



**DEPARTMENT of CHILDREN and FAMILIES**  
*Making a Difference for Children, Families and Communities*

**MEMORANDUM**

**To:** All Staff  
**From:** Joette Katz, Commissioner  
**Date:** Monday, September 19, 2011  
**Subject:** CLARIFICATION OF OVER 18 MEMO

It has come to my attention that some confusion has resulted from my memo to you on July 26 entitled "What Happens When a DCF Youth Turns 18?"

First, I want to clarify that if a student has an IEP or a 504 Accommodation Plan that requires school attendance for fewer hours a day than a regular education student or requires homebound schooling, then that student's IEP or 504 Plan sets forth what is "full time" for that particular student.

Second, for committed youth, I stated that I will consider exceptions to the statutory requirement of full time attendance on a case-by-case basis. I have been asked to provide examples of circumstances that might be appropriate for an exception. Please be mindful that exceptions must be legitimate and not simply a result of "I don't know what else to do with this young person." Thoughts and concerns about the youth's post-majority education and participation in services should be on your minds and the focus of your efforts long before the youth turns 18. Nevertheless, here are some suggestions:

- A youth who wishes to attend a GED program might qualify for an exception if he or she is attending a GED preparation course and can demonstrate a significant commitment to studying and practice tests. (Please note that Social Workers should encourage students to remain in high school because a high school diploma will open more doors in the future than a GED.)
- A youth who has an opportunity such as participation in a program or job that strongly complements his or her post-secondary educational program may be permitted to attend school part-time.
- A youth who is has or develops a mental health or physical illness or injury may be permitted to attend school part time as long as he or she is actively participating in treatment.

When you are preparing a request for an exception for my review, please include all relevant information so that a decision can be timely made.

I would also like to take the opportunity to remind you that DCF is not the only agency

that can or should provide services to young adults over age 18. I urge you to actively consider the valuable resources available from other agencies that can follow a former DCF youth long after he or she has left us. For your information, I have copied below and Op-Ed piece I recently authored for the Hartford Courant.

## DCF Keeps Focus On Its Primary Clients

By JOETTE KATZ The Hartford Courant  
August 28, 2011

I recently issued an internal memo at the Department of Children and Families that has become a hot topic in the children's advocate community, although it was intended only as a routine reminder to our staff.

The memo was about the department's legal obligations when a client turns 18. I outlined the law and policy and emphasized the need for consistent practice, adherence to state and federal law, especially in this difficult fiscal time, and transitioning appropriate cases to the agencies required to provide services to adults. The memo quoted state statutes and explained how to apply the law in different cases.

Public policy favors providing DCF services to young adults (ages 18-21) who were in DCF care before turning 18, as would a natural parent. That is, if young adults follow the rules, they can count on added support from DCF.

One rule is that young adults be in "full time attendance" in an educational program, as dictated by statute. There are exceptions. As indicated in my memo, it may be appropriate for a youth, in a specific case, to complete a high school equivalency program and still qualify for DCF support.

I also have been criticized for discriminating against disabled children by reminding my staff about state law that sets the boundaries for what our agency can and should do. Certain points must be emphasized. I was not talking about clients with behavioral health or substance abuse needs who are in our Voluntary Services program. (The education requirement does not apply to them.) I was addressing clients who became wards of the state due to abuse or neglect by their parents and who, upon reaching legal adulthood, decide whether to continue to receive services voluntarily or strike out on their own.

When these clients become 18, they are free to live their lives as adults with the benefit of services from DCF, provided, as required by statute, they remain in school, college or a training program "full time." Although "full time" is not defined by statute, common parlance indicates that it means exactly what everyone assumes it means.

For youths who are eligible for special education services or who have a disability that makes them eligible for a 504 Accommodation Plan under federal law, "full time" is whatever the Individualized Educational Plan or 504 Plan requires. Other young adults may qualify for an exception on a case-by-case basis, such as a disabled youth entitled to reasonable accommodations.

So, to answer the advocates' concerns, there may indeed be young adults who do not qualify for DCF services under current law. The process for continuing to receive services after age 18 is spelled out in our policy and is carefully explained to each young adult. Should a client choose not to take advantage of what is available, or fail to live up to his or her responsibilities, we send a legal notice and hold a formal hearing. No one is cut off from services without warning. Finally, those youths who pursue a post-secondary education program are supported by DCF. Indeed, in 2010, we sent 685 young people to college.

DCF does not have an endless pot of money. Every dollar allocated to this agency is earmarked to provide a service to children and families, as authorized by state law. In addition, DCF is not the only agency, or even the best agency, to provide services to young adults.

Local school districts are responsible for ensuring that all youths get a free and appropriate education, which sometimes requires attendance after age 18. If young adults do not attend college, the state Department of

Education can assist with placing them in vocational schools. The departments of Mental Health and Addiction Services and Developmental Disabilities have statutory mandates to provide services to eligible adults. The Department of Social Services also may be able to help.

At some point, children become adults and it is incumbent upon their advocates to shift their focus from the child welfare agency to resources available for adults. I intend to focus this agency's attention and resources on the populations that we are legally mandated to serve.

*Joette Katz is the commissioner of the state Department of Children and Families.*