

Chapter 110-90 WAC
EXTENDED FOSTER CARE PROGRAM
(Formerly: Chapter 388-25 WAC)

Last Update: 7/13/20

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

110-90-0030	What is extended foster care? [WSR 18-14-078, recodified as § 110-90-0030, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 16-14-065, § 388-25-0504, filed 6/30/16, effective 7/31/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0504, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0504, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0504, filed 3/25/13, effective 4/25/13.] Repealed by WSR 19-14-066, filed 6/28/19, effective 7/29/19. Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055, 74.08.090 and WAC 110-20-0010.
110-90-0041	When is a youth considered to be "in foster care"? [WSR 18-14-078, recodified as § 110-90-0041, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0508, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0508, filed 3/25/13, effective 4/25/13.] Repealed by WSR 19-14-066, filed 6/28/19, effective 7/29/19. Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055, 74.08.090 and WAC 110-20-0010.
110-90-0042	When is a youth not "in foster care"? [WSR 18-14-078, recodified as § 110-90-0042, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0510, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0510, filed 3/25/13, effective 4/25/13.] Repealed by WSR 19-14-066, filed 6/28/19, effective 7/29/19. Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055, 74.08.090 and WAC 110-20-0010.

WAC 110-90-0010 What is the legal basis of the extended foster care program? The legal authorities for the program are:

- (1) Revised Code of Washington: RCW 74.13.031 and 13.34.267;
- (2) United States Code: 42 U.S.C. sec. 671-675; and
- (3) The U.S. Department of Health and Human Services (DHHS) policy guidelines for states to use in determining a child's eligibility for participation in extended foster care programs.

[WSR 18-14-078, recodified as § 110-90-0010, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 feder-

al legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0500, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0020 What is the purpose of the extended foster care program? The extended foster care program provides an opportunity for young adults who are dependent at age eighteen to voluntarily agree to continue receiving foster care services, including placement services, while the youth:

- (1) Completes a high school or a high school equivalency program;
 - (2) Completes a secondary or post-secondary academic or vocational program;
 - (3) Participates in a program or activity designed to promote employment or remove barriers to employment;
 - (4) Is engaged in employment for eighty hours or more per month;
- or
- (5) Is unable to engage in subsections (1) through (4) of this section due to a documented medical condition.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055, 74.08.090 and WAC 110-20-0010. WSR 19-14-066, § 110-90-0020, filed 6/28/19, effective 7/29/19. WSR 18-14-078, recodified as § 110-90-0020, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 16-14-065, § 388-25-0502, filed 6/30/16, effective 7/31/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0502, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0502, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0502, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0040 Who is eligible for extended foster care? (1) To be eligible for the extended foster care program, a youth, on his or her eighteenth birthday must be dependent under chapter 13.34 RCW and:

- (a) Enrolled in school as described in WAC 110-90-0050;
- (b) Have applied for, or can demonstrate intent to timely enroll in a post-secondary academic or vocational education program as described in WAC 110-90-0060;
- (c) Participating in a program or activity designed to promote employment or remove barriers to employment as described in WAC 110-90-0070;
- (d) Engaged in employment for eighty hours or more per month;
- (e) Unable to engage in subsection (1)(a) through (d) of this section due a documented medical condition as described in WAC 110-90-0100; or
- (f) Did not enroll in the extended foster care program; and
- (i) Had their dependency dismissed on their eighteenth birthday;

(ii) Is requesting to enroll in the extended foster care program through a voluntary placement agreement (VPA) prior to reaching the age of twenty-one; and

(iii) Meets one of the criteria found in subsection (1)(a) through (e) of this section.

(2) A dependent youth in the custody of juvenile rehabilitation, the department of corrections, county detention, or jail who otherwise meets the eligibility criteria in subsection (1)(a) through (f) of this section may enroll in the extended foster care program.

(3) If the youth was in the extended foster care program but then unenrolled or lost their eligibility, the youth may reenroll in the extended foster care program through a VPA before the age of twenty-one. The youth must meet one of the criteria in subsection (1)(a) through (e) when requesting to reenroll in the extended foster care program.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055, 74.08.090 and WAC 110-20-0010. WSR 19-14-066, § 110-90-0040, filed 6/28/19, effective 7/29/19. WSR 18-14-078, recodified as § 110-90-0040, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 18-01-048, § 388-25-0506, filed 12/12/17, effective 1/12/18; WSR 16-14-065, § 388-25-0506, filed 6/30/16, effective 7/31/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0506, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0506, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0506, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0050 How does a youth demonstrate enrollment in school? Enrollment in school is shown by documented registration or acceptance in:

(1) **Secondary** - A high school, secondary education equivalency program, or a state accredited on-line or other approved secondary education program.

(2) **Post-secondary** - Post-secondary academic or vocational program.

[WSR 18-14-078, recodified as § 110-90-0050, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0512, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0060 How does a youth demonstrate he/she has applied for and intends to timely enroll in a post-secondary program? (1) Applied for and intends to timely enroll in a post-secondary program is demonstrated by the youth:

(a) Completing and submitting an application to a post-secondary academic or vocational program; or

(b) Providing proof of Free Application for Federal Student Aid (FAFSA) submission.

(2) **Timely enroll** means participation in a post-secondary program in the next reasonably available school term.

[WSR 18-14-078, recodified as § 110-90-0060, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0514, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0070 How does a youth demonstrate participation in a program or activity designed to promote employment or remove barriers to employment?

(1) Actively participate in a state, federal, tribal or community program that addresses any barriers to employment that the youth may have and/or prepares or trains individuals for employment; or

(2) Involved in a self-directed program that will remove any barriers to employment and will prepare a youth for employment: or

(3) Working less than eighty hours a month.

[WSR 18-14-078, recodified as § 110-90-0070, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0515, filed 6/12/14, effective 7/13/14.]

WAC 110-90-0080 What if an eligible youth does not want to participate in the extended foster care program? Participation in extended foster care is voluntary. A youth who does not agree to participate in extended foster care may request the court to dismiss his or her dependency case.

[WSR 18-14-078, recodified as § 110-90-0080, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0516, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0516, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0516, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0090 What is a "documented medical condition"? A "documented medical condition" is any physical or mental health condition documented by a licensed health care provider that may be temporary or permanent, including but not limited to, a physical injury or a physical or behavioral health condition. A "documented medical condition" may include physiological, mental, or psychological conditions or disorders, including but not limited to, orthopedic, visual, speech, and hearing impairments.

[WSR 18-14-078, recodified as § 110-90-0090, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 16-14-065, § 388-25-0517, filed 6/30/16, effective 7/31/16.]

WAC 110-90-0100 How does a youth demonstrate the inability to participate in extended foster care (EFC) activities due to a documented medical condition?

(1) To demonstrate the inability to participate in EFC activities due to a documented medical condition defined in WAC 110-90-0090, a youth must notify the caseworker of the medical condition and provide to the department of children, youth, and families written documentation or consent to obtain documentation from a licensed health care provider. The documentation of the medical condition must describe how the medical condition prevents the youth, either temporarily or permanently, from:

(a) Completing a high school diploma or high school equivalency certificate;

(b) Completing a post-secondary academic or vocational program;

(c) Participating in a program or activity designed to promote employment or remove barriers to employment; or

(d) Being employed for eighty hours or more per month.

(2) If a medical condition prevents a youth from notifying the caseworker or obtaining or providing documentation of the medical condition, the youth must notify the caseworker as soon as they are reasonably able.

(3) If the youth's medical condition temporarily prevents them from engaging in EFC activities, the youth will provide the caseworker with updated documentation from the licensed health care provider regarding the youth's ability to engage in EFC activities during the monthly health and safety visit.

(4) The youth may give the department of children, youth, and families consent to contact the licensed health care provider directly to determine the impact of the youth's documented medical condition or their ability to engage in EFC activities.

[Statutory Authority: 2017 c 6. WSR 20-15-066, § 110-90-0100, filed 7/13/20, effective 8/13/20. WSR 18-14-078, recodified as § 110-90-0100, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 16-14-065, § 388-25-0519, filed 6/30/16, effective 7/31/16.]

WAC 110-90-0110 How does a youth agree to participate in the extended foster care program?

(1) An eligible dependent youth can agree to participate by:

(a) Signing an extended foster care agreement; or

(b) For developmentally disabled youth, remaining in the foster care placement and continuing in an appropriate educational program.

(2) An eligible nondependent youth who did not elect to participate in the program on their eighteenth birthday can agree to participate by:

(a) Signing a voluntary placement agreement (VPA) before reaching age twenty-one; or

(b) Establishing a nonminor dependency before reaching age twenty-one if the department denied entry into the program.

(3) An eligible nonminor dependent youth requesting to reenter the program may agree to participate by signing a VPA prior to reaching age twenty-one.

(4) In order to continue receiving extended foster care services after entering into a VPA with the department, the youth must agree to the entry of an order of dependency within one hundred eighty days of the date that the youth is placed in foster care pursuant to a VPA.

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055, 74.08.090 and WAC 110-20-0010. WSR 19-14-066, § 110-90-0110, filed 6/28/19, effective 7/29/19. WSR 18-14-078, recodified as § 110-90-0110, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 18-01-048, § 388-25-0528, filed 12/12/17, effective 1/12/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0528, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0528, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0528, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0120 Where do youth obtain information about how to participate in the EFC program?

(1) The department of children, youth, and families must provide dependent youth between the age of seventeen and seventeen and a half:

(a) Written documentation explaining the availability of EFC services.

(b) Detailed instructions on how to access such services after they have reached age eighteen.

(2) Youth can contact:

(a) Youth's attorney/CASA/GAL.

(b) Youth's caseworker.

(c) Local DCYF office.

(d) www.independence.wa.gov.

(e) 1-866-END-HARM.

[Statutory Authority: 2017 c 6. WSR 20-15-066, § 110-90-0120, filed 7/13/20, effective 8/13/20. WSR 18-14-078, recodified as § 110-90-0120, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0530, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0530, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0130 Can an extended foster care participant continue in extended foster care under a different eligibility category? Yes.

A youth may transition among the eligibility categories while under

the same voluntary placement agreement or dependency order, so long as the youth remains eligible during the transition.

[WSR 18-14-078, recodified as § 110-90-0130, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0532, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0532, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0140 If an extended foster care participant loses his or her eligibility before he or she turns twenty-one, may he or she reapply for extended foster care? Yes. If a youth was receiving extended foster care services and lost eligibility, he or she may reapply as long as the youth:

- (1) Has not turned twenty-one; and
- (2) Meets one of the conditions for eligibility in WAC 110-90-0040 (1)(a) through (e).

[Statutory Authority: RCW 74.12.340, 74.04.050, 74.04.055, 74.08.090 and WAC 110-20-0010. WSR 19-14-066, § 110-90-0140, filed 6/28/19, effective 7/29/19. WSR 18-14-078, recodified as § 110-90-0140, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 18-01-048, § 388-25-0534, filed 12/12/17, effective 1/12/18; WSR 14-13-051, § 388-25-0534, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0534, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0150 What are DCYF's responsibilities to a youth who is participating in EFC? DCYF is required to have placement and care authority over the youth and provide foster care services, including transition planning and independent living services, medical assistance through medicaid, and case management. Case management includes findings or approving a foster care placement for the youth, convening family meetings, developing, revising, and monitoring implementation of any case plan or court report, coordinating and monitoring services needed by the youth, caseworker visits, and court-related duties, including preparing court reports, attending judicial and permanency hearings, and ensuring that the youth is progressing toward independence within state and federal mandates. DCYF has responsibility to inform the court of the status of the child (including health, safety, welfare, education status, and continuing eligibility for extended foster care program). DCYF's placement and care authority over a youth receiving EFC services is solely for the purpose of providing services and does not create a legal responsibility for the actions of the youth receiving EFC services.

[Statutory Authority: 2017 c 6. WSR 20-15-066, § 110-90-0150, filed 7/13/20, effective 8/13/20. WSR 18-14-078, recodified as § 110-90-0150, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107,

43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0536, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0536, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0160 How does DCYF determine a youth's continuing eligibility for the EFC program? To determine a youth's continuing eligibility for the EFC program, prior to every court review hearing DCYF will determine if the youth continues to:

- (1) Agree to participate in the EFC program;
- (2) Meet the eligibility criteria in WAC 110-90-0040 (1)(a) through (f);
- (3) Reside in an approved placement; and
- (4) Comply with the youth's responsibilities in WAC 110-90-0190.

[Statutory Authority: 2017 c 6. WSR 20-15-066, § 110-90-0160, filed 7/13/20, effective 8/13/20. WSR 18-14-078, recodified as § 110-90-0160, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 16-14-065, § 388-25-0540, filed 6/30/16, effective 7/31/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0540, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0540, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0540, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0170 What are the legal rights of a dependent youth in EFC to travel out-of-state, buy a car, or engage in other activities as an adult? The youth is a "child" for the purposes of the dependency and must comply with responsibilities in WAC 110-90-0190, otherwise the youth has the legal status and legal rights of an adult. The youth is responsible for their actions, including responsibility for purchases, driving, traveling, or financial obligations related to the activities they participate in.

[Statutory Authority: 2017 c 6. WSR 20-15-066, § 110-90-0170, filed 7/13/20, effective 8/13/20. WSR 18-14-078, recodified as § 110-90-0170, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0542, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0180 What are the youth's rights in the extended foster care program? Youth have a right to:

- (1) An approved foster care placement.
- (2) Foster care services including medical assistance through medicaid.

- (3) Participate in the court process as a party to the case.
- (4) Have an attorney appointed for them upon filing a notice of intent to file a petition for dependency and in dependency proceedings.
- (5) End their participation in the program at any time.
- (6) Referrals to community resources as appropriate.

[WSR 18-14-078, recodified as § 110-90-0180, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0544, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0544, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0190 What must the youth do to remain in the EFC program? To remain in the EFC program, unless otherwise authorized by court order, the youth must:

- (1) Agree to participate in the program as expressed in the written EFC agreement;
- (2) Maintain the standard of eligibility as set by the youth's academic program, employment related program, employment status, or documented medical condition;
- (3) Participate in the case plan, including monthly health and safety visits;
- (4) Acknowledge that DCYF has responsibility for the youth's care and placement by authorizing DCYF to have access to records related to court-ordered medical, mental health, drug/alcohol treatment services, additional necessary services, educational records needed to determine continuing eligibility for the program, medical records related to a documented medical condition for purposes of qualifying for EFC under WAC 110-90-0040 (1)(f); and
- (5) Remain in the approved foster care placement and follow placement rules as follows:
 - (a) Stay in the placement identified by DCYF or approved by the court;
 - (b) Obtain approval from their caseworker and notify their caregiver for extended absences from the placement of more than three days; and
 - (c) Comply with court orders and any specific rules developed in collaboration by the youth, caregiver and caseworker.

[Statutory Authority: 2017 c 6. WSR 20-15-066, § 110-90-0190, filed 7/13/20, effective 8/13/20. WSR 18-14-078, recodified as § 110-90-0190, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 16-14-065, § 388-25-0546, filed 6/30/16, effective 7/31/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0546, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0546, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing

Adoptions Act." WSR 13-08-017, § 388-25-0546, filed 3/25/13, effective 4/25/13.]

WAC 110-90-0200 When is a youth no longer eligible for the EFC program? A youth is no longer eligible for the EFC program and DCYF will ask the court to dismiss the nonminor dependency, when the youth:

(1) Graduates from high school or equivalency program and has not demonstrated intent to timely enroll in a post-secondary academic or vocational program;

(2) Graduates from a post-secondary education or vocational program;

(3) Reaches their twenty-first birthday;

(4) Is no longer participating or engaging in any of the eligibility criteria under WAC 110-90-0040 (1)(a) through (f);

(5) No longer agrees to participate in EFC services; or

(6) Fails or refuses to comply with youth responsibilities outlined in WAC 110-90-0190.

[Statutory Authority: 2017 c 6. WSR 20-15-066, § 110-90-0200, filed 7/13/20, effective 8/13/20. WSR 18-14-078, recodified as § 110-90-0200, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, and 13.34.030. WSR 16-14-065, § 388-25-0548, filed 6/30/16, effective 7/31/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030 and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). WSR 16-06-044, § 388-25-0548, filed 2/24/16, effective 3/26/16. Statutory Authority: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030. WSR 14-13-051, § 388-25-0548, filed 6/12/14, effective 7/13/14. Statutory Authority: RCW 74.13.031, 13.34.267, and 2008 federal legislation "Fostering Connections to Success and Increasing Adoptions Act." WSR 13-08-017, § 388-25-0548, filed 3/25/13, effective 4/25/13.]