ACF Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
	1. Log No: ACYF-CB/FYSB-IM-14-1	**2. Issuance Date:** November 4, 2014
	3. Originating Office: Children's Bureau/ Family and Youth Services Bureau	
	4. Key Words: Runaways from Foster Care; RHY Programs and services	

INFORMATION MEMORANDUM

TO: State, Tribal and Territorial Agencies Administering or Supervising the Administration of Title IV-E of the Social Security Act, Indian Tribes, Tribal Organizations and Tribal Consortia (Tribes) and grantees funded by the Runaway and Homeless Youth Act

SUBJECT: Serving Youth Who Run Away From Foster Care.

LEGAL AND RELATED REFERENCES: Chafee Foster Care Independence Act (section 477 of the Social Security Act (the Act); Title IV-E foster care; The Runaway and Homeless Youth Act (Title III of the Juvenile Justice and Delinquency Prevention Act of 1974), as last amended by the Reconnecting Homeless Youth Act of 2008 (Public Law 110-378).

PURPOSE: The purpose of this Information Memorandum (IM) is to provide guidance on services for youth under age 18 who run away from foster care and come in contact with runaway and homeless youth programs.

BACKGROUND: The populations served by both the Family and Youth Services Bureau (FYSB) and the Children's Bureau (CB) are diverse and very vulnerable. Often, youth ages 12 – 17 may move between receiving services and supports from these two programs. Coordination at the local, community, and state level is critical to effectively serving this population and is expected by both FYSB and CB.

On September 29, 2014, the President signed into law the Preventing Sex Trafficking and Strengthening Families Act, Public Law (P.L.) 113-183. This law amended a number of provisions in titles IV-B and IV-E of the Social Security Act which authorize federal child welfare programs, but is of importance to runaway and homeless youth providers, as well. Among the many provisions designed to increase the oversight by the child welfare of youth in foster care vulnerable to sexual trafficking and exploitation, it:

- Requires child welfare agencies to demonstrate they have:
  - Consulted with other specified agencies having experience with at risk youth; and
  - Developed policies and procedures (including caseworker training) to identify, document, and determine appropriate services for: any child or youth in the placement, care or supervision of the foster care agency who is at-risk of becoming a sex trafficking victim or who is a sex trafficking victim (including those not removed from home; those who have **run away from foster care**; and

youth not in foster care who are receiving services under the Chafee Foster Care Independence program).

- Adds a requirement for the child welfare agency to develop procedures to:
  - locate children missing from foster care;[1]
  - determine the factors that lead to the child's being absent from foster care and to the extent possible, address those factors in subsequent placements; and
  - determine the child's experiences while absent from care, including whether the child is a sex trafficking victim.

Further information will be provided to child welfare agencies regarding the new law; however, all community providers should be aware of the important conversations that should take place at the state and local level about sex trafficking and runaways from foster care.

Runaway and Homeless Youth Programs

Youth and young adult homelessness continues to be a critical issue in our country. Every year, as many as 550,000 young people up to age 24 are homeless for more than a week, according to one estimate by the National Alliance to End Homelessness. Of those young people, over 380,000 are minors. Homeless street youth are found in urban, suburban, and rural communities throughout the United States.

FYSB recently conducted a first-of-its kind study of young people living on the streets in 11 cities. Street outreach workers in those cities interviewed and conducted focus groups with a total of 656 street youth ages 14 to 21. In this study, nearly half had been kicked out or abandoned by their parents or guardians and nearly 30 percent of participants reported being gay, lesbian or bisexual. Almost 7 percent reported being transgender. [2] Moreover, 60 percent had been raped, beaten up, or robbed, among other things. The data from this study is consistent with findings in other research. For example, other research suggests youth come from families who struggle with poverty and mental health or other behavioral disorders and corroborates that a substantial proportion of homeless youth (some researchers estimate between 20 and 40 percent) are gay, lesbian, bisexual, or transgender.[3]

Young people who live on the streets are at high risk of developing serious, life-long health, behavioral, and emotional problems. Compared to youth who have never run away, they suffer from high rates of depression[4], attention deficit hyperactivity disorder, and post-traumatic stress

---

[1] It should be noted that many states have policies in place regarding actions to be taken when a youth leaves a foster care placement.

[2] "Street Outreach Program: Data Collection Project Final Report (2014)." Family and Youth Services Bureau, Administration on Children, Youth and Families, Administration for Children and Families, U.S. Department of Health and Human Services.

[3] Ray, N. (2006). Lesbian, gay, bisexual and transgender youth: An epidemic of homelessness. New York: National Gay and Lesbian Task Force Policy Institute and the National Coalition for the Homeless.

[4] Shelton, K.H., P.J. Taylor, A. Bonner, M. Van den Bree (2009) Risk factors for homelessness: evidence from a population-based study. Psychiatric Services, 60, 465–472.

disorder[5]. They tend to abuse drugs and alcohol[6] and are often survivors of physical and sexual abuse[7]. The longer they are exposed to the streets, the more likely they are to fall victim to commercial sexual exploitation and human trafficking[8]. Moreover, while on the streets, they fail to develop many of the educational and job-readiness skills that are so crucial to financial and housing stability in adulthood[9].

For all these reasons, programs that keep young people from being homeless and provide them with the services they need to live healthy, productive, violence-free lives are vital.

Children and Youth in Foster Care

Approximately 402,000 children and youth were in foster care on September 30, 2013, based on data reported by state child agencies to the Adoption and Foster Care Analysis and Reporting System (AFCARS). State agencies reported 4,500 of those children, as a "run away." The majority of those who were identified as having run away from foster care were between the ages of 12 and 17. In fact, most of these youth entered foster care after age 12; half entered at age 15 or older. Most of these youth had three or more foster care placements. In one Chapin Hall study of youth who ran from the Illinois foster care system, older youth were found to be more likely than younger youth to be gone from the foster care system for longer than a month[10]. Young women were more likely than young men to be reported as having run away and African American and Hispanic young people were more likely than those of other racial/ethnic background to have run away.

Research findings on youth who run away from foster care are generally consistent with findings relating to the broader runaway and homeless youth populations; youth who run from foster care also have challenges including substance abuse and mental health issues. Also, a recent study of youth in Los Angeles County, found that youth who identify as Lesbian, Gay, Bisexual, Transgender, or Questioning (LGBTQ) are also more likely than other youth either to run away from a foster care placement or to be kicked out of a placement[11]. Running away from foster care may be a sign of problems, including unstable placements, undiagnosed mental health or

---

[5] Schneir, A. Stefanidis, N. Mounier, C. Ballin, D. Gailey, D. Carmichael, H. and Battle, T. (2007). Trauma among homeless youth. The National Child Traumatic Stress Network. Retrieved March 29, 2012, from http://www.nctsnet.org/sites/default/files/assets/pdfs/culture_and_trauma_brief_v2n1_HomelessYouth.pdf.

[6] Thompson, S., Barczyk, A., Gomez, R., Dreyer, L., & Popham, A. (2010). Homeless, street-involved emerging adults. Attitudes toward substance use. Journal of Adolescent Research, 25(2).

[7] Schneir, A. Stefanidis, N. Mounier, C. Ballin, D. Gailey, D. Carmichael, H. and Battle, T. (2007). Trauma among homeless youth. The National Child Traumatic Stress Network. Retrieved March 29, 2012, from http://www.nctsnet.org/sites/default/files/assets/pdfs/culture_and_trauma_brief_v2n1_HomelessYouth.pdf

[8] National Alliance to End Homelessness. (2009). Homeless Youth and Sexual Exploitation: Research Findings and Practice Implications. Retrieved on March 29, 2012, from http://www.endhomelessness.org/content/general/detail/2559.

[9] Ferguson, K. M., Bender, K., Thompson, S. J., Maccio, E. M., & Pollio, D. (2012). Employment Status and Income Generation Among Homeless Young Adults Results From a Five-City, Mixed-Methods Study. *Youth & Society*, *44*(3), 385–407.

[10] Courtney, M.E., Skyles, A., Miranda, G., Zinn, A., Howard, E., & Goerge R.M. (2005). Youth Who Run Away from Substitute Care. Chapin Hall at the University of Chicago. Chicago: IL.

[11] Wilson, B.D.M., Cooper, K. Kastanis, A. & Nezhad, S. (2014). Sexual & Gender Minority Youth in Los Angeles Foster Care. The Williams Institute: Los Angeles, CA.

substance abuse issues, or continuing issues regarding the biological family or caregiver from whom the child was removed[12].

One of the three top reasons that youth run from foster care was related to issues with their biological family. In fact, "many of the youth [in the study] described their biological families as exerting a distinct emotional pull on them. In some cases, this was manifest in the urge to reconnect or stay connected"[13]. The lack of a stable foster care placement has also been linked as a critical risk factor to running.

INFORMATION: We encourage child welfare agencies and RHY providers to meet, inventory and recognize their various strengths in serving youth who run away from foster care, and develop coordinated approaches for effective services to young persons who have run away from foster care placements.

Child welfare agencies should consider to what extent they have policies and procedures about children and youth who run away and enter a shelter and how those policies and procedures can be best shaped to ensure the safety and well-being of young people; we recommend developing policies and procedures where they do not exist, and strengthening existing policies where appropriate. For instance, agencies need to consider what policies ensure the safety of younger children who could be placed temporarily in a Basic Center Program (BCP) shelter with older youth. (BCPs provide services for youth ages 12 to 18, though some provide services for youth under the age 12). For youth who run away from foster care, agencies should consider how policies and procedures may affect a young person's decision to seek shelter, rather than remaining on the street. Some youth may avoid contacting a shelter if they believe they will simply be returned to a placement in which they did not feel safe. Consideration also needs to be given to how to work across jurisdictional boundaries when a youth who runs away from foster care crosses a state line.[14] Developing coordinated strategies to effectively serve young people is important in efforts to protect them from sex trafficking and other dangers.

Many communities have a point person at the child welfare agency that a RHY provider can contact to determine the status of the youth. Some states require that a "pick-up order" be issued by the police for any youth who is on run from foster care. We suggest that child welfare and RHY agencies create Memoranda of Understanding (MOU) that clarify roles, responsibilities, and define the provision of services based on the population of youth served. This MOU should also clarify what financial obligations, if any, are associated with the provision of services.

For RHY facilities not already under contract with the child welfare agency for contracted bed space, it is important to look to the state or local child welfare agency to determine the requirements for being licensed and eligible to provide contracted shelter beds. As each state is different in its licensing process, we recommend starting with the state foster care manager for assistance with identifying the appropriate contact and agency. A list of state foster care managers is available at https://www.childwelfare.gov/fostercaremonth/more/contacts/.

---

[12] Courtney et al., (2005).
[13] Courtney et al., (2005).
[14] The agreement between states and the placement of children in foster care is governed by the Interstate Compact on the Placement of Children (I.C.P.C.).

Child welfare agencies are encouraged to learn about FYSB-funded services in their state and communities as these programs can be helpful partners for planning what community services and supports must be aligned in the community to protect youth under the age of 18 from entering the streets.

For more information on FYSB services and providers, please see the websites at: http://www.acf.hhs.gov/programs/fysb and www.ncfy.com/.

For more information on CB services and programs, please see the website at: http://www.acf.hhs.gov/programs/cb and https://www.childwelfare.gov/.

Frequently Asked Questions (FAQs):

The Administration on Children, Youth and Families through this FAQ seeks to provide answers to some of the more common questions raised about child welfare policies that may impact RHY programs.

1. ***If a youth in foster care is in an RHY shelter, who is financially responsible for costs associated with the child's stay and can RHY shelters request cost reimbursements from the foster care system?***

   It is acceptable for an RHY provider to enter into a contract with the state child welfare agency to serve as a placement resource, and many already do. To the extent a youth in an RHY facility satisfies all title IV-E eligibility criteria and the state child welfare agency determines the RHY shelter is an appropriate placement, the state may pay for the youth's stay in the RHY shelter and claim federal reimbursement. The foster care maintenance payment means "payment to cover the cost of (and cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement." (See 42 USC 675 (4)(A)). It is important to note, an RHY provider shall not simultaneously seek federal reimbursement for costs otherwise covered by the child welfare agency. In addition, child welfare agencies should plan and budget for the reimbursement of youth stays in RHY shelters, when safe and appropriate, when the child is in foster care or awaiting a foster care placement.

2. ***How long can a youth in foster care stay in the shelter and what is the shelter's responsibility to determine the child's status?***

   The RHY basic center shelters are only allowed to cover 21 days of a youth's stay using RHY funds; however, once shelter staff determines the youth has run away from a foster care placement, immediate efforts to determine the most appropriate placement should be made. Current RHY regulations require that contact with the youth's family "should be made within 24 hours but must be made no more than 72 hours" after admission. (45 CFR § 1351.18(e))

No youth should stay in shelter care for prolonged periods of time, unless there is a compelling reason that the placement is in the young person's best interest. In general, youth who have run away from foster care stay in the shelters as long as the child welfare agency needs or per the agreement between the agencies. Youth who are sheltered during the night or picked up by the police may be taken to the shelter so that their basic needs are taken care of until a placement can be found. States with strong contracting practices have policies and procedures in place requiring a strong justification to be provided if a youth is to be in an RHY shelter setting for more than 14 - 21 days.

3. ***If a youth who is eligible for title IV-E in foster care runs away from that placement, may the family foster home continue to receive a payment for the period that the youth is in runaway status? If the youth runs to an RHY facility that meets title IV-E eligibility criteria and a decision is made to allow the youth to remain at that facility as a placement setting for a brief period of time, may a title IV-E payment be made to both the family foster home and the RHY facility?***

   When a title IV-E eligible youth is temporarily absent from a foster home, whether because the youth has run away or other circumstance (e.g., the youth is on a weekend home visit or is hospitalized for medical treatment), the title IV-E agency may provide a full month's title IV-E foster care maintenance payment to the licensed provider if the brief absence does not exceed 14 days and the child returns to the same provider.

   However, if the decision is made to change the youth's placement setting to the RHY facility, payments to each provider must be pro-rated accordingly. A title IV-E foster care payment may not be made to two providers for the same child for the same period of time.

INQUIRIES:

For questions related to youth in foster care: Catherine Heath at the Children's Bureau at Catherine.heath@acf.hhs.gov.

For questions related to RHY programs: Chris Holloway at the Family and Youth Services Bureau at christopher.holloway@acf.hhs.gov.

Mark H. Greenberg
Acting Commissioner
Administration on
Children, Youth and
Families

William Bentley
Associate Commissioner
Family and Youth
Services Bureau

JooYeun Chang
Associate Commissioner
Children's Bureau