

Chafee National Youth in Transition Database (NYTD) Final Rule

Presentation Developed by **The Children's Bureau**
Administration on Children, Youth, and Families
Administration for Children and Families,
Department of Health and Human Services
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Statutory Background

- **Public Law 106-169 established the John H. Chafee Foster Care Independence Program (CFCIP).**
- **Most provisions of the CFCIP can be found in §477 of the Social Security Act (the Act).**
- **CFCIP provides States with flexible funding to carry out programs that assist youth in making the transition from foster care to self-sufficiency.**
- **Promoting Safe and Stable Families Amendments of 2001 provided States with funding specifically for post-secondary education and training vouchers.**

Data Requirements in Law

- The statute requires (§477(f) of the Act) ACF to develop a data collection system that allows us to:
 - Track the number and characteristics of children receiving independent living services,
 - Track the type and quantity of independent living services States provide to youth; and
 - Track State performance on certain outcome measures.
- The statute also requires ACF to impose a penalty for a State's noncompliance with data collection & reporting requirements (§477(e)(2) of the Act)

Consultation/Public Comment

- ACF consulted with a variety of stakeholders to gather information regarding outcomes, measures, and reporting, including State child welfare agencies, national child welfare organizations, youth service providers, and current foster youth and parents.
- ACF conducted a pilot test involving 7 pilot States and one Indian Tribe to help inform the draft regulation and serve as a field test of some data elements, definitions and procedures.
- ACF published an NPRM in July 2006 for public comment. We received 67 public comments from representatives of child welfare State agencies, advocates and associations.
- There was widespread support for the general concepts of NYTD, although many commenters raised concerns over timeframe for implementing NYTD and effect of penalties on States who are unable to track youth no longer in foster care.

Overview of NYTD Final Rule

We require that States engage in two data collection & reporting activities on:

1. Each youth who receives independent living services; and
 2. The outcomes of youth who are aging out or have aged out of foster care.
- States will **collect** independent living services information continuously, and outcomes information biannually (i.e., every 6 months).
 - States will **report** the data collected (services and outcomes information) to ACF biannually.
 - NYTD implementation will be **October 1, 2010**. First report period of data due to ACF no later than May 15, 2011.

Final Rule – Youth Receiving Independent Living Services

- **States will collect information on any youth receiving at least one independent living service during the 6 month report period.**
 - Service data are collected regardless of the youth's age (e.g., could be 14 or 21 years old depending on the State's eligible service population)
 - Service data are collected regardless of whether the youth is in foster care at the time of the service.
- **For the purposes of collecting information, the term “independent living services” includes:**
 - Any independent living service paid for or provided by the State CFCIP agency, and regardless of the manner in which it is delivered (e.g., inclusive of services provided through a foster parent, contracted service provider, other public agency, etc.).

Final Rule – Independent Living Service Categories

States will report that a youth received an independent living service during the report period in one or more of the following categories:

- Independent living needs assessment
- Academic support
- Post-secondary educational support
- Career preparation
- Employment programs or vocational training
- Budget and financial management
- Housing education & home management training
- Health education & risk prevention
- Family support & healthy marriage education
- Mentoring
- Supervised independent living
- Room and Board Financial Assistance
- Education financial assistance
- Other financial assistance

Final Rule– Information on Youth Outcomes

- States will collect and report longitudinal outcomes data on youth who are aging out or have aged out of foster care.
- States will collect outcomes data on a cohort of youth, with a new cohort beginning every three years.
- Each cohort consists of the:
 - **Baseline population** – All youth who are in foster care at 17 years of age.
 - **Follow-up population** - The same youth surveyed in the baseline population, who are surveyed as they age at 19 years old and again at 21 years old, regardless of whether they remain in foster care.

In order to collect this information, States will need to institute procedures to track youth as they age out of foster care

Final Rule – Sampling Option for the Follow-Up Population

States will have the option to follow a *sample* of youth who participated in the outcome data collection as 17-year-olds in foster care and collect follow-up outcome information (19 and 21 year olds) on the sample only.

- Many States, but not all, will be able to take advantage of this sampling option.
- States must use simple random sampling procedures, unless the State obtains approval from ACF on another accepted sampling methodology.
- The regulation outlines a specific statistical formula for determining the sample size.

Final Rule–Survey Design for Outcomes Collection

- States will collect outcomes data by directly surveying youth in the baseline and follow-up populations.
- States must develop surveys using questions specified by ACF, however, we are not proposing to regulate the manner in which the State administers the survey.
- Therefore, States may administrate the survey of youth during meetings with an agency caseworker/youth specialist, via a contractor, by phone or via the internet/e-mail, etc.

Final Rule – Youth Outcomes

Outcome Measure	Relevant Data Elements
Financial self-sufficiency	<ul style="list-style-type: none"> • Current full-time employment • Current part-time employment • Employment-related skills • Social Security • Educational aid • Public financial assistance • Public food assistance • Public housing assistance • Other financial support
Educational attainment	<ul style="list-style-type: none"> • Highest educational certification received • Current enrollment/attendance
Positive connections with adults	<ul style="list-style-type: none"> • Connection to adult
Experience with homelessness	<ul style="list-style-type: none"> • Homelessness
High-risk behavior	<ul style="list-style-type: none"> • Substance abuse referral • Incarceration • Children • Marriage at child’s birth
Access to health insurance	<ul style="list-style-type: none"> • Medicaid • Other health insurance coverage • Health insurance type

Final Rule – Demographic & Characteristics of Youth

States will also collect demographic and characteristics information, depending on the reporting population:

Elements for youth reported for either their services or outcomes:

- State
- ID number
- DOB
- Sex
- Race
- Ethnicity
- Foster care status

Elements for youth reported on for their outcomes:

- Date of outcome collection
- Outcome reporting status

Elements for youth reported on for their services:

- Tribal membership
- Adjudicated delinquent
- Last grade completed
- Special education status
- Independent living assessment

Final Rule - NYTD Collection Schedule

Fiscal Year of Implementation	All youth receiving services	Baseline Outcomes (17-year-olds)	Follow-up Outcomes (19-year-olds – may be sample)	Follow-up Outcomes (21-year-olds – may be sample)
FY 2011	X	X (Cohort 1)		
FY 2012	X			
FY 2013	X		X (Cohort 1)	
FY 2014	X	X (Cohort 2)		
FY 2015	X			X (Cohort 1)

Final Rule – NYTD Compliance: File Submissions

- To be in compliance with NYTD, States will have to meet both **file submission standards** and **data standards**.
- **File submission** standards include:
 - Submitting data on time
 - Submitting data in a format that meets ACF specifications
 - Reporting demographic information that is 100% error-free
- File submission requirements are minimal and must be met for us to assess whether the State met the data standards.

Final Rule – NYTD Compliance: Data Standards

- **Data standards** relate to quality of the data and include:
 - *Error standard* - 90% error-free data in most data elements (inclusive of services information, outcomes and characteristics information).
 - *Outcomes universe standard* – When data is due on 19 and 21-year olds, the State must account for every youth who participated in the baseline population at age 17 by providing a valid response in the outcomes reporting status element (i.e., youth participated, declined, not in sample, incarcerated, etc.).

Final Rule – NYTD Compliance: Data Standards

- **Data standards, continued:**

- *Discharge participation rate:* States are to collect and report full or partial outcome information on at least 60% of 19 and 21 year olds who have left foster care since they were originally surveyed at age 17.
- *Foster care participation rate:* States are to collect and report full or partial outcome information on at least 80% of 19 and 21 year olds who have left foster care since they were originally surveyed at age 17.

NOTE: A youth is in foster care if he/she meets 45 CFR 1355.20 **and** is under the State's age of majority. Majority-age youth who receive services/funding/ independent living housing from the State agency are **not** in foster care for NYTD purposes.

Final Rule – Correcting Data & Penalties

- ACF will assess whether the State's data is in compliance with the standards and will notify States if it is not. The State will have an opportunity to transmit corrected data by the end of the next report period.
- Failure to comply with the file submission and data standards after the opportunity to correct data will result in a penalty.
- The law requires ACF to impose a penalty of between 1 and 5 percent of the State's annual allotment under CFCIP, depending on the degree of noncompliance.
- Chafee Education and Training Voucher funds will not be subject to a penalty if a State does not comply with NYTD requirements.

NYTD Penalty Structure

Penalties vary depending on level of noncompliance:

Potential Penalties	2011 Services & Baseline Data Due	2012 Services Data Due	2013 Services and Follow up Data Due
All file submission standards (per report period)	2.5%	2.5%	2.5%
OR			
Maximum for all data standards (per report period)	1.25%	1.25%	2.5%
<i>Error-free data standard</i>	1.25%	1.25%	1.25%
<i>Outcomes universe standard</i> <i>OR</i> <i>Foster care youth/discharged youth outcomes participation</i> <i>rate standards</i>			1.25% <i>OR</i> 0.5%
** A State can receive a penalty for noncompliance with the participation rate standard only if it achieves the outcomes standard for the report period.			

State Examples of Potential NYTD Penalties

State	Total Allotment CFCIP*	Min Penalty/Yr			Max Penalty/Yr 5.0%
		1.0%	2.5%	5.0%	
A	\$23,754,187	\$237,541	\$593,854	\$1,187,709	
B	\$500,000	\$5,000	\$12,500	\$25,000	
C	\$5,126,967	\$51,269	\$128,174	\$256,348	
D	\$1,558,849	\$15,588	\$38,971	\$77,942	
H	\$11,585,958	\$11,585	\$289,648	\$579,297	

* Total Allotment includes the State's general Chafee Foster Care Independence Program allotment for a fiscal year.

Implementation

- **A major change in the Final Rule is that implementation and compliance is scheduled for October 1, 2010.**
- This later date will give States sufficient time to develop tracking procedures, and to utilize the technical assistance.
- States will be required to begin collecting data on October 1, 2010 and must transmit the first report period data no later than May 15, 2011.
- Questions on the rule should be directed to the Children's Bureau Regional Office staff.

Final Rule and Resources

The regulation can be viewed/downloaded at the following locations:

Regulations.gov

www.regulations.gov

The Children's Bureau Website

http://www.acf.hhs.gov/programs/cb/laws_policies/policy/im/2008/im0801.pdf

Children's Bureau Resource Partners:

National Resource Center for Child Welfare Data and Technology

<http://www.nrccwdt.org/>

National Child Welfare Resource Center for Youth Development

<http://www.nrcys.ou.edu/yd/>