

# Foster Youth Services Guide

Texas Workforce Commission

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## Purpose

This guide provides information about foster youth services administered by the Texas Workforce Commission (TWC) and related policies and procedures. Additionally, the guide provides operational guidance for Local Workforce Development Boards (Boards) in implementing foster youth activities throughout the state and establishes expectations for Board program design and service delivery to ensure consistency across local workforce development areas (workforce areas).

## Overview

TWC is committed to promoting and supporting a workforce system that creates value and offers all individuals the opportunity to achieve and sustain economic prosperity. Workforce system services specifically emphasize the provision of assistance to individuals with barriers to employment. The Workforce Innovation and Opportunity Act (WIOA) defines the term “individual with a barrier to employment” as a member of one or more of several at-risk populations, including youth who are in or have aged out of the foster care system.

In Fiscal Year 2020, Texas had more than 27,000 children in its foster care system. According to the Texas Department of Family and Protective Services DFPS 2020 Data Book, each year approximately 700 to 900 foster youth reach age 18 and “age out” of eligibility for foster care services unless they choose to receive extended foster care services. Many foster youths are unprepared for living on their own. The transition from the foster care system to independent adult life can be difficult. Many former foster youths struggle with fear and loneliness, and some suffer from untreated health problems and financial insecurity and even experience homelessness.

The National Council of Juvenile and Family Court Judges reports that:

- youth who exit the foster care system are statistically more likely to have lower levels of education and fewer resources;
- three in 10 of the nation’s adults experiencing homelessness are former foster youth; and
- one in three former foster youth requires public assistance by age 18.

In recognition of the specific challenges facing this population, Texas has implemented, across multiple agencies, a full array of government services specifically targeted to current and former foster youth. There are also several statutory provisions designed to provide assistance to foster youth, including priority for state services, and statutorily required partnerships between, the Texas Department of Family Protective Services (DFPS), TWC, and Boards to provide dedicated services to address this population and address its unique barriers. TWC rules also specifically address serving foster youth.

## Priority of Service

Texas Family Code §264.121(a)(3) provides statutory priority of service for foster youth. It states that DFPS, TWC, and the Boards “shall ensure that services are prioritized and targeted to

meet the needs of foster care and former foster care children and that such services will include, where feasible, referrals for short-term stays for youth needing housing.”

## Foster Youth Definition

TWC Chapter 801 Local Workforce Development Board rule §801.23 defines eligible foster youth as follows:

- Current foster youth are youth age 14 or older who are receiving substitute care services under the managing conservatorship of DFPS. This includes youth residing in private foster homes, group homes, residential treatment centers, juvenile correctional institutions, or relative care.
- Former foster youth are youth up to age 23 who were under the managing conservatorship of DFPS until:
  - the conservatorship was transferred by a court;
  - the youth was legally emancipated (that is, the youth’s minority status was removed by a court); or
  - the youth reached age 18.

## Priority Order

Boards must ensure that:

- eligible foster youth receive priority over all other equally qualified individuals, except eligible veterans, in the receipt of federal and state-funded services; and
- workforce services are prioritized and targeted to youth transitioning out of the foster care system and former foster youth.

## Priority of Service for Support Services and Child Care Services

To ensure that eligible foster youth receive priority over all other equally qualified individuals, except eligible veterans, in the receipt of workforce services, foster youth also must have access to needed support services (for example, child care and transportation).

Implementing priority of service for most support services is not difficult; however, because child care services are unique, the following additional guidance is provided.

Boards must be aware that the priority for child care services for eligible foster youth is contingent upon the availability of TWC child care funds. Boards with a waiting list for TWC-funded child care services must not discontinue care for a child currently enrolled in child care services in order to serve a child of an eligible foster youth.

Boards must be aware that TWC Chapter 809 Child Care Services rule §809.43(a)(1) establishes that the populations receiving the following types of child care services are assured child care services and are not subject to the child care waiting list:

1. Choices child care as referenced in §809.45
2. Temporary Assistance for Needy Families (TANF) applicant child care as referenced in §809.46

3. Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) child care as referenced in §809.47
4. Transitional child care as referenced in §809.48

Note: Transitional child care is no longer a relevant child care eligibility category. However, Boards must still give priority to former Choices child care recipients who are within 12 months of TANF denial or withdrawal due to increased earnings or employment and who are eligible for At-Risk child care.

Boards also must be aware that §809.43(a)(2) provides that the following populations are served subject to the availability of funds, and include, in priority order:

1. Children who need to receive protective services child care as referenced in §809.49
2. Children of a qualified veteran or qualified spouse as defined in §801.23
3. Children of an eligible foster youth as defined in §801.23
4. Children experiencing homelessness as defined in §809.2 and described in §809.52
5. Children of parents on military deployment as defined in §809.2 whose parents are unable to enroll in military-funded child care assistance programs
6. Children of teen parents as defined in §809.2
7. Children with disabilities as defined in §809.2

## Workforce Services for Foster Youth

### Workforce Solutions Office Services

Like all Texans, Foster youth are eligible to receive certain job search services through Workforce Solutions Offices. These services may include, but are not limited to:

- job search assistance;
- résumé preparation;
- access to information, tools, and room resources; and
- access to WorkInTexas.com.

Boards must determine individual eligibility before providing services to foster youth and have the discretion to determine what specific program services a foster youth participant receives.

The following foster youth are eligible for the WIOA Youth program:

- Current foster youth on behalf of whom state or local government payments are made according to Texas Family Code §264.101(a-1) and §264.101(d)
- Former foster youth who are attending secondary or postsecondary school, are not older than 21, are low income, and have aged out of the foster care system or have attained 16 years of age and left foster care for kinship guardianship or adoption
- Former foster youth who are not attending secondary or postsecondary school, are not older than 24, and have aged out of the foster care system or have attained 16 years of age and left foster care for kinship guardianship or adoption

TWC's WIOA Guidelines for Adults, Dislocated Workers, and Youth (WIOA Guidelines) provide more information on eligibility for the WIOA Youth program.

WIOA-funded activities for youth support the attainment of educational and employment goals. The following youth services may facilitate progress toward those goals:

- Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies
- Alternative secondary school services or dropout recovery services, as appropriate
- Paid and unpaid work experiences, such as the following:
  - Summer employment opportunities and other employment opportunities available during the school year
  - Pre-apprenticeship programs
  - Internships and job shadowing
  - On-the-job training opportunities as defined in WIOA §3(44)
- Occupational skills training
- Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster
- Leadership development opportunities, including community service and peer-centered activities that encourage responsibility and other positive social and civic behaviors
- Support services as defined in WIOA §3(59)
- Adult mentoring for a duration of at least 12 months that may occur both during and after program participation
- Follow-up services for not fewer than 12 months after the completion of participation
- Comprehensive guidance and counseling, as appropriate to the needs of individual youth
- Financial literacy education
- Entrepreneurial skills training
- Services that include labor market and employment information about in-demand industry sectors
- Activities that help youth prepare for and transition to postsecondary education and training

Boards are not required to provide every program service to all foster youth participants. For more information, see TWC's WIOA Guidelines.

## Foster Youth Transition Centers

Foster Youth Transition Centers (transition centers) provide a central clearinghouse of one-stop services to serve the diverse needs of older foster youth, youth experiencing homelessness, and other at-risk youth. TWC provides funding to these centers for services to youth from age 16 through age 25. Transition centers are designed to serve as locations for services such as job readiness and job search assistance, career exploration, higher education enrollment assistance, food and housing assistance, and mentoring. Additionally, other community partners provide services such as counseling for substance abuse and mental health issues, mentoring services, and leadership training.

Transition centers provide colocation opportunities for local partners such as Workforce Solutions Office staff, TWC-funded workforce advocates, and colleges and universities to jointly serve the diverse needs of youth in one location. Across Texas there are 18 transition centers, which are independently funded, operated, and supported by partnerships between DFPS, DFPS providers, community partners, and TWC. A list of these transition centers and their contact information is available on the [DFPS Transitions Centers contacts page](#).

### Foster Youth Transition Center Activities

Transition center services, which are partially funded using federal TANF funding, are considered a supplement to Board services and should not replace Board services.

Services at transition centers may include, but are not limited to:

- Case management
- Preparation for Adult Living (PAL) classes (For more information, see the section on the PAL program.)
- Employment assistance and job readiness
- Job search classes
- Career exploration
- Mentoring
- Housing assistance
- High school equivalency classes, including GED and HiSET, test preparation, and Free Application for Federal Student Aid (FAFSA) help
- Foster care alumni social activities

Boards must establish a written memorandum of understanding (MOU) with transition centers in the workforce area where the Workforce Solutions Office provides services. This MOU will facilitate the development of services at foster youth transition centers sponsored by TWC with the TANF funding provided to the transition centers. The MOU must establish a cooperative and mutually beneficial relationship that furthers the goals of both parties, and it must ensure that services are targeted toward youth who are:

- between the ages of 16 and 25 at the time of enrollment;
- currently in foster care or aging out of foster care or formerly in foster care but still in need of assistance; and
- foster youth on probation or parole or who have been released from juvenile correction.

## Non-Workforce Services for Foster Youth

In order for Boards to maximize or supplement the use of workforce-funded services for education and training programs and to avoid duplication of services to foster youth, Boards must be aware of other non-workforce programs and of a state tuition and fee waiver available to foster youth. Some of these programs provide services that are similar to or duplicate those available through the Texas workforce system.

For example, WIOA Youth formula funds for Individual Training Accounts may provide tuition for foster youth to complete training. In Texas, tuition and fees are waived for foster youth

enrolled in these training programs. Foster youth enrolled in training are also eligible to receive vouchers that expand and supplement the tuition waiver in order for youth to meet their educational or vocational goals.

## State Tuition and Fee Waiver

Texas Education Code §54.366 exempts students in foster care or other residential care from the payment of tuition and fees to attend state-supported vocational schools, colleges, and universities. Youth who are adopted from foster care or who are eligible for adoption at age 14 or older are also eligible for this waiver.

A student is exempt from the payment of tuition and fees to attend a state-supported vocational school, college, or university, including tuition and fees charged by an institution of higher education for a dual-credit course or other course for which a high school student may earn joint high school and college credit, if the student:

- was in foster care or other residential care under the conservatorship of DFPS:
  - on the day preceding the student's 18th birthday;
  - on or after the day of the student's 14th birthday, if the student was also eligible for adoption on or after that day;
  - on the day the student graduated from high school or received the equivalent of a high school diploma;
  - on the day preceding:
    - the date the student is adopted, if that date is on or after September 1, 2009; or
    - the date permanent managing conservatorship of the student is awarded to a person other than the student's parent, if that date is on or after September 1, 2009; or
  - during an academic term in which the student was enrolled in a dual credit course or other course for which a high school student may earn joint high school and college credit; and
- enrolls in a state-supported institution of higher education as an undergraduate student or in a dual-credit course or other course for which a high school student may earn joint high school and college credit not later than the student's 25th birthday.

An institution of higher education is a legally authorized public or nonprofit educational institution that is accredited or granted pre-accreditation status and either:

- provides a bachelor's degree program or at least a two-year program that is acceptable for full credit toward a bachelor's degree and admits only students having a high school diploma or its equivalent; or
- provides training to prepare students for gainful employment in a recognized occupation and admits only students who are beyond the age of compulsory school attendance (that is, at least 18 years old).

## Education and Training Voucher Program

DFPS administers and oversees the Education and Training Voucher (ETV) program. The ETV program is funded by a state grant to provide postsecondary education and training vouchers to eligible foster youth who are in or age out of foster care or who are adopted from foster care after turning 16 years old.

The ETV program allows DFPS to expand and supplement the current assistance it provides to former and eligible foster youth. The program specifically helps foster youth begin, continue, or complete their educational and vocational goals.

The following youth are eligible for the ETV program:

- Youth in DFPS foster care who are at least 16 and who are likely to remain in foster care until age 18
- Youth who age out of DFPS foster care but have not yet turned 21
- Youth who are adopted from DFPS foster care after turning 16 but who are not yet 21
- Youth participating in the ETV program on their 21st birthday. These youth can remain eligible until age 23 as long as they are enrolled and making satisfactory progress toward completing their postsecondary education or training program.

To qualify for the ETV program, youth also must be:

- between the ages of 16 and 21, have a high school diploma or equivalent, and be enrolled:
  - at least part time (six hours) in an accredited or pre-accredited public or nonprofit program that provides a bachelor's degree; or
  - in a not-less-than two-year program that provides credit toward a degree or certification; or
- beyond the age of compulsory attendance (age 18) and enrolled at least part time (six hours) in an accredited or pre-accredited program that provides training toward employment.

The ETV program helps youth with:

- residential housing;
- room, board, and food costs;
- tuition and fees for a non–state-supported institution (or for a state-supported institution, if a youth is not eligible for the state tuition and fee waiver for former foster youth);
- personal items;
- books and supplies;
- child care;
- some transportation needs;
- computers or other required equipment;
- medical insurance through the school;
- student loans and fees from the loans; and
- costs for attending an institution of higher education that do not exceed \$5,000 a year.

## Preparation for Adult Living Program

DFPS is responsible for administering and overseeing the federal John H. Chafee Foster Care Independence Program in Texas. The state independent living program that receives Chafee funding is known as the Preparation for Adult Living (PAL) program. The PAL program seeks to ensure that older youth (16 and older) in substitute care are prepared for their departure from DFPS care and support. PAL, in collaboration with public and private organizations, helps youth identify and develop support systems and find housing for when they leave care. PAL also offers skills training to these youth.

Youth receive an initial assessment around their 16th birthday to determine their general readiness to live independently. DFPS uses the results of this test, currently the Ansell-Casey Life Skills Assessment, to develop specific plans and training.

PAL training to help youth develop the skills necessary to function as an adult must cover the following areas:

- Personal and interpersonal skills
- Job skills
- Housing and transportation
- Health
- Planning for the future
- Money management

Support services are optional services that are provided based on need and the availability of funds. They include the following:

- Vocational assessments or training
- High school equivalency classes
- Preparation for college entrance exams
- Driver's education courses
- High school graduation expenses
- Counseling
- Volunteer mentoring to provide guidance and support

Foster youth who fully participate in the PAL program are eligible to receive a transitional living allowance once they transition from care. The allowance may not exceed \$1,000, and it may be distributed in increments not to exceed \$500 per month.

Foster youth who are between ages 18 and 21 and have aged out of the foster care system are eligible for aftercare room and board assistance. Financial assistance up to \$500 per month may be used for rent, deposits, utilities, and food or groceries. There is a lifetime cap of \$3,000.

## Coordinating Services

### Memorandum of Understanding

Texas Family Code §264.121 requires DFPS and Boards to jointly develop and adopt an MOU that addresses the unique challenges facing former foster youth and foster youth under DFPS conservatorship when they transition to independent living.

The MOU sets forth the cooperative actions to be taken by Boards and DFPS to formalize processes, prioritize employment and training efforts, and provide access to current labor market information and other collaborative components designed to yield positive outcomes for current and former foster youth transitioning to independent living.

Boards must ensure that MOUs set forth the cooperative actions to be taken by the Board and DFPS to:

- formalize processes among DFPS, local PAL program staff, and Boards to:
  - address the challenges of current and former foster youth transitioning to independent living;
  - further the goals of the PAL program;
  - ensure that services are prioritized and targeted to meet the needs of current and former foster youth; and
  - make short-term housing referrals, when feasible, for current and former foster youth who need housing;
- prioritize employment, training, and support services for current and former foster youth;
- coordinate a referral process to ensure that current and former foster youth are identified and referred for workforce services; and
- communicate the conditions of the MOU to Board-contracted service providers.

Boards may amend this MOU in writing and by mutual consent of both parties at any time. Boards must provide a designated point of contact, who is readily available to DFPS and FYTC staff and youth so that they may access assistance and services.

### Foster Youth Liaisons

Boards must have an appointed foster youth liaison, who is readily available, to ensure foster youth in their region are receiving the services and priority of service for which they are eligible. The foster youth liaison must ensure that:

- eligible foster youth are given access to workforce services to help meet the employment, education, and training needs necessary to transition to independent living, as set forth in Texas Family Code §264.121; and
- foster youth are informed of:
  - their right to priority of service;
  - the full array of employment, training, and placement services available under priority of service; and
  - all applicable eligibility requirements for those programs and services.

## Colocation Opportunities

Boards are encouraged to collaborate with transition center directors to ensure that opportunities exist to colocate staff in Workforce Solutions Offices to provide the best possible service to foster youth.

Boards are required to ensure that Workforce Solutions Office staff members are aware of the services, referrals, and training opportunities available to foster youth.

Additionally, Boards may determine the most appropriate staff to colocate at transition centers. Services provided by colocated staff may include WIOA youth services, basic labor exchange services, and youth services provided by other community partners.

## Funding

Boards may provide employment and training services to foster youth using the following funding sources, as appropriate:

- TANF
- SNAP E&T
- WIOA Adult, Dislocated Worker, and Youth
- Trade Adjustment Assistance
- Employment Service

Boards must ensure that all programmatic requirements, including eligibility and the provision of allowable program-specific services, are met for each program listed above if funding is used to provide employment and training services.

Costs, including costs for support services, must conform to the program requirements and cost principles set forth in the following, as appropriate:

- TANF program law and regulations
- WIOA program law and regulations
- The TANF State Plan
- SNAP regulations found in 7 CFR Part 273.7
- Office of Management and Budget “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance, 2 CFR Part 200) and the US Department of Health and Human Services implementing regulations at 2 CFR Part 300 and 45 CFR Part 75
- Texas Uniform Grant Management Standards (UGMS)
- TWC Financial Manual for Grants and Contracts (FMGC)

## Data Entry and Collection

Boards must document the receipt of staff-assisted workforce services in The Workforce Information System of Texas (TWIST) or in WorkInTexas.com.

To identify a foster youth in TWIST, “Foster child” must be selected in the Characteristics tab. The available options are:

0 – Not a foster child

1 – Foster child

2 – Aged out or 16+ years and left foster care for guardianship/adoption

The screenshot shows the 'Characteristics' tab in the TWIST system. The 'Foster Child' dropdown menu is highlighted in yellow, showing three options: 'Foster Child', '0 - Not a foster child', and '2 - Aged out or 16+ years and left foster care for guardianship/adoption'. Other fields in the form include 'Received Parent Training', 'Case Status (Child Care)', 'Sex', 'Hispanic/Latino', 'Race', 'Authorized to Work in the U.S.', 'INS Expiration', 'Selective Service', 'Registration No.', 'Free or Reduced Lunch', 'High Poverty Area', 'Limited English', 'Criminal Justice', 'Release Date', 'Deficient in Basic Literacy', 'Cultural Barrier', 'Exhausting TANF Within Two Years', 'Homeless', 'Basic Skills Deficient', 'Runaway Youth', 'Pregnant/Parenting Youth', 'Additional Assistance Needed', 'Out of Home Placement', 'Not attended school last 3 mos + age 18 or less + no HS diploma/equivalent', 'Seasonal Farmworker', 'Remained at Worksite Overnight', and 'Food Processing Worker'.

To document foster care payments in TWIST, staff must enter the payments in the Income tab. Selecting “Foster child” in the Characteristics tab satisfies both the barrier and low-income statuses.

