends at the end of that period—usually, it switches to a month-to-month lease. For example, if you sign a six-month lease on January 1st, do not assume that you can just move out on June 30th. You probably need to give written notice by June 1st that you will be moving out at the end of June. If you don't, then chances are that your lease will switch to month-to-month and you will be stuck paying rent through July.

Roommates

When you are renting housing, be careful who you pick to be your roommate. You want to avoid a roommate who is not good with handling money, doesn't have stable income, won't be willing to follow the apartment's rules about loud parties, allows extra people to stay in your apartment for extended periods, or you have difficulties getting along with.

If you have a roommate, it's a good idea to write down a list of responsibilities and then sign the list. The list should talk about things that can cause problems between roommates, like how much of the rent and utilities you will each pay, whether food will be shared, whether guests (especially overnight guests) are allowed, and cleaning duties. Making a list will give you both a chance to work out any differences before you lease together and could really help if your roommate skips out and leaves you with the rent and bills.

Some foster youth live in group homes or boarding houses. Often these places are not licensed. Be careful of your privacy, protecting your property, and drug use by other residents.

If you sign a lease with a roommate and your roommate moves out, you will probably be responsible for paying the full rent to the landlord because each person that signs the lease agrees to pay the full rent. If you have to pay your roommate's portion of the rent, then you have the right to get your roommate to repay their share, but you may have to sue them to get the money. If you sue, having a signed agreement with your roommate could be helpful. However, even if you win your lawsuit, it may be difficult to collect the money from your former roommate unless they have a lot of money.

YOUR RESPONSIBILITIES AS A TENANT

You must pay your rent on time. You can't damage the property. You must tell your landlord about any problems with the place you are renting. You must understand and follow your lease. There may be other rules that you need to follow, like limits on the number of people who can stay in your apartment or house, rules about pets and smoking, and even limits on the number of holes you can put in the walls to hang pictures. Also remember that if it's not in writing, then it can be difficult to prove. So, if your landlord says not to worry about something in a lease because they never enforce it or says you can move out at any time, then be sure to get those things in writing.

LANDLORD RIGHTS

A landlord may come into your place at reasonable times (in other words, during the day and not very often) to inspect, make repairs, or show the place to other people who are interested in renting it when you move out. The landlord may enter at unusual times if necessary to deal with an emergency, like a broken water pipe or gas leak. A landlord should not enter your place for other reasons. A landlord cannot ask you to pay your rent in any way other than money, which may include a check, money order, or electronic payment.

A landlord can refuse to rent an apartment to you for reasons that are not related to race, color, national origin, religion, sex (including gender identity and sexual orientation), family status, or disability. Depending on what your lease says, your landlord may be able to keep you from letting other people move in who are not on the lease.

SECURITY DEPOSITS

Usually, when you sign a lease, you must pay the first month's rent and make a security deposit. The security deposit is often equal to one month's rent. When you sign the lease, you should expect to need money equal to two months' rent. The security deposit is to protect the landlord for any damages that you may cause to the apartment or house you are renting.

When you move out, you should take all of your things with you, clean the place really well, and then ask for a walk-through with your landlord. The walk-through will let you be there if the landlord finds any problems with your place. Ideally, you should also take pictures of the place when you leave in case there is any argument about whether you caused the damage. You can compare any problems the landlord points out to the list you made and any pictures you took when you moved in. Your landlord can keep all or part of your security deposit to cover damages, but they must give you a written explanation of what they keep.

Your landlord can't keep any money to fix ordinary "wear and tear", such as walls needing to be repainted and carpets needing regular cleaning. When moving out, you should write down your new address, give it to your landlord, and keep a copy of the notice so you have proof you gave the landlord the information. If you and your landlord have used email to communicate during the lease, you can also email the new address in addition to a printed notice. If you give your new address to your landlord and have no overdue rent, the landlord must return your entire

security deposit within 30 days after you move out. If your landlord keeps any part of your security deposit for damages, they must give you a list clearly explaining why they kept that amount and they must return any money left over.

The landlord could be responsible for paying you damages (which means, extra money) if they wrongfully keep any of your deposit. If your landlord refuses to return your deposit, you will need to sue your landlord in court. For more information, see www.trla.org/security-deposits-toolkit.

Generally, you can't say that your security deposit is for your last month's rent and refuse to pay your last month's rent. Finally, if you cause more damage to your apartment than what is covered by your security deposit, then your landlord can ask you for extra money and sue you to collect if you refuse to pay. So don't "trash" the apartment on your way out, no matter how bad the landlord may have been! If you do that, the landlord could even call the police for vandalism.

RENTERS INSURANCE

You may want to get renters insurance to protect your things in case they are stolen or damaged in a fire or other event. A landlord's insurance policy only provides coverage to the building, not to any of your belongings. You can contact any local insurance agent to get prices for this type of insurance. Some landlords may require you to get renters insurance as a part of the lease.

RENTAL PAYMENTS

- If you do not pay your rent when it is due, your landlord may give you a notice telling you either to pay or move out within a few days.
- Before telling you to leave, your landlord may give you notice that your rent is late. If your rent is late, you may also owe a late fee.
- If you do not move out when required, the landlord can file an eviction lawsuit to have a judge order you out (and then have law enforcement move you out). But you cannot be forced to move out before a court case has been filed and a hearing held.
- If you are evicted, you must still pay rent for however much time was left on your lease unless a court orders otherwise. In some cases, a landlord may even have the right to keep and sell some of your property inside the place you were renting to pay for what you owe.

REPAIRS

Landlords generally must work quickly to fix a problem if:

- You tell the person to whom you normally pay rent about the problem
- You are not late paying your rent
- The problem could injure you or be unsafe
- The problem is not caused by you, your roommates, or guests.

Submit your repair request in writing and keep a copy; some landlords try to get out of making repairs by saying you didn't notify them. If the cost to repair is minor, the lease may require that you fix it, such as replacing ordinary light bulbs. If there is a problem that is so bad that the apartment is not livable (like no water, kitchen appliances do not work, or no heating) and your landlord refuses to quickly fix the problem, then you should find a lawyer. You can find your local free legal aid provider at <https://texaslawhelp.org/directory>, as well as information about what steps you should take. The landlord must provide security and safety devices like deadbolt locks, peepholes in the front door, and smoke detectors.

BUDGETING

To live successfully on your own, you must budget. Having a budget means planning so that you will not spend more than you earn and will even be able to save. You must plan for monthly costs, including rent, utility bills, car expenses (including insurance), and groceries. At first, you may want to run out and buy new furniture, TVs, computers, appliances, and other nice things when you get your own place and have a little money, but you should hold back. These things are expensive and you probably need to save some money before you spend too much. Some places may try to rent these things to you for a "low weekly amount" but are really asking you to pay many times what the thing is worth. Others may try to give you credit or loan you money on outrageous terms. Instead of getting yourself into debt or financial trouble, you should ask friends for any furniture they don't want or shop at second-hand stores and yard sales until you are on your feet. It is important to have some extra cash to cover bills that are due and for emergencies, such as a car repair or another unexpected expense.

UTILITIES

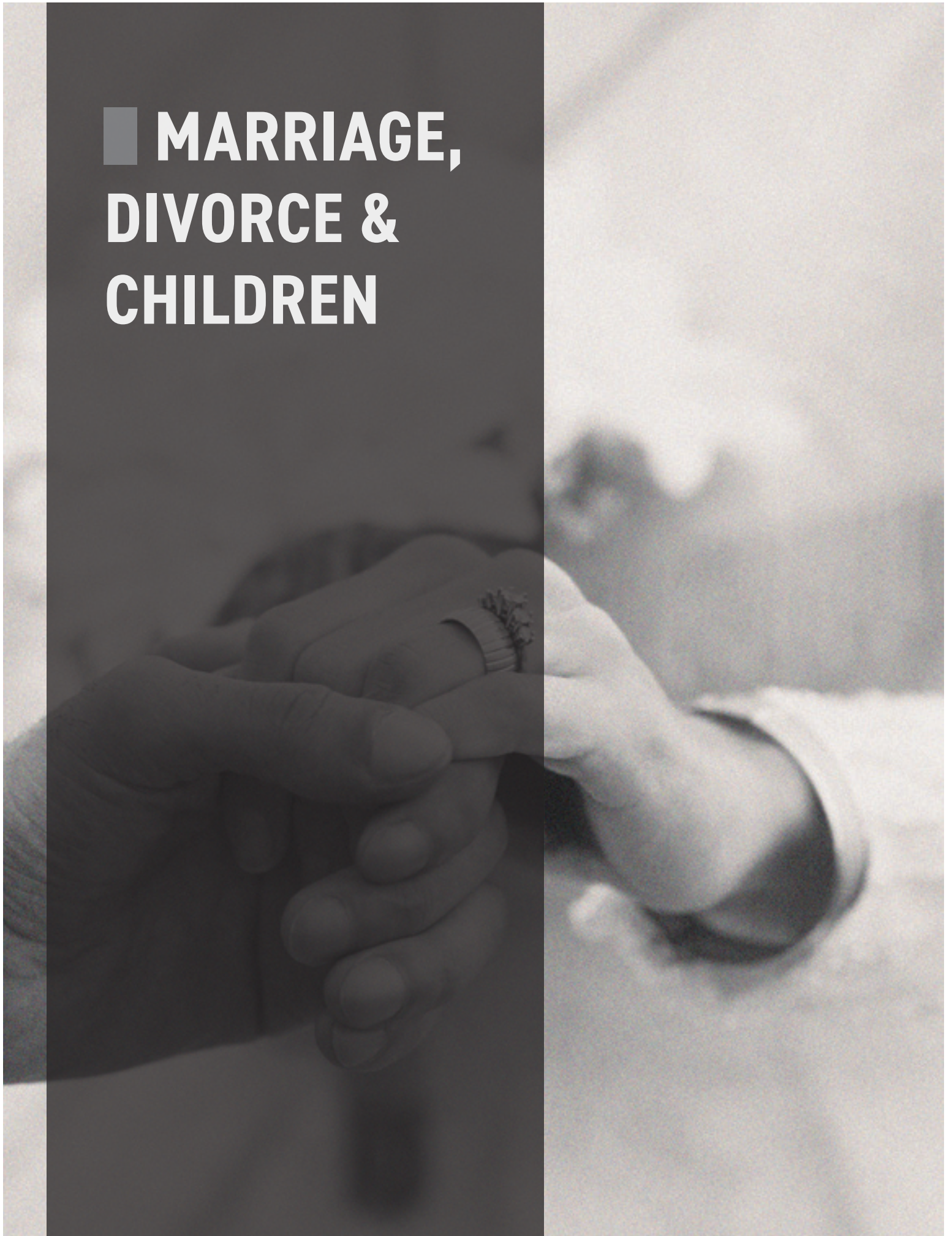
When you rent a place, you usually have to turn on some utilities, such as water, electricity, gas, and cable/internet. Some of these may be included as part of your rent, so find out from your landlord what is included. Once you have a signed lease, you will need to contact each utility provider and sign up for service. Often they require a deposit, which can be a lot of money, and require that you provide identification. You will also have to pay monthly utility bills. You can keep these bills down by reducing the amount of heat, air conditioning, or water you use. Include the cost of deposits and monthly utility fees in your budget as you make your plans to be sure you can afford the rent and utilities. When you move out, be sure to contact the utility companies and make arrangements to have the utilities turned off and the final bill and deposit refund sent to your new address.

Internet has become very important to have and there are a number of low-cost options – see this list of options: <https://texaslawhelp.org/article/internet-access>. You also need to have cell phone service to communicate with important people like caseworkers, employers, or 911. If your cell phone service is frequently turned off because you run out of minutes or can't pay your bill, you won't be able to manage your responsibilities. You can try to get a free phone with voice minutes, texting, and possibly data from the federal Lifeline program. Find more information about **Lifeline here:** <https://stag.lifelinetexas.org/>. If you can't get a free phone, consider getting a basic, low-cost cell phone plan without data.

“
A budget is telling your money where to go instead of wondering where it went.”

– Dave Ramsey

■ **MARRIAGE,
DIVORCE &
CHILDREN**



MARRIAGE LAWS

When you and your spouse-to-be (the person you want to marry) are both at least 18 years old, you can get married. If you are under 18, you can only get married if you are emancipated by a court order, which makes you an adult for legal purposes, including making your own decisions and supporting yourself. It is not easy to obtain an emancipation court order.

Effect of Marriage

Marriage is a serious commitment with important emotional and legal consequences. While the emotional issues are beyond this guide, you should certainly discuss your marriage plans with a trusted adult. Many organizations and churches offer free counseling for couples planning to get married. You can search for marital, pre-marital, and relationship counselors and classes at <https://togetherintexas.com/>. The counseling tries to help you succeed in marriage by planning things with your future spouse ahead of time—getting you both to think and talk about topics ranging from money to children to in-laws before they can cause problems. On the legal side, marriage creates a contract between a couple. A marriage can only legally end by getting a divorce.

How to Marry

There are two ways to get married in Texas—through a ceremony and by “common law” marriage.

Marriage by Ceremony

To have a marriage by ceremony, you and your future spouse need to get a marriage license and then be married by an authorized official.

- The county clerk’s office issues marriage licenses. You and your future spouse will need to show proper identification and pay a fee. You must get the license between three and thirty days before your ceremony.
- Any authorized person may perform the ceremony. Authorized persons include judges, some other government officials, and many religious leaders.

Common Law (Informal) Marriage

A legal marriage between a couple can be created in Texas simply by:

- Agreeing with each other to be married,
- Living together as a married couple in Texas, and
- Telling others that they are married.

You can also fill out a Declaration of Informal Marriage at the county clerk’s office to create proof of your common law marriage. Don’t list yourself as married on an income tax return unless both you and your partner agree you are married for all purposes. A common law marriage has the same effect and consequences as a marriage by ceremony. If you are under the age of 18, you can’t have a common law marriage.

Divorce

A marriage by ceremony or a common law marriage can only be legally ended by divorce. A divorce is a legal process that involves a judge. As part of the divorce, the judge will divide up any property that the two of you own, divide any bills or loans that are owed, set amounts that one spouse must pay to the other spouse after the divorce for support (often called “alimony” or, in Texas, “spousal maintenance”), and determine what rights parents have involving children of the marriage including custody, visitation, and child support. Texas Law Help, <https://texaslawhelp.org/>, has information about family law and free legal assistance in your area.

The court in charge of your divorce can also issue a protective order.

PARENTAL RIGHTS AND RESPONSIBILITIES

If you are a parent, you have the responsibility to provide support for your children until they are adults, even if they live with somebody else. You cannot abuse or neglect your children and must protect them from harm. If there are any questions about whether a man is the father of a child, then the court can order medical DNA tests on the man, the mother, and the child to find out.

Termination and Reinstatement of Parental Rights

A court may terminate a parent’s legal rights to their child for one of 25 reasons, the most common being child abuse or neglect. Each court case filed by DFPS begins with an investigation after a report of child abuse or neglect is made to the hotline. During an investigation, if DFPS believes there is immediate danger to the child in a parent’s home, then DFPS can remove the child from the parent’s custody and file a termination lawsuit. **If the parent is opposed to removal of their child from the home and cannot afford to hire their own attorney, then the parent has a right to an attorney appointed to represent them and paid for by the county.**

In September 2021, a new law went into effect that allows some parents whose rights were previously terminated to ask the court to reinstate their parental rights.

In order to be eligible, at least two years must have passed since the order terminated the parent's rights, an appeal cannot be pending, the child cannot be currently adopted, and the child cannot be the subject of an adoption placement agreement. In addition, the parent must show the court they have remedied the conditions that were grounds for the order terminating parental rights and are able to maintain their child's health, safety, and welfare. Children who are 12 years old and older must consent to the reinstatement.

Learn more about reinstatement of parental rights at Texas Law Help: <https://www.texaslawhelp.org/guide/i-want-to-reinstate-my-parental-rights-after-termination>.

ABUSE

An abused spouse or the parent of an abused child does not have to get a divorce to get a court's help. Even if you are not married, you can still get help from a court if you are being abused. The court can issue a "protective order" to protect the person being abused by ordering the abuser to avoid any direct or indirect contact with you. The order can also require the abuser to financially support you (without seeing or contacting you). A protective order can also make it easier for the police to protect you. If you want to get a protective order, then visit your county's courthouse and ask where to apply for a protective order. The police may also be able to tell you, as can the Texas Council on Family Violence, listed on this page. There is no cost for a protective order.

Once you report the abuse, the police and district or county attorney can bring a criminal charge against the abuser if there is enough evidence. You will need to cooperate with the police and the district or county attorney in order for them to press charges. You could also sue the abuser for personal injuries. You should discuss this option with a lawyer who can explain the process and look at the evidence against the abuser to see if you have a good case.

You should also remember that Texas law requires any individual to report abuse or neglect of a child to DFPS. Professionals, such as counselors, family violence and sexual assault advocates, shelter staff, and even attorneys, are required to make a report within 48 hours. This may affect how you feel about going to a family violence or sexual assault shelter to seek help.

Abuse Hotlines & Community Outreach

The most important thing is that neither you nor your children need to live in fear. The abuse is not your fault. There are many places willing to help you if you ask. These agencies can point you in the right direction. These groups understand what you are going through and are even willing just to talk. But remember that your computer and phone can be monitored—so please be sure to contact help from a safe place.

TEXAS COUNCIL ON FAMILY VIOLENCE

At the Texas Council on Family Violence website you can find information about and resources from your local family violence support provider. You can contact your local family violence support provider for help escaping the abuse and also to receive other services and assistance.

To find help visit: www.tcfv.org and click on Find Help

DOMESTIC VIOLENCE HOTLINE

There is also a domestic violence hotline that operates 24 hours a day/7 days a week. Contact: (800) 799-7233. For hearing impaired contact TTY (800) 787-3224. Text Start to 88788.

For more information visit: www.thehotline.org or use the online chat feature.

LOVEISRESPECT.ORG

www.loveisrespect.org provides help for teens and young adults who are in abusive dating relationships. Help is available 24 hours a day. You can call (866) 311-9474.

You can **use the online chat feature** on the website or **text LOVEIS to 22522**. Deaf advocates are available 24/7 and can be reached at the following: video phone at (855) 812-1001 and web contact form at <https://www.thedeafhotline.org/contact-us/>.

DIAL 9-1-1

If you or your children are being abused, you should immediately call the police. You should also keep accurate, detailed records of your and your children's injuries, medical reports, treatments, witnesses, police involvement, doctors, and hospital staff. You should go to your local family violence shelter if you need a safe place to stay or other services and assistance.

**■ MEDICAID
AND OTHER
PUBLIC
BENEFITS**



HEALTH CARE

After leaving foster care, you will be responsible for the costs of your health care. Things like seeing a doctor or dentist, paying for a prescription, and getting emergency room care are very expensive. If you don't have health insurance after you leave foster care, it will be very difficult to pay for health care. Those who don't have health insurance often are unable to get health care because they don't have the ability to pay for it. Fortunately, most young adults who are 18 to 25 years old and were in foster care when they turned 18 qualify for a special free health insurance program for youth who age out of foster care called Former Foster Care Children's (FFCC) Medicaid. As you prepare to turn 18 and make the transition out of foster care, you should be sure you become familiar with this health insurance program. The state of Texas provides Medicaid health insurance programs to several categories of people, including aged out foster youth.

Health Insurance (Medicaid) for Aged Out Texas Foster Youth

Health insurance is complicated for everyone. In this guide we include some information that should help you understand what to expect as an aged out foster youth. **We have more detailed and regularly updated information at:** <https://texasfosteryouth.org/>.

Medicaid While Still in Foster Care

If you are 18 years old and older and stay in or return to extended foster care, including Supervised Independent Living, you are covered by Texas' foster youth health insurance, which is often called Star Health or Medicaid. Your CPS caseworker should make sure you are on the insurance. However, since you are an adult, it will be up to you to schedule doctor appointments, make your medical decisions, and address questions about your insurance with the health insurance company and doctor.

As you sort out health insurance options and issues, be sure to get help from an adult who knows about health insurance choices and issues. Your transition support case manager or PAL staff are good people to contact for help. You can also contact the **Texas Foster Youth Justice Project at (877) 313-3688** if you need guidance about how to apply or legal assistance if you are incorrectly denied the foster youth health insurance.

Medicaid Programs

The **Former Foster Care Children's (FFCC) Medicaid** program is a type of free Medicaid insurance that most aged out foster youth are covered by.

You can get FFCC Medicaid if:

- You are under the age of 26—coverage goes until the end of the month of your 26th birthday.
- You were in the conservatorship of DFPS on your 18th birthday. Conservatorship means that there is a court order saying CPS has custody of you.

- You were receiving foster youth Medicaid when you turned 18. (If you were in juvenile or adult jail or prison, you were not receiving Medicaid.)
- You are a U.S. citizen or, if you are under the age of 21 and not a citizen, you are a legal permanent resident (green card holder) or other specified immigrant category, including deferred action with an approved SIJS application (see **Immigrants and Foster Youth Health Insurance** on the following page for more details).
- You currently live in Texas or turned 18 on or after January 1st, 2023, and live in any U.S. state or territory.

If you are under the age of 21 and do not qualify for the FFCC program because you were not receiving Medicaid when you turned 18, you may qualify for the **Medicaid for Transitioning Foster Care Youth (MTFCY)** program. The most common reason someone was not receiving Medicaid when they turned 18 is because they were in jail or prison.

The rules for MTFCY are:

- You are under the age of 21—coverage goes until the end of the month of your 21st birthday.
- You were in the conservatorship of DFPS on your 18th birthday. Conservatorship means that there is a court order saying CPS has custody of you—CPS can still be your conservator even if you are incarcerated.
- You are a U.S. citizen or a legal permanent resident (green card holder) or other specified immigrant category, including deferred action with an approved SIJS application (see **Immigrants and Foster Youth Health Insurance** on the following page for more details).
- You do not have adequate health coverage.
- You have household income at or below 400% of the Federal Poverty Level (in 2024, this was \$60,240 per year for a household of one).
- You currently live in Texas.

MTFCY ends when you turn 21 and you will no longer qualify for any aged out foster youth Medicaid program.

HEALTH CARE PLANS AVAILABLE TO AGED OUT FOSTER YOUTH

Once you have qualified for either **Former Foster Care Children's (FFCC) Medicaid** or **Medicaid for Transitioning Foster Care Youth (MTFCY)**, you will then get a health care plan with another name. Health insurance is confusing!

STAR Health: This health care plan covers youth currently in foster care (including extended foster care) and young adults aged 18 to 20 who aged out of foster care. Coverage ends the month of your 21st birthday and is provided through Superior HealthPlan.

STAR Health coverage is the same no matter where you live in Texas. This means that if you move within Texas, your health insurance plan will go with you.

Find more information about STAR Health at: www.dfps.texas.gov/Child_Protection/Medical_Services/ and www.fostercaretx.com/. You can choose to switch from STAR Health to another health care plan called, very confusingly, STAR. Some young adults find there are limited providers available under STAR Health that serve young adults and request to change to STAR.

STAR: This health care plan covers young adults between the ages of 21 and 25 who aged out of foster care. Coverage will go through until the end of the month of your 26th birthday. Depending on what county you live in, there are also different STAR insurance plans to choose from, such as Blue Cross Blue Shield or Wellpoint. If you move to a new county in Texas, you may have to change plans depending on what options are available in your county.

Find more information about STAR and what plans are available in your county at: www.hhs.texas.gov/services/health/medicaid-chip/medicaid-chip-members/star-medicaid-managed-care-program.

When you are deciding which STAR plan to choose or if you decide to switch from STAR Health to STAR, you should carefully review the providers on each plan. Be sure to find out if your doctor takes that plan and if there are providers and services near where you live. You should also see what extra services, called "value-added" services, are offered by the plan.

IMMIGRANTS AND FOSTER YOUTH HEALTH INSURANCE

What if I am not a citizen?

If you are a lawful permanent resident (have a green card) or have certain other types of immigration status, including deferred action with an approved SIJS application, you can get FFCC Medicaid or MTFCY until your 21st birthday. But after you turn 21, you may not be able to continue getting FFCC. There are some complicated requirements to continue receiving any Medicaid benefit if you are not a U.S. citizen after you turn 21 involving work history and paying taxes for a certain amount of time. If you become a U.S. citizen, you can qualify for FFCC Medicaid even after you turn 21.

What if I don't have legal immigration status?

Aged out foster youth without any legal immigration status are not eligible for FFCC Medicaid or MTFCY. However, CPS is required to help foster youth try to obtain legal immigration status before they age out of foster care. If this has NOT been taken care of for you yet, you need IMMEDIATE help before you leave foster care.

Immigration law is complicated and even more complicated when it comes to Medicaid for aged out foster youth! If you are not a citizen, you should contact the Texas Foster Youth Justice Project for more guidance about your eligibility for Medicaid. You should also see the Immigration and Citizenship Issues section, starting on page 83, for other important information about being a non-citizen.

APPLYING FOR MEDICAID

You should receive information about Medicaid while you are still in foster care from your CPS caseworkers, Preparation for Adult Living (PAL) staff, PAL Life Skills training, aging out seminars, and other conferences. One of the most important things you should do before you leave foster care is make sure your CPS caseworker and PAL staff have the address you will be moving to or receiving mail at after you leave foster care. You should give them plenty of notice before you leave so that they have time to complete the paperwork for your Medicaid benefits. When you are 18, your caseworker is required under the law to give you your Medicaid card and the insurance card of the health plan you have under Medicaid (usually Star Health/Superior). A few weeks after you leave care, be sure to call 2-1-1 and ask to speak to a foster youth specialist about your Medicaid to make sure it is active and they have a current address for you.

If you are not sure if you are still on Medicaid, you should call 2-1-1 and ask if you are still on Medicaid or check on the Your Texas Benefits website or app. If you find out you are still receiving Medicaid, you can update your address and request a new Medicaid card. If you find out you are no longer on Medicaid, you can apply to get back on FFCC Medicaid. While you can do it on your own, keep in mind that having a PAL staff or transition support case manager help you with the application is a great idea! **The best way to apply is to do it online at: <https://yourtexasbenefits.com>.** Click on Apply for new benefits and either create an account or log in to your existing account. **You should write down your login information and keep it safe!**

Be sure to answer **Yes** to any questions about whether you or any person were in foster care at age 18 or older. Once you finish filling out the application, you can submit it electronically.

Another way to apply for Medicaid is to print and mail your application; you will need to fill out one of the following forms:

- H1205 if you just want to apply for Medicaid, or
- H1010 if you want to apply for both Medicaid and SNAP (food stamps). **But we recommend you apply for Medicaid with form H1205 and then apply for SNAP once you have been approved for Medicaid so your Medicaid application won't be denied because of all the extra paperwork you have to provide to show you are eligible for SNAP.**

You can get these forms by calling 2-1-1, going to your closest Texas benefits office (find offices online at www.yourtexasbenefits.com) or downloading and printing

the form from www.yourtexasbenefits.com. Be sure to answer Yes to any questions about whether you or any person were in foster care at age 18 or older. You will have to mail your application to the Texas Health and Human Services Commission (HHSC) or take it to the closest Texas benefits office. **You can find more detailed information about how to apply at: www.texasfosteryouth.org.**

MEDICAL RECORDS

Once you turn 18, you are the person responsible for making decisions about your medical care. You can even be responsible for this starting at the age of 16 if you ask the court to give you the right to make health care decisions and the court agrees. You'll need good information about your medical history.

Before you leave foster care, make sure to do the following:

- Have copies of your medical records, which your caseworker should give you when you turn 18.
- Ask your caseworker to print out your **Health Passport**. Once you leave foster care, your transition support case manager or PAL staff should be able to help you print it out if you are still on STAR Health. The Health Passport should have information about all the providers you have seen, prescribed medications, and limited information about the services you received while in foster care.
- If you want a complete medical record from a specific doctor or facility, you have to contact that office.
- You should also ask for records from your CPS file that include your past and present treatment information and any records with information about health issues in your birth family.

How to Call 2-1-1 and Get Help from Medicaid

Many aged out foster youth have experienced problems with Texas Health and Human Services Commission (HHSC) ending their benefits and telling them that they are not eligible for Medicaid. The notices HHSC sends out are very confusing. Many young adults also have problems getting into their yourtexasbenefits.com accounts because of special security items in place for foster children. To get help from the right people at HHSC, follow these steps:

1. Call 2-1-1 or (877) 541-7905 between 8 a.m.–6 p.m. Central Time Monday–Friday.
2. Select your language (English is 1).
3. Select 2 (State Benefit Programs).
4. Tell the virtual assistant you want to “apply for benefits”
5. Respond that you want to transfer to a live agent.
6. Wait for a live person—and say “**I NEED TO TALK TO A FOSTER YOUTH SPECIALIST.**” Keep asking to speak to the **SPECIAL FOSTER YOUTH MEDICAID STAFF**. Ask for a supervisor to assist if necessary.
7. You should reach someone who can help you with your problem. If you don’t get help, you can find more information about who can help you by contacting the **Texas Foster Youth Justice Project at (877) 313-3688**.

RENEWING YOUR HEALTH INSURANCE

Once you have FFCC Medicaid (or MTF CY), you will have to renew it every twelve months. The Texas Health and Human Services Commission (HHSC) will mail you a renewal letter 3 to 4 months before your benefits are set to end each year. The letter will be mailed to the address they have on file for you. This is why it is so important to keep your address updated! The envelope will say “Time Sensitive,” and you only have 10 days to respond. If you have moved, you may be asked to provide documentation of your new address. If HHSC does not get a response from you by the end of your 11th month of coverage, your health insurance benefits will end! So respond as soon as possible so you don’t lose your Medicaid. You do not want to get sick or hurt and show up to the doctor’s office or emergency room only to find out you do not have health insurance. Health care is very expensive if you don’t have insurance.

You can renew your Medicaid by:

- Checking and submitting your renewal at the Your Texas Benefits website or app;
- Calling 2-1-1 or (877) 541-7905; or
- Completing the forms with the renewal letter and returning it by mail or fax.

If you know your Medicaid is expiring in two months or less and you haven’t gotten a renewal letter yet, you can still check your account on the Your Texas Benefits website or app or call 2-1-1 to renew it. Be sure to check that your address is up to date.

Proof of Address: Medicaid often wants some proof that you live in Texas. If you don’t have a lease or bill or other documents that show your current mailing address, you can have someone who is familiar with your situation complete a form that says you live in Texas.

You can find the Medicaid Residency Verification Letter that they can use at: <https://texasfosteryouth.org/legal-resources/legal-resources-for-youth/medical-issues-health-insurance/>.

There is a Your Texas Benefits mobile app available: this is a great way to upload required documents, change your address, and check the status of your benefits. Visit www.yourtexasbenefits.com to get the app. If you have trouble accessing your account, call 2-1-1 and ask for a foster youth specialist.

Medicaid Eligibility When You Move to Another State

Medicaid is a public benefit that is provided by the state you currently live in. Depending on certain factors, your eligibility for FFCC Medicaid may change if you move away from the state where you were in foster care. See below for different situations you may find yourself in and how they may impact whether you can get FFCC Medicaid.

In foster care in Texas, but placed in another state: If you went into foster care in Texas, then DFPS has custody of you. CPS may choose a placement for you that is in another state – if this happens, you are still in Texas foster care even if your placement is in another state. There is a set of rules called the Interstate Compact on the Placement of Children (ICPC) that should be followed if you are placed in another state. *If you are in a placement outside Texas when you turn 18, you will be eligible for FFCC Medicaid only until your 21st birthday.* You can contact your PAL staff to find out if you were in an ICPC placement.

In foster care in another state, but placed in Texas: If you went into foster care in another state, then the agency responsible for keeping children safe in that state has custody of you. That agency may choose a placement for you in Texas – if this happens, you are still in foster care of your home state. There is a set of rules called the Interstate Compact on the Placement of Children (ICPC) that should be followed if you are placed in another state. *If you are in foster care in another state but in a placement in Texas when you turn 18, you will be eligible for FFCC Medicaid only until your 21st birthday.*

MEDICAID AND OTHER PUBLIC BENEFITS

Aged out of foster care in Texas and moved to another state:

- **Turned 18 before January 1, 2023:** If you aged out of foster care in Texas and turned 18 before January 1, 2023, *you are not entitled to receive FFCC Medicaid in any other state.* Some states may offer Medicaid benefits that you may access, but you will have to apply in that state. If you move back to Texas and continue to meet all the eligibility requirements, you can re-apply for FFCC Medicaid or MTFY.
- **Turned 18 on or after January 1, 2023:** If you aged out of foster care in Texas and turned 18 on or after January 1, 2023, *you are entitled to receive FFCC Medicaid in any other U.S. state or territory.* You may be asked to verify that you aged out of foster care in Texas. You can obtain a **Foster Care Verification** from the state office PAL staff by contacting them here: www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/Preparation_For_Adult_Living/PAL_coordinators.asp.

Aged out of foster care in another state and moved to Texas:

- **Turned 18 before January 1, 2023:** If you aged out of foster care in another state and turned 18 before January 1, 2023, *you are not entitled to receive FFCC Medicaid in Texas.* You may be eligible for a different Medicaid program, but you will have to apply through HHSC. If you move back to your home state and continue to meet all the eligibility requirements, you can re-apply for FFCC Medicaid.
- **Turned 18 on or after January 1, 2023:** If you aged out of foster care in another state and turned 18 on or after January 1, 2023, *you are entitled to receive FFCC Medicaid in Texas.* You may be asked to verify that you aged out of foster care in your home state. Contact the **Texas Foster Youth Justice Project** for help to get your state coordinator's contact information.

IMPORTANT REMINDERS

- **Always keep your address up to date with Medicaid. The easiest way to do this is online at:** www.YourTexasBenefits.com and clicking on Report a Change under Case Facts in your account, by calling 2-1-1 or (877) 541-7905, or using the Your Texas Benefits mobile app. Failing to keep your address up to date may result in your benefits being cut off. Besides not getting renewal letters, if any mail is returned to the agency, they will cut off your insurance.
- **If you move a lot and cannot keep your address up to date, you should talk to a trusted adult about accepting mail for you.** Most transition support case managers will do this for you. You could also ask a relative, mentor, or CASA worker. Don't use your friend's apartment address as often the post office won't deliver mail to someone not on the lease.
- **You can find more detailed, regularly updated information about health insurance and Medicaid at:** www.texasfosteryouth.org. You can also contact the Texas Foster Youth Justice Project at (877) 313-3688 with questions or for legal assistance in getting your health insurance.

FINDING A DOCTOR

You will have two different health insurance cards—your Medicaid identification card and the card for the provider of your health care plan. If you are under 21 and enrolled in STAR Health, the name of your provider is Superior HealthPlan. If you are enrolled in STAR, the name of the provider of your health care plan will be different depending on where you live and which plan you choose.

The back of your cards will have important phone numbers that you can call for help. They may also have a website where you can search for a doctor or find out other information.

Before you make an appointment to see a doctor, you should talk to their office and make sure they accept your insurance. Sometimes a website will say that a doctor accepts your insurance, but the doctor no longer accepts it. Be sure to give them the full name of the health care plan provider listed on your provider card and documents Medicaid has sent you. Many plans have names that are very similar, so be careful.

It can sometimes be hard to find a doctor because not everyone accepts Medicaid insurance. For this reason, you should try to find a Primary Care Physician (“PCP”) and have your first visit long before you need one. That way, if you get sick or hurt, you will know immediately who to call.

If you have STAR Health, visit: www.fostercaretx.com/ and search for a doctor or click on the “Resources” link (under For Members & Caregivers) to get important phone numbers and review your member handbook. If you cannot find a doctor in your area, call STAR Health at (866) 912-6283 and ask to speak to a Service Manager in the Foster Care Department or a Transition Coordinator.

LGBTQIA+ SERVICES AND RESOURCES

You have rights as a child or young adult in foster care that include being treated fairly and being free from abuse, neglect, exploitation, and harassment from any person in the household or facility where you live, regardless of sexual orientation or gender identity. You also cannot be punished or treated differently because of your sexual orientation or gender identity.

Name and Gender Marker Changes/Corrections: Children can only get their names and/or gender markers changed with the consent of a parent or person with legal responsibility. If you are under 18 and in foster care, this means that DFPS would have to consent to the name and/or gender marker change. If your parents’ rights were not terminated, they may also have to consent. It is usually easier to wait until you turn 18 and can ask a court to change your name and/or gender marker without needing to obtain consent from anyone else. You can contact the **Texas Foster Youth Justice Project** at (877) 313-3688 for advice or assistance to change your name and/or gender marker.

THERE ARE A NUMBER OF SERVICES AND RESOURCES AVAILABLE TO YOUTH AND YOUNG ADULTS WHO IDENTIFY AS A PART OF THE LGBTQIA+ COMMUNITY. Many of these services and resources can be found in the following guides.

- The Trevor Project offers crisis support, information, and resources to LGBTQIA+ young people: www.thetrevorproject.org
- Texas Foster Youth Connections: www.texasfosteryouthconnections.org/resources
- Rainbow of Resources (Texas Appleseed): <https://www.texasappleseed.org/sites/default/files/2023-05/rainbow-resources-digital-0.pdf>
- LGBTQ+ Resource Guide (Superior HealthPlan): https://superiorhealthplan.com/content/dam/centene/Superior/Medicaid/PDFs/SHP_20228700-SH-LGBTQ-ResourceGuide-M-EN-508-06242022.pdf

DENTAL COVERAGE

Medicaid only provides dental services to those 20 years old and younger. If you have dental issues, it is very important to get them taken care of before your 21st birthday. Some dental issues may take several months to fix, so get started early! Dental insurance through Medicaid covers check-ups, fillings, crowns, and emergency dental services. Dental insurance can even cover braces and other orthodontic treatments that are “medically necessary.” You should talk to your dentist about the services you think you need and ask to be referred to a specialist, if necessary.

After you turn 21: you will only get dental coverage if you choose a STAR plan with a *value-added service* covering dental work. Keep in mind that the dental work it covers is very limited.

You can find more information about dental coverage at: www.texasfosteryouth.org.

MENTAL HEALTH SERVICES AND RESOURCES

Mental health and wellness is important to everyone and, just like physical health and wellness, your mental health can change over time and affect how you feel, what you do, and how you interact with others. Many young adults leaving foster care have experienced trauma resulting from abuse and neglect (both before, during, and after foster care), and separation from their families. While in foster care, many youth receive multiple diagnoses related to their mental and physical health and are prescribed various medications over a long period of time. As you prepare to leave foster care, you have a lot of decisions to make about how you will make choices about your health when you become an adult.

You should think about the following issues and make a plan to address your needs:

- **Decide whether to continue mental health treatment and choose a provider:** If you want to maintain treatment of any mental health challenges you may have, you need to make sure you always have a follow-up appointment scheduled with your psychiatrist. If you remain on the STAR Health plan, you should be able to continue seeing the same psychiatrist you saw before you turned 18. If you want to choose a new psychiatrist, you can contact Superior HealthPlan, if you are on STAR Health, or your STAR plan provider to ask for help to find a provider who accepts your health plan.
- **Decide whether to continue some, all, or none of your medications:** If you are on medications, especially psychotropic medications that affect how you feel, think, and act, you need to decide whether you want to continue or stop taking them when you turn 18. Many psychotropic medications can have serious side effects if stopped immediately, so you should talk with your psychiatrist before you stop taking your medications. You can learn more about making choices about psychotropic medications here: <https://www.childwelfare.gov/pubs/makinghealthychoices/>.
- **Create a crisis plan:** If you have ever experienced suicidal ideation or attempt or other mental health crisis, you should have a plan in place to get the help and services you need when you are living on your own. Consider the following resources and options for help if you ever need it:
 - **Dial 988 for the Suicide & Crisis Hotline:** You can dial 988 on your phone or visit the website to chat: <https://988lifeline.org/>.
 - **Text HOME to 741741 to text with someone from the Crisis Text Line or visit this website to chat:** <https://www.crisistextline.org/>. You can also contact the Crisis Text Line in WhatsApp.
 - **Find your Local Mental Health Authority (LMHA) here and contact their crisis line:** <https://www.hhs.texas.gov/services/mental-health-substance-use/mental-health-crisis-services>
- **Identify helpful services for substance use disorders:** Medicaid covers treatment services for substance use disorders. If you want help to begin treatment, you can find treatment centers in Texas at: <https://treatmentcentersdirectory.com/Texas/>, which lets you filter centers by whether they accept Medicaid and the type of treatment program. Some centers have programs specifically for young adults.
- **Consider creating a Declaration for Mental Health Treatment (also called a Psychiatric Advance Directive or PAD):** This is a legal document that lets you write down information about types of treatment that you may or may not want used in the future when you may not be able to make those decisions yourself. You can give instructions about what psychotropic medications you do or do not want, whether or not you want electroconvulsive therapy (ETC), and how you want doctors and facility staff to try to calm you down in an emergency. A PAD is only used if you are found to be incapacitated by a judge, which means you are not capable of making your own mental health treatment decisions. You can learn more about PADs here: <https://www.disruptlab.org/how>. You can also contact the Texas Foster Youth Justice Project if you want help to complete a PAD.

OTHER HEALTH INSURANCE OPTIONS

Hopefully you will be covered by FFCC Medicaid until you turn 26 years old or by MTCY until you turn 21 years old. However, if you are certain you do not qualify for it, or you are 26 or older, you will need to try to obtain health insurance from another source.

In Texas, Medicaid generally does not cover most adults unless you are disabled or elderly and receive SSI, are pregnant, or are receiving TANF. If you fall in one of those categories, you can apply for Medicaid the same way you apply for FFCC Medicaid. Regularly seeing a doctor during a pregnancy is very important for the health of your baby, so if you don't have health insurance, apply for Medicaid as soon as you know you are pregnant.

If you can't get Medicaid, you should see if you can get health insurance through the Federal Government Health Care Exchange at: www.healthcare.gov. Depending on your income, you may qualify for a federal government subsidy that could pay some or most of the cost of the health insurance.

Apply online or go to a local site to get help applying. To find a local site, you can visit: <https://www.healthcare.gov/find-local-help/#/> or call (800) 318-2596.

You should know that if the health care exchange determines that your family income is too low, you won't qualify for a federal government subsidy. The federal government program calls for Texas to cover low-income people with Medicaid; however, Texas has not expanded Medicaid and is not providing Medicaid health insurance coverage to most low-income adults. If you do have insurance from the federal government health care exchange, you need to reapply every year between November 1st and December 15th.

You might be able to get health insurance through your employer, but with employer insurance you often have to pay a portion of the cost. When applying for jobs, you may also want to ask about health insurance. Many large businesses offer health care plans to their employees, including part-time employees. If you work in a profession that is part of a union, then it is also likely that some medical benefits are provided. If you attend college, you may have a student health insurance plan you can buy.

To help you understand your medical insurance choices, there are also resources like: www.texashealthoptions.com.

Health insurance in America changes a lot, so other options might become available. For updates, please visit: www.healthcare.gov and www.texasfosteryouth.org.

You should apply each year between November 1st and December 15th, as your eligibility could change. You can apply at: www.healthcare.gov.

You should reapply whenever your income changes or you have a major life event like having a baby or getting married. You can reapply at: www.healthcare.gov

HEALTH INSURANCE FOR YOUR CHILDREN

If you cannot afford private insurance for your children, then your children may be able to get free or low-cost health insurance through Children's Medicaid and the Children's Health Insurance Program (CHIP).

For more information, visit the Health Care for Children Section at: www.yourtexasbenefits.com or call 2-1-1 or (877) 541-7905.

FOOD STAMPS (SNAP FOOD BENEFITS)

Under the Supplemental Nutrition Assistance Program (SNAP), also called food stamps, young adults living in Texas may be eligible to receive an electronic debit card to buy groceries. To qualify you must show financial need and meet other criteria.

Young adults who aged out of foster care and are 24 years old or younger may qualify for SNAP even if they are not working or going to school (which is a requirement placed on all other able-bodied adults without dependents). This exception also applies to young adults who are experiencing homelessness. There are some additional exceptions to these requirements, such as for a person who has a disability or is pregnant. **It is very important that you report any change in your income or household every month to the program; you can be charged with fraud if you don't.**

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

If you have children, you may be eligible for a monthly cash payment through the Temporary Assistance for Needy Families (TANF) program. These payments are made to needy single and two-parent families. The amount of each family's payment depends on a few things, including income, assets, and need. The maximum payment for a family of three is around \$286 per month.

You may be eligible for a one-time \$1,000 cash payment through the One-Time TANF (or OT-TANF) program. OT-TANF helps families that meet certain crisis criteria. In order to get this payment, families must meet the TANF guidelines and can't already be receiving any TANF benefits. Once you receive this one-time payment, you are not eligible to receive TANF payments for the next 12 months.

For more information on TANF visit:
www.yourtexasbenefits.com, dial 2-1-1, or
visit your local Texas Health and Human
Services Commission (HHSC) office.

RSDI AND SSI BENEFITS

There are different types of Social Security benefits that you may receive during and after foster care. Those who are under 18, or who are under 19 and still in high school full time, can receive Social Security benefits based on their parent's social security earnings if their parent is disabled, retired, or deceased; this is called **Retirement, Survivors, and Disability Insurance (RSDI)** benefits and is usually paid as a monthly check. You can still receive this money even if your parent's rights were terminated. While you are in foster care, the money is paid to DFPS to pay for your foster care expenses. If the money paid is more than the cost of your foster care expenses, or DFPS receives benefits while you have run away from foster care, DFPS is supposed to put the money in a special account. This money should be used for additional expenses you have, or, when you leave foster care at age 18, it should be released to you or sent back to the Social Security Administration. If you get RSDI benefits and have a disability, you can apply to continue to receive RSDI after you turn 18. You will need to show you are disabled and you must be unmarried. If you receive RSDI and get married, you will lose the benefits.

Supplemental Security Income (SSI) is for disabled or elderly people with limited income and resources; disabled children can receive it as well. While you are in foster care, any SSI benefits you receive go to DFPS to pay for your foster care expenses. If you receive SSI, you may be notified by the Social Security Administration when you turn 18 that you need to prove to them again that you are disabled. It is important that you provide the needed documentation of your disability and attend any evaluation appointments they schedule for you. If you have disabilities and don't already receive SSI, you should ask your caseworker about applying for SSI well before you leave care. It can take a long time, even years, to establish with the Social Security Administration that someone is disabled, although some disabilities can be more easily established. Your caseworker should have a DFPS SSI coordinator assist with preparing the application and taking the necessary steps to obtain SSI and/or RSDI benefits for you. If you receive RSDI but the amount of the benefit is low, you should qualify to get some additional SSI benefits and the SSI specialist should help with that. The maximum amount of SSI benefits for an individual in 2024 is \$943.

MEDICAID AND OTHER PUBLIC BENEFITS

Be sure to get a copy of documentation from the Social Security Administration that shows what benefits you receive. Your caseworker should request this from the SSI coordinator. Often there is confusion and incorrect information about whether a foster youth gets Social Security benefits and what type they get, so demand a written document from DFPS and the Social Security Administration. Applying for these benefits can be complicated, particularly providing the necessary documentation to establish that you have a disability. If you are denied benefits, be sure to appeal on time; you can keep appealing until you have a hearing with an Administrative Law Judge. Appealing a denial of SSI benefits means you are asking the Social Security Administration to change their mind and give you the benefits you asked for. If you apply for SSI after you leave foster care, be sure to get help from your transition support case manager or another caring adult throughout the process.

Your school records, evaluations related to special education, and psychological evaluations can be very important to help establish your disability. You should request them within four years of leaving school or the school may not have them anymore. See page 27 for more information about **Individualized Education Plan (IEP)**.

If you stay in foster care after you turn 18, you will need to sign over your RSDI or SSI benefits to DFPS as long as you stay in extended foster care. If your benefits are more than the cost of your care, the money will be put in a personal account for you to use for expenses.

Once you leave foster care or extended foster care, you will need to go to the Social Security Administration office to ask that your payments be made to you directly instead of DFPS.

If you are worried about managing your money, you can ask a trusted adult to be your payee, which means they receive your SSI payments on your behalf. Be sure anyone you ask to be your payee can be trusted because they will have complete access to your money and can control how it is spent.

If you receive SSI, you may be placed on a different Medicaid program other than FFCC Medicaid. This Medicaid program should cover your healthcare needs as long as you receive SSI.

There is a limit to the amount of money you can have at any one time when you receive SSI. **You are not allowed to have more than \$2,000 at any time or you will lose your SSI benefits, along with your Medicaid if it is based on your SSI benefits. Be very careful to spend any money you have over \$2,000 so you do not lose your benefits.**

For more information about RSDI and SSI benefits visit: www.socialsecurity.gov.

OTHER SOCIAL SERVICES RESOURCES

On the www.211texas.org website you can find programs in your area that can help with your needs, including health care, food, housing, rental assistance, utility bill assistance, counseling and childcare. You can also get this information by dialing 2-1-1 on any phone in Texas. Another helpful website is: www.findhelp.org.

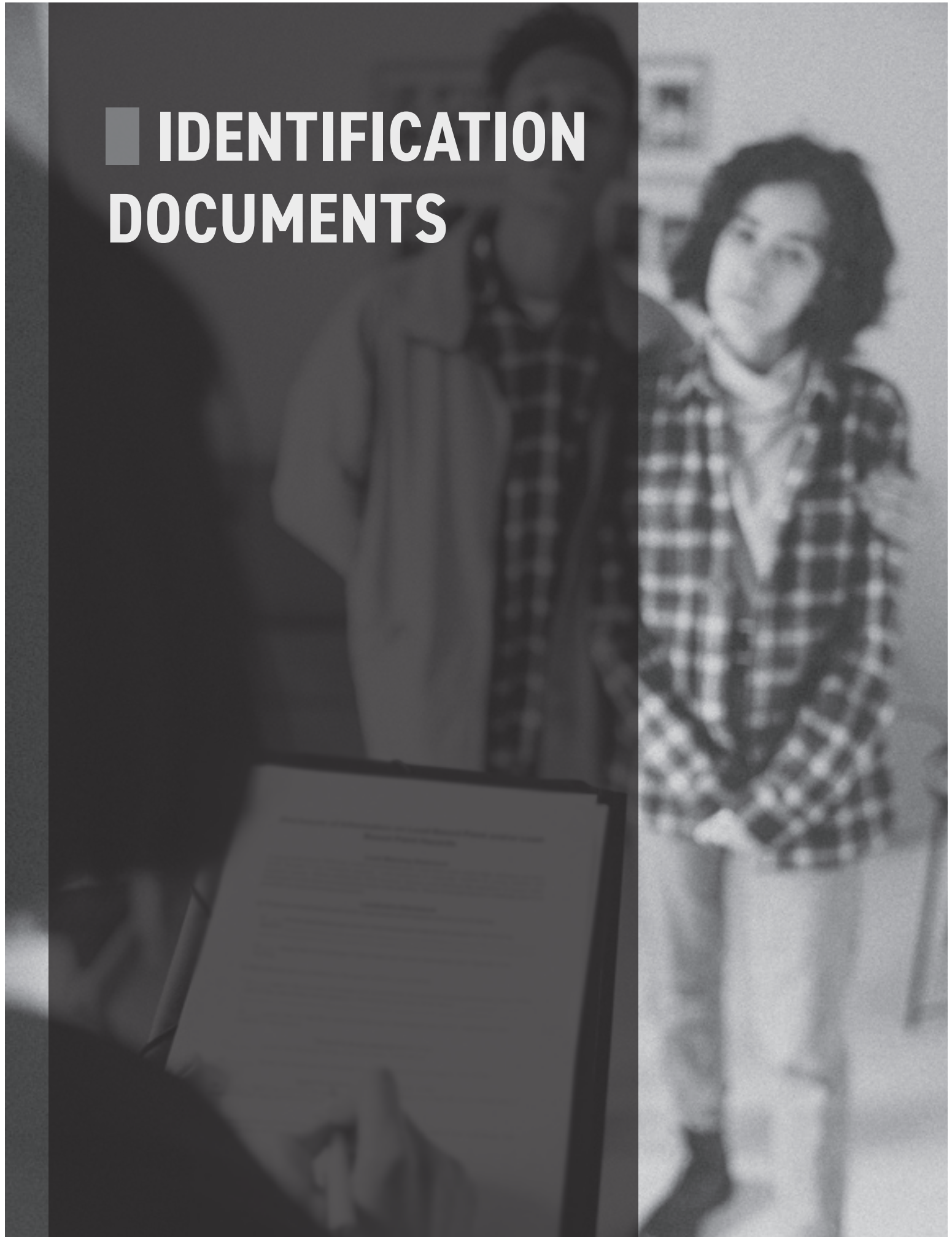
YourTexasBenefits.com offers online access to Texas Health and Human Services Commission (HHSC) benefits including Medicaid, SNAP (food stamps), Temporary Assistance for Needy Families (TANF), and Children's Health Insurance. You can also dial 2-1-1 on any phone in Texas to get this information.



The Texas Foster Youth Justice Project is available to provide free and confidential legal advice and assistance.

Call: (877)313-3688 E-mail: info@texasfosteryouth.org

■ IDENTIFICATION DOCUMENTS



GET YOUR IDENTIFICATION DOCUMENTS BY AGE 16

Before you turn 16, CPS must give you a certified copy of your birth certificate, your original Social Security card, and a Texas identification card (ID card) or driver license.

CPS is also required to make sure you have these documents before you leave foster care when you are 18 or older. At that same time, your caseworker must give you your Medicaid card and/or insurance card of the health plan you have under Medicaid. Your caseworker should also give you the information in your Health Passport. See the **Medical Records** section on page 62 for more information.

Not Born in the United States

If you were not born in the United States, you also need the legal document that shows your immigration status or your certificate of citizenship. See **Immigration and Citizenship Issues**, starting on page 83 for more information.

Why You Need Identification Documents

Having a government-issued ID with your photo on it is very important. Throughout your adult life, you will need to have these documents available for many reasons. Employers, healthcare providers, landlords, banks, schools, voting sites, stores, public benefits providers, bus stations, airports, and many more places require your official photo ID. While many people use their driver license for this, some people don't have a driver license and use an official Texas ID card. You will also need to show new employers your Social Security card, birth certificate, and Texas ID or driver license. If you were not born in the United States, you will need the document that shows your immigration status or your certificate of citizenship. It is impossible to get a government-issued ID or driver license when you don't have a certified copy of your birth certificate, your original Social Security card, and other documents. Those who leave foster care missing any of these documents find it very difficult to function in the adult world and discover there is no quick way to resolve missing document problems.

All Documents Must Have the Same Name

All these important documents must have the exact same name on them, which should be the name that you use, and all names should be spelled correctly. If the documents have different names on them, are not in the name you use, or are not spelled correctly, they won't be accepted as identification and you will have all sorts of problems. If you were ever adopted, there is a chance that some of your identification documents might have your birth name still listed on them. It is much easier to get a court order to fix your name problems while you are still under 18 and have a CPS court case open.

WHO WILL ASK FOR YOUR IDENTIFICATION DOCUMENTS?

- EMPLOYERS
- HEALTHCARE PROVIDERS
- LANDLORDS
- PUBLIC BENEFITS
- SCHOOLS
- VOTING
- STORES
- BANKS
- TRAVEL (BUS, PLANE)

IDENTIFICATION DOCUMENTS

KEEP DOCUMENTS IN A SAFE PLACE

- If you are currently in foster care, your placement should keep these documents in a safe place for you. You should be able to get to your identification documents whenever you need them if you are age 16 or older.
- Carry your Texas ID card or driver license with you, but do not carry your birth certificate or Social Security card with you. Keep your ID securely in your wallet. It should not be carried loosely around in a bag or pocket.
- Only take your birth certificate or Social Security card out from the safe place when you need to show them for paperwork at a new job or places where you must show them for official purposes. Be sure to put them back in the safe place once you have finished using them.
- Before you turn 14, CPS is required to make sure you have an e-mail address where you can receive encrypted copies of your identification documents and records. Be sure to keep track of this e-mail address and password and check it regularly. Write it down somewhere besides just on your phone.
- Having copies of your documents, front and back, is important. While you won't be able to show copies instead of originals in many situations, having the copies will make it easier to replace them.
- When you leave foster care, you need to have a good plan for how you will safely keep your documents. CPS is supposed to help you with this. You should talk to other adults in your life about how you can make sure your documents are not lost or stolen.
- If your identification documents are lost or stolen, it can take many months and cost money to replace them. It will also create problems with all those places that require identification documents.
- Always remember to ask to take your documents with you when you move away from a placement or other place you are staying. Sometimes the person who takes you to a new placement doesn't get them. If they are left behind, ask for them to be brought to you.

If your documents are left behind and you ask for them to be brought to you, but you don't get them back, contact:

1. The Texas Foster Care Ombudsman if you are younger than 18:

www.hhs.texas.gov/services/your-rights/hhs-office-ombudsman/ombudsman-children-youth-foster-care

2. The DFPS Office of Consumer Affairs if you are 18 or older:

www.dfps.texas.gov/Contact_Us/Questions_and_Complaints/OCA.asp

For more information see **Your Rights in Foster Care** on page 4.

TAKE ACTION TO GET YOUR IDENTIFICATION DOCUMENTS

If you don't have all your original documents by your 16th birthday, or they are in the incorrect names, or you are not being allowed to use them, you should take the following steps:

1. Let everyone involved in your case know that you want and need them now! Tell your caseworker, CASA, attorney, judge, foster parent, and PAL staff that you don't have your identification documents and that is a violation of foster youth rights under Texas law! Tell them to contact the **Texas Foster Youth Justice Project** at **(877) 313-3688** or www.texasfosteryouth.org if they need guidance about how to help you get the documents.
2. Contact the **Texas Foster Care Ombudsman** if you are younger than 18 and the **DFPS Office of Consumer Affairs** if you are 18 or older. See **Your Rights in Foster Care** on page 4 for more information.
3. While it is your caseworker's responsibility to give you your identification documents, you can take steps on your own or with the help of others such as your foster parent, CASA, or attorney to get the documents. There are even laws to make it easier for youth and young adults in foster care to get their Texas birth certificate, ID card, and driver license.

GET A DFPS FORM 2042 FOSTER CARE RESIDENCY VERIFICATION FROM YOUR CPS CASEWORKER

1. **If you are in foster care**, including extended foster care or Supervised Independent Living (SIL), ask your caseworker to fill out and give you the [DFPS Form 2042, Youth or Young Adult in Foster Care Residency Verification for a Driver License or State ID Fee Waiver](#).
2. **If you are under 18**, also ask your caseworker to fill out and give you the Texas Driver License or Identification Card application form. The instructions in the [DFPS Form 2042 Foster Care Residency Verification](#) have information and links for them.
 - a. **If you are under age 17 and 10 months**, your caseworker should fill out the [DL-14B Texas Driver License or Identification Card Application \(Minor\)](#). They must sign it before a notary public if they are approving you to get a driver license or learner permit/license. If the application is only for an ID, it does not need to be notarized.
 - b. **If you are 17 years and 10 months old or older**, you should ask your caseworker to help you fill out the [DL-14A - Texas Driver License or Identification Card Application \(Adult\)](#). You must sign it before a notary public if you are applying for a driver license or learner permit/license. If the application is only for an ID, it does not need to be notarized. If you are no longer in foster care, you will need to fill out the application yourself.
 - c. You should know that all foster youth have a right to get an ID. Your caseworker should fill out and sign the Texas Driver License or Identification Card Application form, but if they don't you can still get your ID. However, when you are under 18, you can only get a driver license if your parent or person with legal authority agrees. If you are in foster care, your caseworker is the person who agrees. So, if you are under 18 and are applying a license, your caseworker must either fill out and sign the Texas Driver License Application form before a notary public or go with you to DPS.

- d. If you are using the caseworker's address for your mailing address, be sure to list "c/o" followed by the caseworker's name and Texas Department of Family and Protective Services in the mailing address on the application. For example: if your name is Jane Doe and your caseworker is Juan Garcia, when you add the mailing address, it should look like this:

Jane Doe
c/o Juan Garcia
Texas Department of Family
and Protective Services
Street Address
City, TX Zip Code

3. If you ask your caseworker twice for the forms and they don't get them to you, you should contact:
 - a. [The Texas Foster Care Ombudsman](#) for help if you are under 18.
 - b. [The Texas Department of Family and Protective Services Office of Consumer Affairs](#) for help if you are 18 years old or older.

See **Your Rights in Foster Care** on page 4 for more information.

If you contact them and still don't get the forms or have other problems getting your ID, you can contact the **Texas Foster Youth Justice Project** at info@texasfosteryouth.org or **(877) 313-3688** for advice and possible free legal help from a lawyer.

IDENTIFICATION DOCUMENTS

WHAT ADDRESS TO USE ON YOUR ID OR LICENSE?

Decide with your caseworker about what address to list on your Texas Driver License or Identification Card application form. Your caseworker should list on the **DFPS Form 2042 Foster Care Residency Verification** a mailing address, which is their name and office address, and a current address, which is your placement address.

- If you are in a placement that is intended to be permanent, such as with a relative or a foster home you have lived in for several years, you can use your current address as the mailing address on the application form.
- If you have been moved a lot or plan to move, you should use the mailing address of your caseworker because every time you move you will have to tell the Texas Department of Public Safety (DPS) and get a new ID card with your new address. But if youth in foster care use the address of a caseworker, they do not have to update it while they are in foster care. However, they must update their address with DPS when they leave foster care.

- Visit <https://txapps.texas.gov/tolapp/txdl/> for more information about updating your address and replacing your ID card and license. To do these things online you will need a credit or debit card. DPS will charge you \$11 to change the address on your ID or license and send you a replacement card. It costs more to do it online if you don't know your audit number, which is the long number at the very bottom of your ID or license (see picture below). Having a copy or photo of the front and back of your ID or license can be very helpful.



WHAT IF YOU ARE NO LONGER IN FOSTER CARE? WHAT IF YOU DON'T HAVE A DFPS FORM 2042 FOSTER CARE RESIDENCY VERIFICATION?

You must be in foster care or extended foster care, including Supervised Independent Living (SIL), to be covered by the law that allows you to get your birth certificate and ID or license for free. If you are not in foster care, you might be covered by special laws for homeless youth. See TexasFosterYouth.org for more information. If you are not considered a youth in foster care or experiencing homelessness, or you don't have **DFPS Form 2042 Foster Care Residency Verification**, you can't waive the fees for a birth certificate and ID or license. You will not be able to get your birth certificate on your own if you are under 18 unless you have other proof you are in foster care or are homeless. For an ID or a license, you will need to provide either two documents that establish your Texas residential address or present a Texas Residency Affidavit. See <https://dps.texas.gov/section/driver-license/texas-residency-requirement-driver-licenses-and-id-cards> for more information about documents you can use to meet DPS residency requirements.

HOW TO GET YOUR BIRTH CERTIFICATE

DFPS is supposed to give you a certified copy of your birth certificate before you turn 16. If you have not received it or you no longer have it and your caseworker has not helped you get a new certified copy, you can get one on your own **if you were born in Texas**. If you were born in another state, you will have to order it from that state and meet whatever requirements they have, which may include that CPS has to order it if you are under 18.

1. The **DFPS Form 2042 Foster Care Residency**

Verification filled out by your caseworker lets you get your birth certificate without a parent or guardian signature (only needed if you are under 18) and you won't have to pay for the birth certificate. However, you will still need to provide documents that show you are the person listed on the birth certificate. Ask a caring, older adult to help you figure out what you need to take with you. Texas Vital Statistics has a helpful website with information: <https://dshs.texas.gov/vital-statistics/check-order-status/requirements-mail-person-orders#youth>. Scroll down to the section titled **HB 123: Foster or Homeless Youth**. If you don't have a **DFPS Form 2042 Foster Care Residency Verification**, but you or the caring adult that goes with you have other official documents from DFPS or the court that show you are in foster care, the birth certificate office may be willing to accept that document as proof you are in foster care.

2. Gather needed documents to show who you are. Texas Vital Statistics has a long list of what you can use here: www.dshs.texas.gov/vital-statistics/acceptable-identification-id. **Remember, all documents must be originals, not photocopies!** If you have a primary acceptable document, it is easy. **Some examples of primary acceptable documents are:**

- Driver license from a U.S. state
- Federal or state ID card
- Military ID card
- U.S. passport
- A work permit or green card issued by USCIS
- A border crossing card (BCC) or visa issued by the U.S. Department of State

If you have one of these documents, you are ready to go get your birth certificate.

3. If you don't have a primary acceptable document, you must have:

a. **One secondary acceptable ID. The type of documents youth might have as a secondary acceptable ID are:**

- A primary acceptable document that is expired
- Current school or work ID
- Social Security card - must be signed
- Medicaid or health insurance card

b. **AND two supporting documents. These can include:**

- Library card
- Social Security letter
- Recent medical record or bill
- Recent paycheck stub
- Recent cell phone bill with current address
- Official school transcript
- Court order
- Public benefits letters or applications (examples: SNAP (food stamps), Medicaid, or TANF letters or applications); you can access your applications and letters on the Your Texas Benefits website or app – see page 63 for more information about accessing your account
- Voter registration card (you must be 17 and 10 months old to register to vote)
- Bank account statement
- Lease agreement or recent rent receipt with your name and address on it
- Tax records
- Religious record with signature of religious official (example: Certificate of Baptism)
- Letters or notices from immigration

4. Find out where you can go to get your birth certificate. You can find a list of places at <https://dshs.texas.gov/vital-statistics/order-records-locally>. Only people over the age of 18 who already have a valid Texas ID or driver license can request their birth certificate online. Even if you are 18 and have your ID or license, there may be additional questions to verify your identity that you don't know. You can also request your birth certificate by mail from the Texas Vital Statistics office in Austin at this website: <https://dshs.texas.gov/vital-statistics/birth-records>, but it will take much longer than going in person.

Some counties, cities, and district clerks in Texas can issue your birth certificate no matter where you were born in Texas. If you were not born in the county where you live, look for offices that show they provide TEXAS BIRTH RECORDS and not just local records. Look for this symbol on the Vital Statistics website:



IDENTIFICATION DOCUMENTS

When possible, you should order a long form birth certificate. It costs the same and has more information than a short form birth certificate, including any changes or corrections that were ever made to your birth record.

5. Take your identification, supporting documents, and the completed **DFPS Form 2042 Foster Care Residency Verification** to your local birth certificate office. Having a caring, older adult go with you is also a good idea. You don't need parental consent, but they can help you talk to the people at the office and assist if there are any problems.
6. Give the office your identification and supporting documents and the completed **DFPS Form 2042 Foster Care Residency Verification**. **Because you have the DFPS Form 2042 Foster Care Residency Verification, you should not be charged a fee for the birth certificate and don't need a parent to sign to apply for it.**
7. If there are problems, tell them to check the Texas Vital Statistics website for information about birth certificates for foster or homeless youth. If there are still problems, ask to speak to a supervisor and ask them to call the Texas Vital Statistics office. **If you are still denied, ask them to write down why you were denied, the name of the person you talked to, and the date.**
8. If you think you were wrongly denied your birth certificate, you can contact the **Texas Foster Youth Justice Project** at (877) 313-3688 or info@texasfosteryouth.org for advice and possible free legal assistance from a lawyer.

HOW TO GET YOUR TEXAS ID

Gather the documents you need. **Remember, all documents must be originals, not photocopies!** When you are a youth in foster care or a young adult in extended foster care and have a **DFPS Form 2042 Foster Care Residency Verification** you need the following documents to get your Texas ID from DPS (the Texas Department of Public Safety).

1. **DFPS Form 2042 Foster Care Residency Verification** filled out and signed by your caseworker.
2. Original or certified copy of a birth certificate from Texas or another U.S. state.
3. If you were not born in the United States, you will need proof that you are a U.S. citizen or have lawful presence (or legal status). Documents that you can show for this include:
 - a. U.S. Citizenship Certificate or Certificate of Naturalization with identifiable photo
 - b. Valid, unexpired U.S. passport
 - c. Original or certified copy of a Consular Report of Birth Abroad (CRBA) issued by U.S. Department of State
 - d. Valid, unexpired Lawful Permanent Resident card (green card)

- e. Valid, unexpired work permit
- f. Other unexpired immigration document that shows you have lawful presence (or legal status) in the United States
Contact the **Texas Foster Youth Justice Project** at (877) 313-3688 or info@texasfosteryouth.org for help understanding your immigration documents and how to get your ID.

4. Social Security card, IRS W-2 form, 1099 form (tax forms that your employer gives you in January), or paycheck stub with your name and your Social Security number to prove your Social Security number.
5. At least two supporting identity documents to show your identity, but three is better in case DPS rejects one of the documents. You must have originals, not photocopies. DPS has a long list of documents you can use listed at <https://dps.texas.gov/section/driver-license/identification-requirements>. Some of the ones you are most likely to have include:
 - a. Social Security card (If you have this, it works as both a document to prove your Social Security number and support your identity)
 - b. IRS W-2 Form or 1099 Form (tax forms that your employer gives you in January). If you have this, then it works as both a document to prove your Social Security number and support your identity.
 - c. School photo ID, report card, or transcript
 - d. Official immunization records
 - e. Medicaid card
 - f. Voter registration card (if you are 17 years 10 months or older)
 - g. Valid, unexpired foreign passport
 - h. Hospital-issued birth record
 - i. Selective Service card (males 18 or older who have completed registration)
6. You will not need to bring documents to prove your Texas residency if you have the **DFPS Form 2042 Foster Care Residency Verification** your caseworker signed. If you don't have that form, see **What if You Are No Longer in Foster Care? What if You Don't Have a DFPS Form 2042 Foster Care Residency Verification?** on page 75 of the guide.
7. If you are under 18, bring the Texas driver license or identification card application form your caseworker filled out for you. If your caseworker has not given you the application, you will need to fill out the form at the DPS office and sign it in front of the DPS employee. Texas law allows those under 18 to get their Texas ID without adult authorization AND the **DFPS Form 2042 Foster Care Residency Verification** prepared by your caseworker also allows you to get it by yourself.

IDENTIFICATION DOCUMENTS

8. If your caseworker gave you a signed **DFPS Form 2042 Foster Care Residency Verification**, you do not have to pay the fee for the ID.
9. Schedule an appointment at a DPS office. You may have to schedule an appointment several months in advance, so you should plan ahead. But don't wait until the last minute to start getting your documents ready for your appointment! For more information about scheduling appointments and very limited walk-in appointments, visit: <https://dps.texas.gov/section/driver-license/driver-license-services-appointments>.
10. Go to the DPS office with a caring older adult; you will need them with you to help explain that you are in foster care and that there are laws that make it simpler for you to get your ID card. Print out and take with you or have ready on your phone a copy of the **DPS Foster Youth ID Card Fact Sheet**. You can also find this under Identification Documents on www.TexasFosterYouth.org.
11. If there are problems, show them the **DPS Foster Youth ID Card Fact Sheet**, which has the information about the laws on **DFPS Form 2042 Foster Care Residency Verification**. If there are still problems, ask to speak to a supervisor. If you are still denied, ask them to write down why you were denied, the name of the person you talked to, and the date.

If you think you were wrongly denied your Texas ID card, you can contact the Texas Foster Youth Justice Project at (877) 313-3688 or info@texasfosteryouth.org for advice and possible free legal assistance from a lawyer.

HOW TO GET YOUR TEXAS DRIVER LICENSE

You must have a driver license to drive a car. The car you drive must have insurance. It is illegal to drive without a driver license or car insurance and you can get expensive tickets and could even get arrested.

To get a driver license, you will need all the same documents that you need for a Texas identification card. See and review carefully **Get a DFPS Form 2042 Foster Care Residency Verification Form from Your CPS Caseworker** on page 74 and **How to Get Your Texas ID** on page 77 of the guide. But there are many other requirements for a driver license, so be sure you review all the information about getting your license.

If you are in foster care and under 18, you must have permission from CPS to have a license. To show the Texas Department of Public Safety (DPS) you have permission, your caseworker must fill out and sign a **DFPS Form 2042 Foster Care Residency Verification Form**. If your caseworker will not go to DPS with you, they must sign both the verification form and the driver license application before a notary public. If you are over 18, you don't need permission to get a license.

But it is still helpful to have the verification form filled out and signed by your caseworker so you don't have to pay the fee for the license and so you don't have to prove your Texas residency.

You should take a caring older adult with you to the DPS office; you will need them with you to help explain that you are in foster care and that there are laws that make it simpler for you to get your driver license. Print out and take with you or have ready on your phone a copy of the **DPS Foster Youth Driver License Fact Sheet**. You can also find it under Identification Documents by visiting: www.TexasFosterYouth.org.

If there are problems with your identification documents and fee waiver, show them the **DPS Foster Youth Driver License Fact Sheet** and the information about the laws on **DFPS Form 2042 Foster Care Residency Verification**. If there are still problems, ask to speak to a supervisor. **If you are still denied, ask them to write down why you were denied, the name of the person you talked to, and the date.** If you think you were wrongly denied your license, you can contact the **Texas Foster Youth Justice Project** at (877) 313-3688 or info@texasfosteryouth.org for advice and possible free legal assistance from a lawyer.

General Requirements for Getting a Driver License

Besides all the identification documents required, when you apply for a driver license you will need to:

- Provide proof that you completed the required driver education
- Pass a rules test and a signs test
- Pass a vision examination
- Pass a driving test
- If you are under 25 years old, meet the other requirements based on your age (see below for more details)
- Have a car to take the driving test that has current registration and insurance
- Provide a certificate showing you have completed the Impact Texas Driver (ITD) video program within 90 days of the date you take your driving skills test

Visit <https://impacttexasdrivers.dps.texas.gov/> to watch the ITD video. The video program will only work on a desktop or laptop computer and not on a cell phone or tablet. There are different videos based on how old you are and whether you took a teen driver education class or the adult driver education course, so be sure to review the information carefully.

Carefully review the details about getting a driver license in this guide and at <https://www.dps.texas.gov/>.

Driving Test

You can either take your driving test at DPS or at an authorized driving school. It may be much quicker to get an appointment for the driving test at a driving school. If you pass the test at a driving school, you will still need to go to DPS to show your identification documents to get your license, but the school can help you deal with all the other requirements. For a fee, most schools have a car you can use for the test and you can even schedule a few hours of practice driving to prepare for the test. For more information about the Third-Party Skills Testing Program see <https://www.dps.texas.gov/>. See **Help with Driver Education and Getting Your Driver License** on page 80 of the guide for more information about FREE testing, driving practice, and driver education for current and former foster youth.

Getting a Driver License if You Are Under 18

You need to take a teen driver education course and provide proof that you successfully completed it before you can apply for a driver license.

Teens must also have proof of being enrolled in and attending school, which is called a **Verification of Enrollment (VOE)** form filled out by their school. Or you must show that you have graduated from high school or have a GED certificate. You will need this proof when you apply for your learner license and provisional license. It can take several days to get the VOE from your school, but it must be filled out and signed within 30 days of your application for a license, except in the summer. You may not be able to request it from your school during the summer, so you should request it before summer break if you plan to apply for a license before school starts again in the fall. You should ask your school's office staff about who can fill out and sign the form for you. You may need to provide a copy of the form for them to fill out.

A **learner license**, often called a learner permit, is the first type of license you get when you are under the age of 18. You cannot apply for a learner license until you are at least 15 years old. With a learner license, you can only drive if you follow these rules:

- You must drive in a car that has car insurance;
- You must drive with a licensed driver who is 21 or older in the car with you; and
- You drive with only one other person who is not a family member in the car with you.

You don't have to pass the driving test to get the learner license, but you do have to complete the first six hours of driver education and pass a written test and an eye exam when you go to DPS to get it. A learner license expires when you turn 18 and you need to apply for a driver license

or another learner license if you are not ready to take the driving test. While you have your learner license you should complete the driving practice part of your driver education course and the rest of the "classroom" part of driver education.

You can apply for your driver license once you have had a learner license for at least six months, completed the classroom driver education, and completed at least 30 hours of driving practice. If you pass the driving test, you will get a **provisional license**. It is like a driver license for people over 18 but with a few restrictions. With a provisional license, you can drive by yourself, but you must follow these rules:

- You can only have one person under the age of 21 in the car with you who is not a family member.
- You cannot drive between midnight and 5:00 a.m. unless it is for work, school activities, or medical emergencies.

Your learner license or provisional driver license will expire when you turn 18. You need to renew it within 30 days of your 18th birthday. You can use a completed **DFPS Form 2042 Foster Care Residency Verification** to waive the fees if you go in person to renew the license. Once you renew it and you are 18, you have no more driving restrictions!

You can find more information about getting a driver license when you are under 18:

- **DPS website for teens:** www.dps.texas.gov/section/driver-license/texas-learners-license-teen
- **DPS checklist:** [What to bring with you when applying as a Teen Driver for your Learner License](#)
- **DPS checklist:** [What to bring with you when you are applying as a Teen Driver for your Provisional Driver License](#)

Getting a Driver License If You are Between the Ages of 18-24

If you are between the ages of 18-24 and did not complete a teen driver education course, you must complete a 6-hour Texas adult driver education course. Many places offer this course, often online. Once you complete the driver education course, you can go to DPS to obtain a learner license so you can legally practice driving. With a learner license, you can only drive if you follow these rules:

- You drive in a car that has insurance
- You drive with a licensed driver who is 21 or older in the car with you

Or, if you already have good driving skills and think you can pass a driving test, you can apply for an unrestricted driver license. Be sure to review the detailed information about getting a driver license at:

<https://www.dps.texas.gov/section/driver-license/how-apply-texas-driver-license>.

FREE PROGRAM TO PAY FOR DRIVER EDUCATION

There can be many barriers to getting a driver license for those who are in or who aged out of foster care. They may have trouble paying for the driver education course and the practice time with an instructor. Or they may not have a car with insurance to use to practice driving or for the driver test. A new law passed in 2021 (SB 2054) helps youth currently in foster care and those who are aged out and are under 26 years of age, as well as homeless youth and young adults, pay for these expenses. The Texas Workforce Commission has money available to pay driving schools to help qualifying youth and young adults meet any requirement to become a licensed driver.

You can find the website for the Driver Education Funding Program here: <https://www.twc.texas.gov/programs/driver-education-funding-program>. On the website you will find the following forms and resources:

- **Youth Driver Education Application:** this form must be filled out and emailed to DriverEducationProgram@twc.texas.gov.
- **Youth Driver Education Application Instructions:** details that explain the information needed in the application and to verify that you are eligible for the program.
- **Eligibility Verification Form:** this form is an option to verify your eligibility, but TWC prefers you submit a [DFPS Form 2042 Foster Care Residency Verification](#) or [DFPS Form 4200 Foster Care Verification](#). You should submit proof of eligibility by email with your application.
- **TWC-Approved Driver Education Schools:** a list of all driver education schools that are approved TWC vendors, which means they are already set up to receive payments from TWC for your driver education.

You should be notified whether you are approved for the program within five business days.

You should not make any prepayments to the driver education school – TWC will pay the school directly.

DRIVER LICENSE HOLDS BY DPS

If you have had Class C misdemeanor citations or traffic tickets in the past that were not taken care of, DPS may put a “hold” on your driver license, which means you cannot obtain or renew your license until you meet certain requirements. These requirements may include paying

finest for old Class C cases (or taking care of them some other way), paying fees, proving you have car insurance, or applying for an occupational license if your license has been suspended. Use the following websites to find out if you have any holds on your license or unresolved Class C cases:

- **DPS License Eligibility:** <https://txapps.texas.gov/txapp/txdps/dleligibility/login.do> – must have a Texas driver license number or ID number; must also enter date of birth and last four digits of your Social Security number.
- **DPS Failure to Appear/Failure to Pay:** <https://texasfailuretoappear.com/> – must have a Texas driver license number and enter date of birth to look up.
- If you don't have a driver license number, you may need to contact each court you have had a case in to find out if the case was resolved or request a DPS criminal history report for personal review. You can find out more information about requesting your personal criminal history report here: <https://dps.texas.gov/internetforms/forms/cr-63.pdf>.

If you can't remember where you have had prior Class C cases or think you have been wrongly told that you are not eligible to get or renew your license, contact the **Texas Foster Youth Justice Project** at (877) 313-3688 for advice or free legal help from a lawyer.

HOW TO GET YOUR SOCIAL SECURITY CARD

The first time you get a Social Security card, you are also given a Social Security number. If you were born in a hospital in the United States, your birth parent probably completed an application to get a Social Security card for you when you were born and you were issued a number. Even if you replace your Social Security card, your Social Security number does not change.

Keep your Social Security card in a safe, secure place and only take it out when you are required to show it for an official purpose, like to a new employer or to DPS. Do not carry it around in your wallet or backpack! While it is free to obtain a replacement Social Security card, you can only obtain 3 replacements in one year and 10 in a lifetime. It also is inconvenient and time-consuming to replace a card.

You can apply on your own to get a replacement Social Security card, even if you are under 18. But you will need to prove your identity. You must provide original documents, not photocopies, to prove your identity.

Documents to Establish Identity if You Are Under 18

- Driver license, state issued ID card, or U.S. passport
- Current school ID card which must have your name and either your photo or date of birth
- Certificate of Citizenship, Lawful Permanent Resident card (green card), or work permit
- Certified school records showing your name and date of birth or parent's name (from current school year)– a certified record means it has an official seal stamped on the paper and looks like this, and the signature of the person who certified the records:
- Certified medical records if they contain your name and date of birth or age – a certified record means the person responsible for the records swears to the accuracy of the records by a signed or stamped statement or seal of office at the time the record copy is made
- Your adoption decree (if the judge signed it more than a year ago, additional evidence will be needed)



Documents to Establish Identity if You Are 18 or Older

- Driver license, state issued ID card, or U.S. passport
- Current school ID card which must have your name and either your photo or date of birth (from current school year)
- Certificate of Citizenship, Lawful Permanent Resident card (green card), or work permit
- Certified school records showing name and date of birth or photo (from current school year) – a certified record means it has an official seal stamped on the paper and looks like this, and the signature of the person who certified the records:
- Certified medical records if they contain your name and date of birth or age – a certified record means the person responsible for the records swears to the accuracy of the records by a signed or stamped statement or seal of office at the time the record copy is made
- ID card from your job with photo or date of birth



There are other documents that can be used, learn more at: <https://secure.ssa.gov/apps10/poms.nsf/%20lnx/0110210420>.

If you are over 18 you may be able to request a replacement card at: <https://ssa.gov/myaccount/replacement-card.html>. But you must have a driver license or state issued ID card because you are required to upload a picture of it. In addition, the system will use online data information to verify your identity and many young people who recently aged out of foster care don't have sufficient credit history to be verified.

If you are under 18 or unable to order a replacement online, you will need to visit a Social Security office to submit a **Form SS-5 Application for a Social Security Card** ssa.gov/forms/ss-5.pdf. You can call your local office <https://ssa.gov/locator/> to see if you have to make an appointment or if you can walk in to get help. You can also mail in your application, but that is not a good idea because you will have to send in your original identification documents and it may take several weeks to get them back.

You should be sure to use a stable address as your mailing address on the Application for a Social Security Card. Do not list your friend's apartment. Discuss with a caring adult what address would be good to use. If you are asking Social Security to send your Social Security card and original documents to a trustworthy person with stable mail service, be sure to list "c/o" followed by their name in the mailing address on the application. For example: if your name is Jane Doe and you are sending it to your case manager's address, and the case manager is named Juan Garcia, when you put the address on the application form, it should look like this:

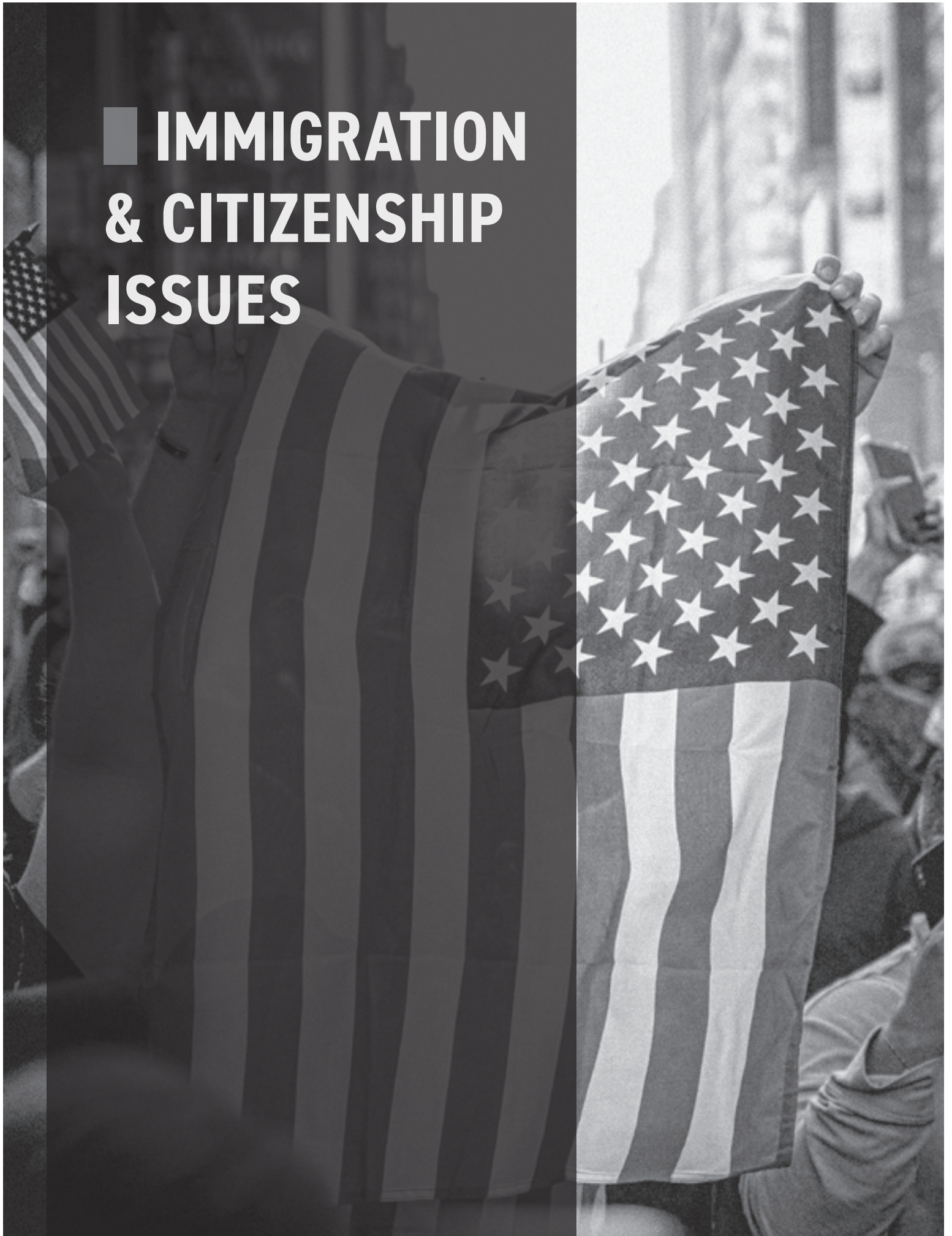
Jane Doe
c/o Juan Garcia
Name of Aftercare Program
Street Address
City, TX Zip Code

The Form SS-5 Application for a Social Security Card is confusing because it is for both a replacement card and to apply for a Social Security number and original card. Call your local office to go over exactly what you need to include and have a caring adult help you review the form before you submit it.

SOCIAL SECURITY HELP

If you need in-person help from Social Security, you must make an appointment.
Appointments may be made online at SSA.gov,
or by calling 1-800-772-1213 or
your local Social Security office.

■ IMMIGRATION & CITIZENSHIP ISSUES





IMMIGRATION AND CITIZENSHIP ISSUES

If you were born outside the United States or you don't have an original birth certificate (not a photocopy) that shows you were born in the United States, you should talk to your caseworker and attorney about your immigration status. If you are told that you are a lawful permanent resident or citizen, demand to be shown the actual document that shows your status. You will need this document to show your immigration status for many things, including for employment, at

DPS for a driver license or ID card, and at the Social Security office. If your caseworker does not have it, they need to get help from the CPS regional immigration specialist. If you are told there is an immigration case underway, you should ask to see a copy of the application and see the date that it was submitted to immigration. If you are not getting clear answers or if you have any other questions, you should contact the **Texas Foster Youth Justice Project**. If you have already aged out of foster care and don't have lawful status or don't know what your status is, you should contact the **Texas Foster Youth Justice Project** IMMEDIATELY at **(877) 313-3688**.

SPECIAL IMMIGRANT JUVENILE STATUS (SIJS)

Special Immigrant Juvenile Status (SIJS) is a way for foster youth and other children with similar experiences who are without lawful status to become lawful permanent residents of the United States, which is sometimes called getting a "green card". To be eligible for SIJS, the following things must happen:

- You must be under 21 years old and not married.
- While you are still under the court's oversight, the CPS court must issue an order that it is not in your best interest to go back to your home country and that you can't be reunited with a parent because of some serious reason, like abuse, neglect, or abandonment.
- An application must be filled out and filed with United States Citizenship and Immigration Services (USCIS). While you may have to help provide information for the forms, someone with experience in immigration matters should be completing the paperwork.
- You must have your fingerprints and photographs taken at a USCIS office.
- You may also be interviewed by a USCIS officer.

You should ask your caseworker and the attorney overseeing the process to explain each step and list who is responsible for each task. If your caseworker is not able to fully explain what is going on, insist that an attorney talk to you about what is happening.

It can take many years to finish this process and get a green card. This is not something that should wait until you are almost 18, and it can be started at a much younger age—as soon as the court finds you cannot be returned to your parent. If you are not a U.S. citizen and don't have a green card, you could be deported from the U.S. and won't be able to legally work or receive most other government benefits including many benefits available for aging out foster youth. Let the judge, your CASA, and attorney know about concerns about delays and contact the **Texas Foster Youth Justice Project** if there continues to be delays or if you have concerns that are not addressed.

Once you are notified that you have been approved for SIJS, you will have to wait for a visa to be available for you to adjust your status to become a lawful permanent resident and get your green card. Until you get your green card, you have *deferred action*, which means you are a lower priority for removal from the U.S. Deferred action usually lasts for four years and allows you to apply for a work permit.

You should remain in foster care if your SIJS application has not been approved by the time you turn 18. The court might not be able to issue the required order if you leave foster care and CPS will probably stop assisting you in applying for SIJS and your green card. USCIS might deny your application on the basis that you are not in foster care anymore and do not need the protection. You won't qualify for most aged out foster youth benefits, except free college tuition, and you will not be able to legally work so you will have no way to pay for your living expenses. You can't be approved for SIJS if you are married, so hold off on getting married until your status is resolved.

Remember that applying for SIJS status is similar to turning yourself into USCIS. If your SIJS case is denied, immigration has the right to put you into deportation proceedings, which means they can start the process to return you to your home country even if you don't want to go. It is very important that you discuss everything about your case with your caseworker and attorney and to be completely honest with them when you answer their questions. Certain types of offenses in your criminal history, particularly offenses from when you are 17 or older, may keep you from getting a green card. You must disclose all adult and juvenile offenses on the forms. A history of illegal drug use can also prevent you from getting a green card. Your caseworker and attorney will need to look over your case carefully before filing for SIJS status.

TEXAS BIRTH CERTIFICATES FOR CHILDREN BORN IN A FOREIGN COUNTRY BUT ADOPTED IN TEXAS

If you were born in a foreign country but adopted in Texas, your adoptive parents can apply for a Texas birth certificate that shows your name and their name. Sometimes adoptive parents adopt a child in a foreign country and then re-adopt them in Texas so they can apply for a Texas birth certificate. This Texas birth certificate will show the name of the country where you were born as your place of birth. While this document can help establish your identity and your parents, it does not make you a U.S. citizen and is not proof of your immigration or citizenship status.

GETTING YOUR GREEN CARD AFTER SIJS

The rules about when you can apply to become a lawful permanent resident are confusing, but it depends on when your SIJS application was filed and how many visas have been used in a particular eligibility category. You can read more about the SIJS backlog and how to find out when you can apply to become a lawful permanent resident here: <https://www.ilrc.org/resources/breaking-down-visa-bulletin-what-sijs-advocates-need-know>. You can also contact the **Texas Foster Youth Justice Project** at **(877) 313-3688** if you want help to understand your status and how to find out when you get your green card.

Once you have your green card, you have the right to live and work permanently in the U.S. However, you can still lose your immigration status and be deported if you are charged with certain crimes, including drug-related offenses, offenses involving family violence or weapons, and violent offenses such as murder or sexual assault. **A green card does not make you a citizen so you should NEVER tell anyone that you are a citizen until you are granted U.S. citizenship.**

Your green card will expire 10 years after it was issued. You will need to renew it or apply to become a citizen. Renewing your green card will likely take over a year, but your filing fee is waived when you file a green card application as someone who was granted SIJS. If you do not get your green card renewed by the time it expires and you have not become a U.S. citizen, you will not have documentation that you can legally work in the U.S. and will not be able to get financial aid, renew a driver license, or do many other things that require you to show that you have legal immigration status.

NOT BORN IN THE UNITED STATES?

Unless you have a certificate of citizenship or a U.S. passport in your hand, **NEVER** say you are a citizen. Don't tell the police you are a citizen, don't state it on a public benefits application, voter registration application, or any document you fill out or give to anyone. If you misrepresent that you are a citizen, even if you mistakenly think you are, you can go to prison, be deported back to your birth country, or be prevented from becoming a U.S. citizen.

BECOMING A U.S. CITIZEN

Once you have a green card for 5 years, if you are at least 18 years old, you can apply to become a citizen. Applying to become a citizen, a process called naturalization, may take up to a year, including application processing and attending your interview, and will cost several hundred dollars (the fee can be waived while you are in foster care or in certain other situations). This means you need to start the process at least a year before your green card expires. You can find more information about what is needed at: www.uscis.gov.

In addition to filing an application, you will have an interview with an immigration officer. The officer will ask you questions about your application and background, give tests to see if you can understand, speak, and write in basic English, and give you a test about U.S. history and government. You will need to study the history and government questions before your interview.

You can find more information about the test by going online at:

<https://uscis.gov/citizenship/find-study-materials-and-resources/study-for-the-test>.

You can also review all the possible questions that may be on the history and government test by going online at: www.uscis.gov/sites/default/files/document/questions-and-answers/100q.pdf.

If you pass the interview, you will be scheduled for a special oath ceremony where you will get a Certificate of Naturalization and finally become a citizen.

Once you have lawful status or become a U.S. citizen after getting SIJS status, you will not be able to help your parents immigrate to the U.S. The law bans those that get SIJS from helping their parents immigrate to the U.S. If you want to help a parent immigrate, talk to an immigration attorney about whether there are any other immigration options for them.

Don't lose your green card; it costs hundreds of dollars to get a new card, the forms to request a replacement are complicated, and it takes over a year for your new card to arrive. There are **low-cost nonprofit agencies** that can assist you with the application to become a citizen or renew your green card. You can find one in your area at:

<https://texaslawhelp.org/legal-help/legal-help-finder>

(select Individual Rights from the areas of expertise, and then select Immigration Laws & Rights). If you have a criminal record or have trouble understanding the forms, you should seek the help of these agencies or an immigration attorney.

To learn more about green cards, SIJS status, and immigrant rights, visit: www.ilrc.org or www.uscis.gov.

OTHER POSSIBLE WAYS TO ADJUST YOUR IMMIGRATION STATUS

- Victim of Violent Crime (U-Visa)
- Abused by parent or spouse who is a U.S. citizen or permanent resident (VAWA self-petition)
- Trafficking victim—somebody forced or tricked into doing work without pay or having sex for something of value
- Spouse or parent has a green card and applies for you
- Brother or sister is a U.S. citizen and applies for you
- Deferred Action for Childhood Arrivals (DACA)—The DACA program is being challenged in a court case. Under court orders, as of September 2021, the DACA program is not approving any first-time DACA requests, but is renewing DACA for those who have the status and apply for renewal. This could change. See www.nilc.org/issues/daca/.

Many of these options have very strict rules. The ones involving your relatives assisting you will probably require you to return to your home country for an extended period of time and any previous illegal entry into the U.S. could disqualify you.

Immigration law is complicated. You must discuss your personal situation with an experienced immigration attorney to determine what options you have.

■ ADULTING





SELECTIVE SERVICE—MANDATORY REGISTRATION FOR MEN

All people whose assigned sex at birth was male living in the United States, including citizens, and documented or undocumented immigrants, who are 18 through 25 years old, must register with Selective Service. You are first able to register with the Selective Service within 30 days of your 18th birthday. Females are not required to register unless their assigned sex at birth was male. Males whose assigned sex at birth was female do not have to register.

Simply registering with the Selective Service is not the same as volunteering to join the military. The Selective Service registry is used only if the U.S. has a military draft. The U.S. has not had a draft since 1973. In a draft, men are chosen for mandatory military service by random numbers and their year of birth. If there was a draft and you were chosen, you would be examined for fitness for service before actually joining the military. Also, if there is a draft, men who object to war and killing on moral or religious grounds can apply as a “conscientious objector.” If approved, they can serve in a different role.

You can register for Selective Service by visiting the website at: <https://www.sss.gov/>, at any post office, by mail, at the Department of Public Safety (DPS) when you apply for or renew your driver license or Texas ID card, and at most high schools. The form has no space for claiming any exemptions, such as conscientious objection. You can write on the bottom of the registration card: “I am a conscientious objector.” You will receive a confirmation from the Selective Service within 30 to 90 days after registering.

If you do not receive confirmation, you should contact the Selective Service System at (847) 688-6888. You can check <https://www.sss.gov/> to see if you are registered. You should keep your registration card in a safe place with your other identification documents; not only is it proof that you registered, but it can be used to help establish your identity. Any time you move before you turn 26, you are also required to update your address with the Selective Service.

THERE ARE SERIOUS CONSEQUENCES IF YOU DON'T REGISTER FOR SELECTIVE SERVICE

If you don't register, you can be fined up to \$250,000 and imprisoned for up to five years, although no one has been charged since 1986. Plus, if you don't register, then you will not be eligible for financial aid for school, federal job training, or government jobs. Male immigrants are not eligible for citizenship if they do not register. If you do not register before you turn 26, then you may never be able to get some of those benefits, even if you do not find out the registration was needed for the program many years after you are 26 years old and it is too late to register.

VOTING

When you turn 18, you can vote! To be eligible to vote in Texas, you must first register.

You can register to vote in Texas if you are:

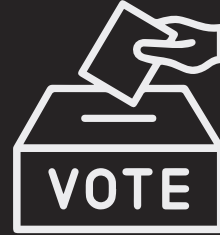
- A United States citizen,
- At least 18 years old on Election Day,
- You have not been convicted of a felony (you may be eligible to vote if you have completed your term of confinement, parole, and/or probation), and
- Not declared mentally incapacitated by a court.

Here's how you register:

- You must be at least 17 years and 10 months old on the date you apply.
- Get an application from the Voter Registrar's office in your county, the Secretary of State's Office, a library, a post office, or your high school. You can also register to vote when you apply for or renew your driver license or Texas identification card. You can print an application form online at the Texas Secretary of State site: <https://www.sos.state.tx.us/elections/voter/reqvr.shtml>.
- Fill out the application and drop it in the mail—most application forms will have free postage. Your application must be postmarked or received by the Voter Registrar's office at least 30 days before the election. You cannot register to vote online.
- When the County Voter Registrar receives your application, they will mail you a voter registration card. Sign this card and keep it with you when you go to the polls on Election Day and bring your Texas identification card or driver license when you go to vote.
- Keep your voter registration card in a safe place; it can be a helpful document to show as identification.

CHANGE OF ADDRESS ON YOUR VOTER REGISTRATION CARD

If you move, you will need to update your voter registration card.



FOR MORE INFORMATION ON HOW TO VOTE CONTACT

THE TEXAS SECRETARY OF STATE'S OFFICE

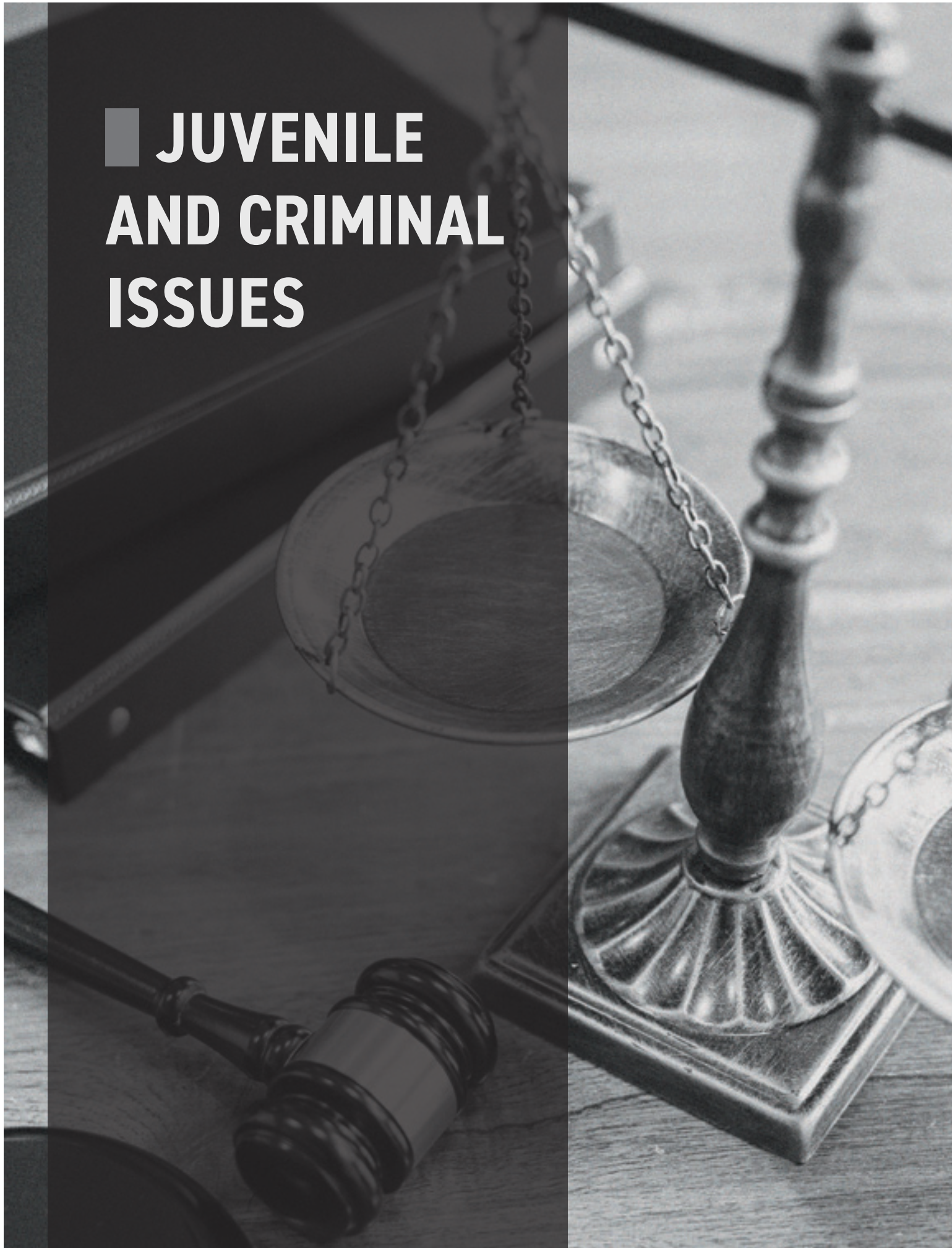
[HTTPS://WWW.VOTETEXAS.GOV/](https://www.votetexas.gov/)

(800) 252-VOTE (8683)

YOUR COUNTY'S VOTER REGISTRAR

(Tax Assessor-Collector)

■ JUVENILE AND CRIMINAL ISSUES



AGE BASED CRIMINAL LAWS

SMOKING

After you turn 21, it is legal for you to purchase, possess, and use tobacco and e-cigarette products. If you are under 21 and caught with or using tobacco and e-cigarette products, you may be fined, forced to attend a tobacco awareness class, and have your driver license suspended. You can buy and use tobacco products if you are at least 18 years old and in the military.

CURFEWS

Curfews that limit what people under age 18 can do or where they can go are no longer allowed. There are some curfews that apply to everyone, such as at a park or other public spaces.

TATTOOS

You may get a tattoo or body piercing if you are 18. If you are under 18 and lie about your age to get a tattoo or body piercing, you may be fined or sent to jail!

DO YOU HAVE CRIMINAL RECORDS THAT CANNOT BE EXPUNGED OR SEALED?

See the Collateral Consequences Resource Center at <https://ccresourcecenter.org/> for updated news and resources regarding the barriers resulting from involvement in the criminal justice system.

DRINKING LAWS

Underage Drinking

If you are under the age of 21, it is illegal for you to: BUY, TRY TO BUY, CARRY, or DRINK any alcoholic beverage.

In addition, if you are under the age of 21, it is illegal for you to be drunk in public and the consequences are more severe than if you are over 21 and drunk in public. It is also illegal to use a false ID or lie about your age to try to get alcoholic beverages.

You can avoid consequences if your parent or guardian allows you to drink alcohol and you drink the alcohol in their presence or if you drink alcohol for religious purposes.

If you break any of these laws, then you may face these consequences:

- Class C misdemeanor, punishable by a fine of up to \$500,
- Attendance at an alcohol awareness class,
- 8 to 40 hours community service, and
- Loss of your driver license for 30 to 180 days.

If you are 17 or older and it's your third violation, then you could be fined up to \$2,000, jailed for up to 180 days, or both. Your driver license will also be suspended.

If you have been convicted of breaking the underage alcohol laws before and if you do not attend the alcohol awareness class, then your driver license will be suspended for one year.

If you give alcohol to someone under 21, then you can get into a lot of trouble. The punishment for giving or even offering alcoholic beverages to someone under 21 years old is a Class A misdemeanor that can be punished by a fine of up to \$4,000, jail for up to a year, or both. Your driver license will also be suspended for 180 days.

If you are 17 or older, depending on the number of prior offenses, the fine can be up to \$500-\$2,000, you can be jailed for up to 180 days, and your driver license suspended for up to one year. The penalties for drunk driving are much more strict and, even if you are under the age of 17, you can be charged with drunk driving, which carries much harsher consequences.

If you give alcohol to someone and that person hurts someone else—like if he or she gets in a car accident—then you can also be held responsible for the damage or harm they caused.

Zero Tolerance Law

By now you have heard about the dangers of drinking and driving. About one person is killed every 39 minutes in an alcohol-related car accident. If you drink and drive, you risk your own safety, the safety of everyone in your car, and the safety of everyone else on the road. If you hurt someone while driving drunk, you may face serious criminal charges, including homicide.

Even if you do not hurt anyone, there are still serious consequences for driving while under the influence of alcohol. It is illegal for adults over 21 to drive while intoxicated (exceeding the legal limit for alcohol in your system). It is also illegal for anyone under 21 to drive while having any alcohol in their system. **If you are under 21 years old and drive after drinking any alcohol, you face these consequences:**

First Offense

1. Class C misdemeanor, punishable by a fine up to \$500
2. Attendance at an alcohol awareness class
3. 20 to 40 hours of mandatory community service
4. Loss of your driver license for up to six months

Second Offense

5. Class C misdemeanor, punishable by a fine up to \$500
6. Attendance at an alcohol awareness class
7. 40 to 60 hours of mandatory community service
8. Loss of your driver license for up to one year

Third Offense

9. Class C misdemeanor, punishable by a fine up to \$500
10. Attendance at an alcohol awareness class
11. 40 to 60 hours of mandatory community service
12. Loss of your driver license for up to one year

JUVENILE AND CRIMINAL RECORDS

Criminal Records

If you are arrested or charged with a crime you could end up spending time in jail, being on probation, performing community service, or paying a fine. Any sort of criminal history—an arrest, deferred adjudication, or conviction—is very likely to end up on your criminal record. **Even arrests that did not result in a conviction or even formal charges are public information in Texas.**

Your criminal record will be accessed and reviewed by potential employers, landlords, and even colleges. Your criminal history can keep you from getting a job, renting an apartment, being admitted into a school, or getting food stamps. Certain charges can prevent you from getting certified or licensed for all sorts of jobs, including those in law enforcement or health care.

There is a lot of misinformation about what will or can show up on your criminal record. It is important for you to understand that most arrests and criminal charges will probably show up unless you go to court and a judge orders the records to be destroyed or sealed.

Once you are 17 years old, if you are arrested you will go to adult jail and your court case will be in the adult criminal court system. Even if you are under 17, you can be treated as an adult for serious crimes and the case will be handled in adult criminal court, which means the consequences will be more severe.

CRIMINAL RECORDS

When you are charged with a crime at age 17 or older, you will have an adult criminal record. Most adult criminal information will be on your record forever. There are very limited options to have your records erased or sealed.

- You may qualify for an expunction, which is a court order requiring your records to be destroyed, if the charges were dismissed without you having to pay a fine or do community service, if you were found not guilty, or if you completed pretrial diversion.
- If you don't qualify for an expunction, you may be able to get an order of nondisclosure, which is a court order sealing your records from the public, if you have only had one misdemeanor conviction or if you successfully completed deferred adjudication and didn't get another criminal charge while on probation or during the waiting period.

You need to have a lawyer review your case to see if you can expunge or seal your criminal records and to handle filing your request with the court. **Before you enter a plea, discuss with your attorney what will go on your criminal record.**

Find out if and when it will be possible to get the records expunged or sealed. You should fully understand the long-term consequences before you agree to any plea. A criminal record will come up when you apply for employment, apartments, colleges, and licenses for jobs and firearms. Criminal records do not automatically go away.

Juvenile Court Records

If you are arrested or charged with a crime before you turn 17 years old, you will probably have a juvenile record. **Generally, juvenile records are confidential and are not allowed to be released to the public.** They should not be shared with potential landlords or employers, unless you apply to work for a federal government agency. If the case is in a juvenile court or with juvenile probation, those juvenile records can usually be sealed, meaning they are no longer accessible to anyone and cannot be used against you for any reason. Sealing records is a complicated process that involves a judge signing a court order. Some records should be sealed by the court after a certain period of time without you having to do anything. Other records require you to file an application with the court to request sealing. Before you can ask the court to seal a record, certain things must happen, such as a certain amount of time passing. There are certain things that can disqualify you from sealing your juvenile records, like getting an adult felony conviction or having a “determinate sentence”.

“

It’s what you do in the present that will redeem the past and thereby change the future. ”

— Paulo Coelho

Class C Misdemeanors

Some criminal matters involving those under the age of 17 are in a justice of the peace court or municipal court. These cases usually involve minor criminal matters called Class C misdemeanors. The rules regarding expunging and sealing Class C misdemeanors are different than the rules of juvenile court and are more flexible for certain Class C offenses you may be charged with before you turn 17. If you are convicted in one of these cases, you may be ordered to pay a fine. It is important to tell the judge you are in foster care or extended foster care at the time of the offense and that the judge cannot order you to pay any amount of fines or costs. However, the judge can still order you to do community service.

You can fill out this form with your caseworker and give it to the judge if you were in foster care or extended foster care when you were charged with a Class C misdemeanor:

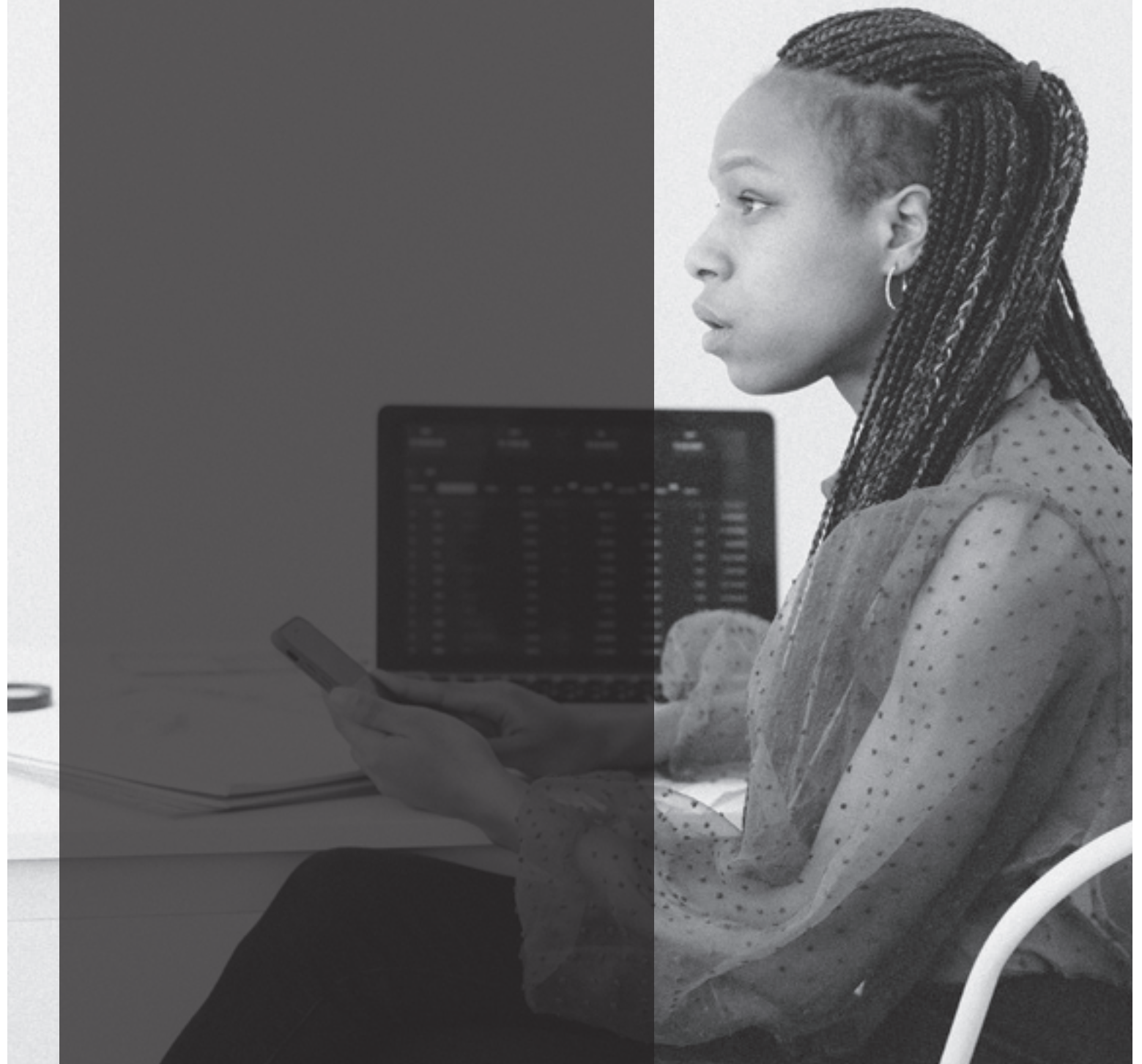
<https://texasfosteryouth.org/download/40595/?tmstv=1719586238>.

If you were not in foster care when you were charged with a Class C misdemeanor, you can use the resources found at Ticket Help Texas: <https://tickethelptexas.org/>.

If you had some sort of criminal matter that was never resolved, it may come back as a bigger issue if you don’t show up for court. This often happens with justice of the peace court or municipal court cases. Youth in foster care may be charged with a Class C misdemeanor for something like a fight, drinking alcohol, or shoplifting, and not attend court for it because their placement changed. Some youth may not tell anyone about the ticket, or the people who were supposed to help them take care of it don’t follow through. Once youth turn 18, a warrant can be issued for their arrest and a hold may be placed on obtaining a driver license.

Don’t assume no news is good news. Ask your caseworker, attorney, CASA, and caregiver to help you find out what happened to those cases you had, even if it was for something minor. Even Class C misdemeanors can impact your future employment and housing opportunities. Contact the **Texas Foster Youth Justice Project** at **(877) 313-3688** for assistance in determining what you can do about a criminal record.

■ MANAGING YOUR MONEY AND BANKING





HOW TO MANAGE YOUR MONEY

Unless you are planning to stuff all your cash in your shoe or in a piggy bank (both bad ideas), you may need to open some type of checking and/or savings account at a bank. Some employers may require you to have a bank account so they can pay you by direct deposit. You must also have a bank account to receive ETV funds. Direct deposit means that the person paying you will deposit your money directly into your bank account instead of giving you an actual check. If you are getting paid by a check, having a bank account will help you avoid check-cashing fees charged by banks, grocery stores, and check-cashing stores. These fees, which may be 1% or 2% of your check, can add up to a lot of money. The good news is that there are more bank options available today than ever before, but that also means that the number of choices can be confusing. The agency that provides transition support case management services in the area where you live can help you get a bank account.

You should ask your PAL staff if you are able to open a checking and savings account through the **DFPS financial literacy program** – it is currently only available in certain regions. See: https://www.dfps.texas.gov/Child_Protection/Youth_and_Young_Adults/financial_pilot.asp for up-to-date information.

OPENING AN ACCOUNT

One big part of choosing a bank or credit union is selecting the one that offers the best account for you, which really depends on your needs and what you will use it for. Don't assume that all banks are the same or offer the same accounts—they don't. Some banks have special types of accounts for teens and young adults that don't charge you a service fee and protect you from paying fees if you overdraft your account, or try to spend money that you don't have in your account.

Some questions to ask yourself when choosing an account:

- Does the account charge any service fees or require you to have a certain amount of money in your account?
- Do you need to be able to write checks (to pay rent, bills, etc.)?
- Do you need checks cashed?
- How do you plan to get your cash out when you need it (ATM or visit a bank branch)?
- Are you good at keeping track of your balance?
- How much money do you have and expect to have? Will you need loans as well?
- Do you want to review your account online and on your phone? Does the bank offer an easy-to-use app? Can you track your debit card expenses so you stay within your budget and have money left at the end of the month for your rent? Can you easily pay bills electronically?

CHECKING AND SAVINGS ACCOUNTS

Banks usually offer two basic account types: checking and savings. **Checking accounts** should allow you to take money out without fees. **Savings accounts** usually limit how often you take money out, but they will pay you a greater interest rate for money that you have in your account. Interest is the amount of money a bank pays you for having money in your account. It probably makes the most sense to start with a checking account and, if there are no extra fees, to also open a savings account.

If you have a separate savings account, it will be easier for you to set aside money for important things, like saving for a car or for emergencies. By doing this, you can learn the concept of “paying yourself first”—which means automatically putting some money into savings before you’re tempted to spend it. Start small if you have to – a few dollars from each paycheck quickly adds up.

Ask banks about these things when choosing an account:

01

Minimum Balances Some accounts require you to maintain a minimum balance. That means you must have at least a certain amount of money in the account at all times. If your account ever goes below that amount, then you’ll get charged a fee.

02

Service Charges Some accounts charge you a monthly fee no matter what. But why bother paying that service charge every month if you can avoid it? There are enough good banks that don’t charge fees that it often does not make sense to pay for one that does. Some examples of service charges are: fees for checks, check cashing fees, deposit fees, wire transfer fees, fees to use a teller, overdraft fees, and online banking fees.

03

ATM Services Your bank will most likely charge you a fee for using ATMs that do not belong to them, and some will limit the number of times you can take out cash from your bank’s own ATMs. Some banks will make you pay an additional fee if you go over that limit. Even though they’re convenient, ATMs can be expensive. Some banks may offer free ATMs and will even refund you any charges that other banks charge to use their ATMs. If you think you will use ATMs a lot, be sure to ask about these fees.

04

Overdraft Fees An overdraft is when you take out more money from your account than you have in it, like when you write checks adding up to more money than you have in your account. If you have an overdraft, the bank will charge you fees. These fees can quickly add up to hundreds of dollars. So you really need to understand how the bank handles overdrafts, mainly because young adults are more likely to have overdrafts. Be sure to ask your bank about overdraft fees or special accounts that may not charge overdraft fees to young people.

On a related note, if your check “bounces” because you don’t have enough money in your account, the person to whom you wrote the check may charge you fees on top of what you owe them for the check amount. If you don’t pay them, then the police can charge you with theft. Bouncing checks can result in you having a criminal record, which may also keep you from getting a job or renting an apartment.

CREDIT CARDS AND DEBIT CARDS

Once you are an adult, and sometimes even sooner, you may be offered credit cards. Many young adults quickly get into trouble by getting these cards without understanding what happens if they charge purchases but don't pay their bill in full each month. If you charge a purchase and do not pay your full credit card balance each month, you'll be charged a very high rate of interest on the unpaid amount. As a result, the amount you owe is likely to grow faster than you can repay. Sometimes, you might even pay more in interest than you paid for whatever you bought with the credit card!

A debit card is different from a credit card. Most ATM cards are debit cards. A debit card is like a credit card, meaning you can "charge" purchases, but the amount you charge is immediately taken out of your bank account. So, with a debit card, you will not have a monthly bill to pay. However, if you don't carefully track your spending, you could end up with an overdraft if you "charge" (or withdraw cash) and write checks for more money than you have in your account.



PICKING A BANK OR CREDIT UNION

There is probably a bank with a branch office near where you live or work. A "branch" is a physical bank location you can visit into rather than an automated teller machine (ATM). Although so much banking these days can be done online, at an ATM, or over the phone, it is still helpful to visit a physical location where you can speak face-to-face with a bank employee.

MONEY ORDERS

If you need to pay bills and do not have a checking account, you can get a money order at a grocery store or bank. Remember to keep a copy and ask for a receipt with your name on it to prove you gave them the money in case they say you didn't.

PAYDAY LOANS, CHECK CASHING, AND PAWN SHOPS

More and more businesses are offering check-cashing services and payday loans. These businesses often charge much more than a bank would charge for cashing the same check.

Many of these places also offer “payday loans”—loans of a small amount that you agree to pay out of your next paycheck. When you take out one of these loans, you are usually asked to give them a check that is dated the date of your next payday. The lender will then cash that check as soon as your next payday happens. However, they will charge very large fees, usually about \$15 for each \$100 you borrow. In other words, if they loan you \$200 until your next paycheck (which is probably less than 2 weeks away), then they will charge you \$230. It is also important to understand that just because you date a check for two weeks later, that does not stop someone from cashing it before then. Using payday loans can make it difficult to catch up financially because of the high fees. Think hard about whether a payday loan is the best choice for you. You are probably better off waiting until your next paycheck to buy what you want instead of getting a payday loan.

Check cashers may charge you \$3 to get your own money. Banks and grocery stores will often cash checks for free. You will need ID to cash your check.

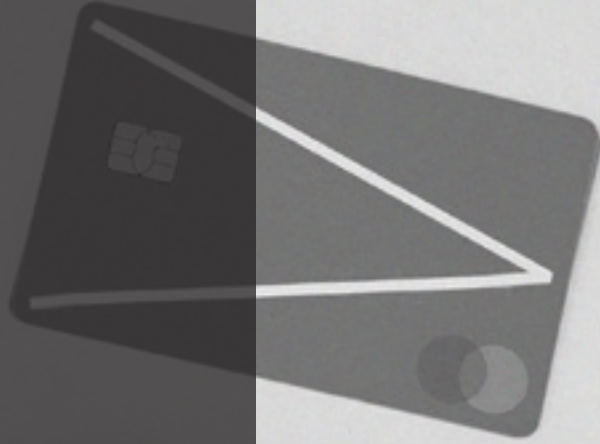
Pawn shops may give you a little cash for personal items, like a television, but if you don't pay them back you will lose the item you pawned. This may seem like an easy way to get money quickly, but often does not turn out to be a good idea. If you lose your pawn ticket or have problems with a pawn shop, you can call the **Texas Office of Consumer Credit Commissioner** at (800) 538-1579 or visit: <https://occc.texas.gov/>



HOT TIP

Avoid getting a credit card when you're starting out and wait until you are on your feet. When you decide to get one, it is best to get one through a reputable bank to avoid the scams. Always check to see how much interest you'll pay if you don't pay your balance in full every month and whether you will have to pay a fee every year to use the credit card. Some credit card companies have lower interest rates, so it's a good idea to look at different companies' rates and fees to see what's available.

■ CREDIT



WHAT IS A CREDIT REPORT?

A **credit report** is a report of a person's financial history. Credit reports are used by companies that lend money to help them determine your ability to repay borrowed money, by landlords to see if you will be likely to pay your rent, and by some employers to see how responsible and financially stable you are.

Credit reports are created separately by three credit reporting agencies (CRAs): Equifax, Experian, and TransUnion. By regularly checking your credit reports from each agency, you can be sure that they are accurate and watch for identity theft. **Identity theft** is when someone uses your name, Social Security number, or other personal information to rent apartments or get utilities, cell phones, credit cards, or cable services in your name. Former foster youth are particularly at risk of identity theft because so many people have had access to their personal information.

NOTE: Not all credit reports are the same! You should compare the three different reports and check all for any issues.

You can get free copies of your credit reports from all three credit reporting agencies at: www.annualcreditreport.com or by calling (877) 322-8228. Be sure you go to this exact site. There are many other sites that will try to trick you and get you to pay and provide personal identification information. You can also send your request by mail to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

The form to request your credit reports by mail is here: <https://annualcreditreport.com/manualRequestForm.action>.

You will be asked to provide your name, address, Social Security number, and date of birth and may be asked other questions to verify your identity (like your previous mailing address if you moved within the last two years).

When you are between the ages of 14 and 17, CPS is required to run a credit report for you every year and review it. You have the right to review the report as well. If there are any problems with the information in the report, your caseworker is supposed to work with the state CPS office to fix the problems and discuss it with you. If you are 18 or older and in extended foster care, your caseworker is supposed to help you request your free credit reports and review them with you. If there are problems, your caseworker should tell you about how you can try to fix them, but it will be up to you to take the needed steps. Once you leave foster care, you should continue to request your credit report from all three agencies every year. You can request each report at different times of the year so you will catch anything that comes up during the year.

Your credit report will be broken into a few main sections:

- Information about you, including your name, date of birth, Social Security number, employers, and spouse. It may list your history of jobs, home ownership, income, and previous addresses.
- Payment history includes a list of your accounts with different people you have made payments to (like landlords, utilities, and credit card companies), how much credit you have, and whether you are current on your payments. If you have an overdue account, it will be listed here.
- List of all creditors or potential employers who have asked for your credit report. If you do not recognize these, it could be a sign of identity theft.
- Public record information including bankruptcies, foreclosures, and tax liens.

WHY DOES CREDIT MATTER?

Many people don't realize or understand what a credit report or credit score is, or how much it can affect your life. People will use your credit history when deciding whether to rent you an apartment, give you a loan, or hire you for a job. It can also affect how much you'll pay for interest charges, insurance, and even cell phone contracts.

CORRECTING CREDIT REPORTS AND FIXING BAD CREDIT SCORES

Once you get your credit report, check for anything that is wrong. Your credit report should give information about how to work with the credit reporting agencies to fix any errors. If you find problems on your credit report that make you believe that you have been the victim of **identity theft**, then you must contact the credit reporting agencies immediately. You can get assistance from the **Texas Foster Youth Justice Project** at **(877) 313-3688**. If you believe you have been the victim of identity theft, then you may also need to close any bank accounts or credit cards that you currently have open, as well as contact the Federal Trade Commission (FTC) and the local police.

For more information about the steps you should take, visit the FTC website at: <https://consumer.ftc.gov/features/identity-theft>

If you feel like you can't get your finances under control, think about talking to a professional credit counselor. Many credit unions, military bases, and colleges offer nonprofit counseling programs that help you work with your creditors to come up with a payment plan you can afford. Many creditors are willing to accept smaller payments if you are working to create a plan to repay your debt with a reputable program.

Your **credit score** is used to predict whether you will pay your bills. It is based on a mathematical formula and there are different types such as FICO, VantageScore, and many more. A credit score uses information about your bill paying history and how much money you owe and uses a formula to award points for each factor. Businesses, landlords, and banks use credit scores to help determine whether to give you credit for a loan, an apartment lease, a cell phone plan, or a credit card. A score can range between 300 and 850. A score over 700 should let you get the best interest rates for loans. The lower your score, the more difficult it is to get a loan, rent an apartment, or get a credit card.

You must pay to get your credit score; it is not included on the free annual credit report. Some banks may provide your credit score as a service of your bank account. When you are just leaving foster care, you are not likely to have a high credit score as you have little or no credit history. Even after you have been out of care for some time, it is not necessary to pay to get your credit score, since there is no guarantee that a potential lender/landlord will use the model or same information as the credit score you purchase.

Once you are sure that all of the information on your credit report is accurate, there is no quick or easy way to fix a bad or mediocre credit score. While infomercials or websites may say they can fix credit scores if you pay them, the only legal way to fix your credit score is by improving your credit habits over time. Credit reporting companies report most negative information for seven years and list bankruptcy information for 7 to 10 years depending on the type of bankruptcy.

■ APPENDIX

AS A CHILD OR YOUTH IN FOSTER CARE, I HAVE THE RIGHT TO:

Safety and Care

1. Be told:

- Why am I in foster care?
- What will happen to me?
- What is happening to my family (including brothers and sisters)?
- How is CPS planning for my future?

2. Good care and treatment that meets my needs in the most family-like setting possible. This means I have the right to live in a safe, healthy, and comfortable place. And I am protected from getting hurt, treated with respect, and have some privacy for personal needs.

3. Be told the rules by a person at the place where I am living.

4. Be free from abuse, neglect, exploitation, and harassment from any person in the household or facility where I live.

5. Be kept informed about any investigations that involve me.

6. Be treated fairly.

Family and Other Contacts

7. Live with my siblings who are also in foster care, if possible. If I am not living with my siblings, I have the right to know why. If there are no safety or other compelling reasons why I cannot live with my siblings, it is my caseworker's job to try to find a home where I can live with my siblings.

8. Visit and have regular contact with my family, including my brothers and sisters (unless a court order or case plan doesn't allow it) and to have my worker explain any restrictions to me and write them in my record. I have the right to file a court petition to request access to my sibling(s) if I have been separated from my sibling(s) because of an action by DFPS.

9. Visit and have contact with persons outside the foster care system. These visitors can be, but are not limited to teachers, church members, mentors and friends.

Have a Normal Life

10. Speak and be spoken to in my own language when possible. This includes Braille if I am blind or sign language if I am deaf. If my foster parents or caregiver does not know my language, CPS will give me a place to meet my needs to communicate.

11. Go to school and get an education that fits my age and individual needs.

12. Have my religious needs met.

13. Participate in childhood activities that are appropriate for my age and maturity, including youth leadership development, foster family activities, and unsupervised childhood and extracurricular activities (including playing sports, playing in the band, going on field trips, spending time with friends, etc.).

14. Privacy, including sending and receiving unopened mail, making and receiving private phone calls, and keeping a personal journal, unless an appropriate professional or court says that restrictions are necessary for my best interest.

15. Personal care, hygiene, and grooming products and training on how to use them.

16. Comfortable clothing for my age and size and similar to clothing worn by other children in my community. I also have the right to clothing that protects me against the weather. If I'm a teenager, I should have the reasonable opportunity to select my clothing.

17. Have my personal items and gifts at my home and to get additional things within reasonable limits, as planned for and discussed by my caregiver and caseworker, and based on my caregiver's ability.

18. Have my personal belongings transported in luggage (suitcase, duffel bag, backpack, or similar container) when being placed in foster care or changing placements, and the luggage be my personal property.

19. Personal space in my bedroom to store my clothes and belongings.

20. Be informed of search policies (going through my personal items). I have the right to be told if certain items are forbidden (or if I am not allowed to have them) and why. If my belongings are removed, it must be documented.

21. Healthy foods in healthy portions for my age and activity level.

22. Seek employment, get paid for work done at my placement (except for routine chores or work assigned as

APPENDIX A - CPS Rights Of Children and Youth In Foster Care

fair and reasonable discipline), keep my own money, and have my own bank account in my own name, depending on my age or level of maturity.

23. Give my permission in writing before taking part in any publicity or fundraising activity for the place where I live, including the use of my photograph.

24. Refuse to make public statements showing my gratitude to a foster home, child-placing agency, or operation.

25. Not get pressured to get an abortion, give up my child for adoption, or to parent my child, if applicable.

Discipline

26. Be free of any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This means I should never:

- Be shaken, hit, spanked, or threatened with being shaken, hit, or spanked
- Be forced to do unproductive work
- Be denied food, sleep, access to a bathroom, mail, or family visits
- Have myself or my family made fun of, or
- Be threatened with losing my placement or shelter
- Be treated in a way meant to embarrass, control, harm, intimidate, or isolate me by use of physical force, rumors, threats, or inappropriate comments.

27. Be disciplined in a manner that is appropriate to how mature I am, my developmental level, and my medical condition. I must be told why I was disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment, or threat of corporal punishment.

28. Be informed of emergency behavioral intervention policies in writing. I have the right to know how they will control me if I cannot control my behavior, and to know how they will keep me and those around me safe.

Plans for Me While in Care

29. See my caseworker at least once a month and in private.

30. Receive a complete plan that addresses my needs and services, including transition activities when I am 14 or older that plans for my life as an adult, to include a career, college or help enrolling in an educational or vocational job training program. I also have the right to a copy or summary of my plan and the right to review it.

31. Actively participate in creating my plan for services and permanent living arrangements. I have the right to ask someone to act on my behalf or to support me in my participation. At age 14, I have the right to invite two or more additional people of my choosing, that are not my foster parent or caseworker, to participate in my case planning meetings.

32. If I am age 14 or older, I have the right to one or more Circle of Support Conferences.

33. If I am age 14 or older, I have the right to be told about services, programs and benefits available to me when I leave care (PAL, Education and Training Voucher program, College Tuition and Fee Waiver, STAR Health-Medicaid, Extended Foster Care, etc.).

34. If I am age 16 or older, I have the right to attend Preparation for Adult Living (PAL) classes and other state and regional activities as required or appropriate to my plan for services.

35. If I am age 16 or older, I have the right to get help in obtaining a place to live and information on the cost of housing when aging out of care, so that I can plan for my future independence.

APPENDIX A - CPS Rights Of Children and Youth In Foster Care

Medical

- 36.** Good medical, dental, and vision care, and mental health and developmental services that adequately meet my needs. I have the right to also request that the care or services be separate from adults (other than young adults) who are receiving services.
- 37.** Not be forced to take unnecessary or too much medication.
- 38.** Be involved in decisions about my medical care:
- I may consent to my own treatment in some cases if allowed by the health care provider. For example, the law allows me to consent to my own counseling for suicide prevention, drug or alcohol problems, or sexual, physical or emotional abuse, and I can agree to be treated for serious contagious or communicable diseases.
 - If I am pregnant and unmarried, I can agree to hospital, medical or surgical treatment, other than abortion, related to the pregnancy. If I have a child who is in my legal care, I can consent to all medical care for my child.
 - If I am 16 years old or older, I have the right to ask a judge to legally authorize me to make some or all of my own medical decisions, such as which kinds of medications I should take.

Legal Representation or Courts

- 39.** Contact and speak privately to: my caseworker, attorneys, ad litem, probation officer, court appointed special advocate (CASA), and Disability Rights Texas.
- 40.** Go to court hearings and speak to the judge, including talking to the judge about where I am living and what would I like to see happen to me and my family.

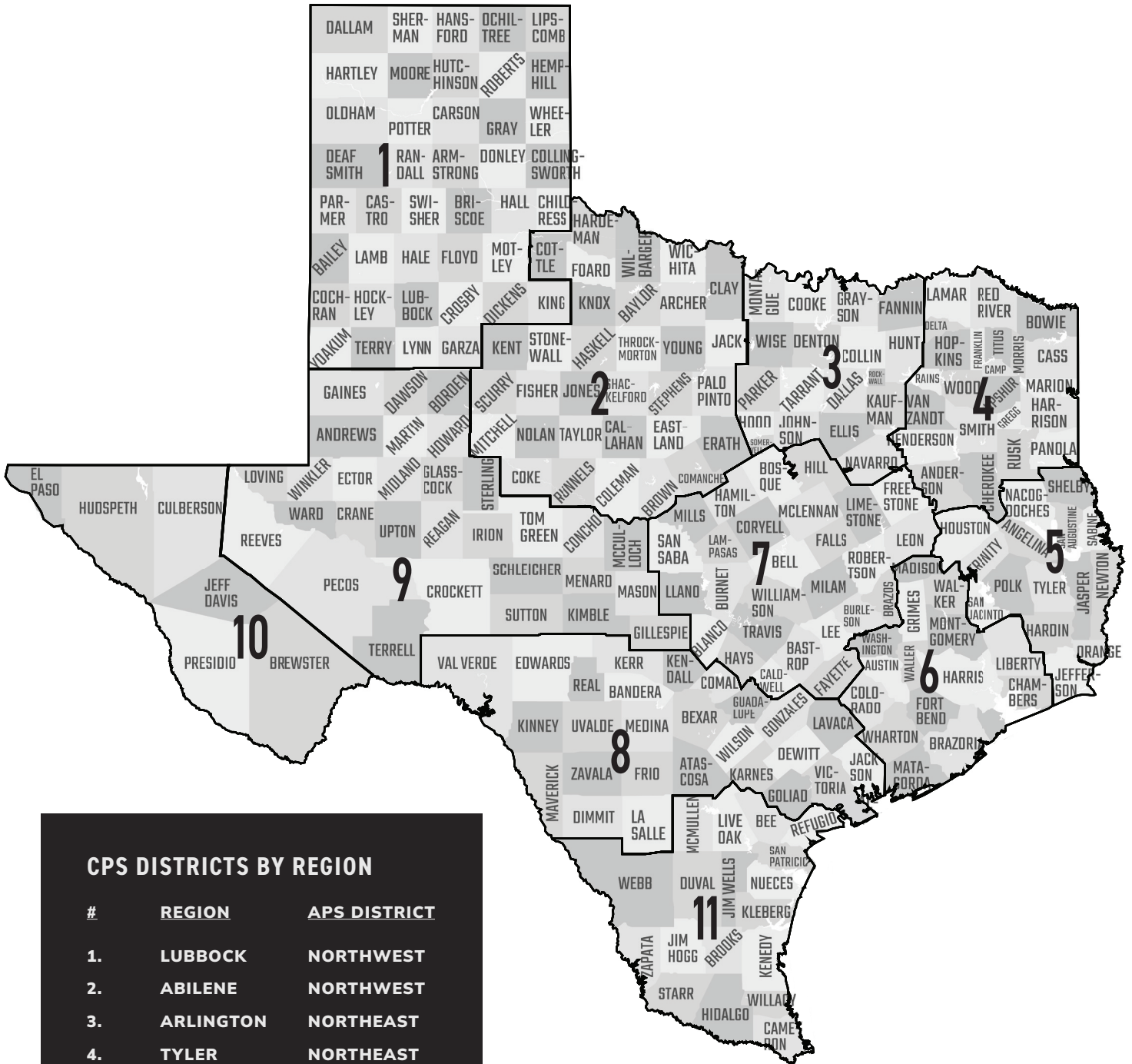
Records

- 41.** Expect that my records and personal information will be kept private and will be discussed only when it is about my care.
- 42.** A copy of the CPS Rights of Children and Youth in Foster Care and that they be explained to me in my primary language or in any means that successfully explains it to me.
- 43.** Have a credit report run annually beginning at age 14, be informed of the results, and receive assistance in interpreting the report and disputing any inaccuracies.
- 44.** Receive help with getting my birth certificate, Social Security card, and personal identification card (State ID, or when appropriate, driver's license) before I turn 16.
- 45.** Get necessary personal information within 30 days of leaving care, including my immunization records, proof of Medicaid enrollment, information about how to set up a Medical Power of Attorney, and information contained in my education portfolio and health passport.

Complaints

- 46.** Make calls, reports, or complaints without being punished, threatened with punishment, or retaliated against; and I have the right to make any of these calls privately and anonymously if I choose and the call center permits it. Depending on the nature of the complaint, I have the right to call:
- The DFPS Texas Abuse/Neglect Hotline at 1-800-252-5400.
 - The HHSC Ombudsman for Children and Youth currently in Foster Care at 1-844-286-0769.
 - The DFPS Office of Consumer Affairs at 1-800-720-7777.
 - Disability Rights Texas at 1-800-252-9108.
- 47.** To get information from my caseworker, attorney, CASA, or any other individual in my case about where I can make my complaint if I have one.
- 48.** Be kept informed about the outcomes of any complaints made to the HHSC Ombudsman for Children and Youth.

APPENDIX B - DFPS Regions



CPS DISTRICTS BY REGION

#	REGION	APS DISTRICT
1.	LUBBOCK	NORTHWEST
2.	ABILENE	NORTHWEST
3.	ARLINGTON	NORTHEAST
4.	TYLER	NORTHEAST
5.	BEAUMONT	SOUTHEAST
6.	HOUSTON	SOUTHEAST
7.	AUSTIN	NORTHWEST
8.	SAN ANTONIO	SOUTHWEST
9.	MIDLAND	NORTHWEST
10.	EL PASO	SOUTHWEST
11.	EDINBURG	SOUTHWEST

TFYJP can provide information, advice, or referrals,
but cannot always offer legal representation.

To learn more about us visit:

www.TexasFosterYouth.org

or simply scan below.



*The Texas Foster Youth Justice Project
is a program of*



Main 956.996.8752 **Toll free** 833.329.8752

www.TRLA.org