

# Fostering Connections to Success & Increasing Adoptions Act of 2008



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



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

- *Fostering Connections to Success and Increasing Adoptions Act of 2008* (Public Law 110-351) signed into law on October 7, 2008, amended the Social Security Act to
  1. Create an option to extend eligibility for title IV-E foster care, adoption assistance, and kinship guardianship payments up to age 21
  2. Add a purpose to the Chafee Foster Care Independence program (CFCIP) and Education and Training Vouchers (ETV) of providing services to youth who after age 16 leave foster care for kinship guardianship or adoption
  3. Create an educational stability case plan requirement
  4. Add a transition plan for emancipating youth
- Among other provisions...



# Option to Extend Title IV-E Foster Care, Adoption, & Guardianship to Age 21

- Adds a new definition of “child” for title IV-E by amending section 475 of the Act to define “child” as:
  - (1) an individual who has not yet turned 18 years old; or,
  - (2) at State/Tribal option, an individual in foster care, or an individual adopted or in kinship guardianship (if a title IV-E adoption or kinship guardianship assistance agreement became effective after the child turned age 16) who has not attained 19, 20, or 21 years when the youth meets prescribed conditions for continued payments.
- Effective Date: October 1, 2010



# Option to Extend Title IV-E Foster Care, Adoption, & Guardianship to Age 21

- The conditions for continued title IV-E payments apply to youth age 18+ and require the youth to be:
  - completing secondary school (or equivalent), enrolled in post-secondary or vocational school; or
  - participating in a program or activity that promotes or removes barriers to employment; or
  - employed 80 hours a month; or
  - incapable of any of these due to a documented medical condition.



## Option to Extend Title IV-E Foster Care, Adoption, & Guardianship to Age 21

- Amends the existing definition of a child care institution to include a supervised setting in which an individual who has attained 18 years of age is living independently, consistent with conditions the Secretary establishes in regulations.



# CFCIP and ETV

- Amends the Chafee Foster Care Independence Program (CFCIP) to add the purpose of providing services to youth **who exited foster care** to a kinship guardianship or adoption **on or after age 16**.
- Amends the Education and Training Voucher (ETV) Program to permit vouchers for youth who exited foster care **after attaining age 16** to a kinship guardianship (this is in addition to youth who were adopted at age 16 or older from foster care).
- Effective date: Upon enactment (October 7, 2008)



# Educational Stability

- Requires the case plan ensure educational stability of each child/youth in foster care, including
  - assurances that the placement in foster care takes into account the appropriateness of the current educational setting and proximity to the school in which the child is enrolled at the time of placement, and
  - assurances that the child welfare agency has coordinated with appropriate local educational agency to ensure child remains in the school in which the child is enrolled at time of removal, or
  - if remaining in such school is not in the best interests of the child, assurances to provide immediate and appropriate enrollment in a new school, with all the educational records of the child provided to the school.
- Adds reasonable travel for the child/youth to remain in school in which the child/youth is enrolled at time of placement to the definition of foster care maintenance
- Effective date: Upon enactment (October 7, 2008) with delays permitted for title IV-E plan requirements if State legislation was needed to implement.



# Transition Plan

- During the 90-day period immediately prior to the date on which a youth reaches age 18 (or older, if foster care extended), the youth is provided assistance and support in developing **a transition plan** that is
  - personalized at the direction of the youth,
  - includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support, and work force supports and employment services, and
  - is as detailed as the youth may elect.
- Effective date: Upon enactment (October 7, 2008) with delays permitted for title IV-E plan requirements if State legislation was needed to implement.



# Resource

- **Implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008 Working Document – Updated as of 03/03/10 on the web at [http://www.acf.hhs.gov/programs/cb/laws\\_policies/implementation\\_foster.htm](http://www.acf.hhs.gov/programs/cb/laws_policies/implementation_foster.htm)**



# Contact Information

Pat Pianko, MSW

Administration for Children and Families

90 7th Street, Ninth Floor

San Francisco, California 94103

Phone: (415) 437-8462

Fax: (415) 437-8436

Email: [patricia.pianko@acf.hhs.gov](mailto:patricia.pianko@acf.hhs.gov)