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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 FY2019, about 155,000 teens and young adults spent at least one day in foster care. Of those who left care during that year, more than 20,000 *aged out* or were *emancipated*. Generally this means these youth reached a state’s legal age of adulthood, usually 18, 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*) to address poor education, employment, and other outcomes experienced by many such foster youth as they transition to adulthood. 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 created in 1985. The Chafee statute has been amended five times, notably in 2002 (Title II, P.L. 107-133) 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 even if they do not emancipate.

Supports

The Chafee program provides funds to states to assist them in offering supportive services for youth who experience foster care at age 14 or older, including former foster youth up to age 21. States are expected to use Chafee funds to provide a full range of services and supports intended to help eligible youth, such as educational assistance, career exploration, mentoring, and preventive health activities, among other services. States can dedicate as much as 30% of their funding toward room or board for youth ages 18 to 21 (and up to age 23 in states that have extended foster care). This includes room or board for youth who attend institutions of higher education. *Room or board* is not defined in statute but typically includes shelter and food.

Education and Training Voucher Program

The Chafee statute includes a separate authorization 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, 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) as well as other postsecondary institutions (e.g., 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 completing their education and regardless of whether they attend in consecutive years. Youth may attend on either a full-time or part-time basis. Between approximately 16,500 and 17,000 youth have received a voucher in each year from 2011 to 2017. A forthcoming HHS study of the ETV program examines how nine states administer the program. Initial findings indicate that former foster youth with an ETV are more likely to enroll and persist in college compared to peers without an ETV.

Eligibility

The Chafee statute’s purpose areas outline eligibility for the program. (See **Table 1**.) The program is available to current and former foster youth ages 14 to 21, and the statute specifies that states extending foster care to age 21 may provide Chafee supports to age 23. 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, eligible youth may receive ETVs until age 26.

Table 1. Eligibility for the Chafee Program

Eligibility Categories
<ul style="list-style-type: none"> Children and youth in foster care between ages 14-21. Youth who aged out of foster care and are between 18 and 21 (or 23 in states that extend foster care to 21). Children and youth who left foster care at 16 or older for kinship guardianship or adoption, until they reach 21 (or 23 in states that extend foster care to 21). Children and youth who had been in foster care between 14 and 21 and left it for some other reason besides aging out of foster care, kinship guardianship, or adoption. 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.”

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

NYTD

As required by the Chafee statute, HHS established the National Youth in Transition Database (NYTD) to capture the characteristics and experiences of certain current and former foster youth across the country. States have reported to NYTD since FY2011 on the number of youth who annually receive a supportive service to assist them in their transition to adulthood. 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. As required by the Chafee statute, HHS submitted a report to Congress in February 2020 that discussed the experiences of follow-up youth surveyed at age 17 (2014) and again at ages 19 (2016) and 21 (2018). The analysis found the following:

- Compared to youth who had exited foster care at ages 13-16, those who were in care and surveyed at age 17 were more likely to have been placed in a group home or institution, had slightly more placement changes, and were more likely to have entered foster care due to a child behavior problem or caretaker inability to cope.
- Among youth who completed the survey at ages 17 and 19, those who remained in care were less likely than their peers who left care to report that they had been incarcerated for allegedly committing a crime, had given birth to or fathered a child, or been homeless within the past two years. Youth who remained in care were also more likely to be attending school.
- Certain experiences while in foster care shaped outcomes of youth ages 19 and 21. For example, youth were more likely to be in school or to graduate from high school if they had fewer foster care placements and lived in a foster family home (as opposed to other placement types).

Funding

The Chafee statute provides \$143 million annually in mandatory funding for the general Chafee program. ETV funding is discretionary, and the statute authorizes up to \$60 million annually. 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.

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, HHS allocates the funds to one or more other states on the basis of their relative need for such additional allotments (as determined by HHS). Further, HHS may redistribute funds not used within the two-year period to states that apply for them, provided HHS determines the states would use the funds consistent with the program purposes. HHS must 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 activities deemed to be “innovative or of national significance.” HHS initially conducted an evaluation of four promising local child welfare programs in which foster youth were randomly assigned to either treatment or control groups. HHS found that one of the programs—the Adolescent Outreach Program in Massachusetts—had positive findings. Youth in the treatment group (i.e., who participated in the program) were more likely than youth in the control group to enroll in college and stay enrolled. HHS is conducting research on three programs—the Seitas Scholars program in Michigan, the iFoster employment program in California, and MyTime employment program in Illinois—to inform the design of education and employment interventions that can support foster youth as they transition to adulthood.

Temporary Flexibilities

In response to the COVID-19 global health pandemic, the Supporting Foster Youth and Families through the Pandemic Act (Division X of P.L. 116-260) appropriates \$400 million in supplemental funding for the Chafee program (of which a minimum of \$50 million must be reserved for ETVs). Combined with the regular FY2021 Chafee funding of \$186.3 million, this brings the total FY2021 Chafee funding to \$586.3 million. States may use a part of the \$400 million in supplemental funding for carrying out temporary Division X requirements for Title IV-E Foster Care, such as prohibiting states from requiring youth to age out of foster care through FY2021. The law also waives the state match requirement for the supplemental FY2021 funds.

Division X shifts the age of eligibility to 27 for the Chafee and ETV programs and increases the maximum annual amount of the ETV award to \$12,000 through September 30, 2022. In addition, the law provides program flexibilities that allow states to use more than 30% of their Chafee funds to provide room or board for any Chafee-eligible youth (rather than only those who have emancipated); permit funds to be used to assist current and former foster youth ages 15 to 27 with driving and transportation-related costs; and alter the requirements around eligibility and use of funds under the ETV program. Generally, these flexibilities are in place through September 30, 2021.

For further information about the Chafee program, see CRS Reports RL34499 and R46734.

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