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Appendix A. Methodology

In the fall and winter of 2011, the partner organizations involved in this study contacted by email correspondence child welfare directors in each of the 23 states and the District of Columbia that had an approved Title IV-E Guardianship Assistance Program (GAP) by September 2011. The letter served as an introduction to this collaborative project and explained its goals of identifying and sharing information about state approaches to GAP and in facilitating the exchange of information among state child welfare agencies and stakeholders working to promote permanent families for children and youth in foster care. The letter included a request for a phone interview with a child welfare staff member who could provide background and information about the agency's planning and/or implementation efforts related to GAP. The letter described the project's intent to prepare summaries of approved Title IV-E GAP plans and publish them on the www.fosteringconnections.org website, an online resource center that offers tools and information to support the implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008. Finally, the letter requested copies of the state's GAP policies and other available materials such as training protocols, Guardianship Assistance Agreements, and other tools or forms.

Subsequent to sending the introductory letter to child welfare directors, individuals from the partnering organizations scheduled and conducted phone interviews with state child welfare agency staff, following a common set of interview questions that covered a range of topics, including information about GAP's benefits to children and families, implementation strategies, challenges and opportunities in developing a Title IV-E Guardianship Assistance Program and other topics. Prior to the interview, individuals conducting the interviews reviewed the state's policies and statutes to find basic information about the state's GAP program. Following the initial interview, one or more phone and email exchanges occurred between the state child welfare contact and the interviewer to clarify and confirm information. The interviewer then drafted a written narrative and fact sheet for each state, which were then shared with the interviewee. In some cases, written revisions and corrections were made to the drafts. After further review and editing, state fact sheets and narratives were provided to the interviewees and the states for final review prior to publication. In some states interviews were also held with relative caregivers and other stakeholders. All individuals and organizations involved in the development of the report (see Acknowledgements) were provided an opportunity to review and comment on the report prior to publication.

In the spring of 2012, staff from Child Trends and Children's Defense Fund expanded the project to include the six additional states with more recently approved Title IV-E GAP plans. Outreach and information gathering with these state child welfare agencies followed the same methodology as described above.

The authors of this report are especially grateful to all the state child welfare staff and stakeholders for their time and generosity, and to the interviewers who continued to provide input into the narratives and fact sheets and this final report.

Appendix B. GAP Contacts in State Child Welfare Agencies²

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Appendix D. Fostering Connections Kinship Toolkit: Materials to Help States That Are Considering Taking the GAP Option or Are Implementing GAP

Below are selected pieces from the Fostering Connections Kinship Toolkit developed by the Children's Defense Fund and Child Focus that are designed to assist states considering whether to apply for Guardianship Assistance Program (GAP) funding and those engaged in implementation of GAP. It describes how to make the case for the investment and offers resources to help states implement the GAP option. These resources can be found on the FosteringConnections.org website as noted below and also at <http://www.childrensdefense.org/policy-priorities/child-welfare/fostering-connections/toolkit.html>

Five Key Questions to Assess the Fiscal Impact of the Guardianship Assistance Program, available at http://www.fosteringconnections.org/tools/tools_analysis_research/files/Five-Key-Questions-to-Assess-the-Fiscal-Impact-of-the-Guardianship-Assistance-Program.pdf

Making the Case for the Guardianship Assistance Program, available at http://www.fosteringconnections.org/tools/tools_analysis_research/files/Making-the-Case-for-the-Guardianship-Assistance-Program-2.pdf

Sample State Legislation to Implement the Guardianship Assistance Program, available at <http://www.childrensdefense.org/child-research-data-publications/data/sample-state-legislation-kinship-guardianship-assistance.pdf>

Sample Guardianship Assistance Agreement, available at <http://www.fosteringconnections.org/tools/assets/files/Sample-Guardianship-Assistance-Agreement.pdf>

Guide to Using the Guardianship Assistance Agreement, available at http://www.fosteringconnections.org/tools/tools_analysis_research/files/A-Guide-to-Using-the-Guardianship-Assistance-Agreement.pdf

Checklist for Guardianship Assistance Program, available at <http://www.childrensdefense.org/child-research-data-publications/data/guardianship-assistance-program-checklist.pdf>

Appendix E. Eligibility Criteria for the Federal Title IV-E Guardianship Assistance Program (GAP)

Child Eligibility:

(§473(d)(3); P.L. 110-351, §101(b); ACYF-CB-PI-10-01; ACYF-CB-PI-10-11)

- The child has been removed from his or her family's home pursuant to a voluntary placement agreement or as a result of a judicial determination that allowing the child to remain in the home would be contrary to the child's welfare.
- The child is eligible for federal foster care maintenance payments under Title IV-E of the Social Security Act for at least six consecutive months while residing in the home of the prospective relative guardian who was licensed or approved as meeting the licensure requirements as a foster family home.
- Return home or adoption are not appropriate permanency options for the child.
- The child demonstrates a strong attachment to the prospective relative guardian and the relative guardian has a strong commitment to caring permanently for the child.
- If the child is age 14 or older, the child must be consulted regarding the guardianship arrangement.
- Eligibility may not be limited due to the age of a child under 18 years old or to a child's special needs.

Sibling Eligibility:

(§473(d)(3)(B); P.L. 110-351, §101(b); ACYF-CB-PI-08-007; ACYF-CB-PI-10-11)

- Siblings of a GAP eligible child may be placed in the same relative guardianship arrangement if the department and the relative agree on the appropriateness of the arrangement for the siblings, even if the siblings do not meet the eligibility requirements for kinship guardianship assistance payments listed above. Federally supported guardianship assistance payments may be made on behalf of each sibling so placed.

Guardian's Eligibility:

(§471(a)(20)(D); 473(d); P.L. 110-351, §§101(b) & (c)(2)(A); ACYF-CB-PI-08-007; ACYF-CB-PI-10-11)

- The guardian is the eligible child's relative.³
- The guardian is a licensed foster parent and approved for guardianship assistance by the department after the guardian has undergone fingerprint-based criminal record checks and child abuse and neglect registry checks and all adults in the guardian's home have undergone child abuse and neglect registry checks;
- The eligible child has resided with the prospective relative guardian in the prospective guardian's residence for at least six months;
- The guardian has a strong commitment to caring permanently for the child; and
- The guardian has obtained legal guardianship of the child after the guardianship assistance agreement has been negotiated and finalized with the department.

³ Title IV-E does not define relative or require the state to define relative for purposes of GAP. If a state chooses to define relative, it can define relative as a person related by blood, marriage or adoption or a godparent or more broadly to describe a family friend with whom the child has a close relationship

Agency Responsibilities:

(§473(d)(3)(B); P.L. 110-351, §§101(b) & (c)(4)(F); ACYF-CB-PI-10-01; ACYF-CB-PI-10-11)

- Conduct fingerprint-based criminal record checks of the relative guardian and child abuse and neglect registry checks of the relative guardian and all adults in the guardian's home.
- Negotiate and enter into a written, binding guardianship assistance agreement with the prospective relative guardian (and provide a copy of the agreement to the prospective relative guardian prior to guardianship being awarded) that specifies:
 - the amount of the guardianship assistance to be provided under the agreement for each eligible child, which may not exceed the foster care maintenance payment the child received or would have received if he had remained in a foster family home, and the manner in which the payment may be adjusted periodically, in consultation with the relative guardian, based on the circumstances of the relative guardian and the needs of the child;
 - the additional services and assistance that the child and relative guardian will be eligible for under the agreement; (children eligible for Title IV-E GAP are eligible for Medicaid)
 - the procedure by which the relative guardian may apply for additional services as needed;
 - the department will pay the total cost of nonrecurring expenses associated with obtaining legal guardianship of the child, to the extent the total cost does not exceed \$2,000; and
 - the guardianship assistance agreement shall remain in effect without regard to state residency of the relative guardian;
- Include a description of the following in the child's case plan:
 - the steps that the agency has taken to determine that it is not appropriate for the child to be returned home or adopted;
 - the reasons for any separation of siblings during placement;
 - the reasons why a permanent placement with a fit and willing relative through a guardianship assistance arrangement is in the child's best interests;
 - the ways in which the child meets the eligibility requirements for a guardianship assistance payment;
 - the efforts the agency has made to discuss adoption by the child's relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption why adoption is not being pursued;
 - the efforts made by the agency to discuss with the child's parent or parents the guardianship assistance arrangement, or the reasons why efforts were not made;
- Consult with children 14 years and older about the guardianship arrangements;
- Make clear that a child who is eligible for Title IV-E adoption assistance when he or she receives GAP will be eligible for Title IV-E adoption assistance if the child is later adopted by the guardian as if he or she had never been in guardianship.

Appendix F. Selected Federal Programs that Offer Opportunities to Promote Permanent Families with Relatives for Children

The Fostering Connections to Success and Increasing Adoptions Act of 2008 Offers Assistance to States to Help Children Being Raised by Relatives

(P.L. 110-351; ACYF-CB-PI-10-01; ACYF-CB-PI-10-11)

- Federal assistance for states that opt for the Title IV-E Guardianship Assistance Program (GAP)
- Coverage under GAP for siblings even if they are not eligible individually
- Identification of relatives for children about to enter care
- Notice to relatives when a child is about to enter care, with exceptions for situations of family or domestic violence.
- Help to locate relatives through the Federal Parent Locator Service
- Family Connection Grants for kinship navigator programs, intensive family finding activities, family group decision making meetings and residential family substance abuse treatment program, all of which engage family members
- Eligibility for Independent Living Services and Education and Training Vouchers for children who leave foster care after age 16 for kinship guardianship
- Reasonable efforts to place siblings in the same foster care, kinship, or adoptive home or to maintain connections among siblings, unless it would be contrary to their safety or well being to do so
- Assurance that every school-age child in foster care or receiving kinship guardianship or adoption assistance is enrolled full time in school
- Clarification that states may waive non-safety related licensing standards for relative homes on a case-by-case basis

The Child Welfare Waiver Demonstration Program Gives States Flexibility To Do More for Kinship Families

(P.L. 112-34; ACYF-CB-IM-12-05)

- Federal government may provide up to ten states a year with waivers to promote permanency for children including expanded activities to help keep children safely at home, return home or move to adoption or guardianship

The Federal Adoption Assistance Program Promotes Adoption for Certain Children with Special Needs by Relatives and Others

(§473(d)(3)(B); P.L. 110-351, §402)

- Federal government provides federally-supported adoption assistance payments to Title IV-E eligible children with special needs

Appendix G. States that Offer Additional Aid to Youth Who Enter Guardianship After Age 16

State	Educational Training Vouchers	Independent Living Services
Alabama	X	
Alaska	X	X
Arkansas	X	X
California	X	X
Colorado	X	X
Connecticut		
District of Columbia	X	X
Hawaii	X	X
Idaho	X	X
Illinois	X	
Louisiana	X	X
Maine	X	X
Maryland	X	
Massachusetts	X	
Michigan	X	
Missouri	X	X
Montana	X	X
Nebraska	X	X
New Jersey	X	X
New York	X	X
Oklahoma	X	X
Oregon	X	X
Pennsylvania	X	X
Rhode Island		
South Dakota	X	X
Tennessee	X	X
Texas	X	
Vermont	X	X
Washington	X	X*
Wisconsin	X	X

* Youth are eligible for Independent Living Services as long as the youth was dependent and in foster care through the state or tribe for at least 30 days after turning age 15.

Appendix H. Approval and Effective Dates for States Implementing Title IV-E GAP

State	Approval Date*	Effective Date**
Alabama	April 2011	October 2010
Alaska	June 2011	October 2010
Arkansas	December 2011	November 2011
California	November 2011	January 2011
Colorado	November 2010	October 2009
Connecticut	November 2011	July 2009
District of Columbia	August 2010	January 2009
Hawaii	June 2011	April 2011
Idaho	July 2011	October 2010
Illinois	June 2010	November 2009
Louisiana	October 2011	October 2010
Maine	December 2010	January 2009
Maryland	March 2011	October 2009
Massachusetts	September 2011	July 2009
Michigan	January 2011	October 2009
Missouri	April 2011	January 2009
Montana	May 2010	October 2009
Nebraska	May 2011	October 2009
New Jersey	June 2010	October 2009
New York	April 2011	October 2010
Oklahoma	January 2012	July 2010
Oregon	June 2010	January 2009
Pennsylvania	September 2009	April 2009
Rhode Island	July 2009	January 2009
South Dakota	May 2011	January 2010
Tennessee	November 2009	April 2009
Texas	April 2011	October 2010
Vermont	February 2012	July 2010
Washington	July 2011	October 2009
Wisconsin	November 2011	August 2011
<p>* Date of the Department of Health and Human Services' letter approving the state's Title IV-E Guardianship Assistance Program state plan amendment.</p> <p>** Date back to which states can claim federal reimbursement for children eligible for the Title IV-E Guardianship Assistance Program.</p>		