

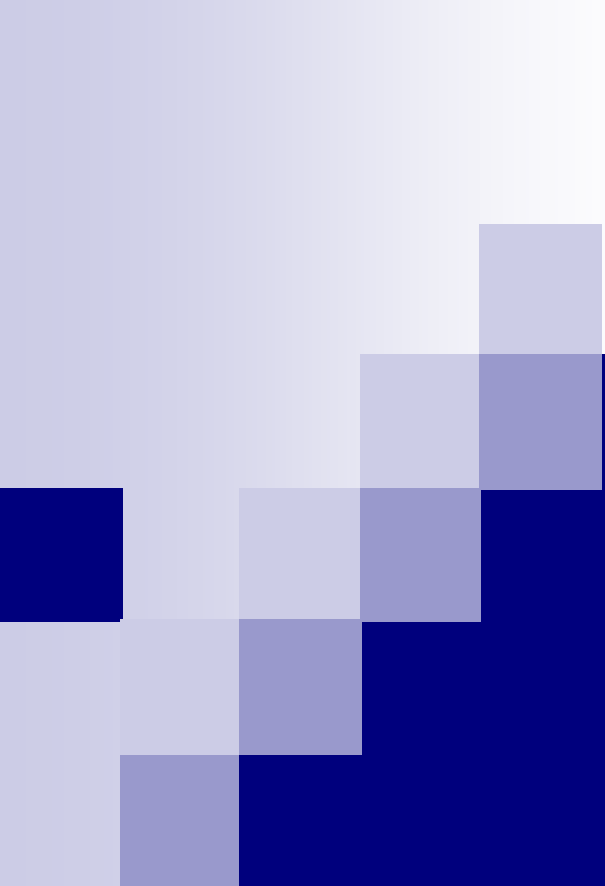
An Overview of the Education Provisions in
The Fostering Connections to Success and
Increasing Adoptions
Act of 2008

U.S. Department of Health and Human Services
Administration for Children and Families
Children's Bureau
Policy Division



Agenda for Overview of Education Provisions in Fostering Connections

- Overview of Titles IV-B and IV-E
- Overview of Fostering Connections
- Education provisions of Fostering Connections
- Additional education provisions in title IV-E



Title IV-B and IV-E Basics



Titles IV-B and IV-E

- Child welfare services are funding through a variety of Federal, State, Tribal and local sources
- Two major Federal sources of child welfare funding are titles IV-B and IV-E

Title IV-B

- Provides a variety of discretionary and mandatory grant funding
- Funding available for a wide range of child welfare related activities such as:
 - Family preservation
 - Child abuse and neglect prevention
 - Promoting safety, permanency, and wellbeing for children in foster care and adoptive families
 - Improving outcomes for children affected by substance abuse

Title IV-E

- Open-ended entitlement
- Provides funding to eligible States and Tribes for a portion of the foster care, adoption and, at option, relative guardianship costs
- Reimbursement available for:
 - Payments made on behalf of children eligible for foster care maintenance payments, adoption assistance and guardianship assistance
 - Allowable associated administrative and training costs
 - Chafee Foster Care Independence Program



Overview of Fostering Connections



The Fostering Connections to Success and Increasing Adoptions Act of 2008

- Amended titles IV-B and IV-E to add new program requirements and create new program options.
- Made significant changes to address areas such as Tribal child welfare, kinship guardianship, education and health care requirements for children in foster care, availability of adoption assistance, and older youth in foster care.

Overview of Fostering Connections

- Option for federally recognized Indian Tribes, Indian Tribal Organizations and Tribal consortia to operate a title IV-E program
- Option to provide title IV-E Kinship Guardianship Payments
- Option to extend title IV-E payments to age 21 for youth who meet certain education and employment criteria
- De-links title IV-E Adoption Assistance from AFDC eligibility (including family income standards from 1996)

Overview of Fostering Connections cont.

■ Adds the following title IV-E plan requirements:

- **school enrollment assurance**
- providing timely notice to relatives of the removal of a child from their home into foster care
- placing siblings together in foster care, adoption and guardianship arrangements
- informing adoptive parents of adoption tax credit

Overview of Fostering Connections cont.

- **Requires an educational stability plan for each child in foster care**
- **Allows funding for travel to school as part of a child's foster care maintenance payment**
- **Requires State or Tribal health oversight and coordination plan for children in foster care**
- **Requires Individualized transition plan for each older youth expected to leave foster care through "aging out"**



Education Provisions in Fostering Connections



Education Provisions in Fostering Connections

- Enrolling children in school
- Educational stability
- Payments for school transportation

Enrolling Children in School

- Title IV-E agencies must assure that each child receiving a title IV-E payment that has reached the age for compulsory school attendance is:
 - a full-time elementary or secondary student; or
 - in an authorized independent study program; or
 - being home schooled consistent with the law of the State or jurisdiction.

Enrolling Children in School, cont.

- However, a child does not have to be enrolled in school if the child:
 - has completed secondary school; or
 - is incapable of attending school due to a documented medical condition.



Enrolling Children in School, cont.

- For a child in **foster care**, who can't attend school due to a medical condition, the title IV-E agency must regularly document it in the child's case plan.
- The title IV-E agency should also update the status of the child's medical condition whenever the case plan is updated.



Enrolling Children in School, cont.

- Agencies have the discretion to determine:
 - How to ensure the enrollment requirements are being met.
 - Whether and how it will document medical conditions that render a child who is adopted or in a guardianship incapable of attending school.

Enrolling Children in School, cont.

- We are encouraging agencies to:
 - Work with the local education agency to address barriers to enrollment.
 - Identify experts on educational efforts to serve as a resource.
 - Monitor the progress of each child in school consistent with education case plan requirements.



Educational Stability

- As part of the case plan developed for every child in foster care, the title IV-E agency must address the child's educational stability.

Educational Stability, cont.

Specifically, the law requires that the title IV-E agency ensure that:

- each placement takes into account the appropriateness of the current school and the proximity of that school to the placement;
AND
- the title IV-E agency coordinates with the local education agency to ensure the child can stay enrolled in their school of origin despite the placement.

Educational Stability, cont.

- However, if the title IV-E agency determines it isn't in the child's best interests to stay in the same school the agency must ensure that
 - the child is immediately enrolled in a new school, and
 - all the child's educational records are provided to that new school.



Payments for School Transportation

- A title IV-E agency may include the cost of reasonable travel as part of a child's Federal foster care maintenance payment to allow a child in foster care to stay in the same school
- The title IV-E agency has flexibility to:
 - determine what is reasonable travel (based on factors such as cost, distance and time).
 - provide the payment to the child's foster care provider or make a separate, direct payment to the transportation provider.



Additional Education Provisions in Title IV-E



Education Records Requirements

- Each child in title IV-E foster care must have a written case plan that includes the education records of the child, including:
 - the names and addresses of the child's education providers
 - the child's grade level performance
 - the child's school records
 - any other relevant education information determined to be appropriate by the title IV-E agency

Education Records Requirements cont.

- The record must be:
 - Reviewed and updated each time a child's foster care placement setting changes
 - Provided to the foster parent/provider
 - Provided to an older youth if s/he exits foster care because s/he reached the age of majority in the State/Tribe



Resources from the Children's Bureau

- Single Resource on Fostering Connections Implementation
- **Updated Compilation of Titles IV-B and IV-E of the SSA**
- **Recent PIs, IMs and other guidance**

All available at

http://www.acf.hhs.gov/programs/cb/laws_policies/