

Jerry Milner, Ph.D.
Associate Commissioner
US Children's Bureau
Administration for Children & Families
U.S. Department of Health & Human Services
330 C Street, S.W.
Washington, D.C. 20201

March 31, 2020

Dear Dr. Milner,

We write on behalf of 54,000 foster youth, alumni, and allies who comprise the *Fostering Stable Housing Opportunities Coalition* (the authors and supporters of "FSHO" S. 2803 and HUD's Foster Youth to Independence "FYI" Initiative) to express our deep appreciation for everything you are doing to keep all child welfare professionals informed during this difficult time. Please know that your tireless efforts are appreciated. We hope that in the midst of worrying about all of us, you find some time to rest and take care of yourself and your family.

Thank you for urging child welfare professionals to reach out to former foster youth living in college dorms. Nearly 10,000 former foster youth live in on-campus housing¹. Because of your swift action, our network of youth report that many colleges have plans in place to allow former foster youth and homeless youth to remain in the dorms during COVID-19 closures, and some schools are allowing them to access meal plans and receive their work-study stipends as well. In fact, some young people have provided their college administrators with a copy of your March 12, 2020 letter as evidence of their need to remain on campus. We are all to be congratulated – the youth, the advocates, the child welfare professionals, the Children's Bureau, and the higher education professionals for a successful response.

Moving forward, we must be proactive and anticipate the considerable hardship that this protracted COVID-19 response and economic shutdown will have on *all* former foster youth. As you may know, three relief bills have been signed into law and none of these packages includes assistance for former foster youth. We write to offer steps the Children's Bureau can take immediately to address their needs using existing funds and regulatory authority *and* position child welfare agencies to absorb increased funding and interagency responsibilities when Congress passes a "COVID-19 Phase IV" relief package.

As you note in your March 12, 2020 letter, the **John H. Chafee Foster Care (Chafee) Program for Successful Transition to Adulthood** is available to prevent homelessness and economic insecurity for all former foster youth who are displaced, disconnected, and desperate but do not have families to turn to for help and comfort. We have requested a doubling of this fund for the "COVID-19 Phase IV" relief package, because we deeply value the flexibility and purposefulness of this particular pot of funding when it comes to responding to immediate needs. The 30% cap on room and board provides an average of **\$780,000 per state** to assist with immediate needs, although some of this funding might be already tied up in existing contracts or otherwise allocated.

The recommendations we offer today include encouraging all states to extend and maximize Chafee funds by increasing eligibility to age 23, leveraging Workforce Innovations and Opportunities Act (WIOA) through better coordination and reduced supplantation, understanding HUD's FYI program, and providing guidance to youth and the child welfare workforce about how youth can access the economic protections within *the Coronavirus Aid, Relief, and Economic Security Act* "CARES Act" signed into law on March 27, 2020.

We are available to discuss these recommendations as soon as possible as you determine how to undertake the following steps to protect America’s current and former foster youth to support them during the disruptions caused by the necessary precautions we take as a nation to slow the spread of this deadly disease.

Summary of Recommendations:

CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD

- Encourage eligible states to amend their June 30, 2019 Child and Family Services Plans to increase Chafee eligibility to age 23 and expedite the Children’s Bureau’s approval process.
- Accelerate Chafee reallocation requests related to the use of and need for unused Chafee funds. Transfer other unused funds into the Chafee account for distribution.

CARES ACT ECONOMIC STIMULUS FAQs FOR YOUTH AND CHILD WELFARE PROFESSIONALS

- Disseminate user-friendly fact sheets for former foster youth and child welfare professionals on how youth would go about Pandemic Unemployment Insurance and Recovery Rebates within the CARES Act by April 3, 2020.

FOSTER YOUTH TO INDEPENDENCE INITIATIVE

- Encourage communities to understand FUP and the FYI “on demand” distribution mechanism and put partnerships into place now rather than waiting until a referral comes about.

WORKFORCE INNOVATION & OPPORTUNITY ACT

- Identify and enforce the *supplantation* requirements where Chafee funding is being used for WIOA-eligible expenditures.
- Arrange a meeting with DOLETA to discuss issuing a joint letter encouraging states to request waivers from DOL regarding WIOA regulatory categories for expenditures on in school versus out of school youth (Section 129(a)(4)(A) and 20 CFR 681.410).

COMMUNICATIONS AND CONNECTEDNESS

- Inform out-of-home placement providers (including congregate care facilities) that youth must have access to cell phones to reach out to emotional supports.
- Establish a National Hotline for disconnected youth with questions about COVID-19 related economic and housing-related crisis and questions.

Below, please find details related to each recommendation:

Recommendation #1

Encourage All States to Increase Chafee Eligibility to 23

Encourage all eligible states to amend their June 30, 2019 Child and Family Services Plans to increase Chafee eligibility to age 23 and expedite the Children’s Bureau’s approval process. While states are required, “After submission of the five-year CFSP... to submit annual updates, called the Annual Progress and Services Report (APSR)” it does not appear that states would be prohibited from filing amendments to their CFSP in between annual reports.

According to Section 303(a)(2)(C)(ii) of the Family First Prevention Services Act nearly all states are eligible to elect to serve former foster youth through the age of 23:

If the State has elected under section 475(8)(B) to extend eligibility for foster care to all children who have not attained 21 years of age, **or if the Secretary determines that the State agency responsible for administering the State plans under this part and part B uses State funds or any other funds not provided under this part to provide services and assistance for youths who have aged out of foster care that are comparable to the services and assistance the youths would receive if the State had made such an election, the certification required under clause (i) may provide that the State will provide assistance and services to youths who have aged out of foster care and have not attained 23 years of age.**

Recommendation #2

Reallocate funding into the Chafee Account

Accelerate Chafee reallocation requests related to the use of and need for unused Chafee funds. Transfer other unused funds into the Chafee account for distribution. This increase allows states the necessary funding to accommodate additional youth up to age 23 and increased need, generally, related to COVID-19 disruptions.

The February 26, 2019 Program Instruction (ACYF-CB-PI-19-02) indicates that the Child and Family Services Plan process is an opportunity to treat various programs within child welfare services as one, seamless approach to child welfare, giving the Children’s Bureau to re-allocate unused funds in accounts other than the Chafee General Fund in an effort to approach the various components with the Children’s Bureau holistically.

A primary purpose of the CFSP is to facilitate states’ integration of the programs that serve children and families, including title IV-B, subparts 1 and 2 of the Act, and the Chafee and ETV programs for older youth and/or young adults formerly in foster care, into a continuum of services for children and their families. The CFSP consolidates plans for these programs to help states comprehensively integrate the full array of child welfare services, from prevention and protection through permanency (45 CFR 1357.15(a)). By integrating into one five-year strategic plan all of the separate plan requirements for the title IV-B programs, and the Chafee/ ETV programs the CFSP provides states the opportunity to view their child welfare systems and federal funding sources holistically. In this way, states can effectively and collaboratively develop strategies to strengthen their overall child welfare system. (p. 5)

Reallocating funds between accounts will result in an immediate infusion of funding to allow states to meet needs related housing, lost wages, and other disruptions related the prevention of disease spread. This funding can also be used to put into place the necessary equipment in places where non-profits like iFoster have not been able to get funding to donate computers and cell phones for youth to access online learning platforms and job opportunities. Chafee is an invaluable, flexible tool to keep youth on the path to independence and self-sufficiency during this confusing time.

Recommendation #3

Fact Sheets Explaining how to Access Economic Assistance through the CARES Act

Draft and disseminate user-friendly fact sheets for former foster youth and child welfare professionals on how youth would go about Pandemic Unemployment Insurance and Recovery Rebates within the CARES Act this week. We recommend that this material be made available by **April 3, 2020**.

In order to produce material expeditiously, we recommend that the Administration for Children and Families tap the \$7,000,000 for “Federal administrative expenses” provided in the CARES Act to cover the cost of production because doing so is in keeping with the proposed use within the legislation of “funds appropriated

under this heading in this Act may be made available to restore amounts, either directly or through reimbursement, for obligations incurred to prevent, *prepare for, and respond to coronavirus, domestically or internationally.*” These funds can also be used to rapidly contract with current and former foster youth to pay them to advise design professionals with crafting a youth-friendly message. Comments, concerns, and questions are pouring into Facebook, the Think of Us Townhall, and email from current and former foster youth with basic questions about the economic provisions within the Act. We can help you move quickly on this but we believe it must be done this week to allay the fears, anxiety, and confusion among youth.

Recommendation #4

Encourage child welfare agency leaders to understand the FYI funding mechanism

Encourage communities to understand how FUP and FYI interact with existing child welfare resources that can be used for emergency and transitional housing. While FYI is not intended to be an emergency housing solution, the “on demand” distribution mechanism within the initiative is an important tool for communities to consider as they respond to COVID-19. FYI is was designed to encourage child welfare agencies to be planful and avoid a hasty, frenzied aging out experience.

Thus, FYI can be used to determine what is next for displaced youth. For example, for students at colleges where the dorms have closed for the semester who would be moving to apartments next year, it is the case that these students can be referred to FYI. Basically, they could just find their apartment now, rather than waiting until August and the local public child welfare agency (PCWA) may refer them for a housing choice voucher now.

In the interim, child welfare professionals may tap Chafee funds to ensure that we can all work together to prevent homelessness during this nationwide crisis, but intermediate housing plans and permanent housing can be secured through referrals to FYI. These partnerships must be set up as soon as possible. We urge the Children’s Bureau to move quickly to train all independent living coordinators throughout the US on FYI and how to coordinate with their local public housing authority and other housing professionals in their communities, including landlords.

Recommendation #5

Identify and enforce the supplantation requirements where Chafee funding is being used for WIOA-eligible expenditures.

One way to ensure that ample Chafee funding is available for all eligible youth is to identify expenditures within state plans that violate the supplantation clause of 42 U.S. Code Section 677(d)(2). States must be encouraged to tap available funding for these activities under other accounts within other federal departments such as the Department of Labor, thereby freeing up Chafee funding for the maximum number of youth during this crisis.

Recommendation #6

Increase coordination with the Department of Labor to improve access to WIOA

Arrange a meeting with DOLETA as soon as possible to discuss issuing a joint letter encouraging states to request waivers from DOL regarding WIOA regulatory categories for expenditures on in school versus out of school youth (Section 129(a)(4)(A) and 20 CFR 681.410). Any and all young people in need of training and counseling during this time of crisis should be served without delay.

Recommendation #7

Communications and connectedness

Inform out-of-home placement providers (including congregate care facilities) that youth must have access to cell phones to reach out to emotional supports. It is also to point out that during this time of crisis, youth who are displaced from the community within their school and dorm may feel isolated. Child welfare agencies can use Chafee funds to make sure that child welfare offers access to programs, telehealth professionals, mental healthcare professionals, or mentors to ensure ongoing social connections. Chafee is designed to be nimble enough to allow for the purchase of any and all equipment that a young person might

need to remain connected to siblings, case managers, fictive kin, or whomever it is that can help them avoid social isolation as we all practice social distancing.

Recommendation #8

Establish a National Hotline for disconnected youth with questions about COVID-19 related economic and housing-related crisis and questions

In the same way that the National Runaway Safeline was established to serve as a national communications mechanism for runaway and homeless youth, we urge the Children’s Bureau to establish or re-purpose an existing phone services to field calls from the nation’s foster youth who have been displaced and/or launched into crisis as a result of COVID-19.

We hope that the Children’s Bureau will consider formalizing such a hotline or resource center for youth to reach out to when they are in need. Perhaps one improvement that will come as a result of this national crisis is the discovery that such a resource should exist. We are at your disposal to get this up and running as quickly as possible. Our organizations are happy to help the Children’s Bureau create a more formal structure for a hotline of this nature going forward as well. In the spirit of Peer Support, we recommend that those who would serve to man this future hotline would be alumni of foster care and allies who work specifically with this population. We believe that if the Children’s Bureau is willing to make a commitment to move forward and make a commitment to help create this resource, it would continue to underscore the priority that this office places on older youth as a population.

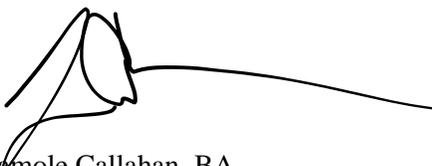
Such a hotline could serve first and foremost to address questions related to existing federal resources, such as Chafee and the COVID-19 CARES Act, and ultimately grow into a powerful mechanism to connect foster care youth and alumni callers with state-specific resources and information.

Again, we are indebted to you for your tireless efforts to keep us safe and to move the child welfare system forward through these difficult times. If you have any questions about these recommendations please feel free to contact Ruth White at rwhite@nchcw.org or 202-270-7336 or Lisa Dickson lisa@fosteractionohio.org.

With admiration and appreciation,



Ruth White, MSSA
Executive Director
NCHCW



Jamole Callahan, BA
Director of Training & Development
ACTION Ohio



Eshawn Peterson, MBA
Founder, President/CEO
Onward Hope, Inc.

¹ Of the nearly 12 million college students under the age of 24 in the US, 72,000 are current and former foster youth who were considered financially independent and receiving federal financial aid¹ and of this group, roughly 17,000 received Education & Training Vouchers¹. Information regarding how many of these youth live in dorms is not collected or reported nationally. The majority of these young adults (70%) are pursuing (quite successfully) certificates from two-year colleges; while 30% are attending four-year colleges. Nearly half (46%) of students at four-year institutions live on campus, Thus, NCHCW estimates that approximately 10,000 former foster youth live in college dorms³.

¹ US Government Accountability Office. (2016). *Actions Needed to Improve Access to Federal Financial Assistance for Homeless and Foster Youth*. <https://www.help.senate.gov/imo/media/doc/d16343.pdf>

² Fernandes-Alcantara, A. (2019). *Youth Transitioning from Foster Care: Background and Federal Programs*. Congressional Research Services. <https://fas.org/sgp/crs/misc/RL34499.pdf>

³ Bill & Melinda Gates Foundation. (2020). *Today's College Students*. <https://postsecondary.gatesfoundation.org/what-were-learning/todays-college-students/>