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October 19, 2017

ALL COUNTY LETTER NO.17-103

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL INDEPENDENT LIVING PROGRAM MANAGERS  
ALL INDEPENDENT LIVING PROGRAM COORDINATORS  
ALL FOSTER CARE MANAGERS  
ALL TITLE IV-E AGREEMENT TRIBES  
ALL TRANSITIONAL HOUSING COORDINATORS

SUBJECT: NATIONAL YOUTH IN TRANSITION DATABASE (NYTD) SURVEY:  
21 YEAR-OLD FOLLOW-UP POPULATION OF THE SECOND  
COHORT

REFERENCE: ALL COUNTY LETTERS (ACL) NOS. [16-81](#), [15-79](#), [14-69](#), [13-84](#), [12-52](#), [11-27](#), [08-31](#), [00-22](#), AND [99-96](#); COUNTY FISCAL LETTERS NOS. [09/10-19](#) AND [00/01-46](#); ALL COUNTY INFORMATION NOTICE NO. [I-07-10](#); [SENATE BILL \(SB\) 1013 \(CHAPTER 35, STATUTES OF 2012\)](#); [WELFARE AND INSTITUTIONS CODE \(W&IC\) SECTION 10609.4](#); 45 [CODE OF FEDERAL REGULATIONS \(CFR\) PART 92 AND SECTION 1356.83](#)

The purpose of this ACL is to provide updated information and direction regarding the follow-up survey of the 21-year-old population from the second cohort of the National Youth in Transition Database (NYTD) survey. This survey is for Federal Fiscal Year (FFY) 2018 that begins October 1, 2017 through September 30, 2018. The second cohort consists of all youth who participated in the survey at age 17 in FFY 2014 (October 1, 2013 to September 30, 2014) and are now turning age 21 during FFY 2018. This is the third and final survey of the second cohort. Tribes with Title IV-E Agreements (entered into pursuant to W&IC section 10553.1) are only required to survey youth, if any, who were under tribal jurisdiction and were previously interviewed by the tribe at age 17 as part of the first cohort.

Counties must contact the second cohort youth to request that they complete the follow-up survey, during the same review period in which their 21st birthday falls. In FFY 2018, the first review period for the 21-year-old follow-up population is October 1,

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

2017 to March 31, 2018. The second review period is April 1, 2018 to September 30, 2018.

## **BACKGROUND**

Every six-months, the California Department of Social Services (CDSS) must collect and transmit to the Administration for Children and Families (ACF) outcomes data for foster youth (the NYTD survey), which is intended to measure six outcomes: financial self-sufficiency; educational attainment; connections with adults; homelessness; high-risk behavior; and access to health insurance. In addition to the survey data, CDSS is required to transmit data extracted from the Child Welfare Services/Case Management System (CWS/CMS) on the Independent Living Program (ILP) services provided to current and former foster youth. The primary goal of these activities is to obtain data that will help make informed decisions to improve service provision and outcomes for current and former foster care youth.

Federal rules require states to survey 17-year-old foster care youth within 45 days after their 17th birthday during designated review periods. Each group of 17 year-olds comprises a cohort and is referred to as the baseline population. The youth in the baseline population for each cohort are subsequently re-surveyed on or around their 19th and 21st birthdays; these are referred to as the follow-up populations. Every three years the cycle starts again with a new cohort of 17 year-olds. A timeline of the staggered reporting periods for the cohorts and follow-up populations is included as [Attachment C to ACL 16-81](#).

States are also required to submit data twice a year regarding independent living services provided to eligible current or former foster youth; this is referred to as the served population. The timeline for submission of this data is also included in the above-referenced attachment to ACL16-81. The independent living services for which the data is collected are those provided to current and former foster youth related to a needs assessment; education; post-secondary education; career/job guidance; employment/vocational training; money management; consumer skills; time management; home management; housing options; health care; interpersonal/social skills; parenting skills; mentoring; and transitional housing. Please refer to ACL 16-81 for more information about this requirement.

## **LEGISLATION REGARDING NYTD**

The SB 1013 (Chapter 35, Statutes of 2012) amended W&IC section 10609.4 to require counties to do the following:

- Ensure timely and accurate data entry in CWS/CMS for all youth receiving any independent living services.
- Ensure that eligible foster care youth continue to receive information about, and are provided with an opportunity to complete, the NYTD survey by doing the following:
  - Providing information to the youth about the NYTD survey within 60 days prior to the date the current or former foster youth is required to be offered the survey (this corresponds to the beginning date of each of the two review periods).
  - Contacting the youth who completed the survey at age 17 in order to request before their 19th and 21st birthday that they complete the follow-up survey.
  - Providing opportunities for current and former eligible foster youth to take the NYTD survey online at child welfare services and probation offices.

### **PREPARATION FOR THE SURVEY**

County child welfare agencies, probation departments, and Title IV-E agreement tribes are required to provide the information about the survey to those youth who are part of the second cohort. This information should include how to access the survey, where to take it and how to collect the incentive payment. Counties have the discretion to determine how this information is provided; however, the information about the survey must be provided to the youth within 60 days from the beginning of the review period in which he or she is eligible to take the survey. The beginning dates of the two review periods for FFY 2018 are October 1, 2017 and April 1, 2018.

Methods of providing information in advance include phone calls, text messages, postcards, letters or emails. Contact with the youth can be made by any county or tribal representative including the county social worker, ILP worker, Title IV-E agreement tribal social worker, ILP coordinator or probation officer. Documentation of the efforts made to inform youth about the NYTD survey in advance should be maintained to verify compliance. The documentation may include a copy of the notice sent to the youth inserted in the youth's electronic or hard copy case file, or any other method the county chooses to document the advance notice requirement.

The follow-up population of 21-years-olds is a defined group of youth who participated in the survey at age 17. Therefore, counties will not need to run SafeMeasures or Business Objects' reports to determine who is eligible to take the survey. The CDSS provided counties with a spreadsheet of their 21-year-old population for both review periods in July 2017. The early distribution of this list was intended to give counties time to familiarize themselves with their list of youth and strategize how to survey the most youth.

### **WHO MAY TAKE THE SURVEY: 21-YEAR-OLD FOLLOW-UP POPULATION**

The survey process for the 21-year-old follow-up population is similar to the 19-year-old survey process described in ACL 15-79. A youth whose birthdate falls within the review period can take the survey any time WITHIN that review period. Youth who will turn 21 during the first six-month review period of October 1, 2017 to March 31, 2018, can take the survey anytime during the period, but only during this time. For example, a youth with a birthdate of October 1st or March 31st would have the period from October 1, 2017 to March 31, 2018, to take the survey. It is the same for youth whose birthdate falls in the second review period of April 1, 2018 to September 30, 2018. If the youth's birthdate is at the END of the review period, they may still take the survey anytime during the review period, including before their actual birthday. This is different from the 17-year-old baseline population survey in which youth were only eligible to take the survey within 45 days after their birthday.

It is important to note that all 21-year-olds who participated in the survey at age 17 (in FFY 2014) are eligible and need to have the opportunity to take the survey even if they did not take it at age 19.

### **ADMINISTERING THE SURVEY**

Youth may take the survey on the Internet within the six-month review period in which their birthdate falls. The survey is available on the CDSS [NYTD webpage](#) by clicking on the [Take the California NYTD Survey for 21-Year-Olds](#) link. Login instructions are provided to enter the survey at this link (see ACL16-81, page 5).

The social worker or probation officer is required to offer the youth the opportunity to take the survey on computers in their offices and to ensure that group homes and foster family agencies are also offering the youth the survey. Alternative methods would be to utilize the monthly caseworker visit while the youth is still in care before their 21st birthdate by bringing a hard copy of the survey or laptop to their monthly visit, or to utilize a computer or smartphone in the foster home to facilitate the survey completion.

If the youth prefers not to self-administer the survey, the social worker, probation officer or other county staff may verbally administer the survey to the youth on the telephone or in person by using a hard copy of the survey and then enter in the survey data online (email [NYTDdata@dss.ca.gov](mailto:NYTDdata@dss.ca.gov) for a hard copy of the survey). As the surveys vary for each age group, it is important that only this version of the survey be used for this population.

For both the youth self-administering the survey, or county personnel filling in the survey with responses from the youth, CDSS recommends logging into the survey only when the survey data is ready to be entered in its entirety as there is not a stop and restart option. Under no circumstance may the social worker or probation officer take the survey in lieu of the youth. The survey results should be entered electronically as soon as possible within the required time period in order to be acceptable and to allow the youth to receive the incentive. The CDSS recommends checking SafeMeasures' NYTD report frequently to see who has completed the survey in order to initiate further contact to those showing as not completed. Technical issues with SafeMeasures may be sent to [support@safemeasures.org](mailto:support@safemeasures.org) for assistance.

As this is the last survey for this cohort, it also would be beneficial to give youth information on how to access the Federal NYTD ACF website so they could look for any upcoming published survey results of their cohort.

### **GUIDANCE FOR LOCATING AND SURVEYING OUT-OF-CARE YOUTH**

California counties shared the following best practices when surveyed about their success in locating and engaging youth to complete NYTD survey:

- Contact with eligibility worker in the county to determine if youth are receiving Medi-Cal, CalFresh, child support, ILP, etc.
- Obtaining e-mail addresses of the youth and sending e-mail reminder informing of the purpose of the survey and incentive provided for completion of the survey.
- Contacting the youth via phone informing them of the purpose of the survey and incentive given.
- Mailing a letter to the youth's last known address explaining the purpose of the survey and the amount of the incentive for completing the survey.
- Requesting the youth complete the NYTD survey via online or smartphone, and assisting step-by-step through the process on the phone.
- Making an appointment to physically visit the youth's residence and assist with the log on.
- Discussing the purpose of the survey with the youth, informing of the incentive at monthly visit, and offering the youth the survey.
- Contacting the youth on Instagram, Snapchat, Twitter, Glyde, Facebook or other social media to encourage completion of the survey.
- Calling any known contacts of the youth, including biological relatives from information in the case file, in order to offer the youth the survey.
- Contact with biological relatives from information in the case file.

- Social media such as Facebook and Twitter.
- LexisNexis® Accurint® for Government. Accurint offers a search technology available by subscription that helps to locate people, and authenticate their identities.

### **CONSIDERATION OF SPECIAL NEEDS YOUTH**

Counties should ensure that survey-eligible youth with special needs or limited English proficiency are offered the NYTD survey. It is important for counties to include youth with a diagnosed disability reported in the Adoption and Foster Care Analysis and Reporting System in order to prevent a bias in the survey. Reviewing administrative data and the records of youth in the baseline population would be helpful to determine accommodation needs ahead of time.

Counties may also query youths' caseworkers as to whether they believe an accommodation is required in order for the youth to complete the survey. Counties may find that surveying caseworkers is the most cost effective means of establishing the size of its special needs populations and identifying which youth need accommodations.

Counties need to accommodate youth with visual impairments, learning disabilities, cognitive disabilities, hearing impairments, speech impairments, physical disabilities and limited English proficiency. A Spanish survey is available upon request. Youth who are incapacitated, such as those with a severe mental or physical disability that prevents them from answering the survey questions, are not required to be surveyed

### **INCENTIVES**

Incentives are offered to the youth to increase participation rates, as research has indicated that response rates to surveys are increased when incentives are utilized. The CDSS recommends that youth in the 21-year-old follow-up population who participate in the survey receive a \$100 incentive payment.

Incentives may be issued for youth who take the survey past their 21st birthday even though eligibility for ILP services ends at age 21. The CDSS has confirmed with ACF that an incentive payment paid for with Chafee ILP funds for a youth who took the survey after their 21st birthday is allowable. Counties should share this information with their fiscal departments.

Youth should be clearly informed about the incentive payment in the advance notification process. While an incentive payment issued immediately after completion of the survey may be effective in motivating the youth, counties have various fiscal policies and may require incentives to be mailed only after verification of survey completion.

Probation departments may contact the ILP coordinator in their counties to find out the process for incentive distribution.

As part of the advance notice to youth about the survey, counties should provide youth with specific instructions about claiming the incentive, such as whether the youth may collect it in person and where, or how to receive the incentive by mail. In addition, the survey includes a question inquiring as to youth's preference of receipt of incentive payment by mail or by picking it up at the county's offices.

Beginning in November 2017, CDSS will provide counties with a monthly report of youth who have completed the survey and elected to receive their incentive payment by mail. This report will include the date the survey was completed, the incentive preference of each youth, and the mailing address provided by the youth when responding to the survey. The CDSS will upload this spreadsheet to each county's Secure File Transfer site and inform them by email when it is available for download.

### **SURVEY OUTCOME DETERMINATIONS AND DOCUMENTATION**

A "determination" must be made for each youth eligible to take the survey. The county child welfare agency, probation department, and Tribal IV-E agency are responsible for ensuring that a participation determination is completed for each youth in the 21-year-old follow-up population. A determination will identify one of the following survey outcomes:

- Participated – The youth participated in the survey either fully or partially. The completion of at least one question will result in a "participated" status.
- Declined – The youth was located successfully and was invited to participate, but the youth declined to participate. A written or verbal decline of the youth to the opportunity to take the survey will be counted as a "not participated" status.
- Incapacitated – The youth has a permanent or temporary mental or physical condition that prevents survey participation. This category may not be used for youth who can complete the survey with accommodations/assistance. An "incapacitated" status is exempt from calculation of the participation completion rate.
- Incarcerated – The youth is unable to participate because of his/her incarceration. If the youth completes the survey while incarcerated, the survey will count as a "participated" status. If the survey-eligible youth is unable to participate due to incarceration, an "incarcerated" determination is entered and will be exempted in the calculation of the participation completion rate. Counties must attempt to contact survey-eligible youth who were incarcerated to inform them of the survey before choosing the category "incarcerated" as a determination. The ACF has

encouraged states to work with its correctional facilities to gain access to locked facilities in order to offer the survey to incarcerated youth. Without data from this population, California's NYTD data may be inconclusive. In addition, some states are offering incarcerated youth incentives by depositing the funds in their grocery or commissary accounts.

- Runaway/missing – The youth is known to have run away or be missing from his/her foster care placement. This determination will be counted as a “not participated” status.
- Unable to Locate/Invite – Could not locate the youth or otherwise invite the youth's participation (for example, no current address or telephone number on file; no forwarding address available; mail was returned). This determination will be counted as a “not participated” status.
- Death – The youth died prior to participation. This determination is exempted from the calculation of the participation completion rate.

Note that these determination terms have been established as a federal survey requirement and must be entered verbatim. Do not use other terms. Also, a determination date will need to be provided, and this date must fall with the six-month review period in which the birthdate occurs.

The CDSS will collect these determinations of each youth not completing the survey by providing counties with a list of their 21-year-old follow-up population at the end of each six-month review period. Counties will enter in one of the appropriate determinations listed above for any youth that did not participate in the survey. These lists are to be returned to CDSS at [NYTDdata@dss.ca.gov](mailto:NYTDdata@dss.ca.gov). Additional guidance will be sent to counties via email from the Child Welfare Data Analysis Bureau and questions regarding the spreadsheet may be sent to [NYTDdata@dss.ca.gov](mailto:NYTDdata@dss.ca.gov)

### **COMPLIANCE WITH FEDERAL PARTICIPATION REQUIREMENTS**

The CDSS is required to send NYTD outcomes survey data with participation rates of at least 80 percent of youth in foster care and at least 60 percent of youth out of foster care to the ACF twice a year reflecting each review period. These participation rates are only specified in federal regulation for the follow-up populations.

Regarding any possible penalties, Government Code section 30026.5(e)(3) provides that any monetary penalty that results from an administrative order is shared equally between the counties and the state. However, if the state determines that counties failed to perform a ministerial duty, failed to perform a legal obligation in good faith, or acted in a reckless or negligent manner, counties could pay 100 percent of the penalty. Failure to comply with the federal NYTD requirements including administering the NYTD



Survey or failing to meet required participation rates could result in counties paying either 50 percent or 100 percent of any monetary penalty imposed by the federal government. The distribution methodology for any penalty amongst the counties will be determined in consultation with the County Welfare Directors Association.

### **RETAINING OF COMPLETED SURVEY INSTRUMENTS**

The record retention provisions at 45 CFR part 92 apply to NYTD and require that counties retain all data collected for NYTD, including the hard copies of the surveys, for three-years following the submission of the financial Chafee Foster Care Independence Program (CFCIP) report. The CFCIP report is submitted one year and three months following the end of the survey period (the December 30 following the end of a FFY in September). For example, the FFY 2015 ends September 30, 2015. Thus, the NYTD data collected for the 21-year-old survey of the third cohort would need to be retained until December 30, 2022.

Also, per 45 CFR part 92.42(b)(2), the record retention period may be extended if “any litigation, claim, negotiation, audit or other action involving the records” has been started before the expiration of the retention period. These actions include any scheduled NYTD Assessment Reviews. If the state is notified by ACF of such an action, CDSS will notify counties and the records must be retained until completion of the action and resolution of all issues which arise from it or until the end of the regular retention period, whichever is later.

### **ONGOING TECHNICAL ASSISTANCE**

A steering committee of the CDSS and counties will be meeting as needed throughout FFY 2018 to resolve any issues that may arise during the surveying of the 21-year-old follow-up population of the second cohort. If there are any data or technical questions or concerns, please send an email to [NYTDdata@DSS.ca.gov](mailto:NYTDdata@DSS.ca.gov); otherwise, please send an email to the NYTD policy box at [NYTD@dss.ca.gov](mailto:NYTD@dss.ca.gov) or call 1-877-IAM-NYTD (1-877-426-6983).

Sincerely,

***Original Document Signed By:***

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Children and Family Services Division