5. Age Requirements

5.1 Age at Application

A child must be under age 18 when an application is initiated for Foster Care.

5.2 Evidence of Age [42-111.1]

The age of a Foster Care child must be verified. Acceptable evidence of the child’s age includes, but is not limited to, the following:

- Birth certificate or hospital’s, physician’s or midwife’s birth record.
- Baptismal certificate or church record of baptism.
- Confirmation papers or church record of confirmation.
- School records.
- Indian agency records (if applicable).
- Immigration papers or governmental record of immigration.
- Naturalization papers or governmental record of naturalization.
- Adoption decree.
- Passport.
- State or Federal census record.
- The affidavit of an adult if it is based on his personal knowledge of facts which would determine the probable age of the child and it is not merely a statement of belief based on the child’s personal appearance. The affidavit must contain statements of the circumstances upon which the affiant’s knowledge is based.
- Entries in a family Bible or other genealogical record or memorandum of the child’s age.

5.3 Documentation of Age [42-111.2]

The verification used to establish the child’s age must be documented on the “Statement of Facts Supporting Eligibility for AFDC-FC” (FC 2) before it is scanned.
Age Requirements

Note:
The verification document must be filed in the case folder in the permanent verification section, fastener 1, bottom until IDM is implemented for Foster Care and the document is scanned.

• Original documents (i.e. birth certificate, SSN card) requested by our agency must be photocopied and forwarded to the SW/PO to be retained in the services folder so they can be given to the child when they leave the Foster Care system.

• Original documents provided by someone else, i.e. a caretaker relative, must be photocopied and returned to the person who provided them.

• If a document does not appear to be valid, additional evidence may be needed and/or a fraud referral may be indicated.

5.4 Original Birth Certificates

The Social Security Administration requires an original birth certificate when an application for a Social Security Number is requested. Foster Care EWs are authorized to apply for a Social Security Number (SSN) on behalf of a Foster Care child.

• If the child’s SSN is already on file and verified, there is no need to request an original birth certificate for Foster Care. Any of the documents listed in section 5.3.1 above are allowable for proof of age.

• If an application for an SSN is required and an original birth certificate is not available, the EW must request it.

Note:
If other evidence of the child’s age is available and all other conditions of eligibility are met, Foster Care may be approved pending receipt of the birth certificate and the child’s SSN card.

• Original birth certificates will be taken to the SSA office by clerical staff with the completed SSN Application form (SS -5). Social Security will complete the SSN application and return the original birth certificate to clerical.

• The original birth certificate should remain in the FC case until the SSN is received/verified (so that it is available if the SSN card isn’t received and the application has to be submitted again).
• Once the SSN card is on file and verified, make a copy of the SSN card and birth certificate and give the originals to the child’s Social Worker.

### 5.5 Requests for Birth Certificates

The Foster Care (FC) Eligibility Worker (EW) may request a copy of the birth certificate from a previous case.

If age documentation is not readily available for the child, the FC EW may obtain verification from the Santa Clara County Recorder’s Office files. The FC EW will:

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Complete the “Clerical Check Sheet” (SC 109). Set a CalWIN alert for 90 days for follow-up of the receipt of birth certificate.</td>
</tr>
<tr>
<td>2</td>
<td>Note the <strong>Maintain Case Comments</strong> window that verification has been requested.</td>
</tr>
<tr>
<td>3</td>
<td>Put the SC 109 in the clerical basket for batching and forwarding to the Recorder’s office.</td>
</tr>
<tr>
<td>4</td>
<td>Clerical staff will forward the SC 109 to the appropriate state/county.</td>
</tr>
</tbody>
</table>

#### 5.5.1 Documents Viewed But Copy Not Obtainable

If the child’s birth certificate is viewed, but a copy is unobtainable as in a home visit, or the copy machine is broken, the pertinent information listed below must be recorded and then entered in the **Maintain Case Comments** window.

- The issuing authority (state, county, church, etc.).
- Name of child.
- Name of father and mother.
- Date of birth.
- Place of birth.
- Any identifying information including all identifying numbers.

**Note:**

Every attempt must be made to pursue obtaining a copy for the record.

Other verifications viewed, but not copied must be thoroughly documented in the appropriate “County Use Only” sections.
5.5.2 Use Of Affidavit As Verification (SC 101)

For certain types of verification, the use of an affidavit is acceptable. Justification for the use of the affidavit must be recorded in the **Maintain Case Comments** window.

---

5.6 School Enrollment and Attendance - 18 Year Olds not Eligible for AB 12
[45-201.111 and 42-100]

5.6.1 Prior to age 18

A child meets the age requirement for Foster Care eligibility until his/her 18th birthday.

- Prior to the child's 18th birthday, school enrollment and attendance is NOT a condition of eligibility for Foster Care.
- Work registration is never a condition of eligibility for a Foster Care child.

5.6.2 Eligibility Up To Age 19

Effective January 1, 2012, when a Foster Care child reaches age 18, the youth is no longer eligible for Foster Care up to age 19. The youth must meet one of the five education and employment conditions under the Extended Foster Care (EFC) program. See FC HB Chapter 39.3.1.

The following conditions apply only to KinGAP youths not eligible for extended benefits and youths with NRLG's established through Probate Court. These youths must meet ALL of the following conditions:

- Was receiving Foster Care/KinGAP and attending high school or a vocational-technical training program on a full-time basis (as defined by the school) prior to reaching age 18.
- Continues to meet all eligibility requirements.
- Continues to reside in an approved placement (i.e., no break in cash assistance).
• Attends, on a full-time basis, either a high school; or, if the child has not
completed high school, a vocational-technical training program which cannot
result in a college degree. Full-time attendance must be defined and verified by
the child’s school.

• Is reasonably expected to complete either program before reaching age 19;
AND,

• The child and the placement agency have signed a “Mutual Agreement for
18-Year-Olds” (SOC 155B or KG 1) which documents the continued need for
placement. The agreement shall be signed prior to or within the month the child
reaches age 18.

Exception:
A mutual agreement is NOT required if the placement is due to a court order
which remains in effect or if the child is not capable of making an informed
agreement.

Note:
If a child does not meet the age/school requirements refer to Director’s
Exception criteria.

When a caretaker relative chooses to receive CalWORKs for a dependent child, the
child must meet the work/school requirements of the CalWORKs program.

5.7 School Enrollment Verification (SC 441)

IMPORTANT:
The expected date of graduation must be entered on the Collect Student Detail
window. If new information is reported, this window must be updated. The
information that you enter on the Collect Student Detail window is what triggers
CalWIN to automatically discontinue Foster Care when the child turns 18. If the
information is not correct, it can result in an overpayment.

5.7.1 Purpose

School enrollment/attendance must be verified and monitored before a Foster Care
youths with NRLGs established through Probate Court reaches age 18 so that the
EW can determine if eligibility will stop when the child is 18. If Foster Care is to be
Age Requirements

continued after age 18, the EW must obtain appropriate verification PRIOR to the child's 18th birthday. Failure to obtain verification of school enrollment may result in an overpayment if there is no eligibility.

Note:
CalWORKS school enrollment and attendance requirements do NOT apply to children who receive Foster Care benefits.

5.7.2 Applicants (Intake)

Intake EWs must send the “School Enrollment Verification” (SC 441) for a child who will turn age 18 within six months from the date the case is transferred. If, at the time of transfer, the child's birthday is in the current or future month, the intake EW must keep the case until the SC 441 is received.

5.7.3 School Not in Session

If the EW cannot obtain an SC 441 because the school is not in session, follow these guidelines:

• New Applicants:
  Accept the legal guardian or SW/PO’s statement and initiate an Alert in CalWIN for follow-up when school begins.

• If there is a question regarding school enrollment, attempt to verify enrollment by contacting the school, the SW/PO or legal guardian and initiate an Alert in CalWIN for follow-up when school begins.

5.7.4 Recipients (Continuing Cases)

EWs must ensure that a child meets all of the conditions of eligibility for continuation of Foster Care benefits beyond their 18th birthday and within 6 months prior to age 18. Each year in January and September, EWs will use their quarterly listing “Foster Care and Kin-GAP Individuals with Age at Graduation” to identify 17 - 18 year olds who require verification of school enrollment. The following information must be sent to the person/facility where the child resides:

• The “School Enrollment Verification” (SC 441)
• The “Instructions for Use of the School Enrollment Verification Form” (SC 1087)
• A postage-paid return envelope.
Foster Care providers are to return the SC 441 to the agency by the 10th of the month following the month it was mailed (by February 10 and October 10, respectively).

**Note:**
A substitute verification such as a letter from the school may be used if it is on school letterhead, it contains a school stamp and a signature from a school employee, and it otherwise appears to be valid. It should include the same information that is requested on the SC 441.

The procedures above will meet verification requirements for most children; however, EWs may need to send an SC 441 or request verification of school enrollment before continuing payments after a child reaches age 18.

### 5.8 SC 441, Additional Clarifications/Requirements

#### 5.8.1 SC 441 Incomplete

If a “School Enrollment Verification” (SC 441) is returned and is incomplete, the EW may do any of the following to obtain the missing information:

- Mail the incomplete SC 441 to the school with a coverletter which explains what information is needed.

- Verify by collateral contact with the school the information required and document the information obtained in the **Maintain Case Comments** window.

- Return the incomplete SC 441 to the foster parent/guardian requesting them to obtain the necessary verification.

In emergency situations and/or at intake, the SC 441 may be faxed. Regardless, if the SC 441 is returned without pertinent information and/or the school stamp, the EW must verify the information with the school or ask the SW/PO or legal guardian to obtain it.

**Note:**
If the verification is not obtainable, request assistance from the SW/PO.
Age Requirements

5.8.2 SC 441 Not Returned, Child Not Attending, or, Child Not Expected to Graduate Before Age 19

If the SC 441 is not returned, or, it indicates that the child is not attending school or is not expected to graduate before age 19, the EW must contact the SW/PO. Complete the “School Enrollment Notification” (SC 3), to notify the SW/PO that the child may have a problem related to school attendance which would result in termination of Foster Care payments the day before the child turns age 18.

5.8.3 School Won’t Cooperate

If the school will not cooperate by completing the form/providing information, contact the Foster Care Program Coordinator.

5.9 Alternatives to High School

5.9.1 Adult School/Independent Studies/Middle College Program

Enrollment in an adult school, an independent studies program or a middle college program will qualify as long as the course work is a high school program (i.e., fulfills high school requirements or leads to a high school diploma).

Enrollment in a correspondence course does NOT meet the high school requirement.

5.9.2 Vocational-Technical Training Program

Enrollment in a vocational-technical training program which cannot result in a college degree will qualify as long as the child has not completed high school [Refer to “Eligibility Up To Age 19”, page 5-4]. Full-time attendance must be defined and verified by the child’s school.

5.9.3 GED

Classes terminating in a GED exam meet Foster Care eligibility requirements if all of the following conditions are met:
Age Requirements

- The child is enrolled in a full time GED program, as defined by the school (The EW is NOT required to check on the school’s standards and full-time enrollment is NOT required effective with AB 1633).

- The course of study is considered to be a high school program by the school.

- The child is reasonably expected to complete the program and successfully receive the GED Certificate prior to age 19 (proof of completion of the GED examination is NOT required).

Note:
An 18-year-old who has passed the GED examination is considered to have completed a generally accepted equivalent of high school, and therefore does NOT continue to be eligible for Foster Care until age 19.

5.10 Last Day of Payment for Graduates

5.10.1 Child will graduate PRIOR to age 18

The basic rule is, a Foster Care child is eligible for payment until he/she reaches age 18. If the child will graduate PRIOR to turning 18, then Foster Care payments will continue until ONE day BEFORE their 18th birthday.

Example:
A 17 year-old child will graduate on June 16th and turns 18 on August 12th (same year). The last day of Foster Care payment is August 11th.

5.10.2 Child will graduate AFTER turning age 18

If the child will graduate after turning 18, then the child MUST be enrolled full-time and be able to meet graduation program requirements PRIOR to their 19th birthday. Eligibility for Foster Care payment is affected by the projected date of graduation program requirements. Examples:

<table>
<thead>
<tr>
<th>If the child is enrolled full time,</th>
<th>Then, the LAST day of Foster Care payment is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turns eighteen on May 12th and will graduate on June 16th (same year)</td>
<td>June 15th</td>
</tr>
</tbody>
</table>
Age Requirements

5.10.3 Child, After Turning Age 18, Meets High School Program Requirements prior to Graduation Date

If a child, after turning age 18, meets high school program requirements, and turns age 19 prior to their graduation date, payment shall be made as follows:

Example:
SC 441 shows graduation date as June 16th.

<table>
<thead>
<tr>
<th>If a child ...</th>
<th>and meets high school program requirements...</th>
<th>then, the LAST day of Foster Care payment is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turns age nineteen on June 14th AND the graduation date is June 16th</td>
<td>on June 1st</td>
<td>May 31st, ONE day before child meets high school program requirements. The EW must document the date school requirements are met in CalWIN [Maintain Case Comment] window.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>If the child is enrolled full time,</th>
<th>Then, the LAST day of Foster Care payment is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will graduate on June 16th and will turn nineteen on June 29th (same year)</td>
<td>June 15th</td>
</tr>
<tr>
<td>Turns age eighteen on December 8th and will NOT graduate before their nineteenth birthday</td>
<td>December 7th</td>
</tr>
</tbody>
</table>