



Family and Youth  
Services Bureau

# Runaway and Homeless Youth Program

Notice of Proposed Rulemaking

April 2014

# What is a Notice of Proposed Rulemaking?

- A public notice that is required by law when a U.S. government agency wishes to **add, remove, or change a rule** or regulation as part of the rulemaking process.

## YOUR OPINION MATTERS



**FEDERAL REGISTER**  
The Daily Journal of the United States Government

### Runaway and Homeless Youth

A Proposed Rule by the Children and Families Administration on 04/14/2014

This article has a comment period that ends in 53 days (06/13/2014)



4/25/2014

# What is the Runaway and Homeless Youth Program?

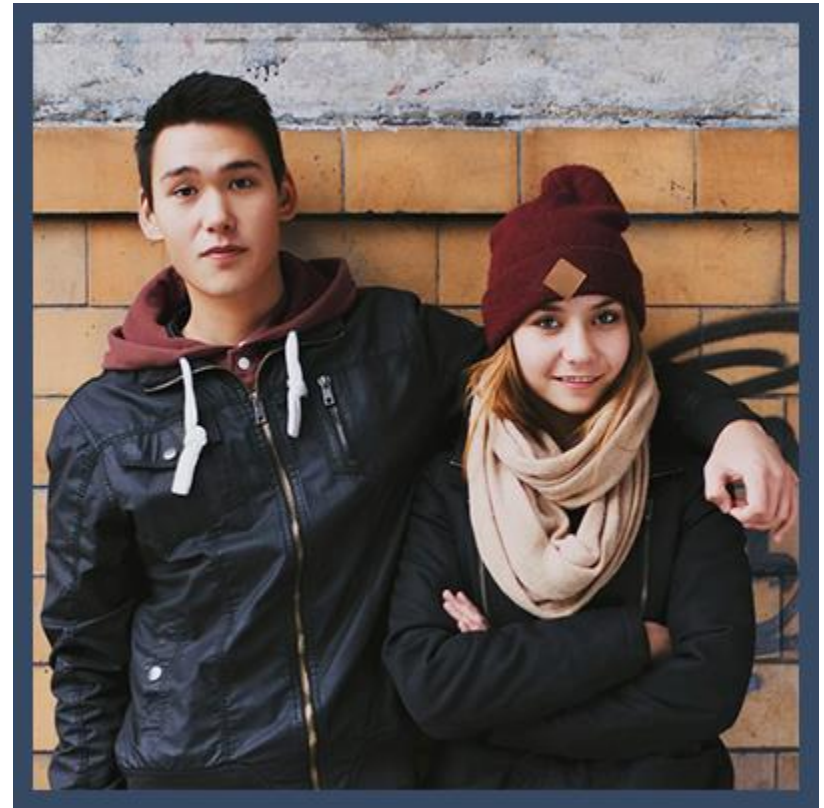
A \$115 million federal program that provides:

- funding to community-based organizations across the country to **prevent young people from becoming homeless** and to provide support and services to those who are already homeless.
- funding to **improve the quality of services** to runaway and homeless youth through research, demonstration projects, a national hotline, and training and technical assistance.



# Why is the Family and Youth Services Bureau issuing new rules for the Runaway and Homeless Youth Program?

- When Congress reauthorized the Runaway and Homeless Youth Act in 2008, the legislation required that FYSB develop **new program standards** for the three programs funded by the Act:
  - Basic Center Program
  - Transitional Living Program (including Maternity Group Homes)
  - Street Outreach Program



# What happened next?

- FYSB held consultations with the public in 2009 to talk through what might constitute reasonable performance standards.
- A standards document was drafted by a panel of Runaway and Homeless Youth Program Specialists at FYSB.
- The draft document was reviewed by dozens of officials from within the Department of Health and Human Services and other federal agencies to make sure the performance standards were **legal, appropriate, and fair**.



# How does the public comment process work?

- The Notice of Proposed Rulemaking is available on the Federal Register website at:  
<https://federalregister.gov/a/2014-08178>
- Summary and FAQ documents are available on the FYSB website at:  
<https://www.acf.hhs.gov/programs/fysb/resource/proposed-performance-standards-rhy>
- Interested parties have until June 13, 2014, to comment.



# What are the priority areas in this rule?

- Updated definitions
- New priority award and matching requirements
- New rules for basic centers
- Performance standards

# New Definition for “Background Check”

- **Background check:** The review of an individual employee’s or employment applicant’s personal information, which shall include:
  - Verification of educational credentials and employment experience
  - National examination of the individual's criminal records
  - An examination of the individual’s driving records and licensing records
  - An examination of the individual’s child abuse or neglect history
- Volunteers who come in contact with children and youth served or proposed to be served by the agency must also undergo a background check.



# New Definition for “Congregate Care”

- **Congregate care:** A shelter type that combines living quarters and restroom facilities with centralized dining services, shared living spaces, and access to social and recreational activities.



# New Definition for “Drop-in Center”

- **Drop-in center:** A place operated and staffed for runaway or homeless youth that clients can visit without an appointment to get advice or information, to receive services or service referrals, or to meet other runaway or homeless youth.



# New Definition for “Host Family Home”

- **Host family home:** A family or single adult home that provides shelter to a homeless youth.



# New Definition for “Supervised Apartments”

- **Supervised apartments:** A type of shelter setting using building(s) with separate residential units where client supervision is provided on site or on call 24 hours a day. Supervised apartments can be scattered throughout the community but they must be supervised.

# New Definition for “Core Competencies of Youth Worker”

- **Core competencies of youth worker:** The ability to demonstrate skills in all of six domain areas:
  1. Professionalism
  2. Applied positive youth development approach
  3. Cultural and human diversity
  4. Applied human development
  5. Relationship and communication
  6. Developmental practice methods

# New Priority for Awards

- We propose to raise the priority award level on the amounts available for award for basic center, transitional living, and street outreach programs to \$200,000 (from \$100,000 in the current regulations), and we propose to raise the priority threshold on total project budgets, taking into account the funding from all sources, to \$200,000 (from \$150,000 in the current regulations).

(§1351.12.)



# New Matching Requirements

- The current regulatory language conflicts with the statute on the amount of funding required by grantees to satisfy the match requirement. The current language requires a non-federal match amount of 10 percent of the Federal share. To align the statute and the regulations, we propose that the **federal share reflect 90 percent**, thus the remaining 10 percent represents the match cost, cash or in-kind contributions.

(§1351.13)



# New Rules for Basic Center Programs

- All Basic Center grantees shall have an intake procedure that is available 24 hours a day and 7 days a week to all youth seeking services and temporary shelter. The intake process must, at all hours, enable staff to address and respond to young people's immediate needs for crisis counseling, food, clothing, shelter, and health care services.
- All grantees shall provide, either directly or through arrangements, access to temporary shelter 24 hours a day, 7 days a week. Note that this requirement allows for a combination of facilities that are directly operated by the grantee, operated by others, or accessible through referrals.



## New Rules for Basic Center Programs (2)

- All Basic Center grantees must provide case management, counseling and referral services that meet client needs and encourage, when in the best interests of youth, the involvement of parents or legal guardians.
- All grantees must provide additional core support services to clients both residentially and non-residentially, as appropriate. The core services must include case planning, skill building, recreation and leisure activities, and aftercare.

## New Rules for Basic Center Programs (3)

- All grantees make contact with the parent(s), legal guardian or other relatives of the youth within 72 hours of entering the program unless disclosing the youth's location would not be in the "best interest of the youth." The "best interest of the youth" would be defined by the State child welfare legal requirements with respect to child protective services and law enforcement mandatory reporting.
- All grantees will be subject to any additional requirements that are included in the annual funding opportunity announcement.

# New Program Standards for Basic Center Programs

- Basic Center grantees must contact the parent(s), legal guardian or other relatives of clients within 72 hours of entering the program to inform them that the youth is safe, with a determination to be made on a case-by-case basis of whether it is in the best interests of the youth to notify the parent(s), legal guardian or other relatives of the location of the youth until further information has been gathered to assure safety.
- Grantees shall maintain at 90 percent or higher, the proportion of youth transitioning to safe and appropriate settings when exiting Basic Center Program services.

# New Program Standard for Transitional Living Programs

- Grantees maintain at 90 percent or higher the proportion of youth transitioning to safe and appropriate settings when exiting Transitional Living Program services.



# New Program Standard for Street Outreach Programs

- A numeric standard for “total contacts” made by the project, giving the project credit for repeatedly reaching youth. A "contact" is the engagement between Street Outreach Program staff and homeless youth in need of services that could reasonably lead to shelter or significant harm reduction.

FYSB recognizes the challenges in setting such a standard and is open to public comment on the proposed definition.

# How will this rule ensure a more affirming service environment for LGBTQ runaway and homeless youth?

- Under the proposed rule, youth workers will be required to demonstrate a capacity for understanding and working with cultural and human diversity including, but not limited to, gaining knowledge and skills to meet the needs of clients of a different race, ethnicity, nationality, religion/spirituality, **gender identity/expression, and sexual orientation.**

# How do you provide your comments?

Please select one option only

- Online at <https://federalregister.gov/a/2014-08178> – to comment, click on the green “Submit a Formal Comment” button on the right.

or

- By mail to the Associate Commissioner, Family and Youth Services Bureau, Administration for Children and Families, 1250 Maryland Ave SW, Washington, DC 20024.



# What should your comments include?

- Your name and address.
- The docket number for this rulemaking:  
**ACF\_FRDOC\_0001-0046**
- The specific section of the document to which each comment applies.
- The reason for each comment.



# What happens next?

- FYSB will consider and respond to public comments as part of developing the Final Rule.
- The Final Rule will be published in the Federal Register and disseminated widely by FYSB.
- FYSB will provide comprehensive training and technical assistance around the provisions of the rule.
- Provisions of the Final Rule would become effective at the start of the **next project period** after it is published. That would typically be the next fiscal year.



# Additional Information

- Comments on the regulations must be provided in writing. However, if you have questions about the regulations, please contact us.

Call: 1-800-865-0965

E-mail: [ncfy@acf.hhs.gov](mailto:ncfy@acf.hhs.gov)

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