



Office of Children and Family Services

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Sheila J. Poole
Acting Commissioner

Local Commissioners Memorandum

Transmittal:	16-OCFS-LCM-13
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Welfare and Community Services
Date:	June 15, 2016
Subject:	Federal Fiscal Year 2016 Education and Training Voucher Program
Contact Person(s):	See Page 6
Attachments:	Attachment A: Sample Revenue Intercept Letter for the Education and Training Voucher Program

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide guidance to local departments of social services (LDSSs) on the federal fiscal year (FFY) 2016 Education and Training Voucher (ETV) program. The ETV program is intended to help youth aging out of foster care to make the transition to self-sufficiency and receive the education, training, and services necessary to obtain employment. This LCM also describes the application process, eligibility criteria for awarding FFY 2016 ETV program funds, and the funding requirements.

For FFY 2016, \$2,301,357 in federal funding is available for the ETV program in New York State. The Office of Children and Family Services (OCFS) expects to use a portion of the ETV funds for eligible youth placed in OCFS custody. OCFS will provide the required match for youth in OCFS custody who are eligible for the ETV program. The ETV funds must be fully liquidated (spent and claimed to the federal government) by **September 30, 2017**.

It should be noted that for FFY 2016, LDSSs are requested to submit names of eligible youth to Orphan Foundation of America (OFA), doing business as Foster Care to Success (FC2S), and intercept letters to OCFS (refer to Section V. - Application and Selection of Program Participants).

II. Background

The Promoting Safe and Stable Families Amendments of 2001, Public Law 107-133, were signed into law on January 17, 2002. Title II, Section 201, of the amendments, entitled "Education and Training Vouchers for Youths Aging Out of Foster Care," amended section 477 of Title IV-E of the *Social Security Act*, targeting additional resources specifically to meet the education and vocational or training needs of youth. The voucher or vouchers awarded to youth under the ETV program may be available for the cost of attendance at an institution of higher education, as defined in 20 U.S.C. §§ 1001 and 1002, and shall not exceed the lesser of \$5,000 per year or the total cost of attendance as defined in 20 U.S.C. § 1087ii (see 42 U.S.C. § 677(i)(4)).

Federal law provides that education and training vouchers under this program may be available to youth otherwise eligible for services under the state's Chafee Foster Care Independence Program (CFCIP) (42 U.S.C. § 677(i)(1)). Youth otherwise eligible for services under the state's CFCIP include: youth in foster care (i.e., youth in the care and custody, or custody and guardianship, of an LDSS commissioner) who are 14 years of age or older, or who are placed in a foster home with an approved relative regardless of age, and who are likely to remain in foster care until 18 years of age. This includes all categories of foster care, including but not limited to, persons in need of supervision (PINS) and juvenile delinquents placed in the custody of an LDSS commissioner; juvenile delinquents in the custody of the OCFS who are placed in non-secure facilities of 25 beds or less, and those who are on aftercare status; and former foster care youth who are between 18 and 21 years of age. For purposes of the ETV program, youth who, are adopted from, or enter kinship guardianship from foster care, after attaining 16 years of age, may also be considered to be otherwise eligible for services under the state's CFCIP (42 U.S.C. § 677(i)(2)). A youth participating in an ETV program on the date he or she attains 21 years of age may remain eligible until he or she attains 23 years of age, so long as the youth is enrolled in a post-secondary education or vocational or training program, and the youth is making satisfactory progress toward completion of that program (42 U.S.C. § 677(i)(3)).

Many of the youth enrolled in the state's ETV program attend either college or university. LDSSs are reminded that youth attending vocational and training programs also may be eligible for ETV funds provided such programs meet the federal definition of institution of higher education as defined in 20 U.S.C. §§ 1001 and 1002. Encouraging youth to receive their high school diploma and continue on with college or attend a vocational training program that will prepare them for employment is an effective means for youth to develop the skills necessary to lead independent and productive lives.

OCFS currently contracts with OFA to administer and serve as New York State's fiscal agent for the ETV program for FFY 2016.

III. Funding Requirements

For FFY 2016, \$2,301,357 in federal funding is available for the ETV program in New York State.

Federal law establishes a 20 percent match requirement in order to access ETV funds (42 U.S.C. § 674(a)(4)). For the past several years, OFA contributed a portion of this

required match. For FFY 2016, OFA will continue to contribute a portion of the required match. As a result of the OFA contribution, the LDSS match requirement is 12.5 percent, consistent with the LDSS match requirement each year since FFY 2004 when OCFS began contracting with OFA. OCFS will provide the required match for youth in OCFS custody who are eligible for the ETV program.

The LDSS ETV match must be a cash match based on the total amount awarded for each voucher. A letter that authorizes OCFS to intercept funds otherwise due to the LDSS to finance its match requirement must be submitted to OCFS (Attachment A). LDSSs interested in supporting eligible youth's participation in continuing their education and/or vocational training beyond high school must complete and send the letter to OCFS. The form requires an LDSS to specify the maximum total contribution available from the LDSS to match all of the ETV vouchers it is willing to support. As the LDSS's cash contribution is 12.5 percent of the total voucher, the district must provide, for example, \$625 (12.5 percent of \$5,000) for each \$5,000 voucher that is awarded. If the district provides vouchers for smaller amounts, the district's cash contribution would be 12.5 percent of the voucher amount.

IV. ETV and Chafee Funds

Federal law precludes the use of general CFCIP funds to supplant the award of ETV funds a youth may receive under the ETV program (42 U.S.C. § 677(d)(2)). Federal law additionally precludes the use of general CFCIP funds to supplement the \$5,000 per year ceiling that an eligible participant may receive under the ETV program. LDSSs are advised that a district's CFCIP allocation may not be used for expenses associated with the cost of attendance at institutions of higher education that are eligible for reimbursement under the ETV program, but may be used for other non-higher educational learning activities such as Test Assessing Secondary Completion (TASC) Diploma programs, mentoring programs, and other supportive services for eligible youth. ETV funds may only be used for the cost of attendance at an institution of higher education, as this term is defined under 20 U.S.C. §§ 1001 and 1002. Cost of attendance is defined under 20 U.S.C. § 1087ii and includes room and board expenditures and child care expenses. LDSSs are reminded that districts may use their CFCIP allocation for expenditures related to a youth *applying to* a post-secondary educational, vocational or training program. This would include, for example, expenditures for scholastic aptitude tests including SAT/ACT/PSAT tests required for admission to many colleges and universities, applications for admission to college or vocational or training programs, examinations for attendance at a vocational or training program, visits to colleges, vocational or training programs, clothing for interviews at a post-secondary educational program or vocational or training program, and other supports and services needed by a youth to prepare for successful attendance at a post-secondary educational or vocational or training program.

V. Application and Selection of Program Participants

Youth eligible for vouchers under the ETV program are youth otherwise eligible for services under the state's CFCIP to include: youth in foster care (i.e., youth in the care and custody, or custody and guardianship, of an LDSS commissioner) who are 14 years of age or older, or who are placed in a foster home with an approved relative regardless

of age, and who are likely to remain in foster care until 18 years of age. This includes all categories of foster care, including but not limited to, persons in need of supervision (PINS) and juvenile delinquents in the custody of a local district of social services commissioner; juvenile delinquents in the custody of OCFS who are placed in non-secure facilities of 25 beds or less, and those who are on aftercare status; and former foster care youth who are between 18 and 21 years of age.

For the purposes of the ETV program, youth who are adopted from, or enter kinship guardianship from foster care, after attaining 16 years of age, are also considered to be youth otherwise eligible for services under the state's CFCIP.

In addition, a youth participating in an ETV program on the date he or she attains 21 years of age may remain eligible until the youth attains 23 years of age, as long as the youth is enrolled in a post-secondary education or vocational program, and the youth is making satisfactory progress toward completion of that program.

The following priorities will be applied in the initial selection of eligible participants for the ETV program for FFY 2016:

- First priority will be given to youth over the age of 21 who had received an ETV award in FFY 2015, who continue to be enrolled in and attending a post-secondary educational or vocational training program, and who are making satisfactory progress toward completion of that program.
- Second priority will be given to any other youth who received an ETV award in FFY 2015.
- Third priority will be given to youth who are 20 years of age and will be 21 by July 1, 2016, and who are enrolled in and attending a post-secondary educational or vocational training program and are making satisfactory progress toward completion of that program. These youth would not have received an ETV award in FFY 2015.
- Fourth priority will be given to youth who are 17, 18, 19 and 20 years of age who are enrolled in and attending a post-secondary educational or vocational training program and making satisfactory progress toward completion of that program.

LDSSs must:

1. Identify and verify youth's eligibility starting **July 1, 2016**, through OFA's online application (<http://www.fc2sprograms.org/new-york/>);
2. Electronically mail to: NYS@statevoucher.org by **July 1, 2016**, a separate list of youth identified by the LDSS as eligible recipients of a voucher; and
3. Submit by **July 1, 2016**, an intercept letter to Mr. Kenneth Kirton, New York State Office of Children and Family Services, 80 Maiden Lane, 24th Floor, New York, NY 10038.

Either the LDSS or the youth may complete the ETV application online at the OFA website <http://www.fc2sprograms.org/new-york/>. The names on the completed online applications must be consistent with the list of eligible youth submitted by the LDSS to OFA. After vouchers have been awarded for those names submitted by July 1, 2016, and if additional funds are available, applications will be accepted on a rolling basis.

The online application for FFY 2016 will be available beginning on July 1, 2016. The online application will require demographic information such as the name of the post-secondary educational or vocational training program the youth is currently enrolled in and/or attending, which priority is applicable to the youth, and the amount of funds being requested for the cost of attending the post-secondary educational or vocational training program. OFA will use the information provided on the application to determine eligibility and construct an ETV award for the student. The ETV award will be the lesser of the \$5,000 or the total cost of attendance net of any other available resources (e.g., TAP award, Pell Grant, and scholarships).

OFA will work with participating LDSSs to establish eligibility of applicants for funding. An LDSS must respond to OFA quickly when asked whether a youth qualifies for funding. OCFS anticipates that demand for vouchers may exceed availability, and quick turnaround of information will facilitate an eligible youth's acceptance prior to the exhaustion of funds. Youth selected and receiving ETV reimbursement must make satisfactory progress in their post-secondary educational or vocational training program.

LDSSs limitations on selection criteria of eligible youth receiving ETV benefits must be consistent with the state criteria set forth above and uniformly applied to all youth in the district. The LDSS match would then be required on vouchers awarded to eligible youth who meet those criteria.

The number of names submitted to OFA by July 1, 2016, will be categorized by priority and availability of the LDSS match. ETV funding remaining, after eligible youth within priority group one for whom an LDSS match is available are served, will be available for vouchers for youth within priority group two for whom an LDSS match is available. Similarly, ETV funding remaining after eligible youth within priority group two are served will be used for vouchers for youth within priority group three for whom an LDSS match is available. Finally, any funding remaining after eligible youth within priority group three are served will be used for vouchers for youth within priority group four for whom an LDSS match is available. If funding is insufficient to provide vouchers for an entire priority category, funds will be prorated within the priority reached. Based on the amount of funding available within the priority, need for funding will determine the amount of the voucher. Applications will be accepted on an ongoing basis and, should funding be available after the initial applications are received, applicants for whom an LDSS match is available will be considered for vouchers based on receipt of application.

VI. ETV Coordinator

In accordance with 05-OCFS-LCM-01, each LDSS is required to identify a person to serve as the ETV coordinator. LDSSs must advise Kenneth Kirton at Kenneth.Kirton@ocfs.ny.gov of any changes in the name and/or phone number of the ETV coordinator.

OFA will coordinate efforts with the LDSS ETV coordinator regarding program applicants within the LDSS's jurisdiction.

VII. Contact Names

Please contact your OCFS regional office with any questions regarding the ETV program:

BRO – Tina Cook (716) 847-3145 - Tina.Cook@ocfs.ny.gov
RRO – Karen Buck (585) 238-8549 - Karen.Buck@ocfs.ny.gov
SRO – Sara Simon (315) 423-1200 - Sara.Simon@ocfs.ny.gov
ARO – Colleen Fischer (518) 486-7078 - Colleen.Fischer@ocfs.ny.gov
SVRO – Yolanda Désarmé (845) 708-2499 - Yolanda.Desarme@ocfs.ny.gov
NYCRO – Ronni Fuchs (212) 383-1788 - Ronni.Fuchs@ocfs.ny.gov
Bureau of Indian Affairs – Heather LaForme (716) 847-3123 - Heather.LaForme@ocfs.ny.gov

Issued By:

/s/ Laura M. Velez

Name: Laura M. Velez
Title: Deputy Commissioner
Division/Office: Child Welfare and Community Services

Attachment A
Sample Revenue Intercept Letter
Education and Training Voucher Program

Date

Mr. Kenneth Kirton
Division of Child Welfare and Community Services
New York State Office of Children and Family Services
52 Washington Street, Room 321 North Building
Rensselaer, NY 12144

Dear Mr. Kirton:

The _____ County Department of Social Services will commit 12.5 percent of each applicable approved Education and Training Voucher (ETV) Program award for federal fiscal year (FFY) 2016 up to a total amount of \$_____, to serve as its share of the ETV Program costs to be devoted to serving ETV eligible individuals.

This letter authorizes the New York State Office of Temporary and Disability Assistance (OTDA) to intercept federal or state reimbursement from the RF-2 or 2A settlement otherwise due to the _____ County Department of Social Services in the amount of 12.5 percent of each applicable approved ETV award, up to a total amount of \$_____, and to transfer that amount to the New York State Office of Children and Family Services.

Sincerely,

Local Commissioner