Policy Analysis of the John H. Chafee Foster Care Independence Program

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With over 20,000 youth aging out of the foster care system each year (U.S. Department of Health and Human Services, 2008), it is important to consider the relationship between former foster youth and society through the context of public policy. Most youth are mandated by policy to transition out of the foster care system, at the age of 18 or 21 (Blome, 1997). Although the word transition may seem to imply a gradual shift from being a ward of the state to an independent adult, the shift is often all but gradual. Emancipation from the foster care system typically occurs on youths’ 18th or 21st birthday, regardless of whether they are prepared for independence (Blome, 1997). For foster youth aging out of the child welfare system, their 18th or 21st birthday means an immediate end to housing, health insurance, case management, financial security, and caring adult connections (Okpych, 2012). Between the mandated disengagement from services and the preexisting childhood trauma, these youth are at a severe disadvantage, specifically in regards to their aspirations of achieving educational success and corresponding financial stability (Courtney & Dworsky, 2006).

An example of the educational challenges foster youth face was described in a study conducted by Wolanin (2005) that compared the educational achievements of foster youth with their non-foster youth peers. Wolanin (2005) found that 50% of foster youth complete high school by the age of 18 compared with 70% of their non-foster youth peers. Wolanin (2005) also found that only 20% of those foster youth who graduated high school went on to attend college compared with 60% of their non-foster youth peers. The percentage of foster youth who go on to graduate from college is very low (Davis 2006; Wolanin, 2005) with estimates that around 3% of foster youth graduate with a bachelors degree (Pecora et al., 2005; Pecora et al., 2006a) compared to 24.4% of the general population (U.S. Census Bureau, 2006).
Former foster youth’s lack of educational attainment is detrimental to their ability to lead a financially stable life. According to the U.S. Census from 2006, those with a bachelor’s degree earned an average $56,000 in comparison to approximately $31,000 for those who only had a high school diploma. To make matters worse former foster youth are significantly more likely to have a GED, due to dropping out of high school which results in even lower earnings and an even more challenging economic situation (Pecora et al., 2006a; Pecora et al., 2006b; Wolanin, 2005). One study found one third of former foster youth to be at or below the poverty level, which was three times the national poverty rate (Pecora et al., 2006a). Due to their earnings often being below poverty (Harris, Jackson, O’Brien, & Pecora, 2009) many former foster youth are unable to meet living expenses, lack health care, experience unplanned pregnancies, become homeless, encounter unemployed, or end up incarcerated (Courtney & Dworsky, 2006; Pecora et al., 2006a; Reilly, 2003 Schlebe, 2011). The problem of youth aging out of foster care without sufficient resources leads to an accumulation of costs that all members of society must bear as these youth often end up utilizing government assistance (Courtney & Dworsky, 2006; Schelbe, 2011). One study found that former foster youth were receiving public cash assistance at a rate more than five times that of the general population (Pecora et al., 2006a). Several former foster youth also reportedly lack numerous critical resources such as a driver’s license, cash, a checking account, food, dishes, and utensils (Courtney & Dworsky, 2006; Pecora et al., 2006a).

In considering all of the struggles former foster youth face in their transition to independence and adulthood, Blome (1997) raises the point that caseworkers are to expect a higher level of functioning from foster youth than parents generally expect of their own biological children. Blome (1997) makes the argument that foster youth should have the same
opportunity as their non-foster youth peers to explore opportunities to attain an education and employment. Blome (1997) continues to explore the irony of the situation as she states:

> It is a curious reality that society’s most vulnerable youth, those who have suffered abuse or neglect and have never known consistent, permanent, nurturing adult relationships, are asked to be self-sufficient at a time when other youth are still receiving parental support in college or are experimenting with their first job from within the safe confines of a family. (p.42)

Fortunately, research has found that when support services are in place for former foster youth or youth are permitted to stay in foster care past what would be the mandatory emancipation age, the issues such as unemployment, homelessness, pregnancy, and dropping out of school are greatly reduced (Courtney & Dworsky, 2006; Reilly, 2003; Ringle, Ingram, & Thompson, 2010). In addition, research has demonstrated that the majority of foster youth do aspire to go to college with one study reporting that 80% of the participants wanted to attend college or a training program (Courtney, Terao, & Bost, 2004). Former foster youth who have had success in higher education have experienced not only increased earnings but also improved self-confidence and self-sufficiency (Casey Family Programs, 2008; Collins, 2004). A key component of the educational and financial success of former foster youth is public policy that allows for the provision of assistance to these youth so they can transition out of the child welfare system to adulthood with greater ease.

**Recent Improvements to Policy**

Over the last decade, there has been mounting concerns and considerable policy developments targeted at youth transitioning out of foster care.

**Chafee Foster Care Independence Act of 1999**
One of the most significant improvements to child welfare policy is the John H. Chafee Foster Care Independence Act of 1999 (P.L. 106-169). The Chafee Foster Care Independence Act allocates $140 million each year to the states for independent living services to help teen foster youth up through the age of 20, transition out of care, obtain employment, receive education, and general support (Fernandes, 2007). The Chafee Foster Care Independence Act also encourages, although it does not require, states to provide Medicaid coverage to foster youth, up through the age of 20, who have been emancipated from the system. In order to receive the allocated funds, states must submit a five-year plan describing the independent living services they will provide, states must also provide a 20% match of the funds, and the funds must be used within two years or they will be reverted back to the federal treasury (Fernandes, 2007). The funds are allocated to the states based on a proportion of the number of youth in foster care in a particular state compared to the nation’s foster youth population (Fernandes, 2007). Lastly, the act mandates the reporting of outcomes of current and former foster youth who utilize independent living services with a noncompliance penalty for not reporting of a 1% to 5% decrease in allocated funding (Fernandes, 2007).

**Chafee Education and Training Voucher of 2002**

As an expansion of the Chafee Foster Care Independence Act, Congress passed the Chafee Education and Training Voucher (P.L. 107-133) in 2002, which allocates $60 million each year for eligible current and former foster youth to receive education and training vouchers worth up to $5,000 a year (Fernandes, 2007). The voucher can be used for tuition, room and board, transportation, and childcare expenses. To be eligible to receive the education and training voucher former and current foster youth must be enrolled at an accredited college and pursuing a degree or certificate and must have been in foster care on or after their 16th birthday, have
accessed an education training voucher by age 20, and be under the age of 23. To continue to be eligible for funding youth must meet the above criteria as well as maintain a 2.0 GPA and be making progress towards a degree or certificate. The funds are allocated with the same requirements of the Chafee Foster Care Independence Act (Fernandes, 2007).

Policy Critique

Although the recent interest and resulting corresponding legislation in regards to youth transitioning out of foster care is helpful, there are still notable gaps in the initiatives, services, and resources for current and former foster youth. Some of the largest gaps in the current policy are in the areas of understanding the needs of foster youth, the utilization of existing funding, and the equitable distribution of resources.

Understanding of Needs

One of the most notable issues with the existing policies that allocate resources to youth transitioning out of foster care is the lack of understanding the needs and lived experiences of foster youth. In some ways, the experiences of foster youth are not drastically different from other college-aged youth but in other ways, they do have very specific and unique needs (Dowsky & Perez, 2010; Keller, Cusick, & Courtney, 2007). It could be easy to assume that foster youth have similar experiences pursuing higher education as first-generation low-income college students (Day, Dworsky, Fogarty, & Damashek, 2011; Dowsky & Perez, 2010). For example, it is common that both first-generation low-income college students and former foster youth in college have to balance employment and school (Dowsky & Perez, 2010). It is important to recognize that although there is overlap between foster youth and other populations, foster youth still have unique needs in addition to normal college struggles, such as lacking family privilege and being prematurely forced to independence (Unrau, Font, & Rawls, 2011).
One unique need of foster youth is the rate at which they need remedial education. For example, one study found that over 50% of foster youth in college were required to take remedial level courses that don’t count for credit (Dowsky & Perez, 2010). The need for remedial education is often the result of foster youth being tracked out of college preparatory classes (Blome, 1997; Dowsky & Perez, 2010), changing primary and secondary schools frequently (Pecora et al., 2005; Wolanin, 2005), experiencing out-of-school suspension or expulsion (Courtney et al., 2004), or having a learning disability (Hernandez & Naccarato, 2010). One study found that foster youth can lose 4 to 6 months worth of education every time they change primary and secondary schools (Wolanin, 2005). These circumstances also result in foster youth being more likely than their peers to repeat a grade (Pecora, et al., 2005). The stipulations that are presently on the Chafee Education and Training Voucher limits foster youth who may need remedial education or are graduating later due to repeating a grade or temporarily dropping out of school as the voucher is only good for a limited time, from the ages 16 to 23 (Day et al., 2011).

Another need that is understated and ignored in the Chafee legislation is foster youth’s need for health insurance and mental health resources (Courtney & Dworsky, 2006; Hines, Merdinger, & Wyatt, 2005; Lovitt & Emerson, 2008; Pecora et al., 2006a; Unrau, Font, & Rawls, 2011; Wolanin, 2005). The Chafee legislation encourages states to provide health care through the age of 20 but states are not required to do so. Even those states that do provide the optional healthcare, it still runs out while foster youth are still in the process of pursuing higher education. In regards to some of the counseling and mental health needs, it is common for foster youth to experience anxiety about attaining their goals and leaving behind their past even though it is often something they want (Hernandez & Naccarato, 2010). Some foster youth may feel as
though they do not have the right to achieve their goals (Hernandez & Naccarat, 2010) as they experience survivors’ guilt (Wells & Zunz, 2009) and become accustomed to a constant state of loss to the point of losing their own sense of identity (Geenen & Powers, 2007).

The need for safe and affordable housing is also extremely underrepresented by current legislation. One study suggested that former foster youth may fear graduation from college as though they were being emancipated from foster care again because they do not know if they will have a place to live (Hernandez & Naccarat, 2010). A couple of other studies also documented the need for stable housing for foster youth and have predicted that having secure housing may result in positive education outcomes for foster youth (Collins, 2001; Collins, 2004; Dowsky & Perez, 2010; Wells & Zunz, 2009).

Underutilization

Another issue with the current Chafee legislation is that it is being underutilized (Massinga & Pecora, 2003). For example, in 2004 states were allocated a total of $140 million in general Chafee funds and 19% were returned to the federal treasury, with some states returning over 80% of their allocation (Fernandes, 2007). Also, in 2004, states were allocated a total of $44 million in voucher Chafee funds and 24% were returned to the federal treasury, with some states returning over 50% of their allocation (Fernandes, 2007). A report on the utilization of Chafee funds in 2004 found that one third of states served less than half of the eligible youth (Ferenandes, 2007). In addition, almost every state reported increased coordination with a variety of non-Chafee federal funded programs but program administrators reported being unaware of the coordinated services (Fernandes, 2007).

One of the reasons why Chafee funding and services may be underutilized is the hesitancy of current and former foster youth to affiliate with services provided by the foster care
system (Dowsky & Perez, 2010; Wells & Zunz, 2009) due to the associated stigma (Dowsky & Perez, 2010; Wells & Zunz, 2009) or the belief that they system is the problem (Collins, 2004).

Inequity

A third issue of concern in regards to the Chafee legislation is the lack of equity in distribution of resources and services. For example, some states are putting additional state funding towards Chafee independent living programs, above and beyond the 20% required matching funds resulting in some youth will having greater access and greater support in pursuing post secondary education (Collins, 2004). In addition, there is the question of whether the youth receiving Chafee funds are the ones most in need. The eligibility requirements for participating in some independent living programs and Chafee voucher funds may limit the resources to the youth who are already the most engaged, most interested, and most mature making them the least vulnerable among a vulnerable group of foster youth (Collins, 2004).

In regards to inequity the Chafee legislation does not address the unequal outcomes of Whites in foster care and African Americans or other minorities in foster care. For example, foster youth of color are more likely to face additional struggles such as racism and prejudice (Schelbe, 2011) and experience educational inequalities (Zwick, 2007; Chang, Altbach, & Lomotey, ). Whether in foster care or not, African Americans are at a disadvantage educationally due to separate and unequal schooling (Yun & Moreno, 2006). The educational situation for African American foster youth only becomes further exacerbated as the inequities of their minority statuses of being a person of color and a foster youth interact, and interfere further with their education. For example, Harris, et al., (2009) found that among former foster youth African American’s fared worse than Whites on the following measures: income at or below the power level, income three times the poverty level, and owning a home or apartment. One of the
contributing factors of the decreased financial stability of African American former foster youth in comparison to White former foster youth was that African Americans were more likely to have a GED than a high school diploma (Harris et al., 2009).

**Future Policy Implications**

Although the intent of the Chafee legislation is not to meet all of the needs of current and former foster youth, there clearly are some very important needs that are not being met (Collins, 2004; Day et al., 2011; Wells & Zunz, 2009). It is essential to that some changes be made to public policy and higher education institutional policy so that foster youth may be better supported.

**Recommendations for Public Policy**

Since a primary issue with the Chafee legislation is underutilization it is necessary to increase the awareness of the legislation and advocate for the approval of additional legislation that will provide further resources and support to foster youth (Massinga & Pecora, 2003). Specifically, efforts should be made to promote policy that offers foster youth the option of remaining in care until they have completed a bachelor's degree and allows for certain transitional services to continue after emancipation from care (Reilly, 2003). Similarly, an open or ‘revolving door’ policy should be implemented so that foster youth can reenter the system when they feel they are in need of services (Geenen & Powers, 2007).

Although the funding provided by the Chafee legislation is helpful, especially the education training voucher, there needs to be more financial aid available for foster youth with eligibility spanning beyond the age of 23 (Day et al., 2011; Dowsky & Perez, 2010; Hernandez & Naccarato, 2010; Okpych, 2012; Reilly, 2003; Shelbe, 2011). According to a study conducted by Wells and Zunz (2009) a quarter of service providers said that Education and Training Voucher funds alone were not sufficient for foster youth to obtain a postsecondary education.
This is likely due to the rising cost of college, which resulted in the Education Training Voucher depreciating and covering less than one third of the cost of attendance at a four-year public university (Okpych, 2012). It is also important to note that youth are by no means guaranteed to be awarded the full $5,000 education training voucher amount. Okpych (2012) recommends that the Education Training Voucher should reflect annual increases in tuition using a formula similar to the Pell Grant.

Another issue regarding financial aid for foster youth is finding employment that youth can maintain while pursuing a higher education. Presently, foster youth are often placed in a situation similar to the single mothers discussed in Shaw’s (2004) analysis of welfare reform, in which they must choose between going to college or making ends meet. According to Okpych (2012) although foster youth may want to go to college to gain skills to obtain a higher paying job in a growing market, it is difficult for them to make the decision to go to college and forgo employment when they are advancing toward forced independence by the government. An increase in alternative financial aid such as work-study would likely encourage foster youth to persist through higher education because they could make money to support themselves while they attend school to prepare for a higher paying job. According to Carnevale, Smith, & Strohl (2010), college degrees can mean long-term security for all youth, but especially foster youth, as they are linked to higher wages, social mobility, and a decreased risk for unemployment. In addition to meeting the goal of social mobility, foster youth attaining a degree can also meet the goal of social efficiency and citizenship as they would be prepared to fill a job and have the education of how they can use their experiences in foster care to change society (Labaree, 1997).

Lastly, there is a significant need for more in depth evaluation of existing legislation related to foster youth so that areas for improvement can be identified (Collin, 2011; Collins,
2004; Dworsky & Perez, 2010; Fernandes, 2007; Geenen & Powers, 2007; Harris et al., 2009; Hernandez & Naccarato, 2010; Lovitt & Emerson, 2008; Reilly, 2003; Wells & Zunz; 2009).

Specifically, data about the cost benefit analysis of providing legislation that improves the ease of access to higher education for foster youth may help strengthen support for existing legislation and new initiatives (Collins, 2001; Shelbe, 2011). According to Okpych, (2012) the question is not whether money will be spent but a matter of whether it will be sooner rather than later.

**Recommendation for Higher Education Institutions**

A primary issue for influencing the educational success of foster youth that higher education institutions can address is housing. Some institutions have year-long housing in a residential theme community for foster youth while other institutions make special arrangements so that foster youth have a place to stay over academic breaks (Dworsky & Perez, 2010). In addition, higher education institutions can assist foster youth by lifting or increasing the cap for counseling services (Dworsky & Perez, 2010; Hernandez & Naccarato, 2010). An increase in the accessibility of mental health services on college campuses would benefit not only former or current foster youth but also the general student population as mental health needs across the U.S. are on the rise (Kitzrow, 2003).

Institutions can also increase their ability to provide services to foster youth by adding a question to their application asking if a youth is in foster care (Dworsky & Perez, 2010). This would allow colleges to increase awareness of foster youth enrolled at their institution so that they can provide more personalized services to the youth (Pecora et al., 2006a). It would likely be helpful for foster youth to have a liaison at college who can help coordinate the various services they may be eligible for (Dworsky & Perez, 2010; Hernandez & Naccarato, 2010). For youth to receive personalized services at higher education institutions there would need to be an
increased understanding among staff and instructors as to the needs of youth transitioning out of foster care (Emerson, 2006; Pecora et al., 2006a; Unrau, et al., 2011). At the very least financial aid officers should be aware if they are working with a youth transitioning out of foster care because there is an identifying question on the FAFSA (Wells & Zunz, 2009).

Lastly, a recommendation for both public policy and for higher education institutions is that child welfare, K-12, and higher education need to work together to partner in providing support to foster youth so that they can experience a seamless transition to adulthood (Day et al., 2011; Pecora et al., 2006a). A couple of studies even recommended that the government fund campus support initiatives that would be managed by college and university staff (Day et al., 2011; Okpych, 2012). Specifically, several public higher education institutions already have the mission alignment, infrastructure, and expertise to partner with the child welfare system assist foster youth (Courtney, Hook, & Lee, 2010; Okpych, 2012). As states and higher education institutions partner it is important that data is tracked for the educational outcomes and services utilized by foster youth (Hernandez & Naccarato, 2010).

In conclusion, the policies passed by Congress in the last decade have been very instrumental in increasing the success of foster youth but it is essential that additional improvements continue to be made. To provide educational policy for foster youth the support that it needs, it may be necessary and beneficial to consider universal policy implementations (Collins, 2001; Collins, 2004). For example, according to Collins (2001) all youth could benefit from gaining independent living skills and having access to support resources. Collins (2004) and Schelbe (2011) recommend that future policy focus on interdependence and an emphasis that it is okay to utilize external resources as a healthy means of achieving goals.
References


**Improving family foster care: Findings from the northwest foster care alumni study.**

Seattle, WA: Casey Family Programs.


Ringle, J., Ingram, S., & Thompson, R. (2010). The association between length of stay in residential care and educational achievement: Results from 5- and 16-year follow-up studies. *Children and Youth Services Review, 32*(7), 974-980. doi: 10.1016/j.childyouth.2010.03.022


