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# John H. Chafee Foster Care Program for Successful Transition to Adulthood

## Background

Children enter foster care after experiencing abuse or neglect, or due to some other circumstance that prevents them from safely remaining with their families. In FY2017, about 189,000 teens and young adults spent at least one day in foster care. Of those who left care during that year, more than 19,000 *aged out* or were *emancipated*. Generally this means these youth reached a state’s legal age of adulthood—usually 18, or up to 21 in states that extend foster care—without having been reunited with their families or placed in new permanent families.

The John H. Chafee Foster Care Program for Successful Transition to Adulthood (*Chafee program*) provides funds to states, territories, and Indian tribal entities (*states*) with material and other supports for current and former foster youth. The Chafee program is authorized under Title IV-E, Section 477 of the Social Security Act (SSA). The U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF) administers the Chafee program. Formerly known as the John H. Chafee Foster Care Independence Program, it was established by the Foster Care Independence Act of 1999 (P.L. 106-169), and succeeded a similar program that was established in 1985. The Chafee statute has been amended five times, notably in the early 2000s to include the Chafee Education and Training Voucher (ETV) program and in 2018 (Title VII, Division E of P.L. 115-123) to focus supports more clearly on youth who spend time in foster care at age 14 or older without regard to whether they ultimately age out of care.

## Supports

States may use Chafee funding to provide supports listed in the authorizing law. These may consist of educational assistance, career exploration, mentoring, and preventive health activities, among other services. States can dedicate as much as 30% of their program funding toward room or board for youth ages 18 to 21 (and up to age 23 in states that have extended foster care to age 21 using federal, state, or other funds, as determined by the HHS Secretary). This includes room or board for youth who attend institutions of higher education. *Room or board* is not defined in statute but typically includes food and shelter, and may include deposits, startup costs, rent, and utilities.

## Education and Training Voucher Program

The Chafee statute includes a separate authorization and funding authority for the ETV program. States may use ETV funding to provide a voucher—worth up to \$5,000 each year or the *cost of attendance* (whichever is less)—for a Chafee-eligible youth to attend an *institution of higher education*, as these terms are defined by the Higher

Education Act (HEA). HEA defines *cost of attendance* as the costs for tuition, fees, books, supplies, and an allowance for transportation and child care, among other expenses. HEA defines *institution of higher education* to include traditional higher education institutions (e.g., public or private nonprofit colleges and universities) as well as other postsecondary institutions (e.g., technical training programs and postsecondary vocational schools). Further, the Chafee statute directs state child welfare agencies to take steps to prevent duplicating benefits under the ETV program and other federal programs.

Youth are eligible to receive ETVs for as many as five years (up to age 26) so long as they are making satisfactory progress toward completion of their education program and regardless of whether they attend in consecutive years. Youth may attend on either a full-time or part-time basis. Between 16,514 and 17,100 youth have received a voucher in each year from 2011 to 2014.

## Eligibility

The Chafee statute’s purpose areas outline eligibility for the program. HHS has also provided additional guidance on eligibility. (See **Table 1**.) Generally, the program is available to current and former foster youth between the ages of 14 and 21, or up to age 23 in states that extend foster care to age 21. The law also specifies that supports under the program are to be made available to Indian children on the same basis as other children. As noted, Chafee-eligible youth may receive ETVs until age 26.

**Table 1. Eligibility for the Chafee Program**

| Eligibility Categories  |
|---|
| <ul style="list-style-type: none"><li>• Children and youth in foster care between ages 14-21.</li><li>• Youth who aged out of foster care and are between 18-21 (or up to 23 in states that extend foster care to 21).</li><li>• Children and youth who left foster care at 16 or older for kinship guardianship or adoption, until they reach 21 (or up to 23 in states that extend foster care to 21).</li><li>• Children and youth who had been in foster care between 14-21 and left foster care for some other reason besides aging out of foster care, kinship guardianship, or adoption.</li><li>• Children likely to remain in care until 18, pertaining to the Chafee purpose area of providing “regular, ongoing opportunities to engage in age or developmentally-appropriate activities.”</li></ul> |

**Source:** Section 477(a) of the Social Security Act and HHS guidance.

## NYTD

The National Youth in Transition Database (NYTD), which became operational in 2011, seeks to capture the characteristics and experiences of certain current and former foster youth across the country. States reported via NYTD that between 97,000 and 112,000 youth annually received a supportive service to assist them in their transition to adulthood in each of FY2011-FY2016. These services may have been provided with Chafee dollars or other public or private funds. In addition to these *served youth*, states report on *follow-up youth*—individuals the states track over time to assess their outcomes. Young people are surveyed at 17 when they are in care, 19 when they may or may not be in care, and 21 when they are no longer in care. HHS most recently reported on youth who completed the survey in FY2011, FY2013, and FY2015. Of these youth, 43% reported having a homeless experience at some point in their lives and 26% had experienced homelessness between ages 19 and 21.

The Chafee statute requires that HHS submit a report to Congress by October 1, 2019, that uses NYTD and other relevant databases to examine the experiences of current and former foster youth. For example, the report must include an analysis of the outcomes of youth who remain in care at age 17 compared to those who left before age 17.

## Funding

The statute provides \$140 million annually in mandatory funding for the Chafee program, which is to increase to \$143 million in FY2020. ETV funding is discretionary, and the statute authorizes up to \$60 million annually. FY2019 funding for the ETV program is \$43.3 million. To receive funds, a state must submit a five-year plan (and annual plan updates) to HHS that describes how it intends to carry out its Chafee-funded program and affirms that it meets the law’s requirements (e.g., the state coordinates the program with other youth programs).

Funds are allocated to states based on their relative share of children in foster care and to eligible tribes (out of a state’s allotment) based on the share of tribal children in foster care in the state. The Chafee statute includes a *hold harmless* clause that precludes any state from receiving less than the amount of funds it received in FY1998 under the predecessor program to Chafee or \$500,000, whichever is greater. Currently, Puerto Rico and the U.S. Virgin Islands are the only territories receiving funds. States must provide a 20% cash or in-kind match to receive their full federal Chafee and ETV allotments. Further, states may use funds only to supplement, and not supplant, any other funds that are available for activities authorized in the program.

States must annually request to receive their allotments and must spend the funding in a two-year period, either the fiscal year it is received or in the succeeding fiscal year. If a state does not apply for its full allotment, the funds are reallocated by HHS to one or more other states on the basis of their relative need for such additional allotments (as determined by HHS). Further, recent changes to Chafee permit HHS to redistribute funds not used within the two-year period among states that apply for them, provided HHS determines these jurisdictions would use the funds

according to the program purposes. The law directs HHS to distribute any such funds based on the relative share of children in care in each state that applies successfully.

## Evaluation Activities

The Chafee statute directs HHS to reserve a portion of the program funding to conduct evaluations of Chafee-funded programs deemed to be “innovative or of national significance.” HHS conducted an evaluation of three promising local child welfare programs in California and Massachusetts. The evaluation randomly assigned foster youth into treatment or control groups. HHS found that one of the three programs had positive findings. The program features a social worker with a small caseload who advocates for the needs of foster youth in Massachusetts. The evaluation found that youth in this program were more likely than the control group to report having ever enrolled in college, and they were more likely to stay enrolled. They were also more likely to experience outcomes that were not a focus of the evaluation, such as remaining in foster care. Citing the lack of experimental research in child welfare, the Chafee research team is examining various models in other policy areas that could be used to better understand promising approaches of working with older youth in care and those transitioning from care.

## Related Federal Programs and Policies

Other federal child welfare law supports older children and youth in care. The federal foster care program, authorized under Title IV-E of the SSA, provides partial reimbursement to states to extend foster care up to age 21. Half of all states, the District of Columbia, and eight tribes have done so. The federal foster care program includes certain protections for older children and youth (e.g., they have a written case plan intended to be a roadmap for a successful transition to adulthood). Other federal support is also available (see **Table 2**).

**Table 2. Related Programs Outside of Child Welfare**

| Program   | Support  |
|---|--|
| <i>Medicaid</i>   | Former foster youth who aged out of foster care are eligible for a mandatory Medicaid pathway until age 26 without regard to income.   |
| <i>Youth Activities and Job Corps Programs</i>          | These programs provide job training to low-income individuals, including current and former foster children and youth ages 14-24 (Youth Activities) or 16-24 (Job Corps).  |
| <i>Higher Education Act (HEA) Policies and Programs</i> | Financial aid applicants who were in foster care at age 13 or older are considered <i>independent</i> when applying for federal financial aid. Current and former foster children and youth are also eligible for the TRIO programs to support enrolling and persisting in higher education. |
| <i>Family Unification Vouchers (FUP)</i>                | Youth who age out of foster care are eligible, until age 24, for housing subsidy vouchers for up to 36 months if they are homeless or at risk of homelessness.   |

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