

# The Act to Leave No Child Behind

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## ACTION

- Cosponsor and support the Act to Leave No Child Behind (S. 940/H.R. 1470), a comprehensive policy agenda addressing the needs of children. Title VIII of the act extends resources to states to help provide services to abused and neglected children and those children at risk of abuse and neglect, and to support adoptions.

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## HISTORY

Over the past several years, discussions and hearings have been held to review the current federal supports in place to provide services to abused and neglected children, their families, and children who are at risk of abuse and neglect.

Those discussions will continue in 2002. The President's FY 2003 budget notes that the structure and financing of child welfare services is "often criticized as complex and inflexible," and that "the Administration will review federal child welfare programs to ensure an appropriate balance between flexibility and accountability that promotes the outcomes for vulnerable children and families." The budget states that, in the year ahead, the Administration will have discussions with interested parties about this issue.

In 2001, Senator Christopher Dodd (D-CT) and Representative George Miller (D-CA) introduced the Act to Leave No Child Behind, an omnibus bill addressing the unmet health care, educational, housing, income support, child protection, youth development, and other needs of the nation's children. The Movement to Leave No Child Behind has now received endorsements from more than 1,000 organizations, including CWLA, as well as 263 state legislators and 69 mayors.

Title VIII of the Act to Leave No Child Behind is a comprehensive proposal to restructure federal financing so states can provide children and families in the child welfare system with the assistance they need. Title VIII provides additional federal funding for preventive, crisis, permanency, and post-permanency services for children and parents or other caregivers when they first come to the attention of the child welfare system; when children enter foster care; and when children leave care to be united with their families, adopted, or placed permanently with grandparents or other relatives. Title VIII would also expand eligibility for foster care, adoption assistance, and other services, as well as add funding for children in kinship guardianship arrangements.

Title VIII of the Act to Leave No Child Behind

- expands the scope of federal financing to support the full range of services necessary to assist families in the child welfare system provide safe, nurturing care for their children, or, when necessary, develop and implement an alternative permanency option for their children;
- establishes the opportunity for states to receive federal reimbursement for preventive, crisis, permanency and post-permanency services deemed necessary for a specific family, as specified in an agency case plan;
- recognizes the importance and value of kinship guardianship, establishing ongoing monthly support for the guardian, and providing services as needed for the child and relative guardian;
- extends federal support for training reimbursement for private agency staff, courts, and attorneys who have key relationships with children and families involved in the child welfare system;
- eliminates current financial eligibility requirements tied to Aid to Families with Dependent Children standards, thereby making all children eligible to receive federal foster care and adoption assistance reimbursement;

- provides optional Title IV-E federal funding to tribal entities;
- standardizes the Title IV-E federal reimbursement for room and board, administrative costs, training, and services to match the states federal medical assistance percentage reimbursement, the rate used by the Medicaid program; and
- sets new accountability measures for states, including a provision to report to the federal government and state stakeholders every two years.

Many advocates, legislators, and administrators agree it is time to modify the partnership between the federal government and state and local child welfare agencies. The current federal funding system for child welfare services provides open-ended entitlement support for out-of-home care through the Title IV-E Foster Care Program. But funding to prevent child abuse and neglect, to keep children safely with their families, or to support timely family reunification when temporary removal is necessary, is provided through discretionary funding and has not kept pace with the costs of providing those services. The current system of federal support emphasizes the removal of children from their homes and placement in out-of-home care, without sufficiently assisting states to provide services that prevent unnecessary placement and facilitate safe reunification or other permanency outcomes.

The current federal focus on placement, without sufficient services for children and families, also fails to provide states with the necessary supports to accomplish the goals of the Adoption and Safe Families Act (ASFA). The ability to provide appropriate services is key to assisting families in meeting the ASFA requirements and ensuring the goals of safety and permanence for children are realized. Child welfare workers frequently cannot access appropriate services for the children and families they serve. As a result, children are placed in foster care unnecessarily, remain too long in care, or are separated permanently from families who have not received the services they need to safely resume parenting.

The Act to Leave No Child Behind includes several of CWLA's other top legislative priorities, including

- the Child Protection/Alcohol and Drug Partnership Act (S.484/H.R. 1909),
- the Younger Americans Act (S. 1005/H.R. 17),
- legislation to restore funding for the Social Services Block Grant (S. 501/H.R. 1470),
- the Family Opportunity Act (S. 321/H.R. 600), and
- increased funding and quality improvements for child care programs.

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