

109TH CONGRESS
1ST SESSION

H. R. 822

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

FEBRUARY 15, 2005

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 2005”.

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 “(3) POLITICAL SUBDIVISION.—The term ‘polit-
14 ical subdivision’ means a local jurisdiction below the
15 level of the State government, including a county,
16 parish, borough, or city.

17 “(c) GRANT PROGRAM.—

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

24 “(2) GRANTS TO POLITICAL SUBDIVISIONS.—
25 The Secretary may award a grant under this sub-

1 section directly to a political subdivision if the sub-
2 division serves a substantial number of foster care
3 youth (as determined by the Secretary).

4 “(3) APPLICATION REQUIREMENTS.—To be eli-
5 gible for a grant under paragraph (1), the chief ex-
6 ecutive officer of the State or political subdivision
7 shall submit to the Secretary an application con-
8 taining the following:

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

12 “(i) a list of local public and private
13 organizations and entities that will partici-
14 pate in the mentoring network;

15 “(ii) the name, description, and quali-
16 fications of the entity that will coordinate
17 and oversee the activities of the mentoring
18 network;

19 “(iii) the number of mentor-child
20 matches proposed to be established and
21 maintained annually under the program;

22 “(iv) such information as the Sec-
23 retary may require concerning the methods
24 to be used to recruit, screen support, and
25 oversee individuals participating as men-

tors, (which methods shall include criminal background checks on the individuals), and to evaluate outcomes for participating children, including information necessary to demonstrate compliance with requirements established by the Secretary for the program; and

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

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

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

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

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

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

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

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

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

3 “(C) SCREENING.—An assurance that all
4 mentors covered under the program are appro-
5 priately screened and have demonstrated a will-
6 ingness to comply with all aspects of the mentor
7 program, including—

8 “(i) a description of the methods to be
9 used to conduct criminal background
10 checks on all prospective mentors; and

11 “(ii) a description of the methods to
12 be used to ensure that the mentors are
13 willing and able to serve as a mentor on a
14 long term, consistent basis.

15 “(D) EDUCATIONAL REQUIREMENTS.—An
16 assurance that all mentors recruited to serve as
17 academic mentors will—

18 “(i) have a high school diploma or its
19 equivalent; and

20 “(ii) have completed at least 1 year of
21 study in a program leading to a graduate
22 or post graduate degree.

23 “(E) COMMUNITY CONSULTATION; COORDI-
24 NATION WITH OTHER PROGRAMS.—A dem-
25 onstration that, in developing and implementing

1 the program, the State or political subdivision
2 will, to the extent feasible and appropriate—

3 “(i) consult with public and private
4 community entities, including religious or-
5 ganizations, and including, as appropriate,
6 Indian tribal organizations and urban In-
7 dian organizations, and with family mem-
8 bers of potential clients;

9 “(ii) coordinate the programs and ac-
10 tivities under the program with other Fed-
11 eral, State, and local programs serving
12 children and youth; and

13 “(iii) consult and coordinate with ap-
14 propriate Federal, State, and local correc-
15 tions, workforce development, and sub-
16 stance abuse and mental health agencies.

17 “(F) EQUAL ACCESS FOR LOCAL SERVICE
18 PROVIDERS.—An assurance that public and pri-
19 vate entities and community organizations, in-
20 cluding religious organizations and Indian orga-
21 nizations, will be eligible to participate on an
22 equal basis.

23 “(G) RECORDS, REPORTS, AND AUDITS.—
24 An agreement that the State or political sub-
25 division will maintain such records, make such

1 reports, and cooperate with such reviews or au-
2 dits as the Secretary may find necessary for
3 purposes of oversight of project activities and
4 expenditures.

5 “(H) EVALUATION.—An agreement that
6 the State or political subdivision will cooperate
7 fully with the Secretary’s ongoing and final
8 evaluation of the program under the plan, by
9 means including providing the Secretary access
10 to the program and program-related records
11 and documents, staff, and grantees receiving
12 funding under the plan.

13 “(4) FEDERAL SHARE.—

14 “(A) IN GENERAL.—A grant for a program
15 under this subsection shall be available to pay
16 a percentage share of the costs of the program
17 up to 75 percent for each year for which the
18 grant is awarded.

19 “(B) NON-FEDERAL SHARE.—The non-
20 Federal share of the cost of projects under this
21 subsection may be in cash or in kind. In deter-
22 mining the amount of the non-Federal share,
23 the Secretary may attribute fair market value
24 to goods, services, and facilities contributed
25 from non-Federal sources.

1 “(5) CONSIDERATIONS IN AWARDING
2 GRANTS.—In awarding grants under this subsection,
3 the Secretary shall take into consideration—

4 “(A) the overall qualifications and capacity
5 of the State or political subdivision program
6 and its partners to effectively carry out a men-
7 toring program under this subsection;

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

10 “(C) evidence of coordination of the pro-
11 gram with the State’s or political subdivision’s
12 social services and education programs;

13 “(D) the ability of the State or political
14 subdivision to provide supervision and support
15 for mentors under the program and the youth
16 served by such mentors;

17 “(E) evidence of consultation with insti-
18 tutes of higher learning;

19 “(F) the number of children in care served
20 by the State or political subdivision; and

21 “(G) any other factors that the Secretary
22 determines to be significant with respect to the
23 need for or the potential success of carrying out
24 a mentoring program under this subsection.

1 “(6) USE OF FUNDS.—Of the amount awarded
2 to a State or political subdivision under a grant
3 under this subsection the State or subdivision
4 shall—

5 “(A) use not less than 50 percent of the
6 total grant amount for the training and ongoing
7 educational support of mentors; and

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

10 “(7) MAXIMUM GRANT AMOUNT.—

11 “(A) IN GENERAL.—In awarding grants
12 under this section, the Secretary shall consider
13 the number of children served by the jurisdic-
14 tion and the grant amount relative to the need
15 for services.

16 “(B) LIMIT.—The amount of a grant
17 awarded to a State or political subdivision
18 under this subsection shall not exceed
19 \$600,000.

20 “(8) ANNUAL REPORT.—Not later than 1 year
21 after the date of enactment of this section, and an-
22 nually thereafter, the Secretary shall prepare and
23 submit to Congress a report that includes the fol-
24 lowing with respect to the year involved:

1 “(A) A description of the number of pro-
2 grams receiving grant awards under this sub-
3 section.

4 “(B) A description of the number of men-
5 tors who serve in the programs described in
6 subparagraph (A).

7 “(C) A description of the number of
8 mentored foster children—

9 “(i) who graduate from high school;

10 “(ii) who enroll in college; and

11 “(iii) who are adopted by their men-
12 tors.

13 “(D) Any other information that the Sec-
14 retary determines to be relevant to the evalua-
15 tion of the program under this subsection.

16 “(9) EVALUATION.—Not later than 3 years
17 after the date of enactment of this section, the Sec-
18 retary shall conduct an evaluation of the effective-
19 ness of programs funded under this section, includ-
20 ing a comparison between the rate of drug and alco-
21 hol abuse, teenage pregnancy, delinquency, home-
22 lessness, and other outcome measures for mentored
23 foster care youth and non-mentored foster care
24 youth.

1 “(10) 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 2006 and 2007, 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 2006 and 2007, 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 an eligible mentor.

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 \$20,000 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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