



**Appendix A: Reentry Into Foster Care:
What Runaway and Homeless Youth Programs Need to Know**

Who: A youth might be eligible to reenter foster care if

- they are under the age of 21 and left foster care on or after their 18th birthday because
 - they did not consent to remain in foster care; or
 - they were discharged to permanency (returned home, went to a relative's care, custody, or guardianship, or were adopted) and that arrangement was disrupted or dissolved.
- they left foster care after age 16 and are now 18 or older AND are homeless or at risk of homelessness.

Additional conditions that affect a youth's eligibility to reenter foster care include the following:

- the youth consents to reentering foster care;
- the youth has no reasonable alternative to foster care;
- there is a compelling reason for reentry;
- reentry into foster care is in the best interests of the youth;
- the youth consents to enrollment in and attendance at an appropriate educational or vocational program, unless such enrollment or attendance is unnecessary or inappropriate given the youth's particular circumstances; and
- a motion for reentry is filed in family court within 24 months of the youth's first final discharge from foster care.

A final determination on a youth's eligibility to reenter foster care is made by the local department of social services (LDSS) and family court.

What: Reentry to foster care requires a youth to follow certain rules and entitles the youth to certain rights, benefits, and services.

What rules? Youth who reenter foster care between the ages of 18-21 need to follow a set of rules that include (but are not limited to) enrolling in and attending vocational or educational programming unless enrollment or attendance is unnecessary or inappropriate given the youth's specific circumstances.

What rights? Youth in foster care have rights. They can be found in OCFS-2132 *Bill of Rights for Children and Youth in Foster Care*.

Note: This publication is available in other languages on the OCFS website under Publications.

What benefits and services? Youth who reenter foster care may access services available only to youth in foster care. There are many such services, including but not limited to the following:



Office of Children and Family Services

- Housing, education, room and board, and other supports via Chafee Independent Living Program funds
- Family support and healthy marriage education
- Independent living needs assessment
- Academic support
- Post-secondary education support
- Career preparation
- Financial assistance, including for education
- Preventive services
- Mentoring
- Health education and risk prevention
- Employment programs or vocational training
- Budget and financial management
- Housing education and home management training

Note: Preventive services are also available to youth at risk of reentering foster care.

How: *If an eligible youth wants to be referred to the applicable LDSS regarding potential reentry into foster care, RHY programs are required to refer the youth to the LDSS that had care and custody or custody and guardianship of the youth when the youth was in foster care. If the youth was most recently in the custody of the New York State Office of Children and Family Services (OCFS), it is the LDSS of the youth's current residence. A listing of all LDSSs with contact information may be found at: <https://ocfs.ny.gov/main/localdss.asp>.*

Want to know more?

Contact your OCFS [regional office](#).

You can also read more about reentering foster care here:

- [Preparing Youth for Success: Services for Foster Care Youth and Former Foster Care Youth](#) contains information for young people about some of the services they may be entitled to receive.
- OCFS-2132, *Bill of Rights for Children and Youth in Foster Care*, attached to [15-OCFS-ADM-18](#), explains the rights of young people in foster care and what to do if those rights are not being upheld.
- [11-OCFS-ADM-02](#), *Reentry Into Foster Care by Former Foster Care Youth Between the Ages of 18 and 21*, provides information to child welfare professionals on requirements related to youth reentering foster care.
- [22-OCFS-ADM-04](#), *Chapter 798 Laws of 2021: Youth Reentry Into Foster Care Ages 18-21*, allows youth 18 years of age or older to reenter foster care if they left care after the age of 16 and are experiencing or are at risk of homelessness and specifies the types of placement settings youth can return to.