

108TH CONGRESS
1ST SESSION

H. R. 1401

To support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2003

Ms. MILLENDER-MCDONALD introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foster Care Mentoring
5 Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Research shows that caring adults can
2 make a difference in children’s lives. Forty-five per-
3 cent of mentored teens are less likely to use drugs.
4 Fifty-nine percent of mentored teens have better
5 academic performance. Seventy-three percent of
6 mentored teens achieve higher goals generally.

7 (2) Children that have mentors have better re-
8 lationships with adults, fewer disciplinary referrals,
9 and more confidence to achieve their goals.

10 (3) In 2001, over 163,000 children in the foster
11 care system were under the age of 5 years.

12 (4) In 2001, over 124,000 children were under
13 the age of 10 when they were removed from their
14 parents or caretakers.

15 (5) The International Day of the Child, spon-
16 sored by Children United Nations, has served as a
17 great tool to recruit mentors and partner them with
18 needy foster care children.

19 (6) On November 10, 2002, as many as 3,000
20 children will be matched with mentors as a result of
21 the International Day of the Child.

22 (7) States should be encouraged to incorporate
23 mentor programs into the delivery of their foster
24 care services. The State of California serves as a

1 great example, matching close to half a million men-
2 tors with needy children.

3 (8) Mentor programs that serve foster children
4 are unique and require additional considerations in-
5 cluding specialized training and support necessary to
6 provide for consistent, long term relationships for
7 children in care.

8 (9) Mentor programs are cost-effective ap-
9 proaches to decreasing the occurrence of so many so-
10 cial ills such as teen pregnancy, substance abuse, in-
11 carceration and violence.

12 **SEC. 3. PROGRAMS FOR MENTORING CHILDREN IN FOSTER**
13 **CARE.**

14 Subpart 2 of part B of title IV of the Social Security
15 Act (42 U.S.C. 629 et seq.) is amended by adding at the
16 end the following:

17 **“SEC. 440. PROGRAMS FOR MENTORING CHILDREN IN FOS-**
18 **TER CARE.**

19 “(a) PURPOSE.—It is the purpose of this section to
20 authorize the Secretary to make grants to eligible appli-
21 cants to support the establishment or expansion and oper-
22 ation of programs using a network of public and private
23 community entities to provide mentoring for children in
24 foster care.

25 “(b) DEFINITIONS.—In this section:

1 “(1) CHILDREN IN FOSTER CARE.—The term
2 ‘children in foster care’ means children who have
3 been removed from the custody of their biological or
4 adoptive parents by a State child welfare agency.

5 “(2) MENTORING.—The term ‘mentoring’
6 means a structured, managed program in which chil-
7 dren are appropriately matched with screened and
8 trained adult volunteers for one-on-one relationships,
9 that involves meetings and activities on a regular
10 basis, and that is intended to meet, in part, the
11 child’s need for involvement with a caring and sup-
12 portive adult who provides a positive role model.

13 “(c) GRANT PROGRAM.—

14 “(1) IN GENERAL.—The Secretary shall carry
15 out a program to award grants to States to support
16 the establishment or expansion and operation of pro-
17 grams using networks of public and private commu-
18 nity entities to provide mentoring for children in fos-
19 ter care.

20 “(2) APPLICATION REQUIREMENTS.—To be eli-
21 gible for a grant under paragraph (1), the chief ex-
22 ecutive officer of the State shall submit to the Sec-
23 retary an application containing the following:

1 “(A) PROGRAM DESIGN.—A description of
2 the proposed program to be carried out using
3 amounts provided under this grant, including—

4 “(i) a list of local public and private
5 organizations and entities that will partici-
6 pate in the mentoring network;

7 “(ii) the name, description, and quali-
8 fications of the entity that will coordinate
9 and oversee the activities of the mentoring
10 network;

11 “(iii) the number of mentor-child
12 matches proposed to be established and
13 maintained annually under the program;

14 “(iv) such information as the Sec-
15 retary may require concerning the methods
16 to be used to recruit, screen, support, and
17 oversee individuals participating as men-
18 tors, (which methods shall include criminal
19 background checks on the individuals), and
20 to evaluate outcomes for participating chil-
21 dren, including information necessary to
22 demonstrate compliance with requirements
23 established by the Secretary for the pro-
24 gram; and

1 “(v) such other information as the
2 Secretary may require.

3 “(B) TRAINING.—An assurance that all
4 mentors covered under the program will receive
5 intensive and ongoing training in the following
6 areas:

7 “(i) Child development, including the
8 importance of bonding.

9 “(ii) Family dynamics, including the
10 effects of domestic violence.

11 “(iii) Foster care system, principles,
12 and practices.

13 “(iv) Recognizing and reporting child
14 abuse and neglect.

15 “(v) Confidentiality requirements for
16 working with children in care.

17 “(vi) Working in coordination with the
18 public school system.

19 “(vii) Other matters related to work-
20 ing with children in care.

21 “(C) SCREENING.—An assurance that all
22 mentors covered under the program are appro-
23 priately screened and have demonstrated a will-
24 ingness to comply with all aspects of the mentor
25 program, including—

1 “(i) a description of the methods to be
2 used to conduct criminal background
3 checks on all prospective mentors; and

4 “(ii) a description of the methods to
5 be used to ensure that the mentors are
6 willing and able to serve as a mentor on a
7 long term, consistent basis.

8 “(D) EDUCATIONAL REQUIREMENTS.—An
9 assurance that all mentors recruited to serve in
10 the program will—

11 “(i) have a high school diploma or its
12 equivalent; and

13 “(ii) have completed at least 1 year of
14 study in a program leading to a graduate
15 or post graduate degree.

16 “(E) COMMUNITY CONSULTATION; COORDI-
17 NATION WITH OTHER PROGRAMS.—A dem-
18 onstration that, in developing and implementing
19 the program, the State will, to the extent fea-
20 sible and appropriate—

21 “(i) consult with public and private
22 community entities, including religious or-
23 ganizations, and including, as appropriate,
24 Indian tribal organizations and urban In-

1 dian organizations, and with family mem-
2 bers of potential clients;

3 “(ii) coordinate the programs and ac-
4 tivities under the program with other Fed-
5 eral, State, and local programs serving
6 children and youth; and

7 “(iii) consult with appropriate Fed-
8 eral, State, and local corrections, workforce
9 development, and substance abuse and
10 mental health agencies.

11 “(F) EQUAL ACCESS FOR LOCAL SERVICE
12 PROVIDERS.—An assurance that public and pri-
13 vate entities and community organizations, in-
14 cluding religious organizations and Indian orga-
15 nizations, will be eligible to participate on an
16 equal basis.

17 “(G) RECORDS, REPORTS, AND AUDITS.—
18 An agreement that the State will maintain such
19 records, make such reports, and cooperate with
20 such reviews or audits as the Secretary may
21 find necessary for purposes of oversight of
22 project activities and expenditures.

23 “(H) EVALUATION.—An agreement that
24 the State will cooperate fully with the Sec-
25 retary’s ongoing and final evaluation of the pro-

1 gram under the plan, by means including pro-
2 viding the Secretary access to the program and
3 program-related records and documents, staff,
4 and grantees receiving funding under the plan.

5 “(3) FEDERAL SHARE.—

6 “(A) IN GENERAL.—A grant for a program
7 under this subsection shall be available to pay
8 a percentage share of the costs of the program
9 up to 75 percent for each year for which the
10 grant is awarded.

11 “(B) NON-FEDERAL SHARE.—The non-
12 Federal share of the cost of projects under this
13 subsection may be in cash or in kind. In deter-
14 mining the amount of the non-Federal share,
15 the Secretary may attribute fair market value
16 to goods, services, and facilities contributed
17 from non-Federal sources.

18 “(4) CONSIDERATIONS IN AWARDING
19 GRANTS.—In awarding grants under this subsection,
20 the Secretary shall take into consideration—

21 “(A) the overall qualifications and capacity
22 of the State program and its partners to effec-
23 tively carry out a mentoring program under this
24 subsection;

1 “(B) the level and quality of training pro-
2 vided to mentors under the program;

3 “(C) evidence of coordination of the pro-
4 gram with the State’s social services and edu-
5 cation programs;

6 “(D) the ability of the State to provide su-
7 pervision and support for mentors under the
8 program and the youth served by such mentors;

9 “(E) evidence of consultation with institu-
10 tions of higher learning; and

11 “(F) any other factors that the Secretary
12 determines to be significant with respect to the
13 need for or the potential success of carrying out
14 a mentoring program under this subsection.

15 “(5) USE OF FUNDS.—Of the amount awarded
16 to a State under a grant under this subsection the
17 State shall—

18 “(A) use not less than 50 percent of the
19 total grant amount for the training and ongoing
20 educational support of mentors; and

21 “(B) use not more than 10 percent of the
22 total grant amount for administrative purposes.

23 “(6) MAXIMUM GRANT AMOUNT.—The amount
24 of a grant awarded to a State under this subsection
25 shall not exceed \$600,000.

1 “(7) ANNUAL REPORT.—Not later than 1 year
2 after the date of enactment of this section, and an-
3 nually thereafter, the Secretary shall prepare and
4 submit to Congress a report that includes the fol-
5 lowing with respect to the year involved:

6 “(A) A description of the number of pro-
7 grams receiving grant awards under this sub-
8 section.

9 “(B) A description of the number of men-
10 tors who serve in the programs described in
11 subparagraph (A).

12 “(C) A description of the number of
13 mentored foster children—

14 “(i) who graduate from high school;

15 “(ii) who enroll in college; and

16 “(iii) who are adopted by their men-
17 tors.

18 “(D) A comparison between the rate of
19 drug and alcohol abuse, teenage pregnancy, de-
20 linquency, homelessness, and other outcome
21 measures for mentored foster youth and non-
22 mentored foster youth.

23 “(E) Any other information that the Sec-
24 retary determines to be relevant to the evalua-
25 tion of the program under this subsection.

1 “(8) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated to carry out
3 this subsection, \$15,000,000 for each of fiscal years
4 2004 and 2005, and such sums as may be necessary
5 for each succeeding fiscal year.

6 “(d) NATIONAL COORDINATION OF STATEWIDE
7 MENTORING PARTNERSHIPS.—

8 “(1) IN GENERAL.—The Secretary may award
9 a competitive grant to an eligible entity to establish
10 a National Hotline Service or Website to provide in-
11 formation to individuals who are interested in be-
12 coming mentors to youth in foster care.

13 “(2) AUTHORIZATION OF APPROPRIATIONS.—

14 There are authorized to be appropriated to carry out
15 this subsection, \$4,000,000 for each of fiscal years
16 2004 and 2005, and such sums as may be necessary
17 for each succeeding fiscal year.

18 “(e) LOAN FORGIVENESS.—

19 “(1) DEFINITIONS.—In this subsection:

20 “(A) ELIGIBLE MENTOR.—The term ‘eligi-
21 ble mentor’ means an individual who has served
22 as a mentor in a statewide mentor program es-
23 tablished under subsection (c) for at least 200
24 hours in a single calendar year.

1 “(B) FEDERAL STUDENT LOAN.—The
2 term ‘Federal student loan’ means any loan
3 made, insured, or guaranteed under part B, D,
4 or E of title IV of the Higher Education Act of
5 1965.

6 “(C) SECRETARY.—The term ‘Secretary’
7 means the Secretary of Education.

8 “(2) RELIEF FROM INDEBTEDNESS.—

9 “(A) IN GENERAL.—The Secretary shall
10 carry out a program to provide for the dis-
11 charge or cancellation of the Federal student
12 loan indebtedness of eligible mentors.

13 “(B) METHOD OF DISCHARGE OR CAN-
14 CELLATION.—A loan that will be discharged or
15 canceled under the program under subpara-
16 graph (A) shall be discharged or canceled as
17 provided for using the method under section
18 437(a), 455(a)(1), or 464(c)(1)(F) of the High-
19 er Education Act of 1965, as applicable.

20 “(C) AMOUNT OF RELIEF.—The amount of
21 relief to be provided with respect to a loan
22 under this subsection shall—

23 “(i) be equal to \$2,000 for each 200
24 hours of service of an eligible mentor; and

1 “(ii) not exceed a total of \$12,000 for
2 an eligible individual.

3 “(3) FACILITATION OF CLAIMS.—The Secretary
4 shall—

5 “(A) establish procedures for the filing of
6 applications for the discharge or cancellation of
7 loans under this subsection by regulations that
8 shall be prescribed and published within 90
9 days after the date of enactment of this section
10 and without regard to the requirements of sec-
11 tion 553 of title 5, United States Code; and

12 “(B) take such actions as may be nec-
13 essary to publicize the availability of the pro-
14 gram established under this subsection for eligi-
15 ble mentors.

16 “(4) FUNDING.—Amounts available for the pur-
17 poses of making payments to lenders in accordance
18 with section 437(a) of the Higher Education Act of
19 1965 for the discharge of indebtedness of deceased
20 or disabled individuals shall be available for making
21 payments to lenders of loans to eligible mentors as
22 provided for in this subsection.”.

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