



## The Fostering Connections to Success and Increasing Adoptions Act of 2008

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# Objectives

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- Highlight several provisions of P.L. 110-351
- Begin a conversation about the law's relevance to Casey Family Services' children and families

# Policies to Promote Permanence

## *Lifelong Families for Children*

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Name two policy reforms that would help more children in foster care maintain and have lifelong family connections.

# The Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351)

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- Comprehensive landmark legislation with far-reaching implications for children and youth in foster care
- Bipartisan “miracle” that reconciles previous attempts by both houses of Congress to address issues
- Addresses ASFA’s incomplete agenda
- Increases likelihood that permanence and equity will be achieved for more children and youth

# Highlighted Provisions

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## I. Promoting Family Connections

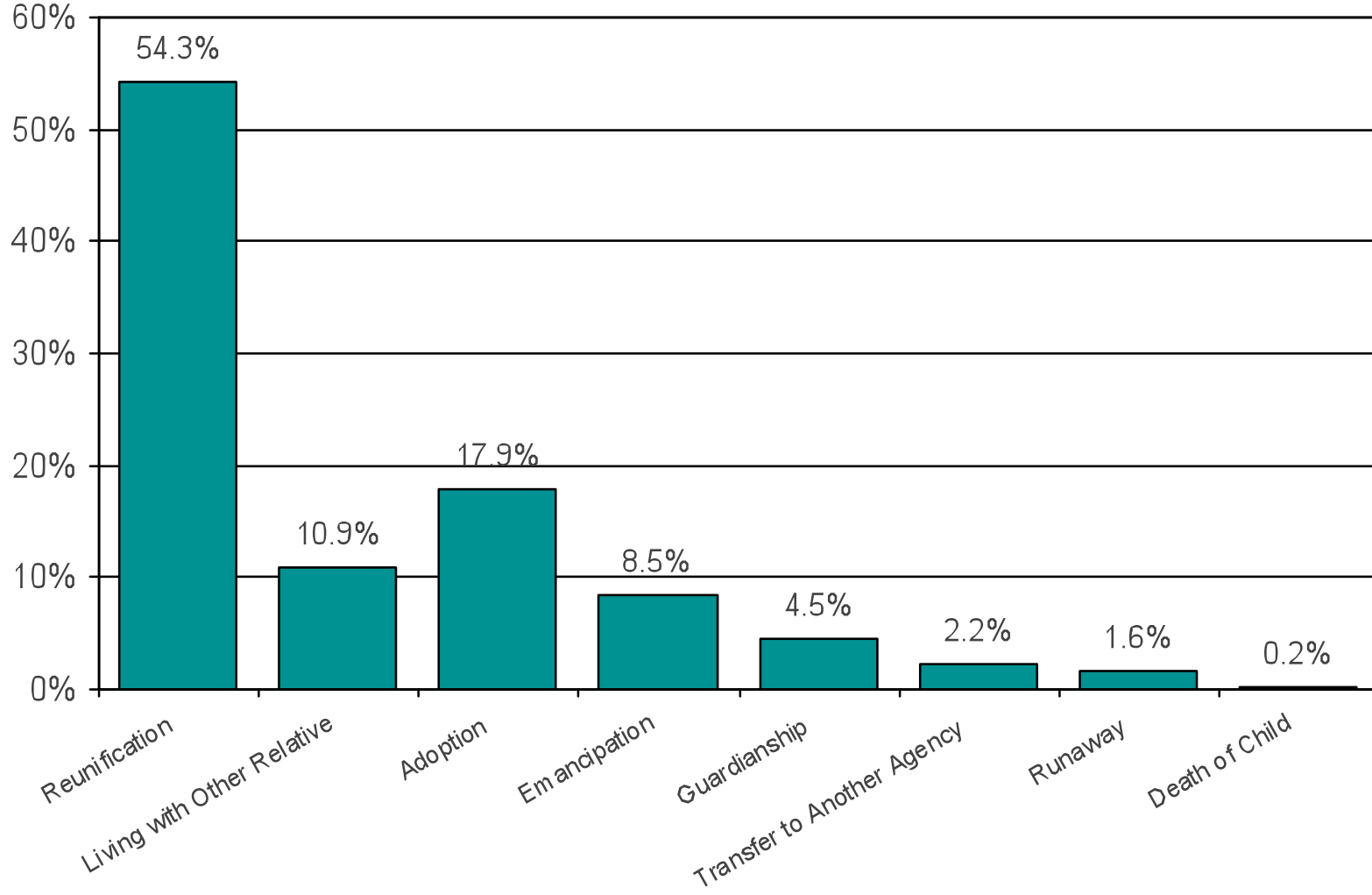
- Kinship guardianship assistance programs
- Notice to relatives
- Sibling placements and contacts
- Family Connection Grants

## II. Promoting Child Well-being

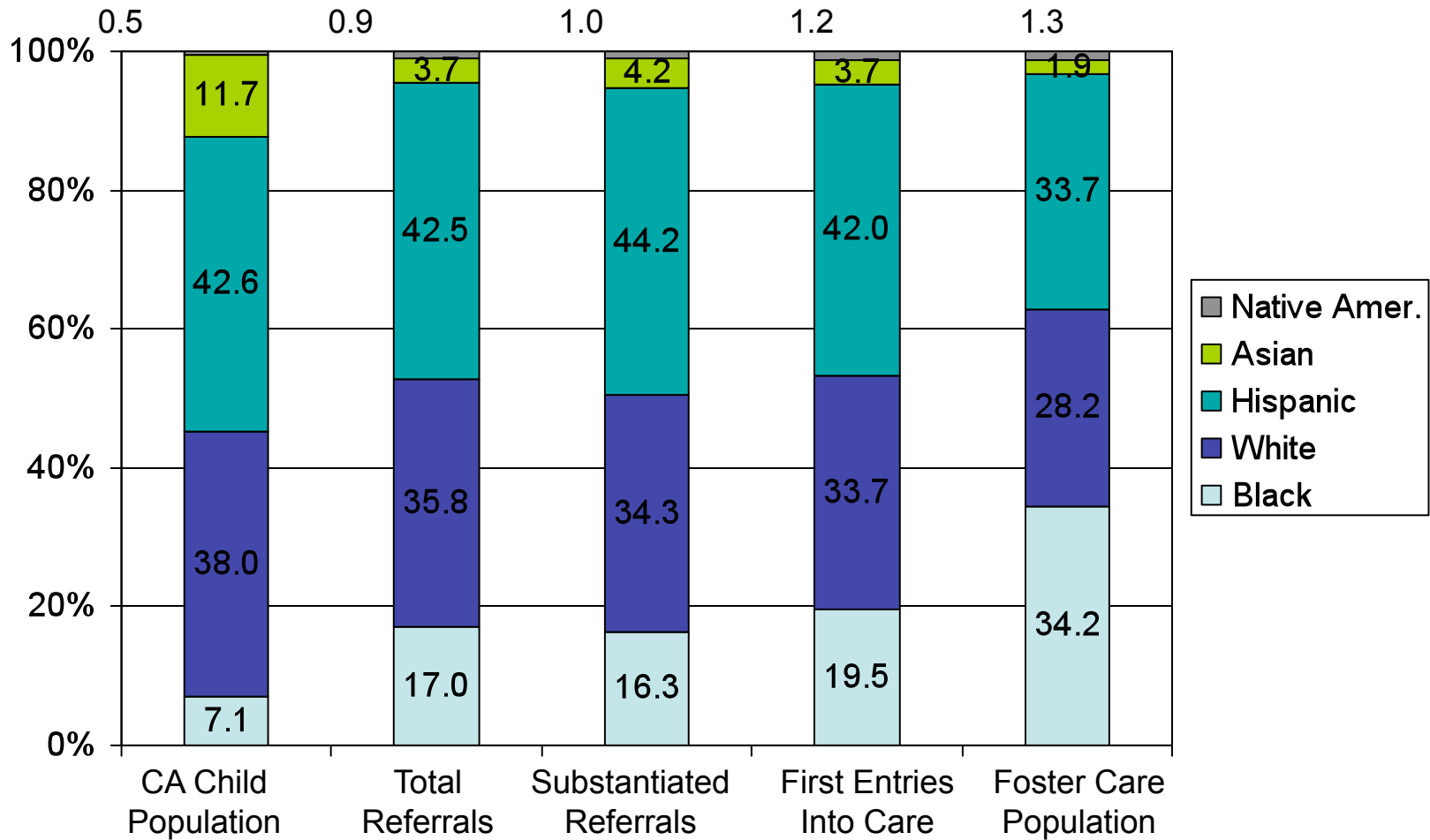
- Extension of federal support after age 18
- Promotion of educational stability
- Coordinated development of health plans

# Outcomes for Children Who Exited Foster Care FFY 2005 (AFCARS)

N = 287,000



# California: Race, Ethnicity and Child Welfare



Data developed by John Mattingly, AECF, 2004

## New Mandates

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- Notice to relatives
- Sibling placement
- Educational stability
- Health oversight and coordination
- Information on Adoption Tax Credit

# Kinship Guardianship

## Kinship Guardianship Assistance Program (GAP):

- Provides state/tribal child welfare agencies the option of establishing a GAP
- Provides federal Title IV-E funds for kinship guardianship payments, not to exceed child's current foster care maintenance payment
- Child must have been eligible for foster care maintenance payments while living with relative foster parent for at least six months
- Determination by agency that reunification or adoption are not appropriate permanency options for the child
- Youth 14 and older must be consulted

## Promoting Permanence and Equity: *Kinship Guardianship*

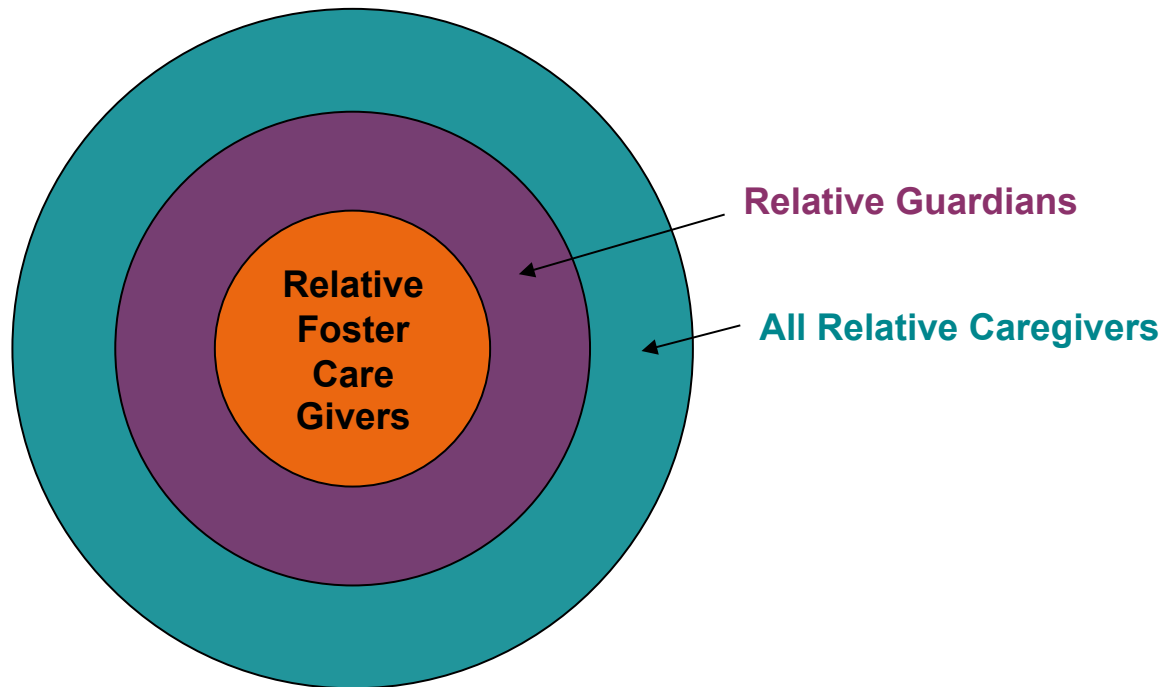
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- Guardians must commit to caring for child permanently; child must demonstrate a strong attachment to the guardian
- Siblings may be placed with relative caregiver and receive their own kinship guardianship payment without meeting all eligibility criteria
- State must pay costs of obtaining guardianship
- State must perform criminal history background check on relative caregiver

## Kinship Guardianship Assistance Program (K-GAP)

State	Subsidized Guardianship or Waiver	Plans to Opt into New K-GAP
Connecticut	State	Yes
Maine	State	--
Maryland	Title IV-E Waiver	--
Massachusetts	State	Yes
New Hampshire	No subsidized guardianship program	--
Rhode Island	State	Yes
Vermont	No subsidized guardianship program	--

# Kinship Caregivers: *Eligibility for Kin GAP*



# Promoting Family Connections: *Notice to Relatives*

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## Dual requirement:

1. State must exercise “due diligence” to identify all grandparents and other relatives.
2. State must exercise “due diligence” to provide notice to all relatives, including those suggested by custodial parent. (Domestic violence exception applies.)

## Promoting Family Connections: *Notice to Relatives*

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Within 30 days of child's removal from parental custody, the state must provide notice about the:

- child's removal;
- range of options for involvement in the child's life;
- consequence of failing to respond;
- steps required to become a foster parent;
- services and supports available to the child; and
- process to receive kinship guardianship payments.

# Promoting Family Connections: *Siblings*

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“Reasonable efforts” are required by states to:

- place siblings in the same home; and
- facilitate frequent visits and ongoing contacts between siblings.

Reasonable efforts are not required if sibling interaction would be “contrary to safety or well-being.”

## Promoting Permanence: *Family Connections Grants*

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- New grant program authorized in Subpart 1 of Title IV-B (Stephanie Tubbs Jones Child Welfare Services Program) to connect children in or at-risk-of entering foster care with family.
- \$15 million a year for five years is available for competitive matching grants for:
  - Kinship navigator programs (\$5 million reserved)
  - Intensive family-finding activities
  - Family group decision making (domestic violence)
  - Residential family-based substance abuse treatment programs

## Promoting Permanence: *Family Connections Grants*

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- Three percent of funding reserved for evaluation and two percent reserved for technical assistance
- Eligible organizations:
  - State, local, and tribal child welfare agencies
  - Nonprofit organizations with experience “working with children in foster care or kinship care”



## Improving Child Well-being

# Improving Outcomes for Older Youth in Foster Care

Continuing federal support for children in foster care after age 18:

- I. States can opt to provide care until age 19, 20, or 21, provided that the youth is:
  - completing high school or equivalent;
  - enrolled in post-secondary or vocational school;
  - participating in activities leading to employment;
  - employed at least 80 hours per month; or
  - incapable of doing any of these activities.
- Youth may be placed in a supervised independent living setting, a foster home, or a group home
- II. States may also extend adoption or guardianship assistance payments for youth aged 19, 20, or 21

## Improving Outcomes for Older Youth in Foster Care

State	Age by which youth exit	Exceptions
Connecticut	21	Up to 23 if youth completes at least one year of college
Maine	18	19 if youth is in school
Maryland	21	
Massachusetts	22	23 with certain exceptions
New Hampshire	18	(18-21 youth provided with basic supports)
Rhode Island	18	Access to YES program on case-by-case basis
Vermont	18	Up to 22 if youth is in post-secondary or vocational school

## Addressing Children's Educational Needs

Promoting educational stability:

- Requires public child welfare agencies to coordinate with LEAs so children can remain in their school of origin at the time of placement – unless that is not in the child's best interest, which then requires immediate enrollment in a new school and immediate availability of records
- Increases federal funding to cover education-related transportation costs for children in foster care
- Requires states to document in Title IV-E plans that every school-aged child in foster care receiving adoption assistance or receiving subsidized guardianship payment is enrolled full-time or has completed secondary school

## Addressing Children's Health Needs

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Developing health oversight and coordination plans:

- Requires states to develop a plan for ongoing oversight and coordination of health care services for any child in foster care
- Plan must describe provision of initial and ongoing health screenings, identify health needs and treatment, and steps to updating and sharing medical information
- Continuity of care and oversight of prescription medications

## Next Steps

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- Assist and monitor implementation efforts of Public Law 110-351 at state levels
- Continue public awareness and education efforts

## Discussion Questions

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- Which provisions of the new law, if any, would you like to see implemented nationally?
- What rationale and/or excuses may be offered by states – your state – to avoid or delay implementation of optional provisions of Fostering Connections?
- What major child welfare policy reforms are still needed?

## Contact Information

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