

107TH CONGRESS
2^D SESSION

S. 3057

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 SENATE OF THE UNITED STATES

OCTOBER 4, 2002

Ms. LANDRIEU (for herself and Mr. BAYH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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 2002”.

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.

1 (8) The National Mentoring Partnership re-
2 ports that the following States have established
3 State and local mentor partnerships: Alabama, Ari-
4 zona, California, Colorado, Connecticut, Delaware,
5 Florida, Georgia, Iowa, Maine, Maryland, Massachu-
6 setts, Minnesota, Nebraska, Nevada, New Hamp-
7 shire, New York, North Carolina, Ohio, Oregon,
8 Pennsylvania, Rhode Island, Texas, Utah, Vermont,
9 Virginia, and Washington.

10 (9) Mentor programs that serve foster children
11 are unique and require additional considerations in-
12 cluding specialized training and support necessary to
13 provide for consistent, long term relationships for
14 children in care.

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

19 **SEC. 3. PROGRAMS FOR MENTORING CHILDREN IN FOSTER**
20 **CARE.**

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

1 **“SEC. 440. PROGRAMS FOR MENTORING CHILDREN IN FOS-**
2 **TER CARE.**

3 “(a) PURPOSE.—It is the purpose of this section to
4 authorize the Secretary to make grants to eligible appli-
5 cants to support the establishment or expansion and oper-
6 ation of programs using a network of public and private
7 community entities to provide mentoring for children in
8 foster care.

9 “(b) DEFINITIONS.—In this section:

10 “(1) CHILDREN IN FOSTER CARE.—The term
11 ‘children in foster care’ means—

12 “(A) children who have been removed from
13 the custody of their biological or adoptive par-
14 ents by a State child welfare agency; or

15 “(B) wards of the State who have been re-
16 unified with their biological parents or adopted.

17 “(2) MENTORING.—The term ‘mentoring’
18 means a structured, managed program in which chil-
19 dren are appropriately matched with screened and
20 trained adult volunteers for one-on-one relationships,
21 that involves meetings and activities on a regular
22 basis, and that is intended to meet, in part, the
23 child’s need for involvement with a caring and sup-
24 portive adult who provides a positive role model.

25 “(c) GRANT PROGRAM.—

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

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

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

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

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

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

24 “(iv) such information as the Sec-
25 retary may require concerning the methods

1 to be used to recruit, screen support, and
2 oversee individuals participating as men-
3 tors, (which methods shall include criminal
4 background checks on the individuals), and
5 to evaluate outcomes for participating chil-
6 dren, including information necessary to
7 demonstrate compliance with requirements
8 established by the Secretary for the pro-
9 gram; and

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

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

16 “(i) Child Development, including the
17 importance of bonding.

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

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

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

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

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

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

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

10 “(i) a description of the methods to be
11 used to conduct reference and criminal
12 background checks on all prospective men-
13 tors; and

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

18 “(D) EDUCATIONAL REQUIREMENTS.—An
19 assurance that all mentors recruited to serve in
20 the program will have a high school diploma or
21 its equivalent.

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

1 the program, the State will, to the extent fea-
2 sible 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 mentor programs
12 serving children and youth; and

13 “(iii) consult with appropriate Fed-
14 eral, State, and local corrections, workforce
15 development, and substance abuse and
16 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 will maintain such
25 records, make such reports, and cooperate with

1 such reviews or audits as the Secretary may
2 find necessary for purposes of oversight of
3 project activities and expenditures.

4 “(H) EVALUATION.—An agreement that
5 the State will cooperate fully with the Sec-
6 retary’s ongoing and final evaluation of the pro-
7 gram under the plan, by means including pro-
8 viding the Secretary access to the program and
9 program-related records and documents, staff,
10 and grantees receiving funding under the plan.

11 “(3) FEDERAL SHARE.—

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

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

1 “(4) 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 program and its partners to effec-
6 tively carry out a mentoring program under this
7 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 social services and edu-
12 cation programs;

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

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

18 “(F) any other factors that the Secretary
19 determines to be significant with respect to the
20 need for or the potential success of carrying out
21 a mentoring program under this subsection.

22 “(5) USE OF FUNDS.—Of the amount awarded
23 to a State under a grant under this subsection the
24 State shall—

1 “(A) use not less than 50 percent of the
2 total grant amount for the training and ongoing
3 educational support of mentors;

4 “(B) use not more than 10 percent of the
5 total grant amount for administrative purposes;
6 and

7 “(C) not use any of the grant funds pro-
8 vided under this subsection to provide direct
9 compensation to mentors.

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

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

18 “(A) A description of the number of pro-
19 grams receiving grant awards under this sub-
20 section.

21 “(B) A description of the number of men-
22 tors who serve in the programs described in
23 subparagraph (A).

24 “(C) A description of the number of
25 mentored foster children—

1 “(i) who graduate from high school;
2 “(ii) who enroll in college; and
3 “(iii) who are adopted by their men-
4 tors.

5 “(D) A comparison between the rate of
6 drug and alcohol abuse, teenage pregnancy, de-
7 linquency, homelessness, and other outcome
8 measures for mentored foster youth and non-
9 mentored foster youth.

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

13 “(8) AUTHORIZATION OF APPROPRIATIONS.—
14 There are authorized to be appropriated to carry out
15 this subsection, \$15,000,000 for each of fiscal years
16 2003 and 2004, and such sums as may be necessary
17 for each succeeding fiscal year.

18 “(d) NATIONAL COORDINATION OF STATEWIDE
19 MENTORING PARTNERSHIPS.—

20 “(1) IN GENERAL.—The Secretary may award
21 a competitive grant to an eligible entity to establish
22 a National Hotline Service or Website to provide in-
23 formation to individuals who are interested in be-
24 coming mentors to youth in foster care.

1 “(2) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated to carry out
3 this subsection, \$4,000,000 for each of fiscal years
4 2003 and 2004, and such sums as may be necessary
5 for each succeeding fiscal year.

6 “(e) LOAN FORGIVENESS.—

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

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

13 “(B) FEDERAL STUDENT LOAN.—The
14 term ‘Federal student loan’ means any loan
15 made, insured, or guaranteed under part B, D,
16 or E of title IV of the Higher Education Act of
17 1965.

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

20 “(2) RELIEF FROM INDEBTEDNESS.—

21 “(A) IN GENERAL.—The Secretary shall
22 carry out a program to provide for the dis-
23 charge or cancellation of the Federal student
24 loan indebtedness of an eligible mentor.

1 “(B) METHOD OF DISCHARGE OR CAN-
2 CELLATION.—A loan that will be discharged or
3 canceled under the program under subpara-
4 graph (A) shall be discharged or canceled as
5 provided for using the method under section
6 437(a), 455(a)(1), or 464(c)(1)(F) of the High-
7 er Education Act of 1965, as applicable.

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

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

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

15 “(3) FACILITATION OF CLAIMS—The Secretary
16 shall—

17 “(A) establish procedures for the filing of
18 applications for the discharge or cancellation of
19 loans under this subsection by regulations that
20 shall be prescribed and published within 90
21 days after the date of enactment of this section
22 and without regard to the requirements of sec-
23 tion 553 of title 5, United States Code; and

24 “(B) take such actions as may be nec-
25 essary to publicize the availability of the pro-

1 gram established under this subsection for eligi-
2 ble mentors.

3 “(4) FUNDING.—Amounts available for the pur-
4 poses of making payments to lenders in accordance
5 with section 437(a) of the Higher Education Act of
6 1965 for the discharge of indebtedness of deceased
7 or disabled individuals shall be available for making
8 payments to lenders of loans to eligible mentors as
9 provided for in this subsection.”.

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