

Foster Care and Substitute Care

Under McKinney–Vento: Students who are awaiting foster care placement are eligible for homeless services. However, the term Substitute Care is essential to an understanding of students who may not be eligible for homeless identification. Substitute Care is a term used by Children’s Protective Services (CPS) for the care of children outside of their immediate family situation. This can be done through formal or informal processes.

Under Formal Processes: Children do not qualify for homeless services if CPS places them in formal substitute care through a court order with conservatorship retained by CPS. This foster home placement may be a relative home but could also be an unrelated or unconnected family home or a group foster home. These placements are court-ordered and CPS provides financial and casework services for the children. This formal process could also include residential treatment centers, kinship care or legal guardianship or adoption. A key question to ask is, “Did CPS make the placement for foster care?” If the answer is yes, the child does not qualify for homeless services.

Under Informal Processes: Children and youth are frequently placed through more informal means without a court order or CPS. Generally, these students are considered to be eligible for homeless services. Relative care can be an example of this and a child is considered ‘doubling up’ and therefore, fits the definition of homeless. Non-relative care occurs when a family friend agrees to care for a child and is also considered ‘doubling-up’ and therefore, eligible for homeless services. Other informal processes include emergency shelter care, transitional living conditions and unaccompanied youth.

When in doubt please call:

Phyllis Rosen 254.336.0372 or Caa-si-eki Justice 254.336.0266