Fostering Educational Success: Improving Academic Stability and Attainment for Georgia’s Children in Care

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July, 2014
Mission of Georgia Appleseed:

To increase justice in Georgia through law and policy reform.

**Georgia Appleseed Center for Law & Justice** is a non-partisan not-for-profit organization devoted to law that serves the public interest. Using the skills of hundreds of volunteers, mainly lawyers and other professionals, Georgia Appleseed focuses on achieving changes to laws and policies that unfairly impact children, poor people and other marginalized people in our state. Georgia Appleseed is an independent affiliate of the national Appleseed network.
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Acknowledgements

Our Project Sentinel
We are grateful for the vision of Elizabeth (Beth) Vranicar Tanis (King & Spalding LLP), past Board Chair of Georgia Appleseed, who was our project sentinel and raised our awareness of this issue. Beth recognized from her previous service as Board Chair of Families First that Georgia Appleseed could play an important role in finding a systemic solution to increase justice for Georgia’s foster children.

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Fostering Educational Success: Improving Academic Stability and Attainment for Georgia’s Children in Care

In 2011, the Georgia Appleseed Center for Law & Justice (“Georgia Appleseed”), in partnership with Families First and lead pro bono law firm, King & Spalding LLP, initiated an assessment of Georgia’s efforts to provide children in state custody and care with educational stability and success. This report summarizes the legal and factual findings that resulted from our assessment and presents findings and recommendations aimed at improving the historically poor educational attainment track record of Georgia’s foster children.

Preface and Premise

For generations since the founding of this country, professors of both law and political science have taught the doctrine of parens patriae—the notion that the state has the inherent power and authority to protect and care for those among its citizenry who do not have adequate capacity or maturity to take care of themselves. This concept is the fundamental underpinning for constitutional and statutory provisions in Georgia establishing the responsibilities of the juvenile courts and state agencies to protect “dependent” children.

Under Georgia’s newly revised Juvenile Code, a dependent child is one who “… (a) has been abused or neglected and is in need of the protection of the [juvenile] court; (b) has been placed for care or adoption in violation of law; or (c) is without his or her parent, guardian, or legal custodian.” The revised code emphasizes that dependency proceedings are intended to

• Assist and protect children whose physical or mental health and welfare is substantially at risk of harm from abuse, neglect or exploitation and who may be further threatened by the conduct of others.
• Provide the greatest protection as promptly as possible for children, and
• Ensure that the health, safety, and best interests of the child be the paramount concern.

The direct responsibility for assisting and protecting Georgia’s dependent children is vested in the judges and staff of the juvenile courts and in the managers and case workers in the Division of Family and Children Services (“DFCS”) of the Georgia Department of Human Services and in other state agencies. However, Georgia Appleseed believes that the parens patriae doctrine demands of all Georgia citizens a sense of collective responsibility for these children. In a very real way they are, or should be, viewed as our kids.

In the pre-2014 version of the Juvenile Code, judges handling these types of cases were admonished that, when a child had to be removed from parental control, the court was to secure care for the child that was “as nearly as possible equivalent to that which the parents should have given the child.” While this admonition is not found in the revised code, we believe that it articulates a goal towards which the state should still strive. When the state assumes the role of parent for a dependent child, it must seek to provide that child with all of the protection, care and guidance that he or she should receive from a loving, responsible and resourceful parent.

In this report we address one key parental role that the state must take on: responsibility for providing all necessary encouragement and support to facilitate the child’s education.
The Challenge

Every year the State of Georgia assumes, at least temporarily, the role of parent for thousands of children who have been neglected or abused by their families. As of March, 2014, 8,862 children were in foster care in Georgia. Fortunately, the stay for many children in care is brief. They are either reunited with their families or are placed for adoption. Unfortunately, some dependent children remain in that status for substantial periods, some until they “age out” of the system. For example, it has been reported that in 2010, approximately 2,700 youth between the ages of 16 and 21 were being served by the Independent Living Program designed to transition foster children from dependent status to independent adulthood. Twenty-one percent of these children had been in foster care for more than six years.

The disruption in the lives of children in care can, of course, have long term adverse effects. This is especially true for those who remain in state custody for extended periods.

Data indicate that young people who are transitioning from foster care experience very poor outcomes at a much higher rate than their peers in the general population. For example, youth transitioning from foster care suffer significantly higher rates of incarceration, homelessness, unemployment, unwanted pregnancy and lack of access to health care. National studies have demonstrated that more than one in five children in care will become homeless after age 18, and one in four will be incarcerated within two years of leaving the system.

Foster children lag well behind their peers in educational attainment. In Georgia, 75 percent of foster care students function below grade level. Only 15 percent of children in care graduate with a high school diploma. A key reason for these troubling results is that, on average, a Georgia foster youth can move 7-10 times while in state care, resulting in a potential loss of four to six months of educational progress for every move.

One of the key factors leading to these regrettable outcomes is the challenge faced by children in care (and their case managers and care givers) in maintaining focus on educational achievement. In particular, foster care experts and advocates emphasize the importance of providing “educational stability” to children in care. This means providing the means for the child to remain in their school of origin despite changes in placement or, if a change in schools is in the best interest of the child, assuring that the transition is as timely and seamless as possible.

Educational stability also includes the need for children in care to be able to access effective services and supports (e.g., tutoring, credit recovery programs, special education and related services) to assure successful completion of high school. For the child who does manage to graduate from high school, there is also often a need to provide post-secondary tuition assistance, as well as other supports to help the child succeed in college or obtain vital technical training.
Assessment Process

The Georgia Appleseed Educational Attainment and Stability for Children in Foster Care Project Team decided on the appropriate scope for the project in November, 2011, following a convening of an advisory group of stakeholders. The Project lead law firm, King & Spalding LLP, then prepared a detailed work plan. First, King & Spalding gathered information on the legal context for educational stability for foster children in Georgia, including federal and state laws and regulations and information on best practices in other states.

Then, King & Spalding gathered information from relevant stakeholders through in-person interviews. Participants in the interviews included state and regional DFCS personnel, district level and school level personnel, foster care service providers, court appointed special advocates (CASAs), foster parents and others. In addition, Georgia Appleseed and Families First conducted a focus group involving current and former foster kids. Finally, the Project Team reconvened the stakeholder advisory group to review preliminary findings and recommendations.

Legal Setting

King & Spalding identified the key federal and state statutory and regulatory provisions relating to educational stability for foster children in Georgia. In addition, the firm (a) analyzed the implementation of relevant federal provisions in Georgia; (b) analyzed the implementation of relevant federal provisions in states other than Georgia; (c) identified more broadly other Georgia statutory and regulatory provisions relating to financial and educational rights, entitlements and benefits of children in foster care; and (d) identified resources available from third party organizations directed to the issue of educational stability.

The most relevant federal statute relating to educational stability and attainment is the Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351) (“Fostering Connections” or “FCA”), adopted in 2008. Fostering Connections is intended to promote permanency and improved outcomes for children in out-of-home care (including, but not limited to, foster care) through policy changes in six key areas, including improved educational stability and opportunities. It builds on an earlier act, the McKinney-Vento Homeless Assistance Act (“McKinney-Vento”), which addressed education stability for homeless children. As it relates to educational stability, the FCA establishes the right of a child in foster care to (a) remain in the child’s school of origin unless it is not in the child’s best interest; (b) in certain circumstances, reimbursement for transportation to the school of origin; (c) immediate enrollment in a new school, when a change is necessary; and (d) the provision of appropriate records to the new school. To assure full eligibility for federal funding resources to support foster care programs, states must comply with this mandate.
In 2010, the Georgia Juvenile Code was amended to incorporate the FCA mandates for educational stability. These provisions are now included in the Revised Code dependency article section describing the required content of the “case plan” to be established for each child in care. Specifically, the case plan must include provisions ensuring the educational stability of such child while in foster care, including:

(A) An assurance that the placement of such child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which such child is enrolled at the time of placement;

(B) An assurance that the state agency has coordinated with appropriate local educational agencies to ensure that such child remains in the school in which such child is enrolled at the time of placement; or

(C) If remaining in such school is not in the best interests of the child, an assurance by DFCS that DFCS and the local educational agencies have cooperated to assure the immediate and appropriate enrollment in a new school, with all of the educational records of such child provided to such new school. …

In response to the FCA mandate and the enactment of the foregoing provisions into state law, DFCS has substantially revised its Policy Manual to include detailed requirements, procedures and practice guidance specifically designed to address educational stability issues. (A complete copy of this policy is found in Appendix E.) The policy states:

Children and youth in foster care, like all other children and youth, need and deserve a positive school experience. It not only enhances their well-being, but also helps with their successful transition to adulthood. In addition, it increases their chances for personal fulfillment, economic self-sufficiency and their ability to contribute to society. Research has shown that many children enter foster care already behind in school. In addition to the trauma of being removed from their homes, many of these children/youth experience frequent placement and school moves. Placement changes impact the child/youth’s school stability and increases his/her risk of falling further behind academically. To avoid this result, the Department is committed to reducing school changes, which can be as traumatic as foster care placement.
Key Stakeholder Issues of Concern

Critical to this assessment was input from foster care stakeholders “in the field” who were interviewed by pro bono lawyers. The stakeholders came from urban, suburban and rural settings and included case workers, DFCS officials, teachers, foster parents, a group home director, a Social Services Administrator, a CASA representative and a juvenile court judge with extensive experience in dependency care. The following key issues were raised:

A. Impediments to educational stability and tension with other goals.
All parties agreed on the critical importance of educational stability but several noted impediments to that goal. Some geographic areas lack foster parents in the home school district. Foster children have a significant incidence of disciplinary problems and the response is often to send them to an alternative school. Also, there is a tension with other important goals, such as addressing special educational or emotional needs and the desire to reunify the family or keep siblings together.

B. Issues with school records following the student adequately.
There continue to be problems reported with getting foster children’s school records from a prior school. The DFCS interviewee from the large urban jurisdiction reported that this issue has improved significantly. (It used to be that DFCS could not get the child enrolled without the records, but now DFCS can enroll the child and the school system then pulls the records.)

One high school teacher in a major urban school district noted that this issue is particularly a problem when the student enrolls from out of state. Sometimes students have arrived with as little as one month left in the school year and no grades or records. In that case, he said, teachers are told to flunk the student and there is often no one to advocate on the child’s behalf. In one instance, an incoming foster child was placed in 10th grade, even though he said he was a senior. The school finally established that and moved him, but it took some time. (A DFCS representative recently reported that there are only three to four out of state transferees per year. 22)

C. Uneven experience with the Georgia DOE’s Longitudinal Data System.
The Georgia Department of Education (“GaDOE”) recently developed a Longitudinal Data System (“LDS”) to track each student’s performance throughout his or her time in school. When LDS is fully implemented, student records should be immediately available at the transferee school and delays in access eliminated.

There is uneven understanding of the LDS system, perhaps because DOE is still training school systems on LDS. Some of the larger school systems had already developed their own database and reportedly are slow to migrate to the LDS. Also, not all student records are included in the LDS. Student health records are not included and must be transferred in hard copy. In addition, the Individualized Education Programs (“IEPs”) required for students with disabilities are not yet integrated into the LDS.
D. Issues with Individual Education Programs.
Multiple sources reported that the IEP process is too slow. A high school teacher in the large urban school district stated that it sometimes takes a year or more for an IEP to be completed for a student. Given the length of time it takes, the IEP process is often of no use for children already in high school. If the student has reached the 11th or 12th grade, the IEP will have virtually no utility. If the child’s foster home placement is changed frequently, it can be difficult to complete the evaluation process and sometimes the IEP does not “travel with the child.” (One 21-year-old former foster child interviewee had been to four middle schools and four high schools.)

According to a suburban county group home Executive Director, staff members have been told repeatedly by school representatives they cannot get IEPs for their resident foster children without a court order, even though they have a placement order and direction from DFCS to get the IEP. 23

E. Schools not understanding foster children's mental or emotional issues.
One recurring theme is that schools do not understand the mental and emotional issues confronting foster children. This is borne out by striking stories, particularly from the suburban county, indicating that foster children may be treated more harshly than other students by school personnel, often resulting in more disciplinary actions. “Zero tolerance” discipline policies were also a particular challenge to foster children.

The group home Director reports that one district school sets obstacles to the admission of foster children. Each time the school admits a child, they require the group home to prove residency by showing the home’s real property deed, although the group home has not moved.

F. Obligation to fund transportation for foster children.
Whether the state is obligated under the McKinney-Vento Act to fund transportation to school for foster children was an area of confusion among interviewees. The Act imposes that obligation on states regarding ‘homeless’ children, including those ‘awaiting foster care,’ a term which is not defined. Further research has clarified that this source of funding is not available to children who are in a foster home or a long term residential facility. However, new funding for transportation has now been allocated, as noted in the Conclusions section.

G. Indirect issues/lack of funding.
Multiple stakeholders noted that a lack of funding contributes to the education problems of children in foster care. The urban district high school teacher noted there are not enough social workers; his school’s lone social worker covered three schools. As a consequence, the majority of a social worker’s time is spent reacting to discipline issues rather than addressing the underlying social and emotional causes of the children’s behavior. Also, the social workers change schools frequently, losing the benefit of what they have learned about particular students.

Class size is also a problem, according to this teacher. He has 35 students in a classroom designed for 28. His response to disciplinary issues tends to be more superficial, because he has less time to get to know each student. (He also said they are not told which students are foster children, but noted such information would be helpful.)
Conclusions

Based on the review of educational stability laws and policies, on the comments received from multiple foster care stakeholders and on the review of research carried out by academic and advocacy organizations, we have concluded that a state program designed to maximize the potential for foster children in the K-12 public schools to achieve academic success must have the following key attributes:

- Focused consideration of education stability in placement decisions;
- Prompt and seamless transition if home school stability is not feasible;
- Meaningful participation by the foster child in education planning;
- Full acceptance and integration of the foster child in school.

We have also concluded that the relatively recent changes in state dependency law, and in the policies of DFCS, have put in place at least the framework within which the first two of these attributes may be achieved.

Education Stability Consideration

DFCS policy mandates focused consideration on educational stability at the time of initial placement and subsequent placement changes. “There are no exceptions to the requirement regarding appropriateness of the educational setting for each child in foster care.” DFCS personnel are directed to coordinate with local school districts to ensure that foster children remain in the home school. “This includes providing transportation to and from the school of origin.” The policy also notes that foster care maintenance payments now include transportation costs to support educational stability. A key DFCS staff member reports that separate state-level funds have now been allocated for these transportation costs. In addition, if the foster parent is unable or unwilling to transport the child to school, alternatives can be made available. Such alternatives may include providing public transportation (if feasible and age-appropriate) or using transportation options that have historically been used to transport children for health services.

Seamless Transition

As authorized by federal and state law, DFCS policy recognizes that there are circumstances when keeping the foster child in the home school is not in the child’s best interest. Factors to be considered in making this determination are articulated in the policy. Once such a determination is made, the policy mandates immediate enrollment in the appropriate new school. “A child must not have a break in school attendance due to entry/re-entry into foster care or a placement move.” Furthermore, the responsible case manager is directed to assure that all required school records are transferred to the new school within 10 calendar days of the transfer request and to take a number of additional steps to facilitate the child’s transfer.
Child Participation in Education Decisions

The DFCS program manager in charge of the DFCS Educational Programming, Assessment and Consultation Unit 31 ("EPAC") asserts that foster children case managers in fact do engage foster children (aged 12 years and over) in education stability and related decision making. 32 The requirement for such youth engagement, however, is not clearly articulated in DFCS policy. Furthermore, several of the participants in our foster children focus group expressed the view that their opinions are not heard in the process.

Acceptance and Integration

Our assessment revealed that sometimes school personnel may put up roadblocks to the prompt enrollment of foster children despite the clear mandate of the law to the contrary. 33 In addition, the status of being a foster child may carry with it a stigma in the eyes of some that interferes with full acceptance or makes the foster child more likely to run afoul of zero tolerance or other discipline policies.

In addition to these “attitudinal” challenges, other practical matters may stand in the way of a foster child taking full advantage of educational opportunities. One key concern relates to transportation. For a foster child, this issue goes beyond simply getting to and from school for the designated class times. Participation in extracurricular activities is an essential part of the educational experience and such participation is often a factor considered by colleges in making admissions decisions. Hopefully, the new transportation funding and access policies now in place will provide sufficient flexibility so that foster children can participate fully in athletics, band, Beta Club and other similar activities.
Recommendations

**Transparent Outcomes Assessment**

Current Georgia law and policy reflect a strong commitment by DFCS to limit school assignment changes and to assure seamless transitions when school transfers must occur.

As is common in both the public and private sectors, the real test will be whether the promise of policy statements and work practice standards are realized in the implementation phase. This will only occur if the programs are supported with adequate resources and are managed with clear performance expectations and accountability measures.

It is too soon to assess the effectiveness of these relatively new policies and procedures. For example, the establishment of a state-level source to fund transportation costs related to educational stability only began before the beginning of the 2013-2014 school year.

Georgia Appleseed recommends that DFCS work with it and other foster care stakeholders to develop a program to define appropriate metrics for evaluating the impact of the new educational stability policies. Consistent with the need to protect the privacy of individual foster children, this assessment program should include periodic public reporting on the selected metrics, so that DFCS and the public can assess program effectiveness and identify any needed changes.

**Education Advocates Program**

In 2007, Casey Family Programs issued *A Road Map for Learning: Improving Educational Outcomes in Foster Care*. A key recommendation was that foster children should be provided with education advocates. This report noted: “Youth, caregivers, and child welfare agencies identify the lack of education advocacy as a major failing of the child welfare system and, when advocacy is available, as one of its most important assets.”

A year later, the Legal Center for Foster Care and Education echoed this recommendation by urging that each foster child have an adult who is committed to advocating for the educational stability and success of that child.

Youth need supportive adults to help them achieve their education goals and pursuits. It is critical that all students, and in particular students with disabilities, have an available adult who has the authority to make education decisions on their behalf. It is also critical that youth have adults available to advocate for their rights and needs, and to serve as mentors as they navigate the educational system.

As part of the new commitment to educational stability at DFCS, the state agency has included in its Educational Programming, Assessment, and Consultation (EPAC) program new positions referred to as Education Support Monitors (“ESMs”). These Monitors will assist foster care case workers in assuring that educational services are provided and acting as an educational advocate for the child.

While the introduction of the ESM positions is a very welcome and potentially valuable addition to the DFCS education support program, it is our understanding that only 15 ESM staff positions have been filled, to cover the several thousand students potentially in need of educational advocacy each year.
All those working with children in care share the same vision: To have a well-trained education advocate readily available and committed to the educational stability and success of each foster child enrolled in the K-12 public school system. In accordance with this vision, Georgia Appleseed proposes to collaborate with Families First and the Georgia Court Appointed Special Advocates for Children (“Georgia CASA”) organization in the development of a pilot Education Advocates Program (“EAP”). The EAP, which will be developed in close coordination with DFCS and the Georgia Department of Education, will include:

- Recruitment of Educational Advocate candidates (including criminal background checks and other appropriate screening measures);
- Development of an appropriate Education Advocate training curriculum;
- Training of Education Advocates;
- Assignment and supervision of Education Advocates;
- Providing specialized advice and resources; and
- Pilot program assessment and evaluation.

The pilot EAP will initially serve up to 50 children who are under the care and supervision of Families First and other foster care providers.

- The Education Advocates will work assertively but collaboratively with DFCS and the schools to assure that the promise of school stability and/or seamless transfer are achieved.
- They will report to the juvenile court on the progress under the education portion of the reunification, concurrent, or transition to independency plan.
- They will also assure that all of the educational supports available to the assigned foster child are provided.
- In addition, the Education Advocate will work to assure that the “attitudinal” and practical impediments to full acceptance and integration of the foster child in school are dealt with effectively.
- Finally, the Education Advocate will assure that the wishes and thoughts of the child on educational issues are heard and appropriately considered in the process.
Notes

1 Families First is an adoption and foster care service provider with a 120+ year history in Metro Atlanta. For more information about the organization, see www.familiesfirst.org.

2 Our focus is on dependent children, as defined in Georgia’s revised Juvenile Code, who have been placed in the care of foster parents or who reside in residential group homes. We also refer to these children interchangeably as “foster children” or “children in care.”


4 Georgia’s Juvenile Code was substantially revised by the General Assembly in 2013. The revised code went into effect January 1, 2014. See O.C.G.A., Tit. XV, Ch.11 (2013)

5 Id. § 15-11-2(22). Prior to the effective date of the newly revised code, dependent children were referred to as “deprived” and dependency proceedings were referred to as “deprivation” proceedings.

6 Id. § 15-11-100.


8 DFCS Current Workload, Strategies and Initiatives, Presentation to Child Welfare Reform Council by Division Director Sharon L. Hill, Ph.D. (May 1, 2014) (on file at the offices of Georgia Appleseed). As of fiscal year 2010-2011, the number of children in the custody of DFCS had dropped by approximately one half from the peak of approximately 14,500 in 2004. See https://gov.georgia.gov/sites/gov.georgia.gov/files/related_files/site_page/GAFosterCareProfile_CWRC_01may2014.pdf. As noted in the May 1 DFCS report cited herein, however, the number of children in custody has increased significantly in more recent years.

9 E-mail message from Raphael Holloway, Chief Operations Officer, Families First, to Robert Rhodes, Director of Programs, Georgia Appleseed (July 25, 2011), citing information compiled by the head of the GaDOE Independent Living Program.


12 Id.

13 For a detailed discussion, see Appendix A.

14 Appendix B.

15 Appendix C.

16 The other areas include support for: (i) kinship care and family connections; (ii) older youth; (iii) coordinated health services; (iv) incentives and assistance for adoption, and (v) direct access to federal resources for Indian Tribes.

17 There is some overlap between the two, i.e., children in emergency or transitional shelters, unaccompanied homeless youth, and those “awaiting foster care placement.”

18 HB 1085 (2010)

19 O.C.G.A. § 15-11-201(b)(12).


21 Id. at 8.

22 Interview of Kyle Berry, Program Manager, Educational Programming, Assessment & Consultation Unit, DFCS, by Robert Rhodes, Director of Projects, Georgia Appleseed (December 17, 2013) [hereinafter “Berry Interview”].

23 This is an example of a situation where a well-trained education advocate for the child could intercede to assure that the child’s IEP was appropriate and being implemented with fidelity. See the Recommendations section.

24 In this assessment we have focused on the experience of foster kids in the K-12 grades. We are mindful of the growing awareness, however, that early childhood learning (or lack thereof) plays a critical role in a child’s capacity to perform well upon entering the K-12 system. We will be considering follow-up research to assess the extent to which DFCS (or the Georgia Department of Early Care and Learning) is effectively addressing this issue for younger children in care. We are also aware that academic success should also include planning for and achieving post-secondary education or training. DFCS has in place an Independent Living Program which includes assistance in planning for achievement of post-secondary education goals. We anticipate that the Education Advocates program propose would include the capacity to assist and advocate for older foster children to assure that the promises of the Independent Living Program are realized.


26 Id.

27 Berry Interview.


29 Id. at 2.

30 Id. at 6-7.

31 For a description of the services provided by EPAC see DFCS Policy Manual at 9-10. Also see http://dfcs.dhs.georgia.gov/epac.

32 Berry Interview.

33 In addition to the laws and policies discussed above, Georgia State Board of Education Rule 160-5-1-.28(b)(i)(II) requires school districts to “immediately enroll” foster children who reside in the district. In addition, Rule 160-5-1-.28(c)1 provides that any student who cannot provide all required documentation for enrollment is to be provisionally enrolled for a period of 30 days. See http://www.gadoe.org/External-Affairs-and-Policy/State-Board-of-Education/SBOE%20Rules/160-5-1-.28.pdf.

34 Berry Interview.

35 Available at http://www.fostercareandeducation.org/portals/0/dmx/2012/08/file_20120829_140901_gSYvl_0.pdf. [hereinafter “2007 Roadmap”].

36 2007 Roadmap at 37.

37 Legal Center for FCE, Blueprint for Change: Education Success for Children in Foster Care (2d. ed. 2008) [hereinafter “2008 Blueprint”] at 55.

38 Id.


40 Berry Interview.

41 To learn more about Georgia CASA, see http://www.gacasa.org/.

42 As this report was in final preparation, Georgia Appleseed, Georgia CASA and Families First were advised they had been awarded a substantial grant to support this pilot effort in Fulton and DeKalb Counties.
# APPENDIX A

IMPLEMENTATION OF FEDERAL LAW IN GEORGIA

<table>
<thead>
<tr>
<th>Fostering Connections to Success and Increasing Adoptions Act Provision</th>
<th>Description</th>
<th>Implementation in Georgia</th>
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</table>
| Sec. 101                                                               | • Gives states the option to use federal Title IV-E funds for kinship guardianship payments for children cared for by relative foster parents who are committed to caring for these children permanently when they leave foster care  
  • Children eligible for these payments are automatically eligible for Medicaid, as are children in foster care and those who receive adoption assistance payments  
  • Clarifies that children who leave foster care after age 16 for kinship guardianship (or adoption) are eligible for independent living services; also makes them eligible for education and training vouchers | |
<p>| Sec. 102                                                               | • Authorizes a new grant program in Subpart 1 of Title IV-B for activities designed to connect children in foster care (or at risk of entering foster care) with family; funds can be used for 1) kinship navigator programs; 2) intensive family-finding | |</p>
<table>
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<tbody>
<tr>
<td></td>
<td>efforts; 3) family group decision-making meetings for children in the child welfare system; and 4) residential family substance abuse treatment programs</td>
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<tr>
<td>Sec. 201</td>
<td>• Allows states, at their option, to provide care and support to youth in foster care until the age of 19, 20, or 21 provided that the child is either 1) completing high school or an equivalency program; 2) enrolled in post-secondary or vocational school; 3) participating in a program or activity designed to promote, or remove barriers to, employment; 4) employed for at least 80 hours a month; or 5) incapable of doing any of these activities due to a medical condition</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• States could also extend adoption assistance and/or guardianship payments on behalf of youth ages 19, 20, or 21</td>
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<td>Sec. 202</td>
<td>• Requires child welfare agencies to help youth to make the transition to adulthood by requiring, during the 90-day period immediately before a child exits from foster care at age 18, 19, 20, or 21, the child’s caseworker, as well as other representatives as appropriate,</td>
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<td>• Youth can remain in state funded foster care beyond age 18 if the youth has an educational plan in place and signs an agreement with the resource provider and the county. The youth may remain until 21.5 years if the additional 6 months will allow time to complete an</td>
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<td>Fostering Connections to Success and Increasing Adoptions</td>
<td>Description</td>
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<td>Act Provision to help the child develop a personal transition plan</td>
<td>- Plan must be as detailed as the child chooses and include specific options on housing, health insurance, education, local opportunities for mentoring, continuing support services, work force supports, and employment services</td>
<td>educational program. the state provides supplemental educational funding for all foster youth attending Georgia public or private colleges until age 26. (<a href="http://www.adopting.org/university/frame.php?url=http://www.nrcys.ou.edu/youngadvisors/programs/tuitionwaiver.html">http://www.adopting.org/university/frame.php?url=http://www.nrcys.ou.edu/youngadvisors/programs/tuitionwaiver.html</a>)</td>
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<td>Sec. 204 Requires state child welfare agencies to improve educational stability for children in foster care by coordinating with local education agencies to ensure that children remain in the school they are enrolled in at the time of placement into foster care, unless that would not be in the child’s best interests</td>
<td>- If it is not in the child’s best interest, the state must ensure immediate enrollment in a new school with all of the educational records of the child provided to that new school</td>
<td>Ga. Comp. R. &amp; Regs. r. 160-5-1-.28 provides that children in foster care will be kept in their original school or transferred, depending on the child’s best interest; also allows children in foster care the right to be immediately enrolled in school, even without proper documentation</td>
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<td>- Increases the amount of federal funding that may be used to cover education-related transportation costs for children in foster care</td>
<td>Bill: HB 1085; Status: Enacted; Year: 2010 Summary: Determines that siblings removed from their home shall be placed in the same foster care, kinship, guardianship, or adoptive placement, unless the Division of Family and Children Services documents that such a joint placement would be contrary to the safety or well-being of any of the siblings. Includes provisions ensuring the educational stability of the child while in foster care,</td>
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<td>Fostering Connections to Success and Increasing Adoptions Act Provision</td>
<td>Description</td>
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<td>age child in foster care, and every school–age child receiving an adoption assistance or subsidized guardianship payment, is enrolled as a full-time elementary or secondary school student or has completed secondary school</td>
<td>including an assurance that the state agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement. Establishes that the Division of Family and Children Services of the Department of Human Services provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child; includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services; and is as detailed as the child may elect in the 90 day period immediately prior to the date on which the child will attain 18 years of age.</td>
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Sec. 205

- Requires state to develop, in coordination and collaboration with the state Medicaid agency and in consultation with pediatricians and other experts, a plan for the ongoing oversight and coordination of health care services for any child in foster care

- **Pending Health Legislation**
  -- Bill: HB 23; Year: 2011
  Summary: Requires the Department of Human Services to establish regulations governing the use of psychotropic medications for foster children in state custody. Sets compliance with the Health Care
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<th>Fostering Connections to Success and Increasing Adoptions Act Provision</th>
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<td>care</td>
<td>• The plan must describe how initial and follow-up health screenings will be provided, health needs identified will be monitored and treated, and medical information will be updated and appropriately shared with providers</td>
<td>Oversight and Coordination Plan mandates of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, P.L. 110-351.</td>
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<td>• The plan must also detail the steps that are or will be taken to ensure continuity of health care services, including the possibility of establishing a medical home for every child in care; and what will be done to ensure the oversight of prescription medications, including psychotropic drugs</td>
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<td>Sec. 301</td>
<td>• Allows states and tribes to continue to operate or create Native American Tribal/State agreements to administer the Title IV-E program so that tribes can gain access to federal funds for foster care or adoption assistance programs</td>
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<td>• Also creates the option for tribes or tribal consortia to access directly and administer IV-E funds</td>
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<td>• Also allows tribes to access a portion of the state’s Chafee Foster Care Independence Program funds and require the tribe to provide independent living services for tribal youth</td>
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<td>Fostering Connections to Success and Increasing Adoptions Act Provision</td>
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<td>in the state</td>
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<td>Sec. 402</td>
<td>• “De-links” a child’s eligibility for federal adoption assistance payments from AFDC income requirements, thereby increasing the number of children with special needs who can be adopted with federal support; eligibility now based on child’s needs</td>
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<td>• Children who are eligible for SSI, based solely on medical and disability requirements, are automatically considered children with special needs and eligible for adoption assistance without regard to SSI income requirements</td>
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<td>• Savings resulting from new eligibility rules must be invested in services (including post-adoption services) provided under Parts B and E of Title IV</td>
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<td>Sec. 403</td>
<td>• Helps to ensure that children in foster care benefit from the adoption tax credit by requiring states to inform all people who are adopting or are known to be considering adopting a child in the custody of the state that they are potentially eligible for the adoption tax credit</td>
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### Fostering Connections to Success and Increasing Adoptions Act Provision

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- **Parental Termination Orders** -- Bill: HB 254; Status: Enacted; Year: 2009
  
  Summary: Determines that within 30 days after the removal of a child from the custody of the parent or parents of the child, the department shall exercise due diligence to identify a parent or relative of the child or other persons who have demonstrated an ongoing commitment to the child.

- Georgia does not have an approved Title IV-E Guardianship Assistance Program Plan under Fostering Connections.
APPENDIX B

Other States’ Implementation of Fostering Connections as of 2012

Alabama

- **Educational Stability:** Requires that children in out of home care be placed in close proximity to their own home and maintained in their same school whenever possible. DHR has worked with the State Department of Education to develop policy and the State Department of Education has sent out a letter to the local superintendents suggesting protocols. However, local school districts are autonomous and establish their own protocols. Each county DHR department has worked with the local education agency and established protocols to expedite enrollment and transfer of records to avoid any delay in a child’s entry into school. When a change in school is necessary, it is the caseworker’s responsibility to transfer or provide the foster parents the information needed to enroll the child in school and ensure that school records are transferred. See http://www.napcwa.org/Legislative/docs/Alabama.pdf (last visited Feb. 6, 2012).

- **Sibling Placement:** high priority when making placements. Policies that align with the federal requirements have been in place since 1994. DHR conducts exhaustive searches to identify a placement option that can accommodate siblings being placed together. Whenever siblings are separated, the effort to maintain connections and/or reunify them continues throughout the life of the case. Systemically, DHR has targeted recruitment efforts to find foster families capable of caring for large sibling groups. There are additional supports including special, higher board rates for foster parents who take siblings groups of four or more. See http://www.napcwa.org/Legislative/docs/Alabama.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** Effective July 1, 2002, the *Smooth Transition into Adulthood* policy was implemented. DHR developed requirements for transitional and independent living programs to provide consistency in the development and delivery of transitional and independent living services throughout the state. DHR provides training and technical support for the county departments’ foster parents and social workers in transitional planning and independent living services for teens. DHR allows each county to provide their own Independent Living Program (ILP) so that the program can be individualized to the needs of the youth in the county. Each county department is expected to include 4 components for all youth in their program. These are: 1) Promoting a sense of control over their future, 2) Promoting a sense of competency, 3) Promoting a sense of permanency, and 4) Promoting a sense of usefulness. Foster care youth are to be included in the planning process on an individual level and on a group level. Youth participate in developing their goals through the individual service plan (ISP) and youth advisory councils.

The individualized service plan (ISP) serves as the youth’s transitional plan and identifies the specific steps and services designed to facilitate transition into adulthood. All of the
youth’s current level of functioning, as it relates to life skills development, must be assessed as soon as the need is indicated, but no later than the fourteenth (14th) birthday and must be reviewed every six months thereafter. The assessment may be formal or informal but shall determine current level of functioning; how that current level of functioning can be improved; what the associated needs are; and the skills that may be developed or enhanced to facilitate maximum functioning as an adult.17

Alabama youth advisory council program, Dedicated, Responsible, Empowered, and Motivated (D.R.E.A.M.), is composed of youth from local advisory groups and adult facilitators. D.R.E.A.M. provides education and employment assistance, opportunities for social interaction, and personal and emotional supports.

In 2006, DHR began efforts to target foster parents and mentors for teens. County departments are encouraged to develop partnerships with community based organizations and local businesses that can provide assistance and opportunities (job shadowing, internships, career development, full or part time employment) to youth transitioning out of care. Ninety days after discharge, social workers are asked to provide information about the level of youth’s achievement and assess the need for after care services to sustain self sufficiency. See http://www.napcwa.org/Legislative/docs/Alabama.pdf (last visited Feb. 6, 2012).


- **Extension of Care:** Since 1989, Alabama has allowed foster care maintenance payments and adoption subsidy up to the age of 21 for children under certain circumstances. Both foster care maintenance and adoption assistance payments may be made through state funds when ineligible for federal funding and the child is eligible to remain in care beyond the age of 18. Children age 14 and older are eligible to receive Independent Living Service (ILS) to assist in the development of skills that support their transition to adulthood. Alabama may provide Medicaid for foster care youth to age 21 provided they meet the points of eligibility. Currently, Medicaid is matched by state child welfare funds. The change in legislation, which provides for federal funding to pay for what has been previously paid through State dollars, results in the Medicaid agency now providing the required match funds. This will allow state child welfare funds to be available to create and provide more innovative services to this group.

Aftercare financial assistance and support services continue to be available to youth that leave the system prior to their 21st birthday. For youth that are in care on their 18th birthday, policy allows for the youth to re-enter foster care if the need arises. Whether the youth needs to re-enter foster care or remains in their own home, financial, housing, counseling, employment, education and other appropriate support and services are provided as needed until their 21st birthday. During SFY 2005, two thousand five hundred and forty one youth ages 14 and older were in foster care and received independent living services.
Chafee funding is used for education training vouchers (ETVs) and other services to provide support and funds to youth currently in foster care and youth formerly in foster care who have not attained age twenty three to attend accredited colleges, universities, vocational and/or technical training institutions. Youth may receive up to $5,000 per year for four years as they pursue higher education. See http://www.napcwa.org/Legislative/docs/Alabama.pdf (last visited Feb. 6, 2012).

- **Relative Notification**: Must occur within the thirty days as stipulated by the federal statute. The 30 day requirement is not needed in state law but has been incorporated into policy. There are concerns in the manner that relatives are to be notified and the expectations that relatives are to be given when fully implementing the federal requirements. Permanency and concurrent planning practice requires the case worker to obtain detailed information and complete forms that identify relative resources upon bringing a child into care. This information is provided to the court at the adjudicatory hearing that occurs 72 hours following the child’s entry into care. If relatives are located who are willing to provide care, they are to be given preference when the home evaluation shows the relative can provide safe and appropriate care. See http://www.napcwa.org/Legislative/docs/Alabama.pdf (last visited Feb. 6, 2012).

**Alaska**

- **Education stability**: Alaska has had programs in place for some time that address educational needs of foster children. OCS meets with Attorneys General, Guardians ad litem, local school administrators, foster youth, foster parents, and local judges to help improve educational outcomes for children in custody. Independent Living funds are used for tutors when concerns about education are brought to the social workers’ attention. See http://www.napcwa.org/Legislative/docs/Alabama.pdf (last visited Feb. 6, 2012).

- **Extension of Care**: 2010 HB 126 Determines that if continued custody is in the best interests of the person and the person consents to it, the court may grant two-year extensions of commitment that do not extend beyond the person's 21st birthday. Allows for an additional period of state custody past 19 years of age if the person is in need of out-of-home care to avoid personal harm or homelessness and to enhance the person's ability to continue their education or otherwise improve their successful transition to independent living. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-foster-care-to-21.aspx (last visited Feb. 6, 2012).

- **Sibling Placement**: Alaska’s policy and practice is that all youth should be assisted in compiling documents that list known relatives, their addresses, and their phone numbers, including siblings. Visitation between siblings has always been important to the agency. Foster care recruitment is being redesigned in order to identify adults willing to care for large sibling groups. Sibling connections are identified as a strength for the state in the Child and Family Service Reviews (CFSRs). See http://www.napcwa.org/Legislative/docs/Alaska.pdf (last visited Feb. 6, 2012).

- **Transition Plan**: ILS participate in six month reviews of youth sixteen and older. Exit plans are developed for all youth seventeen and older and a final plan is developed prior
to the youth being released from state custody. The exit plan includes the needs of the youth and a list of services available to address the needs. IL resources are also explained to the youth prior to leaving state custody. Prior to leaving custody, policy and procedures require that youth have an exit plan that addresses the issue of family resources. Attempts are made to give youth physical addresses, phone numbers, and email addresses so they can maintain contact. See http://www.napcwa.org/Legislative/docs/Alaska.pdf (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance:** Alaska's Federal IV-E plan amendment for the Guardianship Assistance Program has been approved. See http://www.fosteringconnections.org/resources/approaches?story_id=0137 (last visited Feb. 6, 2012).

**Arizona**

- **Educational Stability:** Currently, the state utilizes GIS mapping to assist in identifying specific geographic areas having high child removal rates, so that foster families can be recruited in these geographic areas. With regard to the transfer of school records, there has been a lot done surrounding the language in the first motion to the court regarding access to school records. Arizona has also been focused on placing children in their own neighborhoods as part of the Annie E. Casey Family to Family model, which has also benefited the state overall in keeping the child in the same school district. See http://www.napcwa.org/Legislative/docs/arizona.pdf (last visited Feb. 6, 2012).

- **Sibling Placement:** 2007 Ariz. Sess. Laws, HB 2212, Chap. 72. Sec. 4. Required the Administrative Office of the Courts to establish a “Sibling Information Exchange Program” to facilitate contact between a former dependent child and the child’s sibling(s). Allowed those participating in the program to use a confidential intermediary to access court, division and agency records to arrange contact or share information between the person initiating the search and the sibling who is subject of the search. Allowed a former dependent child to file an affidavit if he or she does not wish to contact siblings. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-sibling-placement.aspx (last visited Feb. 4, 2012).

- **Relative Notification:** 2009 HB 2622 Chapter 148 Makes additions to the required contents of a temporary custody notice to include a statement that the parent or guardian must provide to the Department of Economic Security the necessary information to locate persons related to the child or who have a significant relationship with the child. Establishes that at the preliminary child protective hearings and dependency adjudication hearings the court shall order the parent to provide to the department the necessary information to locate persons related to the child or who have a significant relationship with the child. The court also shall determine whether the department is attempting to identify and assess the placement of the child with a grandparent, relative or person who has a significant relationship with the child. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012).
Arkansas


- **Kinship Guardianship Assistance**: 2011 SB710 Act 592 States that a child is eligible for a guardianship subsidy if the Department of Human Services determines that adequate funding is available for the guardianship subsidy for a child who is not Title IV-E eligible if, while in the custody of the department, the child resided in the home of the prospective relative guardian for at least six consecutive months after the prospective guardian's home was opened as a foster home. See [http://www.ncsl.org/issues-research/human-services/fostering-connections-act-kinship-guardianship.aspx](http://www.ncsl.org/issues-research/human-services/fostering-connections-act-kinship-guardianship.aspx) (last visited Feb. 6, 2012).

- **Transition Plan**: 2009 SB 359 Act 391 Establishes that the Department of Human Services shall develop a transitional plan with every juvenile in foster care not later than the juvenile’s seventeenth birthday or within ninety days of entering a foster care program for juveniles who enter foster care at seventeen years of age or older. Mandates the department to assist the child aging out of foster care with obtaining health insurance and employment, among other items. See [http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx](http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx) (last visited Feb. 6, 2012).

- **Extension of Care**: Arkansas' Federal IV-E plan amendment for extension of care up to age 21 has been approved. See [http://www.fosteringconnections.org/resources/approaches?story_id=0156](http://www.fosteringconnections.org/resources/approaches?story_id=0156) (last visited Feb. 6, 2012).

California

- **Educational Stability**: AB 490 Enacted 2003: Enacts the following provisions
  - All school districts and county offices of education must accept for credit full or partial coursework satisfactorily completed while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency
  - Declares Legislature’s intent that all foster and homeless children have a meaningful opportunity to meet academic achievement standards to which all students are held, are placed in the least restrictive educational programs, have access to academic resources, services, and extracurricular and enrichment activities. Requires foster children to attend programs operated by local educational agency. Requires all local educational agency to designate a staff
person as an educational liaison for foster children to ensure proper educational placement, enrollment in school, and to assist foster children in transferring between schools or school districts. Requires a local educational agency to allow a foster child to continue at that school for the duration of the school year.

- Puts responsibility on both the school the foster child is leaving and the school where the foster child is transferring to transfer the student’s records; documents must be transferred within 2 days of receiving the request for records.

- Allows a county placing agency to view a foster child’s records to assist with school transfer of placement of the child.

- Limits the foster parent’s ability to represent the foster child on educational decisions to situations where the foster child is in a planned permanent living arrangement. See http://www.leginfo.ca.gov/pub/03-04/bill/asm/ab_0451-0500/ab_490_bill_20031012_chaptered.pdf (last visited Feb. 6, 2012).

- **Educational Stability**: Two California counties - Butte and San Diego - have developed collaborative approaches to ensure that children and youth in foster care have needed school transportation. Both counties respond to children's transportation needs on a case-by-case basis, using McKinney-Vento funds when available. Otherwise, costs are distributed among various parties.

  - San Diego: Transportation costs are usually split equally between the school that the child attends and the school district where the child is living.
    - Social workers generally coordinate transportation for individual children and youth, which may take the form of reimbursing foster parents for mileage, paying for public transportation, or allowing child welfare or school district personnel to provide transportation.
    - Transportation costs are reimbursed by the education agencies.

  - Butte County
    - Relies on a five-way cost sharing plan among the Butte County Office of Education, the Children's Service Division of the Department of Social and Employment Services, the foster family agency, the school district of attendance, and the school district where the child is living.
    - The logistics are coordinated through a central person in the Office of Education who determines the type of transportation needed.


- **Funding**: AB16A Enacted 2011 Creates the Undistributed Account, the Foster Care Assistance Subaccount, and the Foster Care Administration Subaccount within the Local

- **Relative Notification:** 2009 AB 938 Chap. 261 Requires a social worker, when a child is removed from the home, to immediately begin conducting an investigation in order to identify and locate all grandparents, adult siblings, and other adult relative of the child, in order to provide those persons with specified information, including that the child has been removed from the custody of his or her parents or guardians and an explanation of various options to participate in placement of the child. 2009 SB 597 Chap. 339 Requires the State Department of Social Services to exercise diligence to identify and provide notice to all adult grandparents and close relatives of a child being removed from the home. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012).


- **Kinship Guardianship Assistance:** 2011 AB212 Establishes provisions authorizing certain Kin-GAP recipients to continue to receive Kin-GAP aid after 18 years of age, if they are attending high school or vocational or technical training, as specified. Kin-GAP provides aid on behalf of eligible children who are placed in the home of a relative caretaker. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-kinship-guardianship.aspx (last visited Feb. 6, 2012).

- **Tribal Foster Care:** 2009 AB 770 Chap. 124 Maximizes the opportunities for Indian tribes to operate foster care programs for Indian children pursuant to the federal Fostering Connections to Success and Increasing Adoptions Act of 2008; requires the Department of Social Services to modify the state foster care plan to that end. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-tribal-foster-care.aspx (last visited Feb. 6, 2012).

- **Transition Plan:** 2010 AB 12 Requires the court to ensure that the child's transitional case plan is reviewed periodically and includes a plan for the child to meet one or more criteria that would allow the child to remain a non-minor dependent, and to ensure that the child has been informed of his or her right to seek the termination of dependency jurisdiction. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx (last visited Feb. 6, 2012).
Colorado

- **Educational Stability:** Colorado statute provides compliance with the educational stability provision of Fostering Connections. In 2008, House Bill 1019 created a child welfare education liaison designated by each school district and state charter school institute. The child welfare education liaisons collaborate with child placement agencies, county departments, the state department, and schools to ensure proper school placement, transfer and enrollment of foster children. The liaisons work with all parties to ensure a foster child remains in an educational situation that promotes stability. The law also requires schools to transfer education records within five school days and that the receiving school admits these children within five days of receipt of a student’s records. See [http://www.napcwa.org/Legislative/docs/Colorado.pdf](http://www.napcwa.org/Legislative/docs/Colorado.pdf) (last visited Feb. 6, 2012).

- **Sibling Placement** - 2009 Colo. Sess. Laws, SB 79, Chap. 59. Addressed the well-being of children in the foster care system by improving the ability of birth siblings to maintain long-term connections. Provided that confidential intermediaries may inspect confidential relinquishment and adoption records and post-adoption records if a motion of the court is filed by a former foster child who may or may not have been adopted, is age 18 or older, and is searching for a birth sibling. Created a registry of consenting former foster children searching for siblings. See [http://www.ncsl.org/issues-research/human-services/fostering-connections-act-sibling-placement.aspx](http://www.ncsl.org/issues-research/human-services/fostering-connections-act-sibling-placement.aspx) (last visited Feb. 4, 2012).


- **Transition Plan:** 2009 SB 104 Chap 218 Requires each county or city and county responsible for a youth in foster care to provide that youth with verifiable documents, such as a certified birth certificate and a social security card, on or before the youth’s 18th birthday and at no cost to the youth. See [http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx](http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx) (last visited Feb. 6, 2012).

Connecticut

- **Educational Stability:** SB 31 went into effect July 2010: When it is in the child’s best interest to remain in the school of origin, DCF and the Board of Education will develop a
transportation plan and DCF will fund it. $3 million state dollars have been allocated for this. See http://www.fosteringconnections.org/resources/approaches?story_id=0142 (last visited Feb. 6, 2012).

- Enacted 2011 HB 6227 Chaps. 11-105 Amends statutes concerning the Department of Children and Families; repeals statutes requiring annual reports regarding the Behavioral Health Partnership, the kinship navigator program and the Department of Children and Families' central registry and monitoring system for children in the department's care; provides for a review of municipal safety and security issues, for regional directors, for financial assistance for foster care programs and subsidized guardianship assistance. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-2011-legislation.aspx (last visited Feb. 6, 2012).

- Relative Notification: 2009 HB 5421 Chap. 185 Establishes that at the temporary custody hearing regarding the placement of a child, the court shall identify any person or persons related to the child or youth by blood or marriage who might serve as licensed foster parents, certified relative caregivers or temporary custodians and order the Commissioner of Children and Families to investigate and determine, not later than thirty days after the preliminary hearing, the appropriateness of placement of the child or youth with such relative or relatives. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012).


**Delaware**

- Educational Stability: Delaware Department of Services for Children, Youth and Their Families (DSCYF) and the Department of Education (DOE) work diligently to keep foster children in their school of origin when they come into care. In 2004, the state passed HB 279 requiring DSCYF and DOE to implement practices pertaining to the McKinney-Vento Homeless Educational Assistance Improvement Act to help improve youth’s educational outcomes while in foster care. This legislation adds the term “awaiting foster care placement” to state statute permitting all children in care to remain in their school of origin, with transportation provided by the child’s home school district. The state also has a collaborative in place with Milton Hershey School (MHS) for youth in foster care to have the opportunity to attend a prestigious boarding school. DSCYF and the school are continuing these efforts and five youth are currently enrolled in the program. See http://www.napcwa.org/Legislative/docs/Delaware.pdf (last visited Feb. 6, 2012).

- Extension of Care: SB113 Creates a procedure by which youth exiting foster care in Delaware and who are provided services under the John H. Chafee Independence Act and/or the Fostering Connections and Increasing Adoptions Act of 2008 have a legal mechanism for Family Court to review the appropriateness of such services. Extended

- **Relative Notification:** The state currently works with its court system and judges to order notification during the first hearing. These efforts build on existing practices to notify relatives at the time of removal. See http://www.napcwa.org/Legislative/docs/Delaware.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** Delaware’s older youth can develop a comprehensive Independent Living Strategic Plan designed to help improve their outcomes as they age out of foster care. This program is referred to as the Stairways to Encourage Personal Success (STEPS). Additionally, youth from the ages of 14 to 21 can gain access to the Independent Living Benchmark document, developed in 2006, to help guide this work. Youth with an Alternative Permanency Placement Living Arrangement (APPLA) are required to have their transition plan reviewed by the court every six months, rather than annually. The state is also required to consider family connections throughout the life of the case and the appropriateness of youth having a plan of APPLA. Delaware also has a Youth Advisory Council (YAC) where youth are trained to enhance their leadership skills and interpersonal development. In 2008, YAC applied for a grant from the State Farm Insurance Company to implement a financial literacy program. These efforts will assist Delaware’s foster youth to increase their knowledge about opening and managing a savings account, learning about loans and interest rates. These youth can also receive matching funds as they open a savings account and regularly deposit funds. Delaware also passed SB 262 giving caseworkers authority to sign documentation on youth’s behalf so they can obtain a license from the Department of Motor Vehicles without the worker or DSCYF assuming liability. See http://www.napcwa.org/Legislative/docs/Delaware.pdf (last visited Feb. 6, 2012).

- **Sibling Placement:** DSCYF requires caseworkers to place siblings together whenever possible. See http://www.napcwa.org/Legislative/docs/Delaware.pdf (last visited Feb. 6, 2012).

**Florida**

- **Educational Stability:** Florida requires all children to be students. See http://www.napcwa.org/Legislative/docs/Florida.pdf (last visited Feb. 6, 2012).

**Georgia**

- **Educational Stability:** Ga. Comp. R. & Regs. r. 160-5-1-.28 provides that children in foster care will be kept in their original school or transferred, depending on the child’s best interest; also allows children in foster care the right to be immediately enrolled in school, even without proper documentation

- **Educational Stability:** Bill: HB 1085; Status: Enacted; Year: 2010 Summary: Determines that siblings removed from their home shall be placed in the same foster care, kinship, guardianship, or adoptive placement, unless the Division of Family and Children Services
documents that such a joint placement would be contrary to the safety or well-being of any of the siblings. Includes provisions ensuring the educational stability of the child while in foster care, including an assurance that the state agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement. Establishes that the Division of Family and Children Services of the Department of Human Services provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child; includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services; and is as detailed as the child may elect in the 90 day period immediately prior to the date on which the child will attain 18 years of age.

- **Extension of Care:** Youth can remain in state funded foster care beyond age 18 if the youth has an educational plan in place and signs an agreement with the resource provider and the county. The youth may remain until 21.5 years if the additional 6 months will allow time to complete an educational program. The state provides supplemental educational funding for all foster youth attending Georgia public or private colleges until age 26. See [http://www.adopting.org/uni/frame.php?url=](http://www.adopting.org/uni/frame.php?url=); [http://www.nrcys.ou.edu/yd/programs/tuitionwaiver.html](http://www.nrcys.ou.edu/yd/programs/tuitionwaiver.html) (last visited Feb. 6, 2012).

- **Parental Termination Orders -- Bill: HB 254; Status: Enacted; Year: 2009 --** Determines that within 30 days after the removal of a child from the custody of the parent or parents of the child, the department shall exercise due diligence to identify a parent or relative of the child or other persons who have demonstrated an ongoing commitment to the child.

- **Georgia does not have an approved Title IV-E Guardianship Assistance Program Plan under Fostering Connections.**

**Hawaii**

- **Educational Stability:** Practice in accordance with the foster children’s bill of rights is to maintain children in their home community and school of origin whenever it is feasible. To this end DHS works collaboratively with the Department of Education. The state supports youth with transportation. Buses or reimbursement to foster parents is provided using state funds as needed. McKinney Vento and Title IV-E funds are leveraged to assist whenever possible. However, what is in the best interest of a child must be decided on case by case bases. Geographic distances and the feasibility of transportation in terms of the child’s time on the road must be considered and may present a major obstacle. See [http://www.napcwa.org/Legislative/docs/HawaiiSummary.pdf](http://www.napcwa.org/Legislative/docs/HawaiiSummary.pdf) (last visited Feb. 6, 2012).


• **Relative Notification:** Incorporated into Hawaii child welfare statute in 2008 via Act 199 and is embedded in case practice. Pursuant to Chapter 587, Hawaii Revised Statutes (HRS), DHS is authorized and required to identify and provide relatives of all children who enter placement notice of the judicial proceedings and an application to become a foster parent for the child(ren). The current Hawaii statute requires that families be notified within 60 days but the pending legislation will align Hawaii law with the 30 day federal requirement. Intensive family finding takes place upfront in all cases and is done through family conferences and the family finding initiatives. Beginning in SFY 2008, DHS funded the Effective Planning and Innovative Communications (EPIC) Ohana Connections Program which locates the biological kin of foster youth and assists the youth and appropriate family members to re-establish connections. Caseworkers engage relatives to maintain contact with the child(ren) even though they may not be able to have the child(ren) placed in their care. Children in care ages 0-3 are tracked so the state can examine its efforts to place these children with their relatives and siblings. Every week, all CWS section administrators hold a telephone conference on every child in care under the age of three to ensure that all efforts are underway and continuous to find family for the child. See [http://www.napcwa.org/Legislative/docs/HawaiiSummary.pdf](http://www.napcwa.org/Legislative/docs/HawaiiSummary.pdf) (last visited Feb. 6, 2012).

• **Sibling Placement:** have high priority when making placements. Increased resources have been targeted to find placements for large sibling groups. Hawaii statute provides waivers on foster care licensing to allow up to six siblings to be placed together if the home can accommodate and caregivers can provide adequate care. The primary emphasis, as previously noted, is on placing children with their families and if this is not possible keeping families connected through visitation. The family finding initiative and family conferencing assists with these efforts. Hawaii also has residential arrangements that are temporary and allow siblings to remain together while there is intensive search for family and/or a foster home for large sibling group, or services are put in place to enable expeditious reunification. Project First Care specially trains foster parents to keep children for 30 days and assist with their reunification. The Maile Home, a private contractor facility, accepts pregnant teens in care and when they give birth, the infants can remain in the same home with their mother. Parenting skills are taught prior to discharge. This home can accommodate up to 20 young people and also accepts large sibling groups. The maximum stay in Maile is sixty days. Both programs welcome visits from parents and relatives as appropriate. Family connections are not disrupted and service interventions and reunification can be expedited. A typical scenario might be that law enforcement removed the child(ren) in a crisis situation. By statute the state must assume custody though service interventions were not tried prior to the removal. See [http://www.napcwa.org/Legislative/docs/HawaiiSummary.pdf](http://www.napcwa.org/Legislative/docs/HawaiiSummary.pdf) (last visited Feb. 6, 2012).

• **Kinship Guardianship Assistance:** Hawaii’s Federal IV-E plan amendment for the Guardianship Assistance Program has been approved. See
Idaho

- **Kinship Guardianship Assistance:** Idaho's Federal IV-E plan amendment for the Guardianship Assistance Program has been approved. See http://www.fosteringconnections.org/resources/approaches?story_id=0146 (last visited Feb. 6, 2012).

Illinois

- **Educational Stability:** Illinois has a geographic information systems (GIS) application called “SchoolMinder” which is used for kids being placed into foster care. SchoolMinder helps children stay in their community and supports: education stability; continuity of services (received from their school); and parental and family visitation. GIS technology helps identify available foster homes that are near both the child’s current educational setting and the home from which he or she was removed. The state has been successful in keeping children in their schools of origin. However, the challenge for the state is that these homes become quickly occupied. The unintended benefit is that the state can now use GIS to focus its scarce foster parent recruitment and development efforts on just those communities that are most quickly exhausting their available foster parent resources. The current GIS-based recruiting effort, begun in January 2009, is now seeing results. After a long decline, foster parent resources are now increasing. See http://www.napcwa.org/Legislative/docs/Illinois.pdf (last visited Feb. 6, 2012).

- **Sibling Placement:** Like many other states, sibling connections are a priority for Illinois. The state is under a consent decree *Aristotle v. Samuels* that requires sibling visits and sibling placements when it is not possible to maintain them in the same home. See http://www.napcwa.org/Legislative/docs/Illinois.pdf (last visited Feb. 6, 2012).

- **Extension of Care:** 2009 HB 4054 Public Act 581 Creates the Foster Youth Successful Transition to Adulthood Act. Establishes a program of transitional discharge from foster care for teenage foster children, enabling former foster youths under the age of 21 who encounter significant hardship upon emancipation to reengage with the Department of Children and Family Services and the Juvenile Court, in order to secure essential supports and services available to foster youth seeking to learn to live independently as adults. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-foster-care-to-21.aspx (last visited Feb. 6, 2012).

- **Transition Plan:** 2009 HB 4054 Public Act 581 Creates the Foster Youth Successful Transition to Adulthood Act. Establishes a program of transitional discharge from foster care for teenage foster children, enabling former foster youths under the age of 21 who encounter significant hardship upon emancipation to reengage with the Department of Children and Family Services and the Juvenile Court, in order to secure essential supports and services available to foster youth seeking to learn to live independently as adults. See


**Indiana**

• **Educational Stability**: Compliance is managed and monitored by an education advocate in each of the state’s 18 regions. IC 31-34-15-4 passed in the 2009 Indiana legislative session aligns the state regulations with the federal mandates. School disruptions are minimized by the following steps: placing a child with resource family in the same school district whenever possible; assisting the resource family living in a different district with arranging transportation for a child, so he or she can continue to attend the same school; delaying a change in placement until the end of a school semester or year, so long as the waiting does not endanger the child’s safety and/or wellbeing; and scheduling medical and court appointments during non-school hours, whenever possible. If the child in out-of-home care has been placed with a resource family in the same school district but outside the attendance area for the school where the child was previously attending, then the school in the new area must provide transportation to and from the child’s previous school and place where the child is currently placed.

Indiana policy further requires DCS to assure that all children in out-of-home care are referred for an initial educational evaluation to determine if an Individualized Education Plan (IEP) is needed to meet the child’s educational needs. The case plan conference is utilized to review and discuss the educational needs of each child, to develop a plan to assist in the referral process and to ensure that the child’s educational needs are met. Case plans must include a plan for educational stability that documents efforts to allow the child to remain at the school that he or she attended at the time of removal. It must also be documented in the case plan if it is in the child’s best interest to transfer schools and the distance of the school the child will be attending from the child’s current placement. If the child must transfer schools, immediate enrollment must be completed including arranging transfer of school records and assurance that the child has been placed in a resource home or facility within close distance to his or her current school. DCS personnel will assure that every school aged child placed in out-of-home care is enrolled in school, unless one of the following circumstance exits: the youth is eligible and in pursuit of a GED; an alternative education plan has been recommend by the child’s home school and approved by the court; or the youth as graduated from high school or obtained a GED certificate. *See* http://www.napcwa.org/Legislative/docs/Indiana.pdf (last visited Feb. 6, 2012).

• **Sibling Placement**: have high priority when making placements. Indiana has designed data information systems to track sibling placements. Whenever siblings are separated the effort to reunify them continues throughout the life of the case. DCS continually conducts exhaustive searches to identify a placement option that can accommodate siblings being
placed together. DCS has the authority to amend the licensing number limitation to keep sibling groups together. The case manager engages the Child and Family Team (CFT) and assesses all available alternatives. DCS will recommend to the court a change in placement, if the child can be placed with his or her siblings, unless there is a compelling reason that it would not be in the best interest of one or more of the children. See http://www.napcwa.org/Legislative/docs/Indiana.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** Developed for all youth in out-of-home placement beginning at age 16. All children in out-of-home placement 16-21 complete the Ansell-Casey Life Skills Assessment (ACLSA) within 30 days of referral and every six months thereafter as long as they remain in out-of-home placement. A copy of each ACLSA is placed in the youth’s case file and used to develop an Independent Living plan. Mentors are located and screened for all youth ages 16-21. The CFT considers transitional needs whenever the Permanency Plan is discussed or changed. In addition, DCS convenes a CFT Meeting or conducts a Case Plan Conference prior to a child’s transition from out-of-home care to ensure the plan in place will sustain the youth and maximize his or her potential for successful transition into adulthood. Specific transitional services are offered to each child who leaves out-of-home care, regardless of the child’s permanency plan (e.g. reunification, adoption, guardianship, etc.). The type, intensity, and duration of transition services offered will depend upon the child’s needs and the permanency plan.

These service plans are youth driven. Youth Service Bureaus are funded with state funds with the primary statutory purpose of providing information and referral to youth and their families, delinquency prevention, community education, and advocacy for youth. There is at least one YSB in every region of the state. Effective July 1, 2009, IC 21-12-6-14 requires that each child in the care and custody of DCS be provided information about the following programs: Pell grants, Chafee grants, federal supplemental grants, free application for federal student aid (FAFSA) and the state’s student assistance commission. Youth and their caregivers should be provided this information beginning at age 17. Youth who enter the foster care system after age 17 should be given the information as soon as possible. Youth and their caregivers must sign a written acknowledgement of receipt of this information which is placed the child’s care file. See http://www.napcwa.org/Legislative/docs/Indiana.pdf (last visited Feb. 6, 2012).

- **Relative Notification:** 2009 SB 365 Act 131 Section 59, IC 31-34-3-4.5, Effective July 2009: Requires the Department to exercise due diligence to identify and provide notice to all adult relatives within thirty days after the removal of the child from the parents. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012); http://www.napcwa.org/Legislative/docs/Indiana.pdf (last visited Feb. 6, 2012).

- **Tribal Foster Care:** 2009 SB 365 P. L. 131. Section 28: Requires the department to negotiate with any Indian tribe, tribal organization or tribal consortium in the state that requests to develop an agreement with the state to administer all or part of title IV-E of the federal Social Security Act on behalf of Indian children who are under the authority of the tribe, tribal organization or tribal consortium. See http://www.ncsl.org/issues-

Iowa

- **Sibling Placement:** 2011 HB 494 submitted, not enacted. Requires that the Department facilitate frequent visitation or ongoing interaction between children participating in the subsidized guardianship program administered by the department and the siblings of those children. However, facilitation of the visiting or interaction is not required if the department determines the visitation or ongoing interaction would be detrimental to the child's well-being or is suspended or terminated by the court. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-sibling-placement.aspx (last visited Feb. 4, 2012).

- **Relative Notification:** 2009 SB 152 Mandates the department to send a notice to all adult relatives of the child in custody explaining their options to provide care for the child. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012).

- **Transition Plan:** 2009 SB 152 Revises transition planning for older children in foster care who are age 16 or older and approaching adulthood to include health care coverage planning, opportunities to have a mentor, and education and housing assistance. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx (last visited Feb. 6, 2012).

Kansas

- **Relative Notification:** 2009 HB2303 Establishes that within thirty days of the removal of a child from the child’s home, the county or district attorney shall exercise due diligence to identify all grandparents, adult relatives of the child and any potential guardians identified by the parents and provide notice of the removal of the child from the child’s home, an explanation of options for participating in the care and placement of the child, and an explanation of requirements to become licensed as a family foster home. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012).

Kentucky

- **Extension of Care:** Youth can voluntarily extend their commitment to 21 as long they are in high school or a post high school educational program. The definition of educational program has broad parameters. Extended commitments must have judicial sign-off on a “contract” stating the youth is remaining in care. When a child exits care, the court must be notified. Youth who choose to exit care at 18, can return to care within six months. Many youth remain in their foster homes, but have the option of asking for room and board with state funded local private child care agencies. See http://www.napcwa.org/Legislative/docs/Kentucky.pdf (last visited Feb. 6, 2012).
Relative Notification: Not done in writing, but total effort is made to locate relatives and use family support systems. See http://www.napcwa.org/Legislative/docs/Kentucky.pdf (last visited Feb. 6, 2012).

Sibling Placement: If siblings are not placed together, the reason must be clearly documented. The only acceptable reason is that it is not in the child’s best interest. See http://www.napcwa.org/Legislative/docs/Kentucky.pdf (last visited Feb. 6, 2012).

Transition Plan: There is a mentoring program for children age 15 or older. There are life skills classes on money management, education, employment and other relevant issues for youth at age 16. In addition, at age 16 every child has an independent living coordinator as well as a caseworker. The case plan closest to the child’s 17th birthday requires transitional planning to make sure everything is in place by the time the youth becomes 18. Planning is youth driven. Any child over age 12 must actively participate in his or her case plan. See http://www.napcwa.org/Legislative/docs/Kentucky.pdf (last visited Feb. 6, 2012).

Louisiana

Educational Stability: School Enrollment and Foster Care -- Bill: HB 590; Status: Enacted; Year: 2009 -- Requires public school governing authorities to ensure that children in foster care are allowed to remain enrolled in the same public schools in which they were enrolled when entering foster care. Provides that if the placement is outside the jurisdictional boundaries of the public school in which the child is enrolled, the governing authority of such school shall be responsible for providing free transportation for the child.


Maine

Educational Stability: Education Law -- Bill: SB 588; Status: Enacted; Year: 2010 -- Provides that a student placed by the Department of Health and Human Services with an adult who is not the child's parent or legal guardian in accordance with the educational stability provisions of Fostering Connections is considered a resident of either the school administrative unit where the student resides during the placement or the school administrative unit where the student resided prior to the placement based on the best
interest of the student. The Department of Health and Human Services, in consultation with the school administrative units, shall determine which school is appropriate and notify that unit in writing of its determination.

- **Educational Stability:** Every child's plan must include documentation of their school placement. Additionally, through inter-district agreements, children in out-of-home care are able to attend school in their original district. The new law requires foster children to attend school full time. See [http://www.napcwa.org/Legislative/docs/Maine.pdf](http://www.napcwa.org/Legislative/docs/Maine.pdf) (last visited Feb. 6, 2012).

- **Educational Stability and Older Youth** -- Bill: SB 352; Status: Enacted; Year: 2011 -- Requires that the Department of Health and Human Services, within 30 days of the removal of a child from the custody of the child's parents, to exercise due diligence to identify and provide notice to all grandparents and other adult relatives of the child, except in cases of family or domestic violence. Establishes extended care for youth ages 18-20, as long as the individual attained the age of 18 while in the care and custody of the state, is enrolled in secondary, postsecondary or vocational school, is participating in a program that promotes employment or removes barriers to employment, is employed at least 80 hours per month, or has special circumstances exempting an individual from these requirements.

- **Sibling Placement:** Maine child welfare practices require that siblings stay together throughout their foster care placement and that this be reflected in the child’s documentation. There are occasions when siblings cannot be placed together; however Maine law allows the Courts to order visitation provisions for siblings that are in the State’s custody to ensure continued contact between the siblings. Maine also has various projects that are designed to keep siblings connected including a sibling camp called Camp to Belong, children’s events, encouraging foster parents to provide flexible visitation and foster parent trainings that focus on maintaining healthy sibling connections. See [http://www.napcwa.org/Legislative/docs/Maine.pdf](http://www.napcwa.org/Legislative/docs/Maine.pdf) (last visited Feb. 6, 2012).

- **Transition Plan:** Maine requires all foster youth 16 and older to have a transition plan and case worker services in place. The state has notified staff that these plans must be youth driven. As foster children transition, child welfare caseworkers work with youth to design goals and objectives for the future. Moreover, these workers help youth become enrolled in post-secondary and vocational institutions after high school. See [http://www.napcwa.org/Legislative/docs/Maine.pdf](http://www.napcwa.org/Legislative/docs/Maine.pdf) (last visited Feb. 6, 2012).

- **Relative Notification:** 2011 SP352 Requires that the Department of Health and Human Services, within thirty days of the removal of a child from the custody of the child's parents, exercise due diligence to identify and provide notice to all grandparents and other adult relatives of the child, except in cases of family or domestic violence. See [http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx](http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx) (last visited Feb. 6, 2012).

Maryland

Educational Stability: Maryland works to ensure that foster youth have strong educational stability. When a child enters care, Maryland strives to keep him or her in the child’s school district. If this action is not possible, the state makes efforts to enroll children in the nearest school district within five days. In 2008, Maryland passed legislation requiring agencies to promptly enroll foster children by expediting their school records within one week after they transfer schools. This policy helps minimize disruptions to children’s educational well-being. See http://www.napcwa.org/Legislative/docs/Maryland.pdf (last visited Feb. 6, 2012).

Relative Notification: Maryland notifies relatives within 48 hours of a child’s removal. Relatives are identified through birth-parent interviews and caseworkers diligently strive to locate them. Maryland’s statute requires relatives to be notified through letters. Private and public agencies are also mandated to post notices through the Clerk of the Court’s office. The state is also required to place children with their relatives as a first-placement option as opposed to non-relative foster care. Maryland’s priority is to safely place children with their relatives, if keeping them with their birth parents is not in their best interest. Agency staff gathers information at the family involvement meeting, which takes place at risk of removal usually prior to the child being placed. See http://www.napcwa.org/Legislative/docs/Maryland.pdf (last visited Feb. 6, 2012).

Transition Plan: In 2007, Maryland’s “Ready by 21” campaign was launched to improve the outcomes for older youth aging out of foster care. The initiative focuses on providing assistance for youth to have better access to education and training programs; find employment opportunities; develop and maintain supportive networks; manage their finances and navigate housing options. Maryland is required to work with youth ages 14 to 21 to prepare them for adulthood and provide them with independent living services in addition to their permanency plan. The state also uses the Ansell–Casey Assessment Tool to create benchmark activities and skill building techniques to help with youth transition. According to state statute, youth must have a 90-day transition plan prior to exiting care. Maryland also has an annual Teen Conference where youth ages 14 and older discuss sexuality, dating, personal hygiene and conflict resolution. This statewide initiative helps prepare adolescents and older youth for adulthood. See http://www.napcwa.org/Legislative/docs/Maryland.pdf (last visited Feb. 6, 2012).

Sibling Placement: 2005 Md. Laws, HB 1336, Chap. 600. Required the department to place a sibling group together unless there is compelling reason for separation. If this placement does not occur, caseworkers are required to document these reasons in the children’s records. Allowed siblings separated because of foster care or adoption to petition the court with jurisdiction over one or more siblings for reasonable sibling visitation rights. See http://www.ncsl.org/issues-research/human-services/fostering-

• **Extension of Care**: Maryland's Federal IV-E plan amendment for extension of care up to age 21 has been approved. See [http://www.fosteringconnections.org/resources/approaches?story_id=0132](http://www.fosteringconnections.org/resources/approaches?story_id=0132) (last visited Feb. 6, 2012).

**Massachusetts**

• **Educational Stability**: Bill: SB 37; Status: Enacted; Year: 2011 - Establishes that the Department of Children and Families and the Department of Elementary and Secondary Education shall enter into a memorandum of understanding concerning the enrollment of students in the public school system when such students are placed in the care or custody of the Department of Children and Families or are young adults who have signed a voluntary placement agreement with the Department of Children and Families. The commissioner of the Department of Children and Families, in consultation with the Office of the Child Advocate and the secretary of education, shall develop a statewide plan for the educational stability of children placed in the care or custody of the department of children and families and young adults who have signed voluntary placement agreements with the Department of Children and Families.

• **Educational Stability**: Massachusetts strives to place children in their own community at their home school. If placement within the home school boundaries is not possible, the Department works to quickly enroll children in the new school. The Department works with the Department of Education educational liaisons to address issues of foster children outside of their home community school. When needed, the state uses McKinney-Vento Act funds to provide transportation for children to their home schools. See [http://www.napcwa.org/Legislative/docs/Massachusetts.pdf](http://www.napcwa.org/Legislative/docs/Massachusetts.pdf) (last visited Feb. 6, 2012).

• **Extension of Care**: Youths in Care of the Commonwealth -- Bill: HB 123; Status: Pending-Carryover; Year: 2010 -- Allows for children who have aged out of the custody of the department of children and families to be eligible for benefits until they reach age 21.

• **Extension of Care**: Foster Youth -- Bill: SB 40; Status: Pending; Year: 2009 -- Requires the Department of Children and Families to continue its responsibility for any foster youth who has attained the age of 18 and is under 22 years of age and who is (1) completing secondary education or a program leading to an equivalent credential; (2) enrolled in an institution which provides post-secondary or vocational education; (3) participating in a program or activity designed to promote, or to remove barriers to, employment; (4) employed at least 80 hours per month; or (5) incapable of doing any of
the activities described in subclauses (1) though (4) due to a medical condition, which incapability is supported by regularly updated information in the case plan of the child, provided, however, that the department's continued responsibility for persons who have attained the age of 18 is contingent upon the express written consent of the person. Requires the department to provide the child with assistance and support in developing a transition plan during the 90-day period immediately prior to the date on which a child will attain 18 years of age (if they elect to leave the care of the department on this date) or the child's 22nd birthdate (if they remain in the care of the department until this time). Mandates the court to retain jurisdiction until it finds that a satisfactory transition plan has been provided for the child.

- **Relative Notification**: State law requires relative notification within the first 12 to 96 hours of placement by either a phone call or a letter, a shorter timeframe than the federal law. The state law encourages placement with relatives as the first option for out of home placement. The 2008 state law created a Grandparents Commission to study the unique needs of this type of relative placement, serving a broad grandparent population aged 32 to 82. See [http://www.napcwa.org/Legislative/docs/Massachusetts.pdf](http://www.napcwa.org/Legislative/docs/Massachusetts.pdf) (last visited Feb. 6, 2012).

- **Sibling Placement**: According to policy and practice, sibling groups are placed together. It is especially critical to keep siblings together for the first placement, as it is harder to reunify them after separation. In instances where siblings are not placed together, the state law requires sibling visits. The Child and Family Services Review (CFSR) noted Massachusetts sibling placement policy and practice as a department strength. Massachusetts also operates Camp to Belong, where separated siblings meet two weeks out of the summer for activities. See [http://www.napcwa.org/Legislative/docs/Massachusetts.pdf](http://www.napcwa.org/Legislative/docs/Massachusetts.pdf) (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance**: Massachusetts has operated a state-funded guardianship assistance program for the last 15 years and intends to use the new federal option. Massachusetts has a broad definition of kinship, with the guardianship program including kinship arrangements and foster parents. The state licenses all guardianship homes as foster parents, eligible for the full range of support services. See [http://www.napcwa.org/Legislative/docs/Massachusetts.pdf](http://www.napcwa.org/Legislative/docs/Massachusetts.pdf) (last visited Feb. 6, 2012).

- **Transition Plan**: Massachusetts begins foster care review panels at the age of 14. These reviews require active participation of the youth in determining a plan for aging-out of foster care. The reviews occur every six months and encourage youth to also participate in court hearings related to their cases (currently at age 16 and in the process of moving to age 14). Massachusetts is piloting a checklist of services relating to aging-out. Over the last 15 years, the state has developed the Preparing Adolescents for Young Adulthood (PAYA), which teaches life skills and training to youth aging-out of foster care. Although children age out of foster care at 18, youth age 18 to 23 can elect to receive voluntary services described in this document previously. See [http://www.napcwa.org/Legislative/docs/Massachusetts.pdf](http://www.napcwa.org/Legislative/docs/Massachusetts.pdf) (last visited Feb. 6, 2012).
Michigan

- **Educational Stability**: Michigan considers a foster child’s educational situation upon the initial out-of-home placement of a child. Instructions were provided to the county offices and private agencies about the educational stability requirements and the process to revise case service plan templates and case reading forms to include these factors. See http://www.napcwa.org/Legislative/docs/Michigan.pdf (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance**: Guardianship Assistance Act -- Bill: SB 227, Public Act 15; Status: Enacted; Year: 2009 -- Creates the Guardianship Assistance Act to provide a negotiated, binding agreement for financial support for children who meet the qualifications for guardianship assistance. Specifies that only a relative who is a licensed foster parent caring for a child who is eligible to receive Title IV-E funded foster care payments for 6 consecutive months is eligible for federal funding under Title IV-E for guardianship assistance. States that a child not eligible for Title IV-E funding who is placed with a relative is eligible for state-funded guardianship-assistance. See http://www.napcwa.org/Legislative/docs/Michigan.pdf (last visited Feb. 6, 2012).

- **Extension of Care**: Older Youth -- Bill: SB 435; Enacted; Year: 2011 -- Extends to age 21 the age eligibility for young adult foster care program, guardianship assistance and adoption assistance; SB 440; Enacted 2011 -- Modifies age criteria to remain in foster care and receive adoption subsidy. The department may place a child who is at least 16 but less than 21 years of age in his or her own unlicensed residence, or in the unlicensed residence of an adult who has no supervisory responsibility for the child, if the department maintains supervisory responsibility for that child. If the child is at least 18 but less than 21 years of age, he or she must meet the requirements of the young adult voluntary foster care act. See http://www.napcwa.org/Legislative/docs/Michigan.pdf (last visited Feb. 6, 2012).

- **Relative Notification** - 2010 Mich. Pub. Acts. HB 4118 Act 265 Stipulates that upon a child's removal from their home and placement into foster care, as part of a child's initial case service plan the supervising agency shall, within thirty days, identify, locate, notify, and consult with relatives to determine placement with a fit and appropriate relative who would meet the child's developmental, emotional, and physical needs. The notification must include certain items such as, explaining the options the relative has to participate in the care and placement of the child, including any option that may be lost by failing to respond to the notification and describe how the relative may subsequently enter into an agreement with the state child welfare department for guardianship assistance. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (Last visited Feb. 6, 2012). See http://www.napcwa.org/Legislative/docs/Michigan.pdf (last visited Feb. 6, 2012).

- **Transition Plan**: All foster youth are eligible to remain in care under voluntary agreements at age 18 after the court case is closed. Youth in Transition (YIT) services are available to youth starting from age 14 to 21. Covered YIT expenses include daily living
skills, transportation, mentorship, parenting skills, employment services, educational support, graduation expenses, drivers’ education, physical and mental health services, relationship building skills, and housing. Michigan provides Education and Training Vouchers (ETV) to foster youth up to age 21 and youth adopted or placed in a guardianship from foster care after age 16. The state extends Medicaid up to age 21 for youth transitioning from foster care. There are currently no additional stipulations, such as being in school, to remaining in care till age 19.

Policy stipulates that all youth in foster care 14 and older, regardless of permanency goal, have independent living preparation. Caseworkers ensure that youth are provided services and that future goals are established that will help the youth achieve successful independent living. Caseworkers collaborate with youth to develop a service plan and are responsible for its implementation. The state conducts age appropriate independent living activities for youth 12 and older, which include activities to foster daily living skills, preventative health services, mentoring, and education. The YIT program, described earlier in this document, provides services to aged-out youth and youth adopted or in guardianship after age 16. See http://www.napcwa.org/Legislative/docs/Michigan.pdf (last visited Feb. 6, 2012).

- **Sibling Placement:** Michigan is in compliance with the sibling connections provision of Fostering Connections. The Department revised policy to meet the standards set forth in the new law. Policy mandates all siblings who enter placement at or near the same time be placed together, with the following exceptions: one sibling has exceptional needs that can only be met in a specialized program or facility; it is not in the best interest of one or more of the siblings; or the size of the sibling group makes one placement impractical. If siblings are not placed together, reasonable efforts are made for ongoing interaction. These efforts must be detailed by the caseworker to include the dates, location and duration of visits or contact. See http://www.napcwa.org/Legislative/docs/Michigan.pdf (last visited Feb. 6, 2012).

**Minnesota**

- **Educational Stability:** In Minnesota, a county administered child welfare system, the Minnesota Department of Human Services released a Bulletin to address implementation of the education provisions of the Fostering Connections Act, including details about reimbursement of transportation costs. The goal of the Bulletin is to provide counties with the maximum allowable flexibility to encourage maximization of the federal reimbursement. The Bulletin states that:

  - Child welfare agency should work with foster parents to provide transportation
    - The general rate paid to the foster parent can be increased, or
    - The foster parent can receive a separate payment.
  - Payments can be made to another provider
  - Reimbursement can be to the local school district
  - Retroactive reimbursement is allowed dating back to the passage of the Fostering Connections Act that allowed FCMP to be used to reimburse school transportation.
The child welfare agencies will update their data systems to allow for future electronic submissions for reimbursements.


- **Transition Plan** -- Bill: SB 666, Chap. 106; Status: Enacted; Year: 2009 -- Allows certain foster children between the ages of 18 and 21 to request, and requires the local agency to develop, a specific plan related to the foster child's vocational, educational, social, or maturational needs, and must ensure that any foster care, housing, or counseling benefits are consistent with that plan.

- **Relative Notification**: 2009 SB 1503 Chap. 163 Establishes that the responsible social services agency shall make diligent efforts to identify and locate both parents of any child who is the subject of child welfare proceedings, as well as conduct a relative search to identify and provide notice to adult relatives. Diligent efforts include asking the custodial or known parent to identify any nonresident parent of the child and provide information that can be used to verify the nonresident parent's identity. See [http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx](http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx) (last visited Feb. 6, 2012).

- **Extension of Care**: 2011 SF1173 Pending: The court may continue jurisdiction over an individual to the individual's 19th birthday when continuing jurisdiction is in the individual's best interest in order to: accomplish additional planning for independent living or for the transition out of foster care; or support the individual's completion of high school or a high school equivalency program. States that when a child asks to continue or to reenter foster care after age 18, the child and the responsible social services agency may enter into a voluntary agreement for the child to be in foster care; the voluntary agreement must be in writing and on a form prescribed by the commissioner. See [http://www.ncsl.org/issues-research/human-services/fostering-connections-act-foster-care-to-21.aspx](http://www.ncsl.org/issues-research/human-services/fostering-connections-act-foster-care-to-21.aspx) (last visited Feb. 6, 2012).

Mississippi

- **Educational Stability:** It is the state policy to try to place children within a 50-mile radius of their home, keeping them in the same school, if possible. Additionally, the 2007 settlement agreement plan calls for DFCS employees to enroll children in an accredited school within three days of placement, if necessary. The plan requires special needs assessment within 30 days of placement and DFCS is responsible for ensuring this occurs. See http://www.napcwa.org/Legislative/docs/Mississippi.pdf (last visited Feb. 6, 2012).

- **Relative Notification:** Mississippi’s current relative notification policy is to involve all family members active in the child’s life to participate in decision-making. Additionally, the Child Support Enforcement program allows workers to access Lexis-Nexis to locate non-custodial parents who have court ordered child support payments. See http://www.napcwa.org/Legislative/docs/Mississippi.pdf (last visited Feb. 6, 2012).

- **Sibling Placement:** Mississippi makes every effort to place siblings together. If siblings are not placed together, documentation is required to explain why they were separated and regular contact between the siblings is established. Per the settlement agreement agreed to in 2007, by the end of the fourth-year period set forth in the plan, 90 percent of children in custody shall have a visitation plan that includes at least monthly visits for siblings who are not placed together, unless there is a court order in the child’s case barring these visits. See http://www.napcwa.org/Legislative/docs/Mississippi.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** The 2007 settlement agreement requires that foster youth ages 14-20 have the chance to participate in the creation of an Independent Living Service plan. In addition, under the terms of the settlement agreement, Mississippi is required to ensure transitioning youth have available an adequate source of income, living arrangement, independent living stipends, health care, and education/training vouchers. Finally, it is a requirement that transitioning youth are notified at least six months prior to the end of financial, health and/or other benefits. See http://www.napcwa.org/Legislative/docs/Mississippi.pdf (last visited Feb. 6, 2012).

Missouri

- **Educational Stability:** Education Reform -- Bill: SB 291; Status: Enacted; Year: 2009 -- Creates a "Foster Care Education Bill of Rights" which designates an educational liaison from each school district to each child in foster care. Establishes that each child placing agency shall promote the educational stability for foster care children when making placement decision by considering their current school attendance area.

- **Sibling Placement:** Enacted 2011: HB 431, HB 604 Requires the children's division to make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the children's division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the

- **Relative Notification**: 2009 HB 154 Requires the state to make diligent efforts to contact and locate the grandparents of a child for emergency placement, except when the children's division determines this to not be in the best interest of the child. Defines "diligent efforts" to include a good faith attempt documented in writing by the children's division, which exercises reasonable efforts and care to utilize all available services and resources related to meeting the ongoing health and safety needs of the child, to locate a grandparent or grandparents of the child. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012).

- **Extension of Care**: A youth may stay in care until 21, if the youth wants it, the family team makes a recommendation to the court, and the court is in agreement. See http://www.napcwa.org/Legislative/docs/Missouri.pdf (last visited Feb. 6, 2012).

- **Transition Plan**: Transition plan for children aging out of foster care has had extensive focus and programming in Missouri. Missouri starts working with youth at age 14 and has implemented the Federal 90 day requirement. There are different levels of transition planning which become more intensive as the youth gets older. The Family Support Team Guide and Individualized Action Plan tool is utilized extensively in this planning. Missouri’s program targets children who are likely to remain in foster care until 18 years of age or older, helping them to make the transition to self sufficiency through formal life skills training and education, training and services necessary to obtain employment. The program provides personal and emotional support to children aging out of foster care through mentors and the promoting of interactions with dedicated adults. Financial, housing counseling, employment, education and other appropriate support services are provided to former foster care recipients between 18 and 21 years. In the Transitional Living Program (TLP) program a youth moves from a structured family or residential setting to group home and apartments, or lives with an advocate in order to facilitate his or her move to adult independence. Youth in TLP typically have the permanency goal of Another Planned Permanent Living Arrangement (APPLA). This program provides oversight and supervision to ensure the transition to self-sufficiency is successful. See http://www.napcwa.org/Legislative/docs/Missouri.pdf (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance**: Missouri's Federal IV-E plan amendment for the Guardianship Assistance Program has been approved. See http://www.fosteringconnections.org/resources/approaches?story_id=0126 (last visited Feb. 6, 2012).

**Montana**

- **Extension of Care**: Foster care payments end when the child reaches the age of 18, unless extended with approval by the Division Administrator. Mont. Code Ann. §52-2-603 allows CFSD to make out-of-home placement payments for youth to age 21 if the youth
remains in substitute care and funding is available. A youth must enter into an agreement with CFSD to remain in care and to stay in school. See http://www.napcwa.org/Legislative/docs/Montana.pdf (last visited Feb. 6, 2012).

- **Relative Notification**: Begins with a family identification meeting that occurs within three days after a child’s removal in those regions where family identification meetings are available. Montana also uses its Family Group Decision Making process to notify and locate relatives on an ongoing basis. The CFSD adopted policy related to diligent search for relatives and notification of identified relatives within 30 days of placement. Currently, Montana identifies relatives by asking the parents and expands its search by asking other relatives as they are located. There is significant focus on family finding efforts and increased use of kin placements. See http://www.napcwa.org/Legislative/docs/Montana.pdf (last visited Feb. 6, 2012).

- **Sibling Placement**: Case files must document in the child’s case plan whether the child is placed with siblings and explain why siblings are separated. Updated information is required for each Foster Care Review Committee (FCRC) meeting. Due to the limited number of foster homes in some communities and the vast area the state covers, when siblings are not placed together in some instances it can mean they are seventy to one-hundred miles apart. Because of this, special recruitment efforts are made to find foster families to reunify separated siblings and take large sibling groups. Montana’s foster home licensing standards allow for an exception to be granted on the number of children for whom a family may be licensed if the exception is needed to prevent separation of a sibling group. See http://www.napcwa.org/Legislative/docs/Montana.pdf (last visited Feb. 6, 2012).

- **Transition Plan**: Must be developed for youth in foster care at age 16 or within 60 days of placement for youth 16 or older upon entering care. Youth age 13 to 15 years of age and their foster care providers complete a life skills assessment. The results are used to identify the youth’s strengths and needs and provide a framework for the foster care provider to work with the youth. All youth age 16 and older must be referred to the Montana Foster Care Independence program and have a written Transitional Living Plan (TLP). These TLPs identify the programs and services to be offered to the youth—updates to the plan must to occur at least every six months in conjunction with the FCRC meeting or more often if needed. Youth participate in these meetings to develop or update his or her plan. Beginning in April, 2008 CFSD replaced the contracted delivery of these services with CFSD transitional living specialists (TLS) who work closely with the youth. The TLS’s utilize the Ansell Casey Life Skills Assessment in working with the youth to develop the youth’s transitional living plan. Chafee funds are used when applicable and appropriate. The approach is youth and family centered. Youth Centered Meetings are scheduled as needed to help youth identify their needs, personal goals, independent living goals and available resources. In addition, the Youth Centered Meetings provide an excellent avenue to include youth in the decision-making about his/her life/case planning. See http://www.napcwa.org/Legislative/docs/Montana.pdf (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance**: Montana's previous subsidized guardianship waiver program, which ended in 2008, paved the way for its recently approved GAP program. A total of 96 children covered by the waiver program are grandfathered into GAP. The
program features a broad definition of kin, intended to promote permanency for children of the seven tribes with which the state is negotiating contracts.

Montana Code Ann. Sec. 41-3-444: Although Montana's new GAP features many similarities to the waiver program, in addition it extends assistance to siblings of Title IV-E eligible children, eliminates special needs criteria previously required of children in guardianships in the waiver, pays for non-recurring costs, and includes referrals to post-guardianship services. It also requires full licensure of the caregiver six months prior to guardianship, updated background checks for guardians, and educational enrollment of all participating children.

Nebraska

- **Educational stability:** Policy and procedures are in place to provide for educational placement and services that best meet the needs of the child. When a child enters out-of-home placement, DHHS notifies all relevant persons and takes action to coordinate with education agencies to enable the child to remain in the school where s/he was enrolled at the time of placement, unless remaining in that school is not in the child’s best interest. In cases where the child must be enrolled in a new school, immediate enrollment and assurance that the child's educational records follow the child is the responsibility of the DCFS. In addition to regulations and policies related to educational stability, Nebraska has made and is making other efforts to meet this need for children in care. In 2008, Nebraska Statute was amended to include the following language, which coincides with Fostering Connections:

  NE Rev. Statute 43-1313: Except as otherwise provided in the Nebraska Indian Child Welfare Act, immediately following removal of a child from his or her home pursuant to section 43-284, the person or court in charge of the child shall:
  
  (4) Require that the child attend the same school as prior to the foster care placement unless the person or court in charge determines that attending such school would not be in the best interests of the child.

*See* [http://www.napcwa.org/Legislative/docs/Nebraska.pdf](http://www.napcwa.org/Legislative/docs/Nebraska.pdf) (last visited Feb. 6, 2012).

- **Sibling Placement:** have high priority when making placements. Regulations and the Administrative Memo require placement of siblings together unless the placement would be detrimental to one or more of them. When siblings do not live together, DCFS staff must ensure that visitation or other contact is provided between the child and siblings, unless such visitation or contact is not in the best interest of one or more of the children. Plans for such visitation or contact must be developed documented in N-FOCUS the State’s electronic case management system. *See* [http://www.napcwa.org/Legislative/docs/Nebraska.pdf](http://www.napcwa.org/Legislative/docs/Nebraska.pdf) (last visited Feb. 6, 2012).

- **Transition Plan:** Follows the federal mandate that all youth age 16 and older have an Independent Living Plan (ILP), based on an individual assessment of their needs and strengths. The plan must include services, supports and programs outlined as goals and objectives to meet the youth’s needs in preparing for adulthood. The ILP is then viewed
and approved by the court in writing every six months during youth case reviews. As required under the Fostering Connections and Increasing Adoptions Act, in the 90 day period immediately prior to the date on which the youth turns age 19 (the age children exit the placement system in Nebraska), staff must assist and support the youth in developing a transition plan. These plans must be personalized at the direction of the youth and must be as detailed as the youth may elect. Specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work forces supports and employment services should be included. Chafee Foster Care funds are use to provide Independent Living Services to current and former foster youth (17-21). The Education and Training Voucher (ETVs) funds are utilized for current and former foster youth age 17-23 that are pursuing a post-secondary education. Transitional living services are established to primarily serve youth 17 and 18 years of age but youth can continue to participate to age 21. These programs offer a “safety net” for those who would need this to re-establish an independent or self sufficient living situation that may not have succeeded on an earlier attempt. See http://www.napcwa.org/Legislative/docs/Nebraska.pdf (last visited Feb. 6, 2012).

• **Extension of Care:** The age of majority in Nebraska is age 19 and foster care maintenance and adoption or guardianship subsidy maintenance payments terminate at age 19. As established in State Statute, Nebraska provides assistance to eligible youth under the Former Ward Program when the youth is ages 18 through 21. In order to qualify, a youth must be a ward of the Department at the time of discharge and must be attending school (post-secondary) or training (such as vocational training). Under this Program, a youth can receive assistance with living expenses and may be eligible for Medicaid. In addition, in January 2004, DHHS received its first allotment of funds to administer the Educational Training vouchers (ETV) Program. This program provides monetary assistance to current and former foster care youth to help with post secondary expenses. The Former Ward Program offers room and board payments for eligible youth enrolled and successfully completing post secondary coursework. Youth must attend at least one class and maintain a passing grade point average in order to receive benefits. Benefits include a monthly stipend based on need (maximum of $352.00 monthly room and board). Children who are state wards or former state wards are eligible to receive benefits and other supports available through Chafee. One such benefit is the ETV program in which the youth can participate up to their 23rd birthday if they are participating in the program prior to their 21st birthday. Additional benefits may include Medicaid until age 21 for youth enrolled in the Former Ward Program. Nebraska continues to review eligibility requirement for services to offer greater opportunity to young people to be independent, while offering connections to people and resources that enhance their chances of being successful. See http://www.napcwa.org/Legislative/docs/Nebraska.pdf (last visited Feb. 6, 2012).

• **Relative Notification - 2011 LB177** Establishes that the Department of Health and Human Services shall identify, locate, and provide written notification of the removal of the child from his or her home, within thirty days after removal, to any non-custodial parent and to all grandparents, adult siblings, adult aunts, adult uncles, adult cousins, and adult relatives suggested by the child or the child's parents, except when that relative's history of family or domestic violence makes notification inappropriate. When out-of-home care is necessary, placement with an adult relative is always the first consideration. If a
relative is not available, persons known to the child or family are considered to sustain connections for the child. The Nebraska Family Policy Act is clear that preference must be given to relatives for permanent placement of a child who cannot be reunited with a parent. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-relative-notification.aspx (last visited Feb. 6, 2012); http://www.napcwa.org/Legislative/docs/Nebraska.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** 2011 LB 177 Determines that when a child placed in foster care turns sixteen years of age or enters foster care and is at least sixteen years of age, a written independent living transition proposal shall be developed by the Department of Health and Human Services at the direction and involvement of the child to prepare for the transition from foster care to adulthood. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance:** Nebraska's Federal IV-E plan amendment for the Guardianship Assistance Program has been approved. See http://www.fosteringconnections.org/resources/approaches?story_id=0128 (last visited Feb. 6, 2012).

**Nevada**

- **Sibling Placement:** Nevada statute mandates siblings be placed together when in the best interest of the child. In addition, in the 2007 legislative session, Assembly Bill 147 prohibited the placement of children under the age of six from entering a congregate care facility, unless the child is part of a sibling group, no other foster care is available or is necessary due to medical reasons. Nevada places a special emphasis on sibling placement and has included legislative exemptions to keep siblings together. The state also recruits foster parents that will take larger sibling groups. Clark County has a specialized placement team to keep siblings together. See http://www.napcwa.org/Legislative/docs/Nevada.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** The State Youth Plan for Independent Living Policy requires that youth age 15 and over in out-of-home care must have a plan for transitioning to independent living, which is in addition to the case plan. If the youth comes into custody after age 15, the plan must be completed within forty-five days. Independent living services are afforded to all youth in care regardless of the permanency goal or physical placement. The policy requires that a transitional plan must be completed six months prior to the youth exiting the child welfare system. See http://www.napcwa.org/Legislative/docs/Nevada.pdf (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance:** Kinship Guardianship (2011) -- Bill: AB 110 Chapter 121; Status: Enacted; Year: 2011 -- Requires the Department of Health and Human Services to establish and administer the Kinship Guardianship Assistance Program in accordance with the Federal law to provide assistance to a relative of a child who is seeking appointment as the legal guardian of the child under certain circumstances.
New Hampshire

- **Educational Stability**: New Hampshire currently has two educational specialists for all children in foster care. The Education specialists work directly with the agency on cases that have issues regarding education. They consult on any educational issues as well as train the field staff on all laws and policies regarding education and special education on a consistent basis. New Hampshire is currently working on an educational passport for children in care. This project has two intended outcomes. The first is that the child’s educational records are up to date, accurate and easily accessible to the student and school no matter where he or she may be living. Second, credits will be transferable and uniform across school districts and private special educational programs when children may be placed in a residential treatment facility. See http://www.napcwa.org/Legislative/docs/NewHampshire.pdf (last visited Feb. 6, 2012).

- **Relative Notification**: New Hampshire has always notified known relatives about a child coming into care. The state has recently drafted a new notification letter and form to assisted social workers’ outreach. The revised tools/forms specifically identify and notify all adult relatives of children in care. These forms are designed to be completed by the assessment workers, for all cases, even for those not in need of imminent placement. See http://www.napcwa.org/Legislative/docs/NewHampshire.pdf (last visited Feb. 6, 2012).

- **Sibling Placement**: 2006 N.H. Laws, SB 395, Chap. 92. Allowed licensed foster homes to exceed the maximum limit of six children if receiving one or more siblings and if the family is willing and able to take the children. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-sibling-placement.aspx (last visited Feb. 4, 2012).

- **Sibling Placement**: The state requires that siblings be placed together whenever possible as a best practice and to maintain sibling groups in foster care and adoption unless it is contrary to their safety and well being. If the children are not placed together, DCYF makes reasonable efforts to ensure that the siblings maintain connections to each other through frequent visitation and ongoing interaction. The placement of siblings practice is in effect when recruiting for foster/adopt families. See http://www.napcwa.org/Legislative/docs/NewHampshire.pdf (last visited Feb. 6, 2012).

- **Transition Plan**: Adult preparation begins at age 14 for youth in foster care. Teens are encouraged to actively participate in the Adult Living Preparation Process. Each young person receives information about community and transitional resources available to them when they exit care. Youth in care have the opportunity to complete Teen Independent Living documentation including their Needs Assessment, Skills Assessment, Adult Living Plan (ALP) and if they are 17 or older, their Aftercare Plan. Each of these assessments and the plan are reviewed and updated regularly to help monitor progress and to ensure the youth’s needs are met. See http://www.napcwa.org/Legislative/docs/NewHampshire.pdf (last visited Feb. 6, 2012).
New Jersey

- **Educational Stability:** Bill: N.J.S.A. 30:4C-26b; Status: Enacted; Year: 2010 – Requires that a child placed in a resource family home, for an initial or subsequent placement, should remain in the school he/she attended prior to placement if in the child's best interest.

- **Kinship Guardianship Assistance:** Kinship Care -- Bill: AB 707; Status: Pending; Year: 2010 -- Requires that the Commissioner of Human Services, through the Kinship Navigator service in the Department of Human Services, ensures that information about federal and State benefits is made available to persons providing kinship care.

- **Relative Notification:** New Jersey already has a 30-day requirement in place. New Jersey attempts to contact relatives in person, and if that is unattainable, the state sends a letter. New Jersey operates under a broad definition of “relative” as it includes any potential caregiver identified by the child’s birth parents as a “relative.” In many cases, New Jersey’s Kinship Navigator Program places greater precedent on the family-identified party than on biological relatives when reaching out to him/her as a possible guardian. See [http://www.napcwa.org/Legislative/docs/NewJersey.pdf](http://www.napcwa.org/Legislative/docs/NewJersey.pdf) (last visited Feb. 6, 2012).

- **Sibling Placement:** New Jersey’s efforts to maintain sibling connections have grown significantly in recent years. The state places a particular recruiting focus on foster care/adoptive families prepared to take siblings, and those strongly suited toward multiple children are recorded in the state system. See [http://www.napcwa.org/Legislative/docs/NewJersey.pdf](http://www.napcwa.org/Legislative/docs/NewJersey.pdf) (last visited Feb. 6, 2012).

- **Transition Plan:** The state already operates a transition assistance program for youth in foster care. The efforts revolve around moving the child in to an independent living environment, and assistance is provided collaboratively. A caseworker, a private agency, and any individuals instrumental in the youth’s life assist the child in creating the transition plan. Medicaid is extended to age 21 if the child is in care on his/her 18th birthday. See [http://www.napcwa.org/Legislative/docs/NewJersey.pdf](http://www.napcwa.org/Legislative/docs/NewJersey.pdf) (last visited Feb. 6, 2012).

New Mexico

- **Educational Stability:** New Mexico requires caseworkers to actively participate in educational planning as part of court ordered case plans. Additionally, the state connects foster care youth who have dropped out to GED courses in their communities. Caseworkers work with educational professionals and caregivers to ensure educational services are appropriate and that they are delivered effectively. Starting July 1, 2009, at the court hearing the state agency will be required to describe efforts taken on behalf of the child’s education. New Mexico is looking for additional federal guidance on this provision. See [http://www.napcwa.org/Legislative/docs/NewMexico.pdf](http://www.napcwa.org/Legislative/docs/NewMexico.pdf) (last visited Feb. 6, 2012).

- **Sibling Placement:** The state’s Adolescent & Adoption Resource Team (AART) works with caseworkers to ensure connections with siblings are not only maintained, but also
encouraged and facilitated. Policy and procedure promotes the maintenance and development of these relationships. Additionally, State law was recently amended to allow for open adoption agreements for siblings. This provides a court ordered agreement describing ongoing contact for sibling placed separately. See http://www.napcwa.org/Legislative/docs/NewMexico.pdf (last visited Feb. 6, 2012).

- Transition Plan: Between the ages of 15½ and sixteen, youth in foster care participate in a formal assessment of their independent living skills. A transitional living plan must be developed by age 16. The plan is included in every court hearing and is updated to reflect the needs of the youth. New Mexico has a Youth Services Bureau that includes eight Youth Services Consultants. These consultants and caseworkers aid youth in foster care to develop life skills and to connect them with education, employment, medical/mental health services, and other services to aid them in their transition to adulthood. The AART also reviews cases of all transitioning youth with staff to ensure that transition issues are being addressed in a timely manner. The reviews occur every 60 days until the youth ages out. One piece the state is excited about is looking at the possibility of youth safely reconnecting with their biological family, which is included as one of the state’s Program Improvement Plan goals. See http://www.napcwa.org/Legislative/docs/NewMexico.pdf (last visited Feb. 6, 2012).

  - Children's Code -- Bill: SB 248, Chap. 239; Status: Enacted; Year: 2009 -- Includes in the New Mexico Children's Code that prior to the foster child's 18th birthday the court shall review the transition plan and determine whether the department has made reasonable efforts to have a complete transition plan for the youth.

- Tribes (2011) -- Bill: HJM 8; Status: Pending; Year: 2011 -- A Joint Memorial bill requesting that the children, youth and families department, the human services department and the Indian affairs department identify key staff persons to provide technical assistance and support to the Navajo Nation in developing a foster care and subsidized adoption program plan.

New York

- Educational Stability: New York amended their state regulations to clarify the educational stability provision, requiring counties to have foster children remain in their school of origin where possible and coordinate with the child’s local school district to obtain records. Additionally, children must attend school full-time unless they have a medical condition. See http://www.napcwa.org/Legislative/docs/NewYork.pdf (last visited Feb. 6, 2012).

- Relative Notice: State law already requires counties to exercise due diligence to identify relatives when a child is removed from the home. The emergency regulations expand state language to recognize the importance of relatives being notified with the exception of those who have a history of domestic violence. See http://www.napcwa.org/Legislative/docs/NewYork.pdf (last visited Feb. 6, 2012).
• **Sibling Placement**: To encourage strong sibling connections, New York immediately places siblings together once they enter into care whenever appropriate.  See http://www.napcwa.org/Legislative/docs/NewYork.pdf (last visited Feb. 6, 2012).

• **Transition Plan**: Under the transitional plan for youth aging out, New York’s regulations were amended to require that case planning for the foster child must commence 180 days prior to the child’s 18th birthday or scheduled discharge date and the transition plan must be completed 90 days prior to the scheduled discharge date. Moreover, youth must give voluntary consent to remain in care past age 18.  See http://www.napcwa.org/Legislative/docs/NewYork.pdf (last visited Feb. 6, 2012).

• **Funding**: Education, Labor, and Family Assistance Budget -- Bill: AB 153, Chap. 53; Status: Enacted; Year: 2009 -- Makes appropriations for the support of government - Education, Labor and Family Assistance Budget, including appropriations for developing and implementation of a new subsidized kinship guardianship program consistent with the federal fostering connections to success and increasing adoptions act of 2008.

• **Kinship Guardianship Assistance**: Bill: AB 9708; Status: Enacted; Year: 2011 -- Establishes a kinship guardianship assistance program and determines that a child is eligible for kinship guardianship assistance payments if the child has been in foster care for at least six consecutive months in the home of the prospective relative guardian and the child being returned home or adopted are not appropriate permanency options for the child.

• **Implementation of the Federal Fostering Connections**: Bill: SB 3867; Status: Pending; Year: 2009-- Relates to implementation of Fostering Connections with respect to subsidized kinship guardianship, educational stability, transition plans and sibling visitation and contact.

• **Extension of Care**: New York's Federal IV-E plan amendment for extension of care up to age 21 has been approved.  See http://www.fosteringconnections.org/resources/approaches?story_id=0135 (last visited Feb. 6, 2012).

**North Carolina**

• *We didn’t find anything noteworthy.*

**North Dakota**

• **Relative Notification**: 2009 HB 1094, Chap. 267 Determines that within thirty days after the removal of a child from the custody of the parent or parents of the child, due diligence to identify and provide notice to all parents, grandparents, and any other adult relative suggested by the parents and grandparents, shall be exercised.

• **Extension of Care**: 2011 SB2192 Chap. 227  Relates to the disposition of a child needing continued foster care services after the age of eighteen and under the age of twenty-one

• Transition Plan: 2009 HB 1044 Chap. 415 Requires the Department of Human Services to develop or contract for a program providing services to transition-aged youth at risk. Identifies services, including individualized assessments, coordinated services, self-advocacy training, vocational rehabilitation, in-home support and independent living skills training. Provides the use of a wraparound planning process. Appropriates funds from the general fund for the program and pilot project. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx (last visited Feb. 6, 2012).

• Sibling Placement: Foster Care Sibling Placement -- Bill: HB 1094, Chap. 267; Status: Enacted; Year: 2009 -- Relates to placement of siblings in foster care and a guardian's duty to exercise due diligence to identify and provide notice to all potential relative caregivers.

Ohio

• Transition Plan: Local Public Children Services Agencies (PCSA) conduct life-skills assessments for each youth in substitute care who has attained the age of 16 or whom the state feels is ready to receive independent living services. The assessment is based on an objective tool completed by the youth. The state requires documentation of the youth’s input, as well as the input of the caregiver and case manager. The assessment must be completed no later than 90 days after the youth turns 16 or 90 days after an older youth has entered custody. This plan outlines the responsibilities of the youth and the agency and is signed by both parties. See http://www.napcwa.org/Legislative/docs/Ohio.pdf (last visited Feb. 6, 2012).

• Sibling Placement: Ohio Administrative Code Rule 5101:2-42-05 "Selection of a Placement Setting" currently requires agencies to place with relatives or familiar non-relatives, as well as placing siblings together unless it is not in the child's best interest. Below are applicable paragraphs in the rule regarding these provisions:

(A) When a child cannot remain in his or her own home, the public children services agency (PCSA) or private child placing agency (PCPA) shall explore both maternal and paternal relatives regarding their willingness and ability to assume temporary custody or guardianship of the child. Unless it is not in the child’s best interest, the PCSA or PCPA shall explore placement with a non-custodial parent before considering other relatives.

(B) If a suitable relative is not available to assume temporary custody or guardianship, the PCSA or PCPA shall explore placement with a suitable nonrelative who has a relationship with the child and/or family.
(C) The PCSA or PCPA shall only place children in substitute care settings that are licensed, certified or approved by the agency of the state having responsibility for licensing, certifying or approving facilities of the type in which the child is placed or in homes of relatives or nonrelatives approved by the PCSA or PCPA in accordance with rule 5101:2-42-18 of the Administrative Code.

(D) The PCSA or PCPA shall attempt to place siblings in the same home unless it is not in the child’s or siblings’ best interest.


Oklahoma

- **Sibling Placement:** 2009 SB339 Chapter 160 Requires the Department to make reasonable efforts to place any siblings in state custody together and provide for frequent visitation or other ongoing interaction in the case of siblings who have been removed and who are not placed together.

- **Relative Notification:** 2009 SB339 Chapter 160 Requires the court, at the emergency custody hearing of the child, to mandate the parent, legal guardian, or custodian to list all parents and relatives as potential placements for the child. Requires the Department to exercise due diligence to identify all relatives of the child and notify them that the child has been removed from their parent's custody and alert them to the requirements to becoming a potential foster care provider for the child.

Oregon

- **Educational Stability:** Oregon has a state law that states that children in foster care, retain dual residency if they are placed in a new school district. The state provides transportation or reimburses transportation costs so the children can continue to attend the school in which they were enrolled prior to placement. Additionally, there are other rules requiring that school records are expedited if the child does transfer to a different school. Finally, Oregon reports to the court on the educational status and outcomes for children in their care. It is important to note that, while Oregon is committed to ensuring educational stability for children in foster care, this commitment has cost much more than originally anticipated. Children who are placed in foster care are able to remain in the school they were attending prior to entering foster care, even if they no longer live in that school's catchment area. So for purposes of school placement, they remain 'residents' of the school area in which they lived prior to being placed in foster care. See http://www.napcwa.org/Legislative/docs/Oregon.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** All Oregon youth 16 or older must have a comprehensive transition plan. Some caseworkers may require a comprehensive transition plan at age 14. These plans must address health, education and housing issues in addition to community and relative supports. Oregon has found that youth decision meetings work best with a trained facilitator; however, facilitators cost money and especially during these difficult financial times, it is hard to provide facilitators. See http://www.napcwa.org/Legislative/docs/Oregon.pdf (last visited Feb. 6, 2012).
• **Sibling Placement:** 2007 Ore. Laws, SB 414, Chap. 806. Recognized the importance, as a matter of state policy, of a child’s relationship with parents, siblings and other relatives. Required the Department of Human Services to make diligent efforts to place siblings together when siblings are removed and placed out of home unless such a placement is not in the best interests of the children. Required that the department report to the court efforts to place siblings together. Required that the court must enter findings that address whether the department has made diligent efforts to place children with siblings, the number of placements made, the schools attended, face-to-face contact with the assigned caseworker and visits with parents and siblings, and whether the frequency was in the best interests of the child. In addition, the report must include, for a child age 14 or older, whether the child is progressing toward graduation and if not what efforts have been made to assist the child in graduating. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-sibling-placement.aspx (last visited Feb. 4, 2012).

• **Kinship Guardianship Assistance: **Oregon's State Plan amendment for the Guardianship Assistance Program (GAP) was approved in July 2010 and will cover eligible children beginning January 2011. The program builds on the state's federal child welfare waiver that allowed eligible children living with relatives and those residing with non-relatives with a significant emotional relationship, to exit foster care for guardianship when they could not return home or be adopted. The GAP program is seen as a way to extend a more stable permanency arrangement for youth for whom adoption and return home were not assessed as appropriate permanency goals.

Oregon's decision to move forward with a state plan amendment for GAP hinged in part on the ability to keep children for whom adoption is not an appropriate option connected to their extended family and kin. Oregon has also taken steps to strengthen relative placement practices for substitute care and permanency, to include broadening the Administrative Rule definition of a relative. The expanded policy definition includes blood relatives, those who had an emotionally significant relationship with the child before they came into state custody, and foster parents with whom the child has resided at least 12 months when there is documentation that there are compelling reasons why adoption is not possible and a Permanency Committee has recommended the foster parent as a guardian. This definition also ensures that tribal definitions of relative are incorporated into the policy and that all the children who were eligible for guardianship under Oregon's waiver will continue to be covered in the federal program. Siblings who would otherwise be ineligible are also able to fall under the Oregon GAP provided they are placed in the guardianship with an otherwise eligible child. Oregon is not able to offer guardianship to non Title IV-E eligible children at this time.

At the same time Oregon was implementing its GAP program, there was an initiative to restructure and raise foster care rates. This initiative included the addition of a Child and Adolescent Needs and Strengths (CANS) assessment for indicated children that could result in an additional enhanced supervision rate to foster parents for management of extraordinary behavioral issues. Rate Redesign, as it has been called, impacted adoption assistance (AA) and guardianship assistance rates. GAP design and Rate Redesign
provided a good opportunity to bring Oregon's adoption and guardianship assistance practices into better alignment with each other and with federal regulations for negotiation of subsidy assistance up to the amount of foster care the child would receive. Alignment included offering the CANS assessment for initial negotiation and renegotiation of AA and GAP, up until the time a child turns 18. Oregon has also written its GAP policies to make guardianship assistance agreements consistent with the federal language requiring states to offer families up to $2,000 for the legal and other non-recurring costs associated with establishing a guardianship. See http://www.fosteringconnections.org/resources/approaches?story_id=0116 (last visited Feb. 6, 2012).

- **Extension of Care**: Oregon's Federal IV-E plan amendment for extension of care up to age 21 has been approved. See http://www.fosteringconnections.org/resources/approaches?story_id=0158 (last visited Feb. 6, 2012).

**Pennsylvania**

- **Educational Stability**: The state issued guidance on McKinney-Vento stating that children waiting for foster care placement are afforded opportunities to remain in the same school district; there is a transportation component to these guidelines as well. These guidelines are being updated to include all children in placement. Simultaneously, a screen is being developed to help workers pay additional attention to educational stability. There is some concern that transportation costs may increase.

- **Educational Stability (Philadelphia School District)**: If a child is placed in a foster home within 1.5 mile radius of school or origin, the foster parent is responsible for transportation to school and eligible for reimbursement. If placed further from school of origin, the School District pays for transportation either through bussing or public transportation. See http://www.fosteringconnections.org/resources/approaches?story_id=0145 (last visited Feb. 6, 2012).


- **Kinship Guardianship Assistance**: In 2009, the Pennsylvania Department of Public Welfare’s Office of Children, Youth and Families received approval from the federal government for its state plan amendment for the Kinship Guardianship Assistance Program (GAP). Pennsylvania previously ran a state program, called Subsidized Permanent Legal Custodianship (SPLC), which will now be able to claim Title IV-E funding to support children who move to permanent homes with relatives as of April 1, 2009.

Pennsylvania was one of three states whose state plan amendment was approved in the
first half of 2009. The state worked diligently to ensure that its program and policy requirements were consistent with the federal law. This required refining their guardianship agreement, as well as developing a comprehensive policy bulletin to guide local implementation. One area that required attention was the federal requirement for a child to live in a caregiver’s home for six consecutive months prior to establishing guardianship, which had not been a requirement for their state program. Pennsylvania’s federal GAP program also uses a stricter definition of relative than their state program. Families who do not have a blood relationship to the child – as well as those who are not Title IV-E eligible – can still be covered for SPLC under the state program.

Pennsylvania officials also wanted to ensure that benefits for the guardianship option are not more generous than those available for adoption. They carefully reviewed the benefits of both SPLC and adoption to ensure that adoption continues to be a meaningful option for children, youth, and families when reunification has been ruled out. The subsidies for guardianship adoption are consistent with what a child received while in foster care.

Pennsylvania will monitor local implementation of GAP as part of its overall approach to promoting permanency for youth in foster care. Their new continuous quality improvement (CQI) system will include interviews with families to ensure they felt they had all the information they needed to make an informed decision about permanency options. This CQI system will be piloted in several counties this year and be refined for statewide implementation in the future. See http://www.fosteringconnections.org/resources/approaches?story_id=0043 (last visited Feb. 6, 2012).

**Rhode Island**

- **Kinship Guardianship Assistance:** Following the passage of the Fostering Connections Act, Rhode Island was the first state to receive an approved state plan amendment for the federal guardianship assistance program (GAP). The state had a program dating back to 1994, but had been recently working to revise its state policy to promote greater use of the guardianship option statewide. When the Fostering Connections Act became law, there was statewide agreement that opting into the federal program made sense given the increased emphasis on permanency, particularly for older youth.

The state program had been funded with state dollars for non relatives and with the TANF child only subsidy for relatives. The state can now claim Title IV-E for all eligible children beginning January 2009. An important issue for Rhode Island consideration was the definition of kin. The state has a kinship policy that broadly defines kin to include any individual, such as a godparent, caretaker, close family friend, neighbor, clergy or other adult who has a close and caring relationship with the child. Thus, the State wanted to be sure the federal program would be consistent with this definition. The state plan amendment was approved with the broader definition of kin that the state was seeking. See http://www.fosteringconnections.org/resources/approaches?story_id=0046 (last visited Feb. 6, 2012).
South Carolina

- **Extension of Care:** State dollars have been used to support about 500 youth over 18 every year and federal assistance will be a welcome supplement. If the youth have to be in state custody or in a licensed setting as required currently for IV-E eligibility, this could be a stumbling block. In this regard, the Administration for Children and Families (ACF) program instructions will be critical. At age 18 youths must sign a voluntary agreement to continue to receive support services as technically they are adults. Youth between ages 18 and 21 who choose to exit the state program can come back within a year and will receive services, but again must sign a voluntary agreement with the state. South Carolina was one of the first states to provide Medicaid for former foster care youths to age 21. Adult Services program is available to vulnerable adults who have been abused or neglected. Generally this program serves the elderly. However, South Carolina has noticed a trend of former foster care youths with severe emotional or physical disabilities who need additional preventive services. See http://www.napcwa.org/Legislative/docs/SouthCarolina.pdf (last visited Feb. 6, 2012).

- **Relative Notification:** SCDSS employees are required to search for appropriate relatives through due diligence search efforts. The South Carolina statute allows for kinship care. The statute provides that information such as placement and licensing options should be provided to relatives. Policy will be implemented to ensure staff will send out the thirty day notification as required under the act. See http://www.napcwa.org/Legislative/docs/SouthCarolina.pdf (last visited Feb. 6, 2012).

- **Sibling Placement:** Foster Care and adoption policies require that siblings be placed together whenever possible. Within 30 days of siblings being placed separately, a staffing must be conducted to develop a plan for reunification if appropriate. If siblings are separated, arrangements must be made for visits and/or contacts if it is in the children’s best interest. South Carolina conducts local qualitative reviews of the counties. See http://www.napcwa.org/Legislative/docs/SouthCarolina.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** Child welfare funds are blended with housing authority program funds to cover transitional housing costs and provide services, which include educational services, employment assistance and therapeutic counseling. Planning is in place at least six months prior to the youth’s eighteenth birthday. Waiting until ninety days prior to exiting care does not allow sufficient time for adequate planning. South Carolina will be implementing policy to insure that a transitional planning meeting, though not the first one, takes place in compliance with the federal timeframe. Independent living services are initiated at age 13. See http://www.napcwa.org/Legislative/docs/SouthCarolina.pdf (last visited Feb. 6, 2012).

South Dakota

- **Kinship Guardianship Assistance:** South Dakota's Federal IV-E plan amendment for the Guardianship Assistance Program has been approved. See http://www.fosteringconnections.org/resources/approaches?story_id=0127 (last visited Feb. 6, 2012).
Tennessee

- **Educational Stability**: DCS has fifteen regional education specialists who work closely with school systems to ensure that each child remains in his/her current school if possible. These specialists advocate for education stability at Child and Family Team meetings in addition to providing training to family service workers on this need. If remaining in the same school is not in the child’s best interest, the child will be immediately enrolled in a new school. Family Service Workers provide, by policy, the Education Passport to the new school. The Education Passport provides the school with student information and school records from the previous school. See http://www.napcwa.org/Legislative/docs/Tennessee.pdf (last visited Feb. 6, 2012).


- **Relative Notification**: Tennessee’s policy now requires identification and notification of all adult relatives within 30 days of the child’s removal and will offer these relatives the option to become a placement resource for the child. The Department is in the process of implementing this new policy. DCS has modified the TFACTS System to incorporate the Fostering Connections Act diligent search requirements. The system will allow the user to record and track Case Recordings and dates including initial contacts, collateral contacts, attempted contacts, time of contact, and associated response time frames. The system will also provide a means for the user to document the results of the diligent search. See http://www.napcwa.org/Legislative/docs/Tennessee.pdf (last visited Feb. 6, 2012).

- **Sibling Placement**: As a result of the Brian A. lawsuit and settlement agreement, Tennessee has made considerable progress in placing siblings together when ever possible. The Department instituted a Placement Exception Review (PER) process that requires leadership to approve decisions anytime the Child and Family Team recommends that a sibling be referred to a different placement than another sibling. See http://www.napcwa.org/Legislative/docs/Tennessee.pdf (last visited Feb. 6, 2012).

- **Transition Plan**: Tennessee policy requires that all youth in care participate in the development of an Interdependent Living plan, developed in conjunction with the Permanency Plan. These plans are developed in the context of the youth's Child and Family Team and are based upon the Ansell Casey Life Skills Assessment required to be completed by all youth age 14 and up and are updated semi-annually. Additionally, the youth's team must reconvene six months prior to a youth leaving care to develop a transitional plan addressing the youth's needs and preparedness for living interdependently and to inform youth of their eligibility of available post-custody options. These plans are required by state law, developed in conjunction with the Court Improvement Plan workgroup, to be presented to the Court within three months of the youth's exit from care. See http://www.napcwa.org/Legislative/docs/Tennessee.pdf (last visited Feb. 6, 2012).

**Kinship Guardianship Assistance:** In 2009, the Tennessee Department of Children's Services received approval from the federal government for its state plan amendment for the Kinship Guardianship Assistance Program (GAP). Tennessee had been conducting a Title IV-E waiver demonstration for guardianship and was eager to convert to the federal program to sustain efforts to achieve permanency for children in foster care statewide. Approval to run a GAP program beginning April 1, 2009 will allow Tennessee to make further gains in timeliness to permanency while sharing the cost with the federal government.

Tennessee was one of three states whose state plan amendment was approved in the first half of 2009. The state will cover the cost of guardianship subsidies for children who are not Title IV-E eligible. Tennessee's program as approved by the federal government has a broad definition of relative to include kin who already have an attachment to the child, including godparents and close family friends. It will not allow them to cover guardianship subsidies for resource families who do not have a pre-existing relationship to the child, as was previously the case for children 14 and over in the waiver program. The state also received clarification about the meaning of the words six consecutive months to describe the length of time a child has to be in the caregiver's home before establishing guardianship. This was clarified in Tennessee so that any break in the caregiving arrangement has to be more than 14 days. See http://www.fosteringconnections.org/resources/approaches?story_id=0045 (last visited Feb. 6, 2012).

**Texas**

- **Educational Stability:** Educational specialists serve each of the DFPS 11 regions as well as an education policy specialist located in state office. Policy requires the use of an education portfolio (green binder) to go with the child when placements are changed. Also, DFPS amended its policy to strengthen requirements to help ensure a child is maintained in his or her school when a removal takes place or, if in care, when a placement change takes place. The education section of the Child Service Plan was amended to ask staff specifically to address education stability issues. See http://www.dfps.state.tx.us/Child_Protection/Fostering_Connections/education.asp (last visited Feb. 6, 2012).

- **Extension of Care:** 2009 HB704 Chap. 96 Adds a section to the Family Code establishing extended jurisdiction over a foster youth, if the youth requests it, after the youth’s 18th birthday. Allows a court to conduct placement review hearings for a child in the managing conservatorship of the state after the child's 18th birthday until the child's 21st birthday. 2009 SB2080 Chap. 1238 Allows the department to continue to pay the cost of foster care after a youth is age 18 until age 22. HB 1151 Chap. 1118 Extends foster care payments after a youth is age 18. See http://www.ncsl.org/issues-
Extension of Care: Texas also has an extended foster care program where older youth are allowed to voluntarily stay in care or return to care past age 18 and up to their 21st or 22nd birthday, depending on what educational goal is being pursued. The state allows youth to receive placement and support services from the state if they are taking part in certain educational activities such as high school, a high school equivalency program or a post-secondary or vocational/technical school program. See http://www.napcwa.org/Legislative/docs/Texas.pdf (last visited Feb. 6, 2012).

Kinship Guardianship Assistance: 2009 HB 1151 Chap. 1118 Develops the permanency care assistance program which will provide for the reimbursement of the nonrecurring expenses a kinship provider incurs in obtaining permanent managing conservatorship of a foster child; the program must conform to the requirements for federal assistance as required by the Fostering Connections to Success and Increasing Adoptions Act of 2008. Establishes that the department shall include training in trauma-informed programs and services in any training the department provides to foster parents, adoptive parents, kinship caregivers, and department caseworkers; the department shall pay for the training with gifts, donations, and grants and any federal money available through the Fostering Connections to Success and Increasing Adoptions Act of 2008. Extends foster care payments after a youth is age 18. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-kinship-guardianship.aspx (last visited Feb. 6, 2012).

Transition Plan: 2009 SB 983 Chap. Requires the Department of Family Protective Services (DFPS) to provide to foster children aging out of the system certain documents within 30 days before the date of discharge, including a Department of Public Safety (DPS) personal identification certificate or driver’s license, a social security card, and proof of enrollment in Medicaid, if appropriate. These documents are in addition to those already required, such as the foster youth’s birth certificate and immunization records. In addition, the bill requires the DFPS, in cooperation with the Texas Education Agency (TEA) and DPS, to develop a plan to ensure that each foster child in permanent managing conservatorship is provided the opportunity to complete a driver’s education course and to obtain a driver’s license before leaving conservatorship. 2009 HB 1912 Chap. 407 Creates the Transitional Living Service Program, to include and expand upon the existing Preparation for Adult Living program, which eases the transition from foster care to independent living by providing instruction in money management, job skills, housing and transportation for foster children aging out of the system who are at least 16 years of age. The Transitional Living Service Program will assist foster youth or alumni between ages 14 and 21 in obtaining experiential life-skills training to improve their transition to independent living. The training will be individually tailored to a youth’s skills and abilities and may include practical skills such as grocery shopping, meal preparation and cooking, using public transportation, performing basic household tasks and balancing a checkbook. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx (last visited Feb. 6, 2012).
• **Relative Notification**: Texas operates relative search and notification in a variety of ways. Texas statutes require DFPS to attempt to obtain information on relatives at the time removal is contemplated. Moreover, several statutes call for parents from whom children are removed to be given an opportunity or required by the court to complete a form listing potential relative and other fictive kinship caregivers. Additional efforts involve conducting automated searches for relatives using a variety of database systems to locate absent parents and other relatives.

Once a family is identified as a potential kinship care provider, child protective services staff are required to complete a partial written assessment of a caregiver prior to the scheduled date of the Adversary/Show Cause Hearing. This hearing is generally held 14 days after the child’s removal. During these hearings, if a judge determines that removal is warranted, the judge must require the parent or other relative before the court to complete the form listing potential relative or fictive kinship caregivers and to give DFPS locating information for any absent parent, alleged father or “other relative.” The judge is required to place the child who is the subject of the removal with a non-custodial parent or relative unless it is inappropriate or not in the best interest of the child; and Texas recently passed legislation to require DFPS to explain why it did not place with a designated relative or fictive kinship caregiver listed by a parent from whom a child is removed. To ensure that state policy regarding relative notification activities are in accordance with Fostering Connections, Texas has developed a notification letter designed to inform the child’s grandparents and other adult relatives about the child’s removal. The letter describes how relatives can become foster parents or kinship caregivers and describes the responsibilities and benefits involved with this role. See [http://www.napcwa.org/Legislative/docs/Texas.pdf](http://www.napcwa.org/Legislative/docs/Texas.pdf) (last visited Feb. 6, 2012).

• **Sibling Placement**: The state requires children in out-of-home care to be placed together, if possible. If this cannot occur, state policy prompts staff to maintain sibling contact through phone calls, emails, face to face meetings, etc. The department has management reports to track compliance of siblings being placed together. The importance of sibling connections is also emphasized when moving children into adoption. See [http://www.napcwa.org/Legislative/docs/Texas.pdf](http://www.napcwa.org/Legislative/docs/Texas.pdf) (last visited Feb. 6, 2012).

**Utah**

• **Educational Stability**: Utah implemented Fostering Connections on two fronts: logistically setting up transportation to the school of origin prior to placement and development of relationships with the school districts. See [http://www.napcwa.org/Legislative/docs/Utah.pdf](http://www.napcwa.org/Legislative/docs/Utah.pdf) (last visited Feb. 6, 2012).

• **Relative Notification**: Relatives must be notified and considered for the purpose of preferred placement of children when out-of-home placement is required. Non-relatives known to the child or child’s family who meet all foster parent licensing requirements are also considered for placement. Policy is being modified to incorporate specifications of the federal program instructions. See [http://www.napcwa.org/Legislative/docs/Utah.pdf](http://www.napcwa.org/Legislative/docs/Utah.pdf) (last visited Feb. 6, 2012).
• **Transition Plan:** Start at age 14 with an Ansell Casey Life Skills Assessment. At age 16 a transition to adult living section is incorporated into the case plan. The State believes that ninety days prior to discharge is too late for good planning. The federal requirement will be accommodated with a review of the plan within the mandated timeframe. See http://www.napcwa.org/Legislative/docs/Utah.pdf (last visited Feb. 6, 2012).

• **Sibling Placement:** 2009 HB 63 Chap. 161 Requires a court to attempt to keep sibling groups of minors together, if keeping the sibling group together is practicable and in accordance with the best interest of the minors

**Vermont**

• **Educational Stability:** DCF has collaborated with the State Department of Education to implement the educational provisions of P.L. 110-351. Under state law, the Education Commissioner designates a child’s school of origin for funding purposes. The state legislature passed the Safe Placed Students Act, which provides transportation funding so children can attend their school of origin. These funds are located in a central pool of money, which reduces jurisdictional issues to pay for transportation. See http://www.napcwa.org/Legislative/docs/Vermont.pdf (last visited Feb. 6, 2012).

• **Relative Notification:** Since January 1, 2009, DCF must notify relatives within 72 hours of a child’s first hearing. The state utilizes a variety of methods including mailed letters, phone calls and emails to notify relatives. The Act’s language requiring “all relative” notification may pose challenges to the state. It may be difficult to locate all relatives that do not live in within the child’s geographic radius, as required by the state law. See http://www.napcwa.org/Legislative/docs/Vermont.pdf (last visited Feb. 6, 2012).

• **Extension of Care:** Youth are considered legal adults at age 18, but can request DCF services up to age 22. In order to qualify for the program, youth must be in care on their 18th birthday or have spent at least five years in care from ages 12 to 18. The program is called extended care, where older youth can remain in foster care or transition to independent living and still receive services. DCF supports the living situation for the youth including incidental expenses such as computers for education. The state also extends Medicaid up to age 21 for foster youth. One component of the program is that if on their 18th birthday youth opt not to extend services, they can come back into the system at any time between ages 18 to 22. See http://www.napcwa.org/Legislative/docs/Vermont.pdf (last visited Feb. 6, 2012).

• **Sibling Placement:** Vermont’s policy and practice places sibling groups together whenever possible and if it is in the best interest of the child. The state legislature passed the Juvenile Judicial Proceedings Act that focuses on keeping sibling connections. Vermont has strong statutes and success at maintaining sibling connections. See http://www.napcwa.org/Legislative/docs/Vermont.pdf (last visited Feb. 6, 2012).

• **Transition Plan:** Vermont begins foster care transition plans at age 16 and follows the Chafee guidelines regarding these policies. The state contracts with private agencies to work with youth to form transition plans. The agencies link youth to independent living
coordinators, which offer transition services. Youth actively participate in the transition planning and play a vital role in determining their future. Although children age out of foster care at 18, youth age 18 to 22 can elect to receive voluntary services described in this document previously. See http://www.napcwa.org/Legislative/docs/Vermont.pdf (last visited Feb. 6, 2012).


**Virginia**

- **Educational Stability**: Legislation was passed by 2005 General Assembly mandating the LDSS and local school districts to consider if it is in the best interest of the child to continue attending his/her current school when his/her foster care placement changes. See http://www.napcwa.org/Legislative/docs/Virginia.pdf (last visited Feb. 6, 2012).

- **Educational Stability**: Virginia law requires that the principal and superintendent be notified of a child’s enrollment in their school within 72 hours of placement; if the documents necessary for the child’s enrollment are not immediately available, the child can be immediately enrolled and the agency has 30 days to provide them to the school. Parental permission is not needed to transfer the child’s records from the school of origin. Virginia Code 22.1-3.4(A); 22.1-289; 63.2-900(D).

- **Relative Notification**: A child’s relative must be notified within 30 days of the child’s placement in foster care. The notification must include: a request for assistance in locating other family members who are willing to be involved in the child’s life and who may be considered as possible placements for the child; an invitation to family members to discuss the possibility of becoming a foster/adoptive or resource family for the child; and contact information for the agency staff responsible for response. Diligent efforts are required to locate and assess relatives as a foster home placement. After an appropriate caregiver is located, continued notifications are required if such notifications are in the best interest of the child, including planned placement changes or relocation of foster parents. See http://www.napcwa.org/Legislative/docs/Virginia.pdf (last visited Feb. 6, 2012).

- **Sibling Placement**: Addressed in statute, regulations and policies that align with the federal requirements. The 2008 General Assembly amended the Code of Virginia (the Code) to strengthen sibling rights and visitation in statute. The Code requires all reasonable steps be taken to place siblings together in the same foster home, and when siblings are placed in separate foster homes, a plan must be developed to encourage frequent and regular visitation or communication between the siblings, unless such visitation is not in the best interest of the child. Courts are authorized to grant visitation rights to siblings of any child in foster care. State policy reinforces the legislation and further requires that the visitation plan identify who is responsible for ensuring the
visitation or communication occurs and justifying any limitations. Communications may include face to face visits, telephone calls, or email correspondence. See http://www.napcwa.org/Legislative/docs/Virginia.pdf (last visited Feb. 6, 2012).

- **Transition Plan:** Major component of the Children’s Services System Transformation. The 2008 General Assembly amendments to the Code define “independent living services” as a component of foster care and require LDSS and licensed child placing agencies (LCPA) to address the independent living needs of youth beginning at age 14. The service plan must describe the child’s needs and goals in the areas of counseling, education, housing, employment, the development of money management skills, and access to essential documents, along with other specific independent living services that will be provided. Section 63.2-905.1 requires LDSS and LCPA to provide for the resumption of independent living services for any youth who leaves foster care at age 18 and subsequently returns within 60 days to request such services. Virginia is exploring extending this period to 6 months. LDSS are primarily responsible for providing independent living services to youth, ages 14 to 21 years old. The local Comprehensive Services Act (CSA) teams are responsible for planning and funding additional services for youth not covered by the Chafee Foster Care Independence Program (CFCIP) funds. Together, LDSS and CSA teams ensure that youth in foster care are provided with the services needed to enhance their transition into adulthood. Youth who are receiving independent living services may continue to receive Medicaid coverage until the age of 21. See http://www.napcwa.org/Legislative/docs/Virginia.pdf (last visited Feb. 6, 2012).

**Washington**

- **Education Stability:** Requirements are in alignment with the Braam law suit (http://www.braampanel.org/). Washington is in the process of developing agreements with school districts that have foster youth enrolled (there are 295 school districts in Washington) to ensure children can remain in their home school. In addition, Washington has developed agreements between the Children’s Administration and the Office of Superintendent of Public Instruction for electronic data exchange to evaluate the progress of foster youth in public schools. The information is de-identified, so individual students’ progress cannot be tracked in this way. See http://www.napcwa.org/Legislative/docs/Washington.pdf (last visited Feb. 6, 2012).

- **Relative Notification:** Notice of placement on both the mother’s and father’s side is required practice in Washington. At the initial shelter care hearing, the court generally requires the parents to provide the names of relatives if they have not already done so. Further efforts to identify relatives are made at Family Team Meetings. These efforts are recorded in SACWIS. In the future it is anticipated that SACWIS will launch or trigger the sending of notification to relatives. The state does not currently notify relatives who cannot offer placement or support to the child (i.e., those who are very ill, significantly disabled, in prison or with a disqualifying criminal history) and is concerned that this may be a requirement of diligent efforts. Expanding notification beyond those identified by the parents to all possible relatives could generate a large number of relatives for each child and become a great challenge. See http://www.napcwa.org/Legislative/docs/Washington.pdf (last visited Feb. 6, 2012).
• **Sibling Placement**: 2009 Wash. Laws, HB 1938, Chap. 234 Directed the court reviewing and approving an adoption agreement to encourage consideration of providing a post-adoption contact between siblings who will be separated by the adoption. Required the court to inquire of attorneys and guardians ad litem (GALs) representing children in adoption and other custody matters about the potential benefit of continuing contact between siblings and the potential detriment of severing contact. Required the pre-adoption home study report to verify that discussions with adoptive parents included the relevance of sibling relationships. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-sibling-placement.aspx (last visited Feb. 4, 2012).


• **Transition Plan**: 2009 HB 1961 Chap. 235 Allows for the continued foster care or group care and necessary support and transition services to youth ages eighteen to twenty-one years who are enrolled and participating in a post high school academic or vocational program. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx (last visited Feb. 6, 2012). Planning starts with youth at age 15 and includes a mandatory staffing 6 months before the child ages out, followed by monthly check-ins with the child to prepare the youth for emancipation. This process is required by the Braam lawsuit settlement. See http://www.napcwa.org/Legislative/docs/Washington.pdf (last visited Feb. 6, 2012).

• **Kinship Guardianship Assistance**: Washington has a permanency plan called “dependency guardianship,” which is guardianship ordered through the dependency process. Children in dependency guardianship are subsidized through TANF funds for unlicensed caregivers and through state-only foster care funds for licensed caregivers. Thirty eight percent of out-of-home placements are kinship care—both relatives and non-relatives—primarily supported by TANF funds.6 Less than ten percent of relative homes are licensed because relatives choose not to pursue licensing. Safety standards are met, but the homes are not licensed and potentially will not be eligible for the expanded IV-E funding. If Washington implements this option and relatives find the financial incentive sufficient to undergo a full home study and become licensed, it would become an administrative challenge to process all the homes. Approximately 20 licensed relatives assume guardianship of children per year. The state estimates approximately eight would be eligible for a IV-E relative guardianship subsidy. See http://www.napcwa.org/Legislative/docs/Washington.pdf (last visited Feb. 6, 2012).

**West Virginia**

• *We didn’t find anything noteworthy.*
Wisconsin

- **Educational Stability:** Under Wis. Stat. sec. 121.84(1)(a), a school board is required to allow a student who is enrolled in the district and is a resident of the district on the third Friday in September or the second Friday in January and was enrolled at least 20 school days in the current school year, to complete the school year without payment of tuition, even if the student moves out of the district during the school year and is no longer a resident. A school board may permit a student, who was enrolled in and a resident of the school district at the beginning of the school year, to complete the school year at the school he or she was attending, without payment of tuition, even if the student is no longer a resident of the district.

- **Educational Stability:** Children living in foster care are entitled to the same educational benefits as children who reside with parents in the district, including, but not limited to, special education, field trips, athletics and other extracurricular activities, etc. Some school activities require special permission or equipment and may take longer to obtain for students living in foster care. Their equitable participation can be facilitated by allowing extra time for these arrangements.

- **Educational Stability:** A child's right to education is established under Article X, Section 3, of the Wisconsin Constitution. A school district has no authority to deny enrollment to an individual between the ages of 4 and 20 years who has not graduated from high school and who is a resident of the district. For educational purposes, a child placed in foster care is a resident of the school district where the foster home is located, regardless of the anticipated length of placement.


- **Sibling Placement:** 2009 SB 347 Act 79 Requires reasonable efforts to place siblings together, or, if siblings are not placed together, requires that agency provides for frequent visitation and ongoing interaction.

- **Relative Notification:** 2009 SB347 Act 79 Requires agency to conduct diligent search for all relatives and provide notice to adult relatives when a child is removed from the parental home and provide information on how they may support the child or provide care.

- **Extension of Care:** Wisconsin currently uses Chafee funds to operate its independent living program. Wisconsin case workers assist youth in developing a case plan for independent living in preparation for them aging out of care. This plan must include life skills development, housing, educational/vocational, employment, and permanency activities that help youth successfully transition. The State also extends out-of-home care to older youth through age 19 if they will graduate from high school within that year. Additionally, the state currently uses Chafee funds to support older adopted youth and those placed in guardianship arrangements at 16 or older for transitional independent...
living services. Due to the current economic situation, Wisconsin is unable to implement the provision to extend foster care to age 21 under Fostering Connections. See http://www.napcwa.org/Legislative/docs/Wisconsin.pdf (last visited Feb. 6, 2012).

- **Transition Plan**: 2009 SB347 Act 79 Establishes that during the 90 day period immediately prior to a child aging out of foster care that a caseworker must provide the child with assistance and support in developing a transition plan which includes plans for housing, education, health care, and work force supports. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-transitional-planning.aspx (last visited Feb. 6, 2012).

- **Kinship Guardianship Assistance**: Wisconsin’s Federal IV-E plan amendment for the Guardianship Assistance Program has been approved. See http://www.fosteringconnections.org/resources/approaches?story_id=0138 (last visited Feb. 6, 2012).

**Wyoming**

- **Relative Notification**: 2009 SB 103 Chap. 196 Establishes that notice be served of child protective proceedings, regarding a child who is alleged to have been abused or neglected, to a non-custodial parent or putative father who has not had parental rights to the child removed by a court, and who is not alleged in the petition to have abused or neglected the child.

**District of Columbia**

- **Educational Stability**: DC is working to ensure that each school-aged child receiving foster care, guardianship and adoption assistance is enrolled in school. To help improve their current practices, the city has developed a checklist for social workers to use so they can document a child’s school attendance and academic performance as well as social adjustment in school. Additionally, when social workers begin to identify appropriate placements for children, school proximity is often a criterion so children can attend school and remain in their home communities. DC is also working with the public school system to help reduce unnecessary school transfers for all children in foster care. See http://www.napcwa.org/Legislative/docs/DC.pdf (last visited Feb. 6, 2012).

- **Extension of Care**: B 547 Chap. 230 Determines that the court shall have jurisdiction to enter a guardianship order and shall retain jurisdiction to enforce, modify, or terminate a guardianship order until a child reaches 21 years of age; provided, that when the child reaches 18 years of age, the child consents and the court finds it is in the best interest of the child.

- **Kinship Guardianship Assistance**: 2010 B 578 Chap. 136, B1033 Chap. 586 Amends the definition of case plan to include additional requirements for any child in foster care whose permanency plan is placement with a relative guardian and receipt of kinship guardianship assistance and to include a plan for ensuring the educational stability of a child in foster care. See http://www.ncsl.org/issues-research/human-services/fostering-connections-act-kinship-guardianship.aspx (last visited Feb. 6, 2012).
• **Relative Notification:** The city notifies adult relatives as soon as a child enters foster care primarily through the Family Team Meeting (FTM) process. FTMs are held within 72 hours of a child entering foster care and prior to the initial court hearing. FTM Coordinators make every effort to engage family members and support persons in the initial FTM in order to plan for the child and family and to identify possible placement resources. Kin are mostly contacted by telephone and invited to attend the FTM. FTM Coordinators and social workers document contacts in the SACWIS system, also known as FACES. DC attributes their success in locating relatives and offering strong family support to their family team meeting model. FTMs are conducted within three days after a child’s removal.7 In March 2009, CFSA implemented a new diligent search policy that places strong emphasis on locating relatives within 30 days of a child’s removal. See [http://www.napcwa.org/Legislative/docs/DC.pdf](http://www.napcwa.org/Legislative/docs/DC.pdf) (last visited Feb. 6, 2012).

• **Sibling Placement:** Currently, the District has positive policies and practices in place that help children maintain strong sibling connections. CFSA strives to place siblings together at the time of removal and placement staff are required to exhaust all resources to enhance these efforts. Although there are a minimal number of foster families willing to accept large sibling groups, the agency has increased their recruitment efforts to expand placement options for sibling groups. See [http://www.napcwa.org/Legislative/docs/DC.pdf](http://www.napcwa.org/Legislative/docs/DC.pdf) (last visited Feb. 6, 2012).
**Healthcare**

- **Pending Legislation:** Ga. HB 23 (2011)
  - If enacted, the law will require the Department of Human Services to establish regulations governing the use of psychotropic medications for foster children in state custody.

<table>
<thead>
<tr>
<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Provisions: Fostering Connections to Success and Increasing Adoptions Act</th>
</tr>
</thead>
</table>
| **Healthcare:**       | • Ga. Comp. R. & Regs. 290-9-2-.07: Foster Care Services  
                        • July 2012: Georgia Department of Community Health: available at http://dch.georgia.gov/dch-i-july-2012-vol-1-issue-9  
                        • Institute of Continuing Legal Education in Georgia, Show Me the Money: Financial and Other Resources for Georgia’s Children (January 31, 2013)  
                        • Georgia Department of Public Health http://dch.georgia.gov/foster-care-adoption-assistance-juvenile-justice-%e2%80%93-georgia-families-360  
                        • Amerigroup https://providers.amerigroup.com/Pages/GAFosterCare.aspx  
                        • www.medicaid.gov/AffordableCareAct/Provisions/Eligibility.html | • Section 101:  
Children eligible for kinship guardianship payments are automatically eligible for Medicaid, as are children in foster care and those who receive adoption assistance payments.  

**Affordable Care Act:**  
As a result of the Affordable Care Act, Medicaid benefits are eligible for foster children up to **age 26**.

*Georgia Appleseed Center for Law & Justice*  
www.GaAppleseed.org
**EPSDAT Medicaid Benefits:**

*Given the recent change, foster parents and children should call Amerigroup (1-800-600-4441) to determine whether services are covered.*

- Early and Periodic Screening, Diagnosis and Treatment (EPSDAT) is Medicaid’s comprehensive child health program.
- Children from birth to age 26 who are eligible for Medicaid are automatically eligible for the program.
- The benefit package includes all services that the state is allowed by federal law to cover under Medicaid, including, but not limited to:
  - Well Child Visits
  - Ambulance
  - Lab Screenings
  - Medical Supplies
  - Occupational therapy
  - Orthotics
  - Over the Counter and Prescription Drugs
  - Psychological Services
  - Dental Care
  - Outpatient Hospital Care
  - Pediatric Specialists
  - Emergency Room
  - Eye Exams
  - Speech Therapy
  - Substance Abuse Treatment
  - Surgery
  - Transportation to and from appointments
  - Immunizations
  - Services, including the possibility of establishing a medical home for every child in care, and what will be done to ensure the oversight of prescription medications, including psychotrophic drugs.
### Care for Chronic Conditions:

- The Children’s Medical Services Program provides specialty health care services for children with eligible chronic medical conditions from birth to age 21. Children in foster care who have eligible chronic conditions automatically qualify for the program.

- The medical eligibility includes, but is not limited to, the following conditions:
  - Asthma, cystic fibrosis, and other lung disorders
  - Some hearing disorders
  - Neurological and neurosurgery disorders including seizures, benign tumors, hydrocephalus, and others
  - Orthopedic and/or neuromuscular disorders including cerebral palsy, spina bifida, scoliosis, clubfeet, congenital or traumatic amputations of limbs, and others
  - Visual disorders including cataracts, glaucoma, strabismus, and others
  - Diabetes and other endocrine and genetic disorders
  - Craniofacial anomalies (including cleft lip/palate)
  - Congenital cardiac conditions
<table>
<thead>
<tr>
<th>Physical Exams:</th>
<th>Ga. Comp. R. &amp; Regs. 290-9-2-.07: Foster Care Services</th>
<th>See Section 205, outlined above.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The child shall receive a complete</td>
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<td>physical exam within 72 hours of placement.</td>
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<td>• If the child is being moved from a previous placement, results from an examination completed within one year prior to the new placement will be accepted unless there is an obvious change in the child’s health status.</td>
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<tr>
<td>• Children will receive yearly physical exams.</td>
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<td>Dental Care:</td>
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<tr>
<td>• Each child over 3 years of age will receive a complete dental exam unless an exam has been completed within 6 months prior to the placement.</td>
<td>Ga. Comp. R. &amp; Regs. 290-9-2-.07: Foster Care Services</td>
<td>See Section 205, outlined above.</td>
</tr>
<tr>
<td>• Children will receive semi-annual dental exams.</td>
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<tr>
<td>Immunizations:</td>
<td>• Ga. Comp. R. &amp; Regs. 290-9-2-.07: Foster Care Services</td>
<td>See Section 205, outlined above.</td>
</tr>
<tr>
<td>• Each child will receive immunizations appropriate for his age.</td>
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<tr>
<td>Mental Health Services:</td>
<td>• Georgia Department of Human Services, Memorandum re: Comprehensive Child and Family Assessment Guidelines, August 24, 2012.</td>
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<tr>
<td>• Foster children do not automatically receive psychological evaluations as part of the Comprehensive Child and Family Assessment. Need for psychological assessment is determined on an individual basis.</td>
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<tr>
<td>• Mental health services, if necessary, are provided through the EPSDAT Medicaid Benefits.</td>
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</tbody>
</table>
### Foster Children and Foster Parents: Benefits and Entitlements

**Trauma Assessment:**
- Foster children will receive a trauma assessment that includes:
  - A trauma history that provides information regarding the trauma the child has been exposed to and how the child has coped with it
  - A summary of recommendations for treatment

### Pregnant Foster Youth

<table>
<thead>
<tr>
<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Federal Law</th>
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<tbody>
<tr>
<td><strong>Health:</strong></td>
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<tr>
<td>The following EPSDAT Medicaid Benefits are available to pregnant foster youth:</td>
<td>• Institute of Continuing Legal Education in Georgia, Show Me the Money: Financial and Other Resources for Georgia’s Children (January 31, 2013)</td>
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<tr>
<td>o Certified nurse midwife</td>
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<td>o Maternity Care</td>
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<td>o Family Planning</td>
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<tr>
<td>o Gynecology/ Women’s Health</td>
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<tr>
<td>o Healthy Babies Program</td>
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<tr>
<td><strong>Education - Hospital Homebound Services:</strong></td>
<td>• Georgia State Board of Education Rule 160-4-2-.31: Hospital Homebound (HHB) Services</td>
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<tr>
<td>Students who are absent due to pregnancy (for more than 10 consecutive days) are eligible for at-home academic instruction and other services.</td>
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<td>The student must be enrolled in a public school prior to referral for HHB services.</td>
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<tr>
<td>The Local Education Agency must receive a completed medical referral form signed by the physician who is currently treating the student.</td>
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### Text for Baby:

- Text for Baby provides pregnant women and new moms with free text messages each week on pregnancy and baby care health tips. The messages are timed to a woman's due date.
- Text message topics include:
  - Birth defects prevention
  - Car seat safety
  - Nutrition
  - Breast feeding
  - Prenatal care
  - Labor and delivery
- The service also connects women to local prenatal and infant care services and other resources.
- Individuals can sign up for the free service by texting **BABY** to 511411 (or **BEBE** for Spanish).

- [https://www.text4baby.org](https://www.text4baby.org)

### Kinship Connections

<table>
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<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Federal Law</th>
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<tbody>
<tr>
<td>Identifying Relatives:</td>
<td>• Ga. HB 254 (Enacted 2009)</td>
<td><strong>Section 102</strong></td>
</tr>
<tr>
<td>• Within 30 days after the removal of a child from the custody of the parent or parents of the child, DFCS shall exercise due diligence to identify a parent or relative of the child or other persons who have demonstrated an ongoing commitment to the child.</td>
<td><strong>The Act authorizes a new grant program in Subpart I of Title IV-B for activities designed to connect children in foster care with family. The funds can be used for (1) kinship navigator programs; (2) intensive family-finding efforts; (3) family group decision-making meetings for children in the child welfare system; and (4) residential family substance abuse treatment programs.</strong></td>
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</tbody>
</table>
### Foster Children and Foster Parents: Benefits and Entitlements

**Placement with Siblings:**
- DFCS is required to make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless DFCS documents that joint placement would be contrary to the safety or well-being of any of the siblings.

<table>
<thead>
<tr>
<th>Section 206</th>
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<tbody>
<tr>
<td>States must make &quot;reasonable efforts...to place siblings removed from their home in the same foster care, kinship, guardianship, or adoptive placement...&quot; and in the case of siblings removed from their home who are not jointly placed, to provide frequent visitation or other ongoing interaction between the siblings.</td>
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</table>

**Relative Visitation:**
- If siblings are not placed in the same foster care, kinship, guardianship, or adoptive placement, DFCS is required to make reasonable efforts for frequent visitation or other ongoing interaction among siblings, unless DFCS documents that visitation or interaction would be contrary to the safety or well-being of any of the siblings.

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<tr>
<th>Ga. HB 1085 (Enacted 2010)</th>
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<tr>
<td>See Section 206, outlined above.</td>
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</table>

- A youth’s Case Worker is responsible for facilitating visits between the youth and his sibling(s).
- A youth should contact his child attorney or CASA if he is denied the opportunity to visit his sibling(s).
**Payments to Relative Caregivers:**
- Relative caregivers should contact the child’s Case Worker to discuss eligibility for financial assistance.
- The Case Worker can assist the relative with completing the correct application and understanding the agreement.

**Enhanced Relative Rate (ERR):**
- ERR provides financial support to assist a relative caregiver with the basic care of a child.
- The child is placed in the relative’s home but remains in DFCS’ legal custody.
- The ERR payment is usually provided until the relative is approved as a foster parent.
- **Criteria:**
  - The relative must be approved as a caregiver.
  - There is no income requirement for the relative caregiver.
  - The child must receive less than $400.00 per month in benefits or support (SSI, Security, child support, etc.).
- The ERR is calculated at 80% of the current foster care per diem rate.

**Relative Foster Care:**
- A relative must be approved by DFCS as a Foster Parent within 180 days of the child’s placement in the home.

**Georgia does not appear to have legislation regarding payments to relative caregivers.**
- [https://dhs.georgia.gov/financial-support-services](https://dhs.georgia.gov/financial-support-services)
- [Policy 1004.1.9](http://dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS_Relative_Care/Relative_Care_Policy_1004.pdf)
- [Policy 1004.1.10](http://dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS_Relative_Care/Relative_Care_Policy_1004.pdf)
- [Policy 1004.1.15](http://dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS_Relative_Care/Relative_Care_Policy_1004.pdf)
- [Policy 1004.2.4](http://dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS_Relative_Care/Relative_Care_Policy_1004.pdf)
- [Policy 1004.2.13](http://dhs.georgia.gov/sites/dfcs.dhs.georgia.gov/files/imported/DHR-DFCS/DHR-DFCS_Relative_Care/Relative_Care_Policy_1004.pdf)
- Georgia CASA, 2008 Relative Care Support Chart, [available at](http://www.gacasa.org/docs/Relative%20care%20support%20chart.pdf)

**Georgia CASA, 2008 Relative Care Support Chart, [available at](http://www.gacasa.org/docs/Relative%20care%20support%20chart.pdf)**

**Section 101:**
- States have the option to use federal Title IV-E funds for kinship guardian payments for children cared for by relative foster parents who are committed to caring for these children permanently when they leave foster care.
- The Act clarifies that children who leave foster care after age 16 for kinship guardianship (or adoption) are eligible for independent living services. Those children are also eligible for education and training vouchers.
Foster Children and Foster Parents: Benefits and Entitlements

- Following DFCS approval, relative foster parents receive payments at the foster care per diem rate.
- Relative foster parents are eligible for all reimbursements / benefits available to non-relative foster parents.

Relative Care Subsidies:
- Relative Care Subsidy or Enhanced Relative Care Subsidy payments may be available when temporary legal custody is transferred from DFCS to a relative who accepts legal custody of the child until he or she reaches age 18.
- Criteria:
  - The child must receive less than $400.00 per month in benefits or support (SSI, Security, child support, etc.).
  - A non-reunification court order must precede the issuance of a custody order.
  - Parental rights cannot be terminated.
  - Relative’s Income Requirements:
    - Relative Care Subsidy: None
    - Enhanced Relative Care Subsidy: Relative Caregiver’s household income must be less than $150,000.00 per year
- Subject to review by the court every three years.
- Ends if the biological parents successfully petition to have custody returned.

Subsidized Guardianship:
Subsidized Guardianship or Enhanced Subsidized Guardianship payments may be available if the juvenile court has transferred temporary legal custody from
DFCS to the guardianship of an approved relative caregiver.

- **Criteria:**
  - The child must receive less than $400.00 per month in benefits or support (SSI, Security, child support, etc.).
  - The child was in the temporary custody of the state for a minimum of twelve months and reunification with the biological parents is unlikely. A non-reunification order is not required.
  - Relative’s Income Requirements:
    - Subsidized Guardianship: None
    - Enhanced Subsidized Guardianship: Relative Caregiver’s household income must be less than $150,000.00 per year

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## Education

<table>
<thead>
<tr>
<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Federal Law</th>
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<tbody>
<tr>
<td><strong>Right to Receive Education:</strong></td>
<td>• The state must provide free education to all Georgia children. A child who follows school rules is guaranteed an education from age 6-16. A child in the legal custody of the state must be provided an education.</td>
<td>• O.C.G.A. §20-2-133, §20-2-690.1(a); §49-5-3(12)</td>
</tr>
<tr>
<td><strong>Educational Stability:</strong></td>
<td>• Each child’s reunification plan is required to contain provisions ensuring the child’s educational stability while in foster care, including</td>
<td>• Ga. HB 1085 (Enacted 2010)</td>
</tr>
</tbody>
</table>
**Foster Children and Foster Parents: Benefits and Entitlements**

<table>
<thead>
<tr>
<th><strong>New School Transition Services:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>• If the child is enrolled in a new school, the DHS case manager (school social worker or other staff member) is required consult with the child, DFCS caseworker, and foster parent within five school days to determine whether transition or other services are necessary.</td>
</tr>
<tr>
<td>• Transition services may include assistance with course selection, referrals to special education, social services, counseling, etc.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Section 204:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>placement into foster care, unless that would not be in the child’s best interest.</td>
</tr>
<tr>
<td>• If it is not in the child’s best interest to remain in the same school, the state must ensure that the child is immediately enrolled in a new school and that the child’s educational records are provided to the new school.</td>
</tr>
<tr>
<td>• The states must provide assurances in their Title IV-E state plans that every school-age child in foster care, and every school-age child receiving an adoption assistance or subsidized guardianship payment, is enrolled in school, home schooled, in an independent study program, or incapable of attending school on a fulltime basis due to the medical condition of the child.</td>
</tr>
</tbody>
</table>

| **Ga. Comp. R. & Regs. 160-4-8-.17** |
### School Enrollment:
- Children in foster care shall be immediately enrolled in school, with full participation in all school activities, even if proper documentation cannot be provided at the time of enrollment.


### Education Expenses:
- Foster youth in junior/senior high, vocational school or college who receive services through the Independent Living Program may receive funding for educational expenses. Educational expenses may include:
  - Summer School Fees
  - Books and supplies, tools and equipment
  - Uniforms
  - Graduation fees
  - Driver’s Education
  - Tutoring
- Foster parents and youth should contact the Case Manager for information regarding education expenses and reimbursements.
- To receive a reimbursement, a foster parent is required to obtain prior approval for expenditures from the Case Manager.
- Foster parents and youth should contact the school guidance counselor for information regarding fee-waivers for extra-curricular activities, SAT registration, MARTA cards, etc.


### Section 204:
- The Act increases the amount of federal funding that may be used to cover education-related transportation costs for children in foster care.

### Section 101:
- The Act extends eligibility for the Chafee Foster Care Independent Living Program (ILP) services to children adopted or placed in kinship guardianship at age 16 or older. In addition, the Act extends eligibility for education and training vouchers to children who exit foster care to kinship guardianship at age 16 or older (those adopted after age 16 were already eligible).

### College Funding:
- The state provides supplemental educational funding for all foster youth attending Georgia public or private colleges until age 26.
- Scholarship Applications: Foster youth should contact their Independent Living Program representative to receive help filling out scholarship applications.

- O.C.G.A. § 20-3-660
## Older Youth

<table>
<thead>
<tr>
<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Federal Law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transition Plans:</strong></td>
<td>• Ga. HB 1085 (Enacted 2010)</td>
<td><strong>Section 202:</strong></td>
</tr>
<tr>
<td>• Each foster youth receives assistance and support in developing a transition plan during the ninety days immediately preceding his or her eighteenth birthday.</td>
<td></td>
<td>• The Act requires child welfare agencies to help youth make the transition to adulthood by requiring, during the 90-day period immediately before the child exits foster care at age 18, 19, 20 or 21, the child’s caseworker, as well as other representatives as appropriate, to help the child develop a personal transition plan.</td>
</tr>
<tr>
<td>• The plan must be personalized to the youth and include specific options for housing, health insurance, education, local opportunities for mentors and continuing support services, work force supports and employment services.</td>
<td></td>
<td>• The plan must be as detailed as the child chooses and include specific options on housing, health insurance, education, local opportunities for mentoring, continuing support services, work force supports, and employment services.</td>
</tr>
<tr>
<td><strong>Extension of Care:</strong></td>
<td>• <a href="https://www.gascore.com/documents/SocialServicesCountyLetterNo2012-08.pdf">https://www.gascore.com/documents/SocialServicesCountyLetterNo2012-08.pdf</a></td>
<td><strong>Section 201:</strong></td>
</tr>
<tr>
<td>• A youth can remain in state funded foster care beyond age 18 (and until age 21) if he or she signs an agreement with the resource provider and the county and does one of the following:</td>
<td></td>
<td>Allows states, at their option, to provide care and support to youth in foster care until the age of 19, 20 or 21 provided that the child is either (1) completing high school or an equivalency program; (2) enrolled in post-secondary or vocational school; (3) participating in a program designed to promote, or remove barriers to, employment; (4) employed for at least 80 hours per month; or (5) incapable of</td>
</tr>
<tr>
<td>o Attends school full time</td>
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<tr>
<td>o Works full time</td>
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<td></td>
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<tr>
<td>o Attends school part-time and works part-time.</td>
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<td></td>
</tr>
<tr>
<td>• A youth may remain in state funded foster care until 21.5 years if the additional 6 months will allow time to complete an educational program.</td>
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</tr>
</tbody>
</table>

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*Georgia Appleseed Center for Law & Justice*

www.GaAppleseed.org
States may also extend adoption assistance and/or guardianship payments on behalf of youth ages 19, 20 or 21.

### Returning to Care
- A youth who reaches eighteen years of age is permitted to sign back into care, regardless of behavior.
- A youth who does not immediately sign back into care will be permitted to return to care the youth makes a request within 6 months of exiting care, regardless of behavior.

### Georgia Department of Human Services, Social Services County Letter No. 2012-08: Extended Youth Support Services: Youth remaining in care past 18

### Expenses

<table>
<thead>
<tr>
<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Federal Law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Clothing:</strong></td>
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</tbody>
</table>
| • An initial clothing allowance is provided during the first 6 months of the child’s placement in foster care. A child coming from another foster care placement does not receive an initial clothing allowance. The maximum allocation for initial clothing is $200.00 for children ages 12 and younger and $300.00 for children 13 and older.  
• Each child placed in foster care receives an annual clothing allowance of $300.00 per state fiscal year. The annual clothing allowance is not awarded for the calendar year during which the child enters care. | • Child Trends, Casey Child Welfare Financing Survey: Family Foster Care Provider Classifications and Rates, available at www.childtrends.org/wp-content/uploads/2013/05/2013-19FosterCareReimbursement3.pdf |                     |
### Foster Children and Foster Parents: Benefits and Entitlements

**Child Care:**
- DFCS will pay a set fee for childcare expenses if the child requires regular care because the foster parents work outside the home, the foster parent attends an agency required foster parent training, or other special circumstances exist.
- Foster Parents should discuss care options and reimbursement procedures with the Case Manager before obtaining childcare services.

**Other Expenses:**
- If the foster parent obtains pre-approval from the Case Manager, the state will reimburse the foster parent for the following purchases/expenditures:
  - Car Seats
  - Safety Helmets
  - CPR or First Aid Training
  - Swimming/Basic Water Rescue Training
  - Required Drug Screens, Physicals, Lab Tests, Finger Prints
  - Fees for required parent development training
  - Travel, lodging and meal costs incurred in pursuit of required training

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### Foster Parents

<table>
<thead>
<tr>
<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Federal Law</th>
</tr>
</thead>
</table>

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Georgia Appleseed Center for Law & Justice

www.GaAppleseed.org

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Property Damage Insurance:
• DFCS provides property damage insurance to cover damage to the personal property of foster parents caused by the foster child in their care.
• The policy will cover the loss of property in excess of $100.00 to a maximum of $1000.00. The deductible for coverage is $100.00.
• The policy excludes some types of damage from coverage.

Adopting Foster Youth

<table>
<thead>
<tr>
<th>Benefit / Entitlement</th>
<th>Source</th>
<th>Related Federal Law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Monthly Maintenance Assistance</strong></td>
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</tbody>
</table>
• Provides financial support to families who adopt difficult to place children from the public welfare system.  
• Eligibility for Monthly Maintenance Assistance depends on whether the child meets the federal criteria (listed in the column to the right) and whether the child falls within the state’s definition of “Special Needs.”  
• Georgia Special Needs Factors: A child has specific factors supporting a “special needs” determination when the child:
  o has been in the care of an individual other than his parents for more than 24 consecutive months;  
  o has a physical, mental or emotional disability, as validated by a licensed physician or psychologist; or  
  o is a member of a sibling group of two or more to be placed in the same home.  
• Georgia Department of Human Services, Social Services Administration Unit, Adoption Policy Manual, §109  
• Rules of Department of Human Services Family and Children Services §290-2-27-.01  
• Institute of Continuing Legal Education in Georgia, Show Me the Money: Financial and Other Resources for Georgia’s Children (January 31, 2013) | • Fostering Connections to Success and Increasing Adoptions Act delinked a child’s eligibility for adoption assistance benefits from the 1996 Aid to Families of Dependent Children (AFDC) requirements. The delinking will occur gradually through 2018.  
• Currently, there are two categories of children: Applicable Children and Not Applicable Children.  
• **Applicable Children:** A child is an Applicable Child (1) by age (see below), or (2) if the child has been in foster care under the responsibility of the state for 60 consecutive months as of the date of the adoption assistance agreement, or (3) the child is a sibling of an a child who is an Applicable Child and |
The base subsidy rates are determined by the child’s age. If a foster child is receiving a “specialized rate” foster care payment, the child is eligible for a specialized rate following adoption. If the child is not in foster care (e.g., relative guardianship), the adoptive parent can request a specialized determination.

The subsidy is intended to cover expenses such as clothing, special dietary needs, medical and dental care, special education needs, preschool and daycare.

Applying for Benefits: Before the adoption is finalized, the adoptive family must:

- Go to the DFCS office in the county where they reside and apply for benefits.
- Obtain a signed adoption assistance agreement.

is to be placed in the same adoption placement as the Applicable Child.

Minimum Applicable Age

- 2012: 12
- 2013: 10
- 2014: 8
- 2015: 6
- 2016: 4
- 2017: 2
- 2018 and beyond: All ages

Applicable Children must meet two criteria for eligibility:

- Status: The child must (1) be in foster care with a public or licensed child placement agency or Indian tribal organization at the time of initiation of adoption proceedings, or (2) meet the medical and disability requirements for SSI, or (3) live in a foster home with a minor parent who is in foster care.

- Special Needs: A child is special needs because (1) the state has determined that the child cannot return to his parents, and (2) the state has determined that the child meets certain background factors or is SSI-eligible under medical or disability requirements only, and (3) unless it would be against the child’s best interest, a reasonable but unsuccessful effort has been made to place the child with appropriate adoptive parents without adoption assistance.
| Medicaid | • Medicaid is available for children who qualify for the Monthly Maintenance Assistance subsidy. | • Georgia Department of Human Services, Social Services Administration Unit, Adoption Policy Manual, §109.1  
• Institute of Continuing Legal Education in Georgia, Show Me the Money: Financial and Other Resources for Georgia’s Children (January 31, 2013) | Not Applicable Children:  
Not Applicable Children remain subject to the AFCD requirements. The group of Not Applicable Children gets smaller each year. Not Applicable Children must meet two criteria for eligibility:  
• Status: The child (1) was in foster care at some point and was AFCD eligible at the time of removal, or (2) the child meets all SSI eligibility requirements including financial need, or (3) the child is living in a foster home with a minor parent  
Special Needs: The child is special needs because the state has determined (1) that the child cannot or should not be returned to his parents, and (2) the state has determined that the child meets certain background factors, and (3) unless it would be against the child’s best interest, a reasonable but unsuccessful effort has been made to place the child with appropriate adoptive parents without adoption assistance. |

42 U.S.C. §673(b)
### Non-Recurring Adoption Assistance Benefits

- Reimbursement cannot include any costs or fees related to the termination or surrender of parental rights.
- Reimbursement may include the following:
  - Cost for travel, lodging and food during pre-placement visitation based on the current state rates
  - Cost of physical exams of the adoptive parents required for the adoption assessment
  - Legal and court fees
- The only requirement to qualify for Non-Recurring Adoption Assistance Benefits is that child is “Special Needs” (as discussed above).
- Documentation of expenses must be submitted with the request for reimbursement.
- The reimbursement cap is currently $1500.00.

- Georgia Department of Human Services, Social Services Administration Unit, Adoption Policy Manual, §109.2, §109.15
- Institute of Continuing Legal Education in Georgia, Show Me the Money: Financial and Other Resources for Georgia’s Children (January 31, 2013)
- 42 U.S.C. §673(a)(6)
- The benefit covers the “reasonable and necessary adoption fees, court costs, attorney fees and other expenses which are directly related to the legal adoption of a child with special needs and which are not incurred in violation of State or Federal law.”

### Special Services Adoption Assistance

- A limited or one-time post-adoption benefit intended to cover expenses not covered by Medicaid or Monthly Maintenance Adoption Assistance.
- Expenses that may qualify include the following:
  - Orthodontics
  - Prosthetics
  - Psychological counseling
  - Daycare
  - Respite care
- Approval is dependent on the availability of funds.
- The adoptive parents’ income may be considered when determining the benefit.

- Georgia Department of Human Services, Social Services Administration Unit, Adoption Policy Manual, §109.17
### Georgia Adoption Tax Credit
- Georgia has a tax credit for parents who adopt children from foster care.
- Adoptive parents receive a credit of $2000.00 per child, per year until the child turns 18.
- The credit is non-refundable but may be carried forward.
- An adoptive parent who wishes to claim the credit should use Georgia Form IND-CR.

### Federal Adoption Tax Credit
- The American Taxpayer Relief Act made a tax credit for adoptive parents a permanent part of the tax code.
- Adoptive parents who wish to claim the credit should use Form 8839.
- The maximum amount of credit is $12,970 per eligible child, and the credit is non-refundable.
- The credit begins phasing out at a modified adjusted gross income of $194,580 and is completely eliminated if the taxpayer’s modified adjusted gross income equals or exceeds $235,580 (figures applicable to tax year 2013).

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- Ga. HB 1159 (Enacted 2008), O.C.G.A. § 48-7-29.15
- Institute of Continuing Legal Education in Georgia, Show Me the Money: Financial and Other Resources for Georgia’s Children (January 31, 2013)

- Institute of Continuing Legal Education in Georgia, Show Me the Money: Financial and Other Resources for Georgia’s Children (January 31, 2013)
- www.irs.gov/Individuals/Adoption-Benefits-FAQs
**APPENDIX D**
**FOSTER CARE RESOURCES**

### National Organizations

<table>
<thead>
<tr>
<th>Organization</th>
<th>Type (Governmental, University, Nonprofit)</th>
<th>Publications</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Bar Association</td>
<td>Nonprofit</td>
<td>The McKinney-Vento Act and Children and Youth Awaiting Foster Care Placement, Strategies for Improving Educational Outcomes Through School Stability; Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care; Blueprint for Change, Education Success for Children in Foster Care</td>
<td>See particularly the Legal Center for Foster Care &amp; Education</td>
</tr>
<tr>
<td>American Foster Care Resources, Inc.</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Annie E. Casey Foundation*</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Association of Administrators of the Interstate Compact for the Placement of Children</td>
<td>Nonprofit/Quasi-governmental</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Boys Town</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Children Awaiting Parents</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Casey Family Programs</td>
<td>Nonprofit</td>
<td>A Road Map for Learning, Improving Educational Outcomes in Foster Care</td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Organization</td>
<td>Type (Governmental, University, Nonprofit)</td>
<td>Publications</td>
<td>Notes</td>
</tr>
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<td>--------------------------------------------------</td>
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</tr>
<tr>
<td>Casey Family Services</td>
<td>Nonprofit</td>
<td></td>
<td>Referenced by North American Council on Adoptable Children (“NACAC”)</td>
</tr>
<tr>
<td>Center for Child and Family Programs</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Center for Family Finding and Youth Connectedness</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Chapin Hall Center for Children</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Child Welfare Information Gateway</td>
<td>Governmental</td>
<td></td>
<td>Listed with Children’s Bureau (this is actually a service of the Children’s Bureau)</td>
</tr>
<tr>
<td>Child Welfare League of America</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Child Welfare Research Center</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Children and Family Research Center</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Children’s Bureau of Administration for Children &amp; Families of U.S. Department of Health and Human Services (“Children’s Bureau”)</td>
<td>Governmental</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Congressional Coalition on Adoption Institute</td>
<td>Nonprofit</td>
<td></td>
<td>Referenced by NACAC Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Every Child, Inc.</td>
<td>Nonprofit</td>
<td></td>
<td>Referenced by NACAC This organization has a broader focus than just foster care.</td>
</tr>
<tr>
<td>Organization</td>
<td>Type (Governmental, University, Nonprofit)</td>
<td>Publications</td>
<td>Notes</td>
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<td>------------------------------------------------------------</td>
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<tr>
<td>Foster Care Alumni of America</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
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<tr>
<td>Foster Children’s Foundation Inc.</td>
<td>Nonprofit</td>
<td></td>
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<tr>
<td>Foster Family-Based Treatment Association</td>
<td>Nonprofit</td>
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<td>Listed with Children’s Bureau</td>
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<tr>
<td>FosterClub</td>
<td>Nonprofit</td>
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<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Fostering Results, Children and Family Research Center</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Fostering Connections Resource Center</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
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<tr>
<td>Freddie Mac Foundation</td>
<td>Nonprofit</td>
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<td>Listed with Children’s Bureau</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Major programs are Healthy Families America and Wednesday’s Child USA</td>
</tr>
<tr>
<td>Healthy Foster Care America</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>Institute for the Study of Children, Families and Communities, Easter Michigan University</td>
<td>University</td>
<td></td>
<td>Listed with Children’s Bureau</td>
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<tr>
<td>Jim Casey Youth Opportunities Initiative</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>John Burton Foundation*</td>
<td>Nonprofit</td>
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<tr>
<td>National Association of Child Advocates</td>
<td>Nonprofit</td>
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<tr>
<td>National Association of Former Foster Care Children of America, Inc.</td>
<td>Nonprofit</td>
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<tr>
<td>National CASA (Court Appointed Special Advocates)</td>
<td>Nonprofit</td>
<td></td>
<td>Referenced by Iowa Child Advocacy Board</td>
</tr>
<tr>
<td>Organization</td>
<td>Type (Governmental, University, Nonprofit)</td>
<td>Publications</td>
<td>Notes</td>
</tr>
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<td>-------------------------------------------------------</td>
<td>--------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>National Center for Homeless Education</td>
<td>Nonprofit</td>
<td>Best Practices in Homeless Education - Clearing the Path to School Success for Students in Out-of-Home Care</td>
<td></td>
</tr>
<tr>
<td>National Council of Juvenile and Family Court Judges</td>
<td>Nonprofit</td>
<td>Asking the Right Questions II: Judicial Checklists to Meet the Educational Needs of Children and Youth in Foster Care</td>
<td></td>
</tr>
<tr>
<td>National Council on Adoptable Children</td>
<td>Nonprofit</td>
<td></td>
<td></td>
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<tr>
<td>National Court Appointed Special Advocates Association</td>
<td>Nonprofit</td>
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<tr>
<td>National Foster Care Coalition</td>
<td>Nonprofit</td>
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<tr>
<td>National Foster Parent Association*</td>
<td>Nonprofit</td>
<td>Listed with Children’s Bureau</td>
<td></td>
</tr>
<tr>
<td>National Resource Center for Foster Care and Permanency Planning</td>
<td>Nonprofit</td>
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<tr>
<td>National Resource Center for Permanency and Family Connections</td>
<td>Nonprofit</td>
<td>Listed with Children’s Bureau</td>
<td></td>
</tr>
<tr>
<td>National Resource Center for Youth Development</td>
<td>Nonprofit</td>
<td>Listed with Children’s Bureau</td>
<td></td>
</tr>
<tr>
<td>National Working Group on Foster Care and Education</td>
<td>Nonprofit</td>
<td>Tools and Resources for Improving the Education Success of Children and Youth in Foster Care</td>
<td>Group of 12 organizations that promote educational stability for children in foster care</td>
</tr>
<tr>
<td>North American Council on Adoptable Children</td>
<td>Nonprofit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Orphan Foundation of America</td>
<td>Nonprofit</td>
<td>Listed with Children’s Bureau</td>
<td></td>
</tr>
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<td>Type (Governmental, University, Nonprofit)</td>
<td>Publications</td>
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<td>------------------------------------------------</td>
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</tr>
<tr>
<td>Pew Charitable Trusts</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau Referenced by NACAC Pew Commission on Children in Foster Care (this initiative concluded in 2009 according to their website)</td>
</tr>
<tr>
<td>Specialized Alternatives for Families and Youth</td>
<td>Nonprofit</td>
<td></td>
<td>Listed with Children’s Bureau</td>
</tr>
<tr>
<td>TeamChild</td>
<td>Nonprofit</td>
<td>Make a Difference in a Child’s Life: A Manual for Helping Children and Youth Get What They Need in School</td>
<td></td>
</tr>
<tr>
<td>The Dave Thomas Foundation</td>
<td>Nonprofit</td>
<td></td>
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<tr>
<td>The Rowell Foster Children’s Positive Plan</td>
<td>Nonprofit</td>
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<tr>
<td>YouthBuild</td>
<td>Nonprofit</td>
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<td>Listed with Children’s Bureau</td>
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<tr>
<td>Youth Communication</td>
<td>Nonprofit</td>
<td></td>
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<tr>
<td>Georgia Organizations</td>
<td></td>
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<tr>
<td>Organization</td>
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<td>Publications</td>
<td>Notes</td>
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<tr>
<td>Community Foundation for Greater Atlanta</td>
<td>Nonprofit</td>
<td>Empowerment - hearing the “me” in the voices of Georgia’s foster youth</td>
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<tr>
<td>Foster Care Support Foundation</td>
<td>Nonprofit</td>
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<tr>
<td>Creative Community Services, Inc.</td>
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## Organizations in Georgia

<table>
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<tbody>
<tr>
<td>Adoptive and Foster Parent Association of Georgia</td>
<td>Nonprofit</td>
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<tr>
<td>Families First</td>
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<td>The Foster Care Support Foundation of Georgia</td>
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<td>Camp to Belong of Georgia</td>
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<tr>
<td>Whitfield County Foster Care Association</td>
<td>Nonprofit</td>
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<tr>
<td>Children’s Voice: CASA</td>
<td>Nonprofit</td>
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<td>Calvary Children’s Home</td>
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<tr>
<td>Dreamweavers of Georgia</td>
<td>Nonprofit</td>
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<tr>
<td>Neighbor to Family, Inc.</td>
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## Other State Organizations

<table>
<thead>
<tr>
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<th>Type (Governmental, University, Nonprofit)</th>
<th>Publications</th>
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<tbody>
<tr>
<td>University of Arkansas at Little Rock (Little Rock, AR)</td>
<td>University</td>
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<td>Received Child Welfare-Early Education Partnerships to Expand Protective Factors for Children with Child Welfare Involvement Grant from HHS</td>
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<tr>
<td>Organization</td>
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<tr>
<td>Augusta Partnership for Children, Inc. (Augusta, GA)</td>
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<td>Received Child Welfare-Early Education Partnerships to Expand Protective Factors for Children with Child Welfare Involvement Grant from HHS</td>
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<tr>
<td>The Regents of the University of California (Los Angeles, CA)</td>
<td>University</td>
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<td>Received Child Welfare-Early Education Partnerships to Expand Protective Factors for Children with Child Welfare Involvement Grant from HHS</td>
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<tr>
<td>Children’s Friend and Service (Providence, RI)</td>
<td>Nonprofit</td>
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<td>Received Child Welfare-Early Education Partnerships to Expand Protective Factors for Children with Child Welfare Involvement Grant from HHS</td>
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<tr>
<td>The Coalition to Protect Maryland’s Children</td>
<td>Nonprofit</td>
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<td>Referred by NACAC</td>
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<tr>
<td>Colorado Department of Human Services, Division of Child Welfare (Denver, CO)</td>
<td>Governmental</td>
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<td>Received Child Welfare-Early Education Partnerships to Expand Protective Factors for Children with Child Welfare Involvement Grant from HHS</td>
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<tr>
<td>Connecticut Voices for Children</td>
<td>Nonprofit</td>
<td>School Stability Promotes Educational Opportunity for Connecticut’s Children in Foster Care</td>
<td>Referenced by NACAC</td>
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<tr>
<td>Family Central, Inc. (North Lauderdale, FL)</td>
<td>Nonprofit</td>
<td></td>
<td>Received Child Welfare-Early Education Partnerships to Expand Protective Factors for Children with Child Welfare Involvement Grant from HHS</td>
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<tr>
<td>Family Support Services of North Florida, Inc. (Jacksonville, FL)</td>
<td>Nonprofit</td>
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<td>Received Child Welfare-Early Education Partnerships to Expand Protective Factors for Children with Child Welfare Involvement Grant from HHS</td>
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<tr>
<td>Iowa Child Advocacy Board</td>
<td>Nonprofit</td>
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<td>Iowa Collaboration for Youth Development</td>
<td>Nonprofit</td>
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<tr>
<td>Iowa Foster &amp; Adoptive Parents Association</td>
<td>Nonprofit</td>
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<td>Referenced by NACAC and Iowa Child Advocacy Board</td>
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<tr>
<td>Iowa Kids Net</td>
<td>University</td>
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<td>Referenced by Iowa Child Advocacy Board</td>
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<tr>
<td>University of Kansas Center for Research, Inc.</td>
<td>University</td>
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<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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<tr>
<td>Kids Central, Inc. (Ocala, FL)</td>
<td>Nonprofit</td>
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<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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<tr>
<td>Legal Aid Society of Cincinnati (Cincinnati, OH)</td>
<td>Nonprofit</td>
<td></td>
<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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<tr>
<td>Middleton Center for Children’s Rights at Drake University Law School</td>
<td>University</td>
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<td>Referenced by Iowa Child Advocacy Board</td>
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<tr>
<td>North Carolina State University</td>
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<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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<tr>
<td>Siouxland Human Investment Partnership - SHIP AS (Sioux City, IA)</td>
<td>[Nonprofit]</td>
<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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<tr>
<td>Solano County Office of Education (Fairfield, CA)</td>
<td>Governmental</td>
<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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<td>Texas Education Agency (Austin, TX)</td>
<td>Governmental</td>
<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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<tr>
<td>State of Utah Department of Human Services (Salt Lake City, UT)</td>
<td>Governmental</td>
<td>Received Child Welfare - Education System Collaborations to Increase Educational Stability grant from HHS</td>
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