



# Office of Children and Family Services

Kathy Hochul  
Governor

52 WASHINGTON STREET  
RENSSELAER, NY 12144

Suzanne Miles-Gustave, Esq.  
Acting Commissioner

## Administrative Directive

<b>Transmittal:</b>	24-OCFS-ADM-01
<b>To:</b>	Local Departments of Social Services Commissioners Voluntary Authorized Agencies Executive Directors
<b>Issuing Division/Office:</b>	Division of Youth Development and Partnership for Success Office of Strategic Planning and Policy Development
<b>Date:</b>	January 30, 2024
<b>Subject:</b>	<b>Revised New York State Transition Plan Form to Help Youth Plan for a Successful Discharge</b>
<b>Suggested Distribution:</b>	Local Departments of Social Services Directors Child Welfare Supervisors Foster Care Supervisors Foster Care Managers Foster Care Workers Staff Development Coordinators CONNECTIONS Implementation Coordinators
<b>Contact Person(s):</b>	See section VII.
<b>Attachments:</b>	<a href="#">Pub. 2000, Planning for Youth Ages 14-21 in Foster Care</a> <a href="#">OCFS-5110, Transition Plan Glossary</a> <a href="#">OCFS-5111, Transition Plan Resource Guide</a> <a href="#">OCFS-5112, Transition Plan Form</a>

### Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
10-OCFS-LCM-17	15-OCFS-ADM-20 OCFS-4922 OCFS-3917	18 NYCRR 428.8, 430.12(j)	Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L.110-351) SSA §475(5)(I)		

### I. Purpose

The purpose of this Administrative Directive (ADM) is to inform local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the release of the revised *New York State (NYS) Transition Plan Form* (OCFS-5112) for youth preparing to leave foster care. LDSSs and VAs must use the revised OCFS-5112 to document the transition plan for youth in foster care beginning 180 days before their 18<sup>th</sup> birthday or their planned discharge. This form replaces the previous transition plan

forms: OCFS-4922 and OCFS-3917. This ADM provides updated guidance on engaging youth in the development and implementation of their transition plan to prepare them for successful adulthood.

## II. Background

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L.110-351) mandates important supports for youth in foster care. Specifically, section 202 of that Act included requirements for developing a transition plan for youth aged 18 or older exiting foster care. The purpose of a transition plan is to help older youth in foster care make a successful transition from foster care to self-sufficiency.

New York State Office of Children and Family Services (OCFS) regulations require that whenever a youth will remain in foster care on or after the youth's 18th birthday, the agency with case management, case planning, or casework responsibility for that youth in foster care must begin developing a transition plan with the youth 180 days prior to the youth's 18th birthday (age 17 ½), or if a youth consents to remain in foster care after their 18th birthday, the first transition plan must be started 180 days prior to the youth's scheduled discharge date.<sup>1</sup> However, youth over the age of 18 may choose to leave foster care unexpectedly without a scheduled discharge, and therefore transition plans should be started 180 days prior to the youth's 18th birthday and increase in detail as the discharge date gets closer.

The transition plan also reflects the federal statutory requirements that youth in foster care must be provided certain critical documents necessary to access employment, educational programming, housing, and many other important services as they transition out of foster care.<sup>2</sup> Section 475(5)(I) of the Social Security Act (SSA) requires that any youth who has been in foster care for at least six months and is leaving foster care at the age of 18 or older must be provided with the following documentation if the youth is otherwise eligible: an official or certified copy of their United States (U.S.) birth certificate, medical records, their social security card, health insurance information, and driver's license or identification card issued by the state and any official documentation necessary to prove that the child was previously in foster care before the youth is discharged.<sup>3 4</sup> These documents are necessary for the youth to access employment, educational programming, housing, and many other important services as they transition out of foster care; therefore, this requirement is incorporated into the youth's transition plan.

The transition plan was first released in 2009<sup>5</sup> and later revised in 2015.<sup>6</sup> With this ADM, OCFS is releasing an updated version that

- includes new requirements that have been established since the last iteration,
- provides greater specificity regarding supports and services available to youth,
- delineates clear action steps,
- streamlines information gathering, and
- requires increased youth engagement and voice.

The OCFS Youth Advisory Board, and other youth currently and formerly in foster care, were consulted throughout the revision process and their feedback is incorporated into the revised *Transition Plan Form*.

The Local Commissioners Memorandum (LCM), 10-OCFS-LCM-17, *Child Welfare/Juvenile Justice Transition and Permanency Planning Protocol*, was released in 2010. This LCM includes the protocol and process by which the OCFS Division of Juvenile Justice and Opportunities for Youth (DJJOY) and the LDSSs should work collaboratively from the point of disposition in an Article 3 proceeding in family

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<sup>1</sup> 18 NYCRR 430.12(j).

<sup>2</sup> SSA §475(5)(I).

<sup>3</sup> 18-OCFS-ADM-16.

<sup>4</sup> 18 NYCRR 430.12(l).

<sup>5</sup> 09-OCFS-ADM-16 (canceled).

<sup>6</sup> 15-OCFS-ADM-20 (canceled).

court to develop discharge/community support plans for youth leaving the care of OCFS and returning to the community or transferring into the care of LDSSs. This LCM did not discuss the protocol for developing transition plans for a youth who is leaving OCFS custody into their own care, which is covered by OCFS procedures.

### III. Required Timeline

#### Initial Transition Plan (OCFS-5112, pages 1-12):

- Begin Transition Plan: **180 days** before youth turns 18 years old (age 17 ½) or scheduled discharge where the youth consents to remain in foster care after the youth's 18<sup>th</sup> birthday.
- Complete Transition Plan: **90 days** before the youth turns 18 years old or scheduled discharge.
- Copy Provided to Youth: **30 days** before the youth turns 18 years old or scheduled discharge.

#### Six-Month Review and Update (OCFS-5112, pages 13-17)

- The Six-Month Review and Update section must be completed every six months after a youth turns 18 years old and while they remain in foster care. New information must be added to this section over time at each six-month review. All information previously documented in the *Transition Plan Form* must be reviewed to help inform each six-month review and update.

Note: Regardless of whether the youth has completed a previous initial or amendment Transition Plan on the previous forms, the youth must begin by completing the Initial Transition Plan on OCFS-5112, pages 1-12 at the next time the Transition Plan is due. This must be based on the youth's current circumstances. The 6-Month Review and Update section must then be completed six months after the Initial Transition Plan is complete.

### IV. Program Implications

The revised transition plan differs from the previous version in several important respects. Significantly, the *Transition Plan Form* (OCFS-5112) is primarily completed by the youth and strongly supported by the worker,<sup>7</sup> thereby allowing youth to better reflect on their goals, supports, strengths, and concerns as they prepare to leave foster care. The intent is to empower youth both to express themselves and to better understand the preparation needed for life after foster care.

While the revised transition plan is youth-led, it is not to be given to the youth to be completed as a solitary task. Completion must include a continuous conversation between the worker and the youth. The worker must explain each section, prompt questions and concerns, and facilitate an open and honest dialogue. Conversations around completion of the *Transition Plan Form* should not be a one-time event but rather an ongoing conversation, beginning when the youth turns 17 ½ and until they leave foster care.

It is strongly encouraged to begin transition planning conversations well before the required age of 17 ½. Youth need time to develop their goals and to plan, particularly for events that will occur when or shortly after the youth is 18. These may include, but are not limited to, college application deadlines, housing applications, and obtaining a viable source of income. The transition plan may also be used to document conversations, plans, and goals that take place before age 17 ½.

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<sup>7</sup> The term "worker" as used in this ADM includes case manager, case planner, and/or caseworker.

The previous transition plan included two forms: a form for the initial transition plan and another for each six-month update required after the youth reaches 18 years of age. The revised *Transition Plan Form* streamlines information by including both the initial and six-month update information in the same form. The intent is to create a comprehensive plan that identifies and builds upon previous action steps.

The revised *Transition Plan Form* contains a comprehensive checklist for all required documents youth must have before they leave care. The date the document was provided to the youth must be recorded in the checklist, and the youth must initial to confirm receipt. The checklist also includes planning and knowledge-based questions such as whether the youth has a plan to safely store essential documents and knows how to navigate public transportation.

Each of the seven topic sections (e.g., housing, education, employment), follows the same format. Youth document their goals, applicable supports, and services they are exploring, help they may need, and other pertinent information. The worker should talk with youth about their answers to better understand their intent and whether any clarification or action steps are needed to help them reach their goals. Each section also contains a designated space to document action steps, who will complete them (this may be the youth and/or worker), and to indicate when they are completed. Conversations around each topic should occur as early as possible. The topic should not be introduced to the youth for the first time at the time of documentation in the Initial Transition Plan.

Each section contains a readiness scale where youth select a number that indicates how prepared they feel. This provides another opportunity for conversation so the worker can help support youth to increase their confidence in a particular area. The readiness scales are added for a total score at the end of the plan to indicate the youth's perception of their overall preparedness.

LDSSs and VAs are encouraged to ask youth if they would like to share a copy of their *Transition Plan Form* with their adult permanency resource or other adult connection(s). A copy should also be emailed to youth. The worker is expected to assist youth to establish an email address if they do not already have one.

Completion of the *Transition Plan Form* is just one of the requirements applicable to older youth in foster care. Therefore, this ADM release includes a desk aid titled *Planning for Youth Ages 14-21 in Foster Care* (Pub. 2000) that clarifies when transition planning related actions must take place. This document should be provided to caseworkers as a reference.

## **V. Required Action**

Effective as of the release of this ADM, the attached *Transition Plan Form* (OCFS-5112) must be used in place of the prior Transition Plan (OCFS-4922) and Transition Plan Amendment for Youth Aged 18-21 (OCFS-3917). The revised Transition Plan is the baseline for all youth in foster care. Regardless of whether the youth has completed a previous initial or amendment Transition Plan on the previous forms, the youth must begin by completing the Initial Transition Plan on OCFS-5112, pages 1-12 at the next time the Transition Plan is due. This must be based on the youth's current circumstances. The 6-Month Review and Update section must then be completed six months after the Initial Transition Plan is complete.

The Initial Transition Plan is contained in pages 1-12 of OCFS-5112. The Initial Transition Plan must be

- started 180 days prior to the youth's 18<sup>th</sup> birthday or planned discharge where the youth consents to remain in foster care beyond the youth's 18<sup>th</sup> birthday,
- completed no later than 90 days prior to the youth's 18<sup>th</sup> birthday or planned discharge, and

- given to the youth 30 days prior to the youth's 18<sup>th</sup> birthday or planned discharge (this must be a hard copy and should also be emailed).

The Six-Month Review and Update section is contained in pages 13-17 of OCFS-5112. The Transition Plan must be reviewed and updated every six months after the youth turns 18 years old in the Six-Month Review and Update section. Unlike the previous Transition Plan, these six-month updates are documented within the same form, OCFS-5112, rather than on a separate form.

This ADM also includes the following attachments:

- Pub. 2000, *Planning for Youth Ages 14-21 in Foster Care*
  - A desk aid for caseworkers that lays out when each required transition planning activity for older youth must take place.
- OCFS-5110, *Transition Plan Glossary*
  - The glossary defines and explains terms used in the Transition Plan and must be provided along with the Transition Plan.
- OCFS-5111, *Transition Plan Resource Guide*
  - This guide provides links to helpful resources and must also be provided along with the Transition Plan.

**Note:** It is very important that youth begin their transition plan 180 days prior to their 18<sup>th</sup> birthday, and not wait until they have a scheduled discharge date, to allow the time necessary for thorough and quality completion of OCFS-5112 and all required actions. It is strongly encouraged that conversations around the youth's goals, and consideration of deadlines to meet those goals, begin as early as possible before the youth turns age 17 ½.

The above timelines are described in more detail below:

### **180 days (six months) prior to a youth's 18th birthday**

No later than 180 days (six months) prior to the youth's 18th birthday, the worker must begin discussing the items contained in the *Transition Plan Form* (OCFS-5112) with the youth to develop a plan for discharge. Youth will lead in documenting their answers and will determine the level of detail that will be included.

The worker should do the following while allowing the youth to lead:

- Encourage the youth to provide as much detail as possible so that the plan is useful after discharge.
- Help the youth explore the areas with which they need assistance. The transition plan should be developed over time and does not need to be completed in the order of the questions asked.
- Allow the youth to guide the process and, if necessary, to focus on the areas that the youth should explore in greater detail.

### **90 days prior to a youth's 18th birthday:**

All sections of the *Transition Plan Form* (OCFS-5112) must be completed 90 days prior to the youth's 18th birthday. The worker and the worker's supervisor must sign the transition plan. The worker must offer the youth the opportunity to sign their transition plan. If a youth refuses to sign, the worker must document the reason the youth refused to sign their transition plan in a progress note in CONNECTIONS. The youth must be given a copy of their completed transition plan form, and a copy must be placed in the youth's case record. A copy should also be emailed to the youth.

**30 days before a youth's trial and/or final discharge at age 18-21:**

The worker must provide the youth a copy of their completed transition plan if they do not already have one. The worker must establish a plan with the youth to make sure that the youth is discharged with documentation required by regulation and law. The worker should assist the youth in developing a plan to securely store essential documents and indicate this in the checklist at the beginning of the *Transition Plan Form* (OCFS-5112). Any remaining next steps documented in the plan must be completed.

**Beginning at age 18 ½ and every six months thereafter:**

The *Transition Plan Form* (OCFS-5112) must be reviewed with youth every six months after age 18, if they remain in foster care, and any changes or additional action steps must be documented in the designated spaces in each section. The form must also be dated and initialed by the worker and the youth. If the youth refuses to initial the updated review, the worker must document the reason the youth refused to initial the updated review in a progress note in CONNECTIONS. The youth must be given a copy of the updated transition plan, and a copy must be placed in the youth's case record.

**VI. Systems Implications**

The *Transition Plan Form* (OCFS-5112) **must** be uploaded in CONNECTIONS. The job aid "Uploading Photos and Documents in CONNECTIONS" can be found at [ocfs.ny.gov/connect/jobaides](https://ocfs.ny.gov/connect/jobaides).

**VII. Contacts**

Buffalo Regional Office - Amanda Darling (716) 847-3145

[Amanda.Darling@ocfs.ny.gov](mailto:Amanda.Darling@ocfs.ny.gov)

Rochester Regional Office - Christopher Bruno (585) 238-8201

[Christopher.Bruno@ocfs.ny.gov](mailto:Christopher.Bruno@ocfs.ny.gov)

Syracuse Regional Office - Sara Simon (315) 423-1200

[Sara.Simon@ocfs.ny.gov](mailto:Sara.Simon@ocfs.ny.gov)

Albany Regional Office - John Lockwood (518) 486-7078

[John.Lockwood@ocfs.ny.gov](mailto:John.Lockwood@ocfs.ny.gov)

Westchester Regional Office - Sheletha Chang (845) 708-2498

[Sheletha.Chang@ocfs.ny.gov](mailto:Sheletha.Chang@ocfs.ny.gov)

New York City Regional Office - Ronni Fuchs (212) 383-1788

[Ronni.Fuchs@ocfs.ny.gov](mailto:Ronni.Fuchs@ocfs.ny.gov)

Native American Services - Heather LaForme (716) 847-3123

[Heather.LaForme@ocfs.ny.gov](mailto:Heather.LaForme@ocfs.ny.gov)

Close to Home Oversight - Donte Blackwell (212) 383-7261

[Donte.Blackwell@ocfs.ny.gov](mailto:Donte.Blackwell@ocfs.ny.gov)

**VIII. Effective Date**

This ADM is effective immediately.

***/s/ Thomas R. Brooks, Esq.***

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**Issued by:**

Name: Thomas R. Brooks, Esq.

Title: Deputy Commissioner

Division/Office: Office of Strategic Planning and Policy Development

***/s/ Nina Aledort, Ph.D., MSW***

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**Issued by:**

Name: Nina Aledort, Ph.D., MSW

Title: Deputy Commissioner

Division/Office: Division of Youth Development and Partnerships for Success