

## **Title IV-E Guardianship Assistance**

### **Program Description**

The title IV-E Guardianship Assistance Program (GAP) is a formula grant that helps States, Indian Tribes, Tribal Organizations and Tribal Consortia (hereafter “Tribes”) who opt to provide guardianship assistance payments for the care of children by relatives who have assumed legal guardianship of eligible children for whom they previously cared as foster parents. Unlike title IV-E Foster Care and Adoption Assistance, the title IV-E Guardianship Assistance Program is an optional program for title IV-E agencies. The program is authorized by title IV-E of the Social Security Act, and funding is contingent upon an approved title IV-E plan to administer or supervise the administration of the program.

For those States and Tribes that opt to participate in the program, federal assistance may be used only to support the care of children discharged from foster care to legal guardianship who meet the eligibility requirements specified in the statute. Funds may also be used to support siblings of eligible children in certain situations as specified in the statute.

In general, beneficiaries are children who have been eligible for title IV-E Foster Care maintenance payments during at least a six consecutive month period during which the child resided in the home of the prospective relative guardian who was licensed or approved as meeting the licensure requirements as a foster family home. In addition, the State or Tribal agency must determine 1) that return home or adoption are not appropriate permanency options for the child; 2) the child demonstrates a strong attachment to the prospective relative guardian; 3) the relative guardian has a strong commitment to caring permanently for the child; and 4) for children who have attained the age of 14, the child has been consulted regarding the kinship guardianship arrangement. Beneficiaries may also be siblings of eligible children placed in the same kinship guardianship arrangement. Federal assistance is available to States and Tribes for payments made to a relative guardian in accordance with a kinship guardianship agreement that is in writing, negotiated and is binding.

The fifty (50) States, the District of Columbia, Puerto Rico and Tribes with approved title IV-E plans are eligible to participate in the Guardianship Assistance Program awards.

### **Program Highlights**

As of April 2012, 31 Title IV-E Agencies have submitted Title IV-E plan amendments to enable them to make claims for federal support of eligible guardianship assistance. 30 States have been given final approval of those GAP amendments (Alabama, Alaska, Arkansas, California, Colorado, Connecticut, District of Columbia, Hawaii, Idaho, Illinois, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Vermont, and Washington, Wisconsin). One tribe has been given final approval of the GAP amendment, the Pt Gamble S’Klallam Tribe.

**Additional Resources:** Child Welfare Policy Manual – includes questions and answers regarding the Guardianship Assistance Program.