



Act to Leave No Child Behind

ACTION

- Support an enhanced federal commitment to help states protect and care for abused and neglected children. Cosponsor and support the Act to Leave No Child Behind, a comprehensive bill that addresses the needs of children. Title VIII of the act would extend resources to states to help provide services to abused and neglected children and those at risk of abuse and neglect, and to support adoptions.

HISTORY

Recent headlines report how, as a nation, we are failing to protect our children from abuse and neglect. These stories reveal that states and the federal government need to build a better partnership to ensure that our children are protected. New state and federal investments are needed to sustain and strengthen the comprehensive community-based systems of support that secure the safety of our children.

Over the past several years, Congress has held discussions and hearings to review the current federal supports that provide services to abused and neglected children, their families, and children who are at risk of abuse and neglect. Those discussions will likely continue in 2003 as reports of child abuse and neglect persist at unacceptably high levels. The President's FY 2004 budget announces a new legislative proposal to give all states an option to participate in an alternative financing system for child welfare, providing for more flexibility in using their federal child welfare funds.

This year, Senator Christopher Dodd (D-CT) and Representative George Miller (D-CA) will reintroduce 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 our nation's children.

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 help 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 standards of the old Aid to Families with Dependent Children program, 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 state's 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.

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 does not sufficiently assist states to provide services that prevent unnecessary placement and facilitate safe reunification or other permanency outcomes.

Without sufficient services for children and families, the current federal focus on placement also fails to provide states with the necessary supports to accomplish the goals of the Adoption and Safe Families Act (ASFA) and to help states meet the goals outlined in the federally mandated Child and Family Service Reviews. 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,
- the Younger Americans Act,
- legislation to restore funding for the Social Services Block Grant,
- the Family Opportunity Act, and
- increased funding and quality improvements for child care programs.

CWLA CONTACT

Liz Meitner

202/942-0257

emeitner@cwla.org