

# #EmergencyRelief for #FosterYouth Included in the Updated HEROES Act

September 29, 2020

## The big news:

Last night Democrats in the House of Representatives introduced the [Updated HEROES Act](#), a comprehensive relief bill, which among many other things, includes critical emergency assistance to young people in and from foster care in response to the COVID-19 pandemic.

For the past five months, young people with lived experience in foster care have been advocating through the [#UpChafee campaign](#) for COVID relief, however, to date, no assistance has been directed to this population. In August, House Ways and Means Worker and Family Support Subcommittee Chairman Danny Davis (IL-D) and Subcommittee Ranking Member Walorski (IN-R) introduced a bill that would help young adults who have aged out of foster care without families they can turn to during this crisis. The bipartisan [Supporting Foster Youth and Families through the Pandemic Act \(H.R. 7947\)](#) provides:

- \$400 million for Chafee which will help youth with education, employment, financial management, housing, emotional support and assured connections to caring adults
- Expands Chafee eligibility through age 26
- Waives education/work requirements
- Removes 30% cap on room and board
- Increases ETV from \$5,000 to \$12,000 per individual per year
- Places a moratorium on aging out (and allows for re-entry into care)
- Allows a total of \$4,000/year to cover transportation and driving costs for young people.

All of its provisions have been included in the Updated HEROES Act.

## Bipartisan Leadership Offers Ray of Hope for Young People in Crisis

FosterClub continues to [hear from young adults formerly in foster care about their urgent needs](#) during the pandemic. Many have lost jobs, housing, educational opportunities and connections to support networks, as our [polls](#) have revealed. Many young adults have joined our [#UpChafee campaign](#) as advocates. They have shared their stories via op-eds, blogs, letters and calls to their Congressional representatives, petitions and through briefings on the Hill. [HR 7947](#) was introduced in response, and we were grateful to the Leaders in Congress who have come together, despite other political differences, through this bill to say that these young adults need urgent help. We are truly excited to see potential aid for young adults from foster care included in the Updated HEROES Act.

FosterClub has been working with our partners at the local, state, and national levels, to define additional pressing needs in child welfare that would help stabilize families during COVID. The Updated HEROES Act includes other important provisions that will help families stay together and ensure children in foster care find stability during this crisis.

Our hope is Congress will include these provisions in the final agreement for COVID aid bill.

## How you can help:

- Contact your [member of Congress](#).
  - Ask them if they are a co-sponsor on HR 7947. If they answer YES, thank them and ask them to include these provisions in the final COVID aid bill. You can also let them know it

was included in the Updated HEROES Act. If the answer is NO, ask if they will co-sponsor on HR 7947, tell them know why it's important to you and that it was included in the Updated HEROES Act. (P.S. you can find your [Members of Congress on Twitter](#) and also [send your Senators and Representative each a message on Facebook](#).)

- For current and former foster youth, sign this [letter](#) to the First Lady asking for her continued support of these provisions.
- If you work with an organization, [sign on to the support letter](#)
- Individuals can sign on to the [Change.org petition here](#)
- Spread the word on social! Find memes and shareable messages on FosterClub's [Facebook](#) and [Twitter](#).

## Provisions for Foster Youth in the [Updated HEROES Act](#)

### OLDER YOUTH

#### **Chafee Foster Care Program for Successful Transition to Adulthood**

Background: The Chafee Program offers assistance to help current and former foster care youth achieve self-sufficiency. Grants are offered to States and Tribes who provide programs that help with education, employment, financial management, housing, emotional support and assured connections to caring adults for older youth in foster care. The Chafee program is a capped entitlement under Title IV-E funded at \$143 million per year, with states required to provide a minimum 20 percent match.

What's being proposed:

- Provides \$400 million for FY 2020, with \$50 million reserved for the Education & Training Voucher (ETV) program.
- Youth are Chafee eligible for FY 20 and FY 21 until “attaining” age 27 (so states can serve young people through the age of 26).
- Removes 30% cap on room and board and permits the provision of room and board to the following young people:
  - have attained 18 years of age and not 27 years of age; and
  - experienced foster care at 14 years of age or older.
- Allows the funds to be used to provide driving and transportation assistance for young people who have attained 15 years of age and not 27 years of age
  - Assistance can include: (such as vehicle insurance costs, driver’s education class and testing fees, practice lessons, practice hours, license fees, roadside assistance, deductible assistance, and assistance in purchasing an automobile) up to the maximum amount of \$4,000/year
- No state match is required for this award.
- No amount of the \$400mil allocation can be reduced due to failing to meet any NYTD reporting requirements.
- States are not required to provide proof of a direct connection to the pandemic if doing so would be administratively burdensome or would otherwise delay or impede the ability of the State to serve foster youth.

#### **Education & Training Voucher (ETV) Program**

Background: ETVs are grants, funded by the federal government and administered by the states, awarded to eligible current and former foster youth to help pay for college, career school, or training.

What's being proposed:

- Not less than \$50 million of the Chafee \$400 million supplement must be used for ETV.
- The maximum ETV award increased from \$5,000 to \$12,000 per individual youth per year.
- Eliminate requirement for Satisfactory Academic Progress (SAP) for ETV if youth is unable to do so due to the pandemic.
- ETV funds can be used for maintaining training and postsecondary education, including less than full-time matriculation costs or other expenses that are not part of the cost of attendance but would help support youth in remaining enrolled.

## **Aging Out**

Background: Each year, more than 20,000 youth exit foster care between the ages of 18 and 21 (depending on what state a young person lives in) “age out” (or emancipate out due to reaching a certain age) and are left to fend for themselves.

What’s being proposed:

### Moratorium on Aging Out

- A state cannot require a child to leave foster care due to age.

### Extension of IV-E

- A child may not be found ineligible for Title IV-E:
  - Due to age, or
  - Due to the failure to meet participation requirements for extended care (work, school, etc)

### Re-Entry

- A state shall:
  - permit a child who left foster care due to age during the pandemic to re-enter foster care
  - provide notice about the option to re-enter to youth who left foster care during the pandemic
  - facilitate re-entry of youth
  - conduct a public awareness campaign about the option to voluntarily re-enter foster care for youth who have not attained 22 years of age, who aged out of foster care in fiscal year 2020 or 2021, and who are otherwise eligible to return to foster care.
- A child who re-enters will not be found ineligible for IV-E due to age or participation requirements.

### Continuous Obligations

- The state must continue to ensure the safety, permanency and well-being needs of youth in extended care and who re-enter are met.
- The state must continue to work with young people to develop and finalize transition plans consistent with the law, including identifying meaningful, supportive and permanent connections for the youth.

### Use of Funds

- States may use funds awarded pursuant to section 3 (Chafee increase) for costs incurred to meet the requirements of this section (moratorium, re-entry, continued obligations).
- The costs in this section must be incurred after enactment of this law and before October 1, 2021.
- The costs of complying with subsection (a) or (c) of this section must not be incurred on behalf of children eligible for foster care maintenance payments under section 472 of the Social Security Act, including youth who have attained 18 years of age who are eligible for the payments by reason of the temporary waiver of the age requirement or the conditions of section 475(8)(B)(iv) of such Act.
- A State shall make reasonable efforts to ensure that eligibility for foster care maintenance payments under section 472 of the Social Security Act is determined when a youth remains in, or re-enters, foster care as a result of the State complying with subsections (a) and(c) of this section.

## **ADDITIONAL CHILD WELFARE PROVISIONS**

The Supporting Foster Youth and Families through the Pandemic Act proposes supports through the COVID-19 pandemic for children and families in several critical areas, as elevated by leading national advocates:

### **Prevention**

- Incentivizes investment in prevention programs by increasing the federal reimbursement rate up from 50% to 100% for the Title IV-E Prevention Programs created under Family First for the duration of the COVID-19 public health emergency period (January 27, 2020 through September 30, 2021).

### **MLA Safe & Stable Families**

- Provides an additional \$85 million in FY2020 to Title IV-B, Part 2 the MaryLee Allen Promoting Safe and Stable Families Program. There will be 100% federal reimbursement for these funds.

### **Court Improvement**

- Reserves \$10 million of the Mary Lee Allen Promoting Safe and Stable Families Program (\$500,000 reserved for Tribes) to help with technology investments, trainings to facilitate remote hearings, and programs to help families avoid delays in legal proceedings as a result of COVID-19.

### **Home Visiting Programs**

- Provides flexibility to allow for home visiting to continue during the COVID-19 period, such as the allowance of virtual visits, and to ensure funding will not be reduced on account of reduced enrollment, and that funds can be used for training on virtual visits, enrolling families, and providing emergency supplies to families.

### **Kinship Families**

- In order to help reach more relatives who are raising children, particularly those who are older and more susceptible to the virus, the bill improves the ability of Kinship Navigator Programs to provide critical supports to these families.

### **Technical Corrections**

- There are some corrections to previous legislation that impacted the ability of some jurisdictions to receive their full FMAP rate.

To review the Updated HEROES Act which includes the Supporting Foster Youth & Families Act, you can use the links below:

[Full Text](#)

[Section by Section](#)

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### **Have Questions?**

Contact FosterClub at [policy@fosterclub.com](mailto:policy@fosterclub.com) or call us at 503-717-1552.