

**AGENCY PLAN AMENDMENT FOR TITLE IV-E OF THE SOCIAL SECURITY ACT
FOSTER CARE AND ADOPTION ASSISTANCE
STATE/TRIBE OF New York State**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
CHILDREN'S BUREAU
November 2011

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

New York State Office of Children and Family Services
(Name of State/Tribal Agency)

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
475(1)(G)	<p align="center">SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS</p> <p>D. CASE REVIEW SYSTEM</p> <p>1. Case Plan</p> <p>o. a plan for ensuring the educational stability of the child while in foster care, including--</p> <ul style="list-style-type: none"> i. assurances that each placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and ii. an assurance that the State/Tribal agency has coordinated with appropriate local educational agencies (as defined under section 9101 of the Elementary and Secondary Education Act of 1965) to ensure that the child remains in the school in which the child is enrolled at the time of each placement; or iii. if remaining in such school is not in the best interests of the child, assurances by the State/Tribal agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school; and 	<p>FCA 1089(c)</p> <p>SSL 409-e Family service plan.</p> <p>SSL 409-f Uniform case record.</p> <p>Chapter 436 of the Laws of 1997</p> <p>18 NYCRR Part 428 Standards for uniform case records and family and child assessments and service plans.</p> <p>18 NYCRR 430.11</p> <p>Appropriateness of placement.</p> <p>12-OCFS-ADM-03 New Requirement Regarding Educational Stability of Foster Children</p>
475(5)(I)	6. Annual Credit Reports	18 NYCRR 428.3 Uniform case record requirements.

	<p>Each child in foster care under the responsibility of the State/Tribe who has attained 16 years of age receives without cost a copy of any consumer report (as defined in section 603(d) of the Fair Credit Reporting Act) pertaining to the child each year until the child is discharged from care, and receives assistance (including, when feasible, from any court-appointed advocate for the child) in interpreting and resolving any inaccuracies in the report.</p>	<p>18 NYCRR 430.12 Diligence of effort.</p> <p>12-OCFS-ADM-07 Required Annual Credit Checks for Foster Children, 16 Years of Age, and Older</p>
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