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August 19, 2011

Officials of the state Department of Children and Families say a recent memo on services for young adults is just a restatement of existing policy, but advocates fear the memo could lead to many 18-to-21-year-old students losing eligibility for benefits such as housing and tuition.

"There's a lot of rumbling out there that cases are closing," said Mickey Kramer, the state's associate child advocate. "It's a memo that sent off alarms through the entire community."

This memo sent out by Commissioner Joette Katz instructs her staff to begin reviewing all the cases of the nearly 700 young adults who turned 18 in DCF custody without ever finding a permanent home who still receive services.

"A youth who has reached his or her eighteenth birthday may continue to receive DCF services through his or her 21st birthday only under the following conditions," Katz wrote in a July 26 memo, emphasizing "only" with an underline and bold font.

And while this memo was just restating the existing practice and law, child advocates are upset, saying it sends the message to DCF staff to shed responsibility for these children whenever possible. They also said because these children must be full-time students to remain in DCF, it could penalize those with disabilities who are unable to attend college full-time.

"It's sending an implicit message to just cut these needy children off at age 18," said Jan VanTassel, director of Connecticut Legal Rights Project, a statewide advocacy group for those with mental health disabilities. "Having these services available to our clients has made their transition into adulthood much easier."

Barbara Claire, the director of legal services at DCF, said the department has not requested data on how many cases their regional offices have closed as a result of this memo. Kramer said she has asked DCF officials twice that her office be allowed to review all the cases of the 18- to 21-year olds who may lose services, but has yet to hear back from them.

"Maybe they haven't closed any yet. We hope that is the case," she said.

But Martha Stone, executive director of the Center for Children's Advocacy, said the memo has already resulted in a client of hers being turned away from DCF care. Stone said she had to fight to

get services restored for the client, who is a part-time student with a disability.

"DCF has been his parent and they called him and told him he is no longer eligible for services," said Stone. "This is a shift in policy. Children are being denied services that weren't before."

Claire said the memo was intended to remind the 3,400 employees at the agency what the existing policy is at a time when many changes are taking place.

"It was just a request of the staff to look at their cases," she said. "It was certainly not the intent" of the memo to deny services.

Claire said DCF routinely waives certain criteria for young adults to continue receiving services, such as the full-time attendance requirement for those whose disability may make that an impossible task.

"We're not going to close their case if they are in school," she said. "This is really about those that are not going to school, period."

Anne Louise Blanchard, a lawyer with Connecticut Legal Services in Willimantic, and Catherine A. Holahan, a lawyer with Children at Risk, wrote the commissioner to say while there may be exceptions made, the memo clearly directs staff not to consider the special education needs of someone who remains in high school after age 18 when determining eligibility.

"The fact that a youth has or is eligible for an Individualized Education Plan (IEP) plan is irrelevant to the analysis," Katz wrote, referring to the education plan developed for a student with special needs. "The youth's school is solely responsible for implementing IEP, whether or not the youth remains in DCF care. What's important to our determination of whether the youth continues to receive services after age 18 is whether or not he or she is attending school full time."

Blanchard and Holahan wrote that's not acceptable for several reasons.

"Many youth who remain in the care of DCF beyond age 18 are disabled children... The education programming for those students may require them to not be in full-time attendance at school, simply due to their disability," they wrote this week, noting they believe this policy violates the American with Disabilities Act.

Claire said young adults deemed ineligible for DCF services--which can include housing, health care, and stipends for groceries and living costs--can turn to other state agencies.

"We help them transition to the adult services at the other agencies. It's not just that we drop them one day," she said.

Child and disability advocates say the services available at other agencies are not comparable to the DCF programs and are often not always accessible because of long wait lists.

"You may not be eligible for care in other agencies," said James McGaughey, executive director of the Office of Protection and Advocacy for Persons with Disabilities. "You may have no services to turn to."

Merva Jackson, who advocates for minority children with disabilities, agrees.

"Without that support from DCF they are out there lost. Most parents would support their kids until they are 21," she said.

Education Human Services

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