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| ACF Administration for Children and Families | U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families | |
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| | 3. Originating Office: Children's Bureau | |
| | 4. Key Words: Title IV-B Child and Family Services Plan; Child Abuse Prevention and Treatment State Plan; Chafee Foster Care Independence Program; Annual Progress and Services Report | |

PROGRAM INSTRUCTION

TO: State Agencies, Indian Tribes, Indian Tribal Organizations, Territories and Insular Areas Administering or Supervising the Administration of Title IV-B, subparts 1 and/or 2, and Title IV-E of the Social Security Act; State Office or Organization Designated by the Governor to Apply for Child Abuse and Neglect State Grant Funds; State Independent Living Coordinators; and ACF Regional Administrators.

SUBJECT: June 30, 2003 submission of the Annual Progress and Services Report required under title IV-B of the Social Security Act (the Act), the Child Abuse Prevention and Treatment Act (CAPTA), and the Chafee Foster Care Independence Program (CFCIP); and the CFS-101, Annual Budget Request and Annual Summary of Child and Family Services.

LEGAL AND RELATED REFERENCES: Title IV-B, subparts 1 and 2, Sections 420-425, 428, 430-437, and Title IV-E, Sections 471 - 472, 474 - 475, and 477 of the Social Security Act; Section 106 of the Child Abuse Prevention and Treatment Act, as amended (42 U.S.C. 5101 et seq.); the Indian Child Welfare Act of 1978 (Public Law 95-608); the Indian Self-Determination and Education Assistance Act (Public Law 93-638); 45 CFR Part 1355; 45 CFR Part 1357; ACYF-PI-CB-95-23, October 11, 1995, ACYF-CB-PI-99-07, issued March 25, 1999 (Fiscal Year 2000 – 2004, Child and Family Services Plan); ACYF-CB-PI-01-02, and ACYF-CB-PI-02-05, issued May 10, 2002.

PURPOSE: This Program Instruction (PI) summarizes the actions required under title IV-B, subparts 1 and 2 and section 477 of title IV-E of the Act, the Child Abuse Prevention and Treatment Act (CAPTA), and Federal regulations at 45 CFR Part 1357 in order for States to receive their allotments of Federal funds for fiscal year (FY) 2004. This PI announces the FY 2003 allotments for States and Territories for the above programs and provides guidance to current grantees regarding the submission of their Annual Services and Progress Report (APSR). This PI also addresses the requirement for States to integrate the Child and Family Services Reviews' (CFSR) Program Improvement Plans with the APSR.

A separate PI and guidance will be issued in the future regarding the newly funded CFCIP provision for educational and training vouchers (ETV) for youth who may have aged out of foster care. The funds for this program were appropriated at \$41,727,000 for FY 2003.

Tribal allotments for title IV-B, subparts 1 and 2 were announced in ACYF-CB-PI-03-03 on March 14, 2003. This Tribal PI also included instructions for submittal of an application for funds for Tribes newly eligible for title IV-B, subpart 2.

BACKGROUND:

In February 2003, Congress appropriated funds for States, Tribes and Territories under title IV-B of the Social Security Act for FY 2003. The law requires a .65 percent decrease in title IV-B, subpart 1 (Child Welfare Services) funding resulting in a \$290,088,091 total allotment and a \$29,353,000 net increase in title IV-B, subpart 2 (Promoting Safe and Stable Families) funds resulting in a total allotment of \$404,350,000.

In order to receive title IV-B (States and Indian Tribes), CAPTA and CFCIP funds (States only) for fiscal year 2004, the Annual Progress and Services Report (APSR) must be submitted to the Administration for Children and Families (ACF) by June 30, 2003. This PI references the items in Federal regulation (45 CFR 1357.16 and 45 CFR 1355.35(f)) that must be addressed in the APSR, including information on CAPTA, CFCIP, and the CFSR Program Improvement Plans. This PI also identifies additional requirements that have not been codified in Federal regulation, but are required by statute.

The State must submit an original, signed copy of the CFS-101 with the APSR. The CFS-101 has two parts. Part I is the budget request form that States and Indian Tribes must complete and submit to request their title IV-B, CAPTA, and CFCIP funds. Part II is the Annual Summary of Child and Family Services form in which States are to include the estimated amount of funds to be spent in each program area by source, the estimated number of individuals or families to be served, and the geographic service area within which the services are to be provided.

Child and Family Services Plan

The Federal regulation at 45 CFR 1357 applies to States and Indian Tribes receiving funds under title IV-B, subparts 1 and/or 2. It includes the requirements for a five-year comprehensive Child and Family Services Plan (CFSP) and annual updates on the progress made toward accomplishing the goals and objectives in the CFSP. The annual updates are to be presented through the APSR. The plans are based on extensive consultation with a wide array of representatives of State, local, Tribal, and both public and private community-based agencies and organizations (this may also include faith-based organizations), with experience in administering programs for infants, children, youth, adolescents, and families. States and Indian Tribes collect and analyze statewide information on gaps in service, including mismatches between available services and family needs as identified through baseline data and the consultation process (45 CFR 1357.15(k)). Other services that impact the ability to preserve and support families can be included in the assessment. The baseline information and trends include indicators in the following areas:

- the well-being of children and families;
- the needs of children and families;
- the nature, scope, and adequacy of existing child and family and related social services.

The baseline information is the basis for the development of the CFSP's vision, goals, objectives, funding and service decisions. After each five-year plan, States and Tribes are to base the development of the next five-year plan on a final review of the accomplishments and needs from the previous five-year plan, and any new information. The CFSP process began in 1994 with the first five-year plan from 1995-1999 and the second five-year plan from FY 2000-2004. The next CFSP will be due June 30, 2004 for FY 2005-2009.

Federal regulations at 45 CFR 1357.16 address the information that States and Indian Tribes are to provide as an update to the CFSP. The APSR must include progress made by the State or Tribe in accomplishing the goals and objectives cited in the CFSP, and include any new and updated information on service needs and organizational capacities provided throughout the five-year period. The process for developing the APSR should be a part of an ongoing self-evaluation and integrated into quality assurance efforts.

Integration of the Child and Family Services Review (CFSR) Program Improvement Plan (PIP) with the APSR

States have the opportunity to improve child welfare services through two formal processes mandated by Federal regulation--the CFSP and the CFSR. Both identify the strengths and needs of the State child welfare service system. The CFSP process, begun in 1994, requires a five-year plan that includes: (1) State selected assessments through which baseline data is obtained, (2) collaborative planning to reach identified goals and objectives, and (3) an annual assessment of the plan's goals and objectives.

The onsite CFSR process began in FY 2001. All States will have completed an initial review by March 31, 2004. The CFSR process measures a State's substantial conformity with the State plan requirements in titles IV-B and IV-E of the Social Security Act. It identifies State performance on outcomes for the safety, permanency and well-being of children and reviews the systemic factors leading to child welfare outcomes. This process includes three major steps: (1) an assessment based on aggregate data and a State self-assessment completed in collaboration with a broad range of stakeholders (many of whom also collaborated on the CFSP), (2) an onsite review of cases and stakeholder interviews conducted with a Federal/State partnership team, and (3) a Program Improvement Plan (PIP), if necessary, addressing the findings of the onsite review and statewide assessment.

The APSR and the PIP each report on child welfare practices in the State that need improvement through processes that were originally separate. However, in accordance with 45 CFR 1355.35(f), ..."[T]he elements of the program improvement plan must be incorporated into the goals and objectives of the State's CFSP. Progress in implementing the program improvement plan must be included in the APSR....". In addition, 45 CFR 1357.16 requires States to include

in its APSR “any revisions in the statement of goals and objectives...to reflect changed circumstances.”

Many States are struggling with the integration of these two processes because the timing for preparing the APSR and the PIP may not coincide. Each State may need to approach incorporation of the two documents differently because of its own, unique timing of the two processes. We encourage States to take steps that will bring the documents closer to full integration. The following are suggested ways to revise the CFSP to reflect the PIP goals as part of this year’s APSR:

- Consolidate the goals and objectives of the two plans and the actions necessary to reach them. For example, if the PIP contains staff training as an improvement strategy, this should be included in the training section of the APSR. Likewise, the quality assurance section of the APSR should address PIP strategies.
- Revise the CFSP/APSR by incorporating the goals and objectives contained in the program improvement plan. States may reconsider a CFSP goal in order to address a more urgent problem found in the CFSR. For example, if the CFSR finds that safety is a prime concern, the State is required to redirect its resources to address the safety issue and should report this in the APSR and include the PIP goal.
- Reconfigure the APSR to the format of the PIP so that all goals, and their steps to achievement, are reported in a similar manner. This total integration of the APSR and the PIP should give the State a broader picture of its child welfare service goals in one comprehensive document.
- For those States who do not have an approved PIP, but have completed their self-assessment and/or on-site review and therefore, would have a sense of the areas that will need improvement, the APSR could begin to incorporate those broad themes that the State has identified as most likely needing improvement.

Finally, after each State completes its CFSR, it will be able to address the improvements necessary in the next five-year CFSP and can fully address the consolidation of the two processes.

Indian Child Welfare Act

States also appear to be having difficulty in reporting adherence to the Indian Child Welfare Act (ICWA). The State must provide a description, developed in consultation with Indian Tribes in the State, of the specific measures taken by the State to comply with the Indian Child Welfare Act. States are to provide an update to the goals and activities that have been undertaken to improve, or maintain, compliance with ICWA.

Consultation includes face-to-face meetings with “high” level tribal representatives. The nature of the State/Tribal relationship should be reflected in appropriate persons of authority (high level leaders, officials or managers) from both the State and Tribe participating in consultations and meetings. Consultation should occur, at a minimum, on a yearly basis with the development of the APSR. Many States and Tribes meet more frequently to discuss child welfare issues of mutual concern and others are encouraged to do so.

States should address the activities that they have undertaken in their APSR. Suggested activities include: training programs about ICWA for State employees (there is an ICWA course offering on the Internet: see www.nicwa.org); development of forms/procedures that include the child's tribal affiliation and tribal notification; and development of State caseworker compliance expectations or measures. The State could report the ICWA-related collaborations with local agencies that provide direct services to Indian children and families. An update on State partnership agreements with Tribes and Tribal organizations, for example, Tribal-State IV-E agreements, training agreements, and agreements to recognize and use tribal licensed foster homes for placement of Indian children, should also be reported if applicable. ACF has provided States with information on how States may enhance their ICWA practices in past Program Instructions (e.g., ACYF-CB-PI-99-07, ACYF-CB-PI-00-03). Many States have tailored their ICWA compliance to include Court Improvement Projects, ICWA newsletters and training exchanges.

CURRENT EXECUTIVE INITIATIVES:

The current administration has developed several major initiatives in areas that it feels will benefit children, adults, and society. The Department's Healthy Marriages, Responsible Fatherhood, Youth Development, Rural, and Faith-based and Community initiatives can be promoted among the populations that ACF serves and are an appropriate use of title IV-B funding. All should fit with the overall goals of the safety, permanency and well-being of children. We encourage States to propose creative approaches to achieving the goals of these initiatives in the context of the child welfare system, and to include descriptions of past and proposed activities related to these initiatives in the APSR. The following is a brief description of each initiative:

Healthy Marriage

The Healthy Marriage initiative encourages services to strengthen parental relationships and promote healthy marriages. This initiative's mission is "Helping couples, who choose marriage for themselves, to develop the skills and knowledge necessary to form and sustain healthy marriages." The Administration for Children and Families (ACF) is working with its partners across the country to develop community-wide initiatives to promote healthy marriages and strengthen families. These initiatives will bring together government agencies, faith-based and community organizations, and other partners to offer the knowledge, skills and resources needed to build and sustain healthy marriages. If your State is interested in starting a healthy marriage initiative, or if you are aware of a community initiative already forming, ACF can support those efforts. ACYF-CB-PI-02-05 included numerous suggestions for implementation of the healthy marriage initiative.

Responsible Fatherhood

This initiative's goal is to help men become responsible, committed, involved fathers. The following principles guide the responsible fatherhood initiative: (1) all fathers can be important contributors to the well-being of their children; (2) parents are partners in raising their children, even when they do not live in the same household; (3) the roles fathers play in families are diverse and related to cultural and community norms; (4) men should receive the education and

support necessary to prepare them for the responsibility of parenthood; and (5) government can encourage and promote father involvement through its programs and through its own workforce policies.

Youth Development

This initiative includes promoting a philosophy of working with youth that models ongoing relationships with adult mentors; safe places with structured activities; healthy life styles; opportunities to acquire marketable skills; and opportunities for community service and civic participation. The youth development effort involves several agencies within ACF. The Family and Youth Services Bureau (FYSB) and the Children's Bureau emphasize youth development in the Runaway and Homeless Youth Discretionary Grant program and in the Chafee Foster Care Independence Program, respectively. ACF provides additional technical assistance to States through its National Resource Center on Youth Development.

Faith-Based and Community Initiatives

In January 2001, President Bush issued Executive Order 13198 that established five (5) Centers for Faith-Based and Community Initiatives within five Federal Departments, one of which was the U. S. Department of Health and Human Services. The President charged each of these Centers with coordinating department efforts to eliminate programmatic barriers that prevented faith-based and other community organizations from participating in the provision of social services. We encourage States to include faith-based and community organizations in the coordination of title IV-B related community programs and to include these organizations as sub-grantees or contractors as appropriate.

Rural Initiative

Secretary Thompson's rural initiative is aimed at doing "a better job of expanding and improving the provision of health care and social services in rural America." There are 54 million Americans who live in rural areas. We encourage States to determine ways to enhance and strengthen programs and services in their rural areas.

INSTRUCTIONS:

In accordance with 45 CFR 1357.16, each State must conduct an interim review of the progress made in the previous year toward accomplishing the goals and objectives in the CFSP, based on updated information. The State must involve the agencies, organizations (which may include faith-based and community organizations), and individuals that are part of the ongoing CFSP related consultation and coordination process. On the basis of this review, each State must prepare and submit an APSR to ACF. When conducting this review, States should consider assessing and evaluating their progress based on the effectiveness of their efforts in achieving the desired results. The completed APSR must meet the requirements of 45 CFR 1355.35, 45 CFR 1357, title IV-B, subparts 1 and/or 2, title IV-E, section 477 of the Act and CAPTA.

ACF strongly encourages States to carefully consider the results of CFS reviews when planning for services under CAPTA, title IV-B and CFCIP. These programs provide a critical source of funding for supporting the service array necessary to meet the needs of children and families and

to address gaps in services, such as a lack of available services to support the reunification of children in foster care with their parents.

A. This section describes the requirements that States and Puerto Rico must meet in order to receive their title IV-B, CAPTA and CFCIP allotments of funds for FY 2004.

1. Requirements for States and Puerto Rico under 1357.16 and title IV-B, subparts 1 and 2.

Each State must submit:

(a) A report on the specific accomplishments and progress made in the past fiscal year toward meeting **each** goal and objective, including improved outcomes for children and families, and a more comprehensive, coordinated, effective child and family services continuum. The State must update the goals and objectives to incorporate areas needing improvement that were identified in a CFSR program improvement plan. If the current CFSP does not have a goal or objective that covers the area needing improvement, then the goal/objective must be addressed in the APSR. The APSR should also incorporate strategies for improvement and the method to be used to measure progress toward improvement.

(b) Any revisions in the statement of goals and objectives, or to the training plan (title IV-B and title E), to reflect changed circumstances. Changes should reflect, as appropriate, findings based on any reviews conducted by ACF. (This includes the CFSR, title IV-E eligibility reviews, Adoption and Foster Care Analysis and Reporting System (AFCARS) assessment reviews, and the Statewide Automated Child Welfare Information System (SACWIS) reviews). Changes should also reflect any class action lawsuit agreements (to the extent such agreements comport with Federal law and policy) and agency-identified areas needing improvement.

(c) A description of the child protective, child welfare, family preservation, family support, time-limited family reunification services, adoption promotion and support services, and independent living services to be provided in the upcoming fiscal year, highlighting any additions or changes in services or program design and including the information required in 45 CFR 1357.15(n).

(d) Information on activities in the areas of training, technical assistance, research, evaluation, or management information systems that will be carried out in the upcoming fiscal year in support of the goals and objectives in the plan.

(e) The information required to meet the non-supplantation requirement in section 432(a)(7) of the Act and Federal regulation at 45 CFR 1357.32(f) (maintenance of effort).

(f) Significant portion of funds used for title IV-B, subpart 2, Promoting Safe and Stable Families (45 CFR 1357.15(s)) - For the purpose of applying for FY 2004 funds, States must indicate the specific percentages of title IV-B, subpart 2 funds that the State will expend on actual service delivery of family preservation, community-based family support, time-limited family reunification and adoption promotion and support services, as well as planning and service coordination, with a rationale for the decision. The State must have an especially strong rationale if the percentage provided is below 20 percent for any one of the four service

categories. The amount allocated to each of the service categories should only include funds for service delivery. States should report separately the amount to be allocated to planning and service coordination. (See ACYF-PI-CB-98-03, March 5, 1998.)

(g) A description of the State's progress and accomplishments made with regard to the diligent recruitment of potential foster and adoptive families that reflects the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed. (See section 422(b)(9) of the Act.)

(h) A description of the State's plan for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children. (See section 422(b)(12) of the Act.)

(i) An update, after consultation with tribal organizations, of the "... specific measures taken by the State to comply with the Indian Child Welfare Act" (ICWA). (See section 422(b)(11) of the Act.)

(j) A description of the activities that the State has undertaken for children adopted from other countries, including the provision of adoption and post-adoption services. (See section 422(b)(13) of the Act.)

(k) The number of children who were adopted from other countries and who enter into State custody as a result of the disruption of a placement for adoption or the dissolution of an adoption, the agencies who handled the placement or the adoption, the plans for the child, and the reasons for the disruption or dissolution. (See section 422(b)(14) of the Act.)

(l) For States operating a child welfare demonstration project under section 1130 of the Act, provide a description of the accomplishments and progress in the demonstration project as they relate to the goals and objectives in the State's CFSP, where applicable. In particular, the State will discuss how title IV-B monies are used to maximize the use of flexible title IV-E dollars in the demonstration.

(m) For those States receiving an adoption incentive payment, specify the services that have been, or will be, provided to children and families with the adoption incentive funds.

(n) If applicable, describe infant safe haven programs that the State currently provides or plans to provide in FY 2004 (section 431(a)(1)(F) of the Act).

(o) If applicable, describe services and activities that the State currently provides or plans to provide in FY 2004 that support the strengthening of parental relationships and promotion of healthy marriages (section 431(a)(2) of the Act).

(p) Any other information the State wishes to include.

(q) A request for FY 2004 funds in the CFS-101 at Attachment C.

2. Requirements under the Child Abuse Prevention and Treatment Act (CAPTA)—States, Territories and Puerto Rico

Although Congress appropriated funding for the CAPTA State grants for FY 2003, as of the date of this PI, Congress has not passed legislation reauthorizing CAPTA. Reauthorization may result in changes to CAPTA that may affect the requirements for FY 2003 and subsequent years. If this occurs, a separate PI will be issued instructing States on any modifications that may be necessary to a State's CFSP and/or APSR.

Please note that compliance with the eligibility requirements for a CAPTA State Grant is a prerequisite for eligibility for funds under the Children's Justice Act State Grant Program authorized by Section 107(a) of CAPTA.

Although consolidation of CAPTA into the title IV-B planning process is required, pooled funding among the programs is not allowed, since separate funding streams and accountability are still required by statute. States must comply with statutory and regulatory provisions as they apply to their title IV-B and CAPTA programs. Eligibility and funding for the individual programs are kept separate and funding will not be delayed for one program due to potential eligibility issues in the other program.

States with an existing CFSP must include the following information regarding CAPTA in the APSR. This information may be included as a separate section of the APSR, or incorporated in sections that are listed in A.1 above, as appropriate.

- (a) Accomplishments to date under the CAPTA portion of the consolidated CFSP.
- (b) An update on the program areas selected for improvement from the nine areas in section 106(a)(1) through (9) of CAPTA.
- (c) An update of activities that the State intends to implement with its CAPTA State grant funds and any changes in activities for FY 2004.
- (d) A description of the services and training to be provided under the CAPTA State grant as required by section 106(b)(2)(C) of CAPTA.
- (e) Notification regarding substantive changes, if any, in State law that could affect eligibility, including an explanation from the State Attorney General as to why the change would, or would not, affect eligibility (section 106(b)(1)(B)). Note: States do not have to notify ACF of statutory changes or submit them for review if they are not substantive and would not affect eligibility.
- (f) Submit a copy of the annual report(s) from the citizen review panels.
- (g) Include a request for FY 2004 funds in the CFS-101 at Attachment C.

3. Requirements under the Chafee Foster Care Independence Program (CFCIP)--States and Puerto Rico

Although consolidation of CFCIP into the title IV-B planning process is required, pooled funding among the programs is not allowed, since separate funding streams and accountability are still required by statute. States must comply with statutory and regulatory provisions as they apply to their title IV-B and CFCIP programs. Eligibility and funding for the individual programs are kept separate and funding will not be delayed for one program due to potential eligibility issues in the other program.

States with an existing CFSP must include the following information regarding CFCIP in the APSR. This submission serves as a report on FY 2003 activities and an application for FY 2004 funds. This information may be included as a separate section of the APSR, or incorporated in sections that are listed in A.1 above, as appropriate.

(a) A report on the specific accomplishments and progress made in the past fiscal year toward meeting each of the program purposes:

- help youth make the transition to self-sufficiency;
- help youth receive the education, training, and services necessary to obtain employment;
- help youth prepare for and enter post-secondary training and educational institutions;
- provide personal and emotional support to youth through mentors and the promotion of interactions with dedicated adults;
- provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age; and
- make available vouchers for education and training, including postsecondary training and education, to youth who have aged out of foster care.

(b) For States that choose to establish a trust fund program for youth receiving independent living services or transition assistance, describe the design and delivery of the trust fund program (section 477(b)(2)(A)) of the Act).

(c) A description of the extent to which the funds and services assisted youth ages 18-21 in making the transition from foster care to self-sufficiency (section 477(a)(5)).

(d) Information on specific training that was conducted during fiscal year 2003, and will be conducted in FY 2004, in support of the goals and objectives of the States' CFCIP (section 477(b)(3)(D)) of the Act.

(e) If the CFCIP services (e.g., life skills training, tutoring and other educational assistance, housing, employment and mental health counseling) to be provided in the upcoming fiscal year differ significantly from those which were described in the CFSP, then it is necessary to update the CFSP to reflect any additions or changes in services or program design.

(f) Section 477(b)(3)(G) requires States to certify that Chafee benefits and services will be made available to Indian children in the State on the same basis as to other children in the State. In the Chafee section of the APSR, please include information on the following:

- the results of the consultation undertaken in line with the section cited above, specifically as it relates to determining eligibility for benefits and services and ensuring fair and equitable treatment for Indian youth in care; and
- the Chafee benefits and services presently implemented that provide for Indian children and youth in fulfillment of this section and the purposes of the law.

(g) For States that used basic Chafee funds for education and training vouchers prior to FY 2003, as clarified in Information Memorandum ACYF-CB-IM-02-07, describe the design and delivery of the voucher program and how much was spent on the State's voucher program.

(h) A request for FY 2004 basic Chafee funds in the CFS-101 at Attachment C, including available reallocated funds.

B. This section describes the requirements that Indian Tribes and Tribal Organizations must meet in order to receive their title IV-B allotment of funds for FY 2004.

Effective for FY 2003 funding, ACF began using published Census 2000 data or the Tribe's own certified population numbers as the basis for allotting funds under title IV-B, subparts 1 and 2. Because of the shift in funding caused by the update to Tribal populations and the resulting increase in the number of eligible Tribes, a separate PI (ACYF-CB-PI-03-03) was sent to Tribes with instructions for applying for title IV-B, subpart 2 funds.

Indian Tribes that wish to apply for title IV-B, subpart 1 funds for FY 2004 must submit a CFSP that meets the requirements in 45 CFR 1357.15 for FY 2003-2004 by June 30, 2003.

Each Tribe who received funding in FY 2002 or currently receives funding for FY 2003 must submit an APSR with the following information:

(a) A report on the specific accomplishments and progress made in the past fiscal year toward meeting **each** goal and objective, including improved outcomes for children and families, and a more comprehensive, coordinated, and effective child and family services continuum.

(b) Any revisions in the statement of goals and objectives, or to the training plan, to reflect changed circumstances.

(c) A description of the child welfare and/or family preservation, family support services, time-limited family reunification services, and adoption promotion and support services to be provided in the upcoming fiscal year, highlighting any changes in services or program design and including the information required in 45 CFR 1357.15(n).

(d) Information on activities in the areas of training, technical assistance, research, evaluation, or management information systems that will be carried out in the upcoming fiscal year in support of the goals and objectives in the plan.

(e) A description of the Indian Tribe's progress and accomplishments made with regard to the diligent recruitment of potential foster and adoptive families that reflects the ethnic and racial diversity of children in the Tribe for whom foster and adoptive homes are needed. (See section 422(b)(9) of the Act.)

(f) A description of the Tribe's plan for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children. (See section 422(b)(12) of the Act.)

(g) If applicable, describe infant safe haven programs that the Tribe currently provides or plans to provide in FY 2004 (section 431(a)(1) of the Act).

(h) If applicable, describe services and activities that the Tribe currently provides or plans to provide in FY 2004 that support the strengthening of parental relationships and promotion of healthy marriages (section 431(a)(2) of the Act).

(i) Any other information the Indian Tribe wishes to include.

(j) A request for FY 2004 funds in the CFS-101 at Attachment C.

C. This section describes the requirements that the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands must meet in order to receive their title IV-B and CAPTA allotment of funds for FY 2004.

1. Consolidated grant applications may be submitted in accordance with 45 CFR Part 97. These jurisdictions need not submit an application under this PI but may choose to have their title IV-B, subparts 1 and/or 2, and CAPTA allotments included in a consolidated grant and expend these funds under authority of another program that is available for consolidation. If the Insular Areas choose to consolidate their application for title IV-B, subparts 1 and/or 2, and CAPTA, they must notify their ACF Regional Office in writing of their intent by June 30, 2003.

2. Insular Areas that choose to submit an APSR may do so and must submit it to their ACF Regional Office by June 30, 2003.

D. FY 2003 Funding—Revised Request

States, Territories, and Indian Tribes submitted requests for FY 2003 funding with their FY 2002 APSR. If the request was less than the FY 2003 amount they are eligible to receive under title IV-B, subparts 1 or 2, or CAPTA, then a revised FY 2003 budget form (CFS-101, Part I) must be submitted in order to receive the full share of FY 2003 funds allotted.

In addition, unneeded portions of State allocations of title IV-B, subpart 2, and CFCIP funds may be reallocated to other States, so that the total appropriation remains available for program purposes (section 433(d) and section 477(d)(4) of the Act). Indicate on line 7a or 7b on the CFS-101, Part I (Annual Budget Request) if the State intends to apply for, or release, respectively, FY 2003 funds for reallocation.

This form should be submitted as soon as possible and no later than June 30, 2003.

E. FY 2004 Budget Request

For FY 2004 planning purposes, use the FY 2003 allotments for title IV-B, subparts 1 and 2, and CAPTA (see Attachment A). For CFCIP use the FY 2004 estimated allotments included under Attachment B. If a State does not anticipate using all of its title IV-B, subpart 2, or CFCIP FY 2004 funds, or if the State requests (and can match) some of the requested reallocated funds, indicate such on the CFS-101, Part I (Annual Budget Request) that is due June 30, 2003.

F. Certifications and Assurances

Certifications and assurances are submitted on a one-time-only basis with the submission of the CFSP (45 CFR 1357.15(c)). Certifications and assurances that were submitted with the FY 2000 to 2004 CFSP or, if applicable, with subsequent APSRs, do not need to be re-submitted unless there has been a change that would affect the certification or assurance.

SUBMITTALS:

In summary of the above instructions, States and Indian Tribes must submit

- an original and one copy of the APSR;
 - the CFS-101, Parts I and II;
 - if applicable, certifications and assurances
- by June 30, 2003, to their ACF Regional Office. (See Attachment D for addresses.)

States and Indian Tribes may submit the documents as a paper copy, or at their option, on a 3.5 diskette, or attached to an e-mail, to the Regional Office. If a State or Indian Tribe chooses to submit the APSR electronically, a paper copy of the original signed CFS-101 is still required. The Regional Office will forward a copy of the approved CFS-101 to the ACF Central Office.

Financial Status Reports (SF-269)

Expenditures under title IV-B, CAPTA, and CFCIP are to be reported by all grantees on the Financial Status Report, SF-269. Submission requirements for each program are listed below under the appropriate heading. Submit the original SF-269 to your ACF Regional Office and a copy to the following address:

Division of Mandatory Grants
Office of Administration
Administration for Children and Families
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Title IV-B, subparts 1 and 2

States and Indian Tribes are required to submit the SF-269 fiscal report for expenditures under each subpart of title IV-B at the end of each 12 months (October 1-September 30) of the two-year expenditure period. The SF-269 fiscal report covering the first 12-month budget period is the interim report and the report covering the entire grant period is the final report. Both reports are due 90 days after the end of the fiscal year (December 31). The required 25 percent State match must be reported on the final fiscal report. Funds under title IV-B must be expended by September 30 of the fiscal year following the fiscal year in which the funds were awarded.

Since the discretionary funds under title IV-B, subpart 2 are to be expended for the same purposes as the mandatory funds, no separate reporting is required to distinguish between the expenditure of the two amounts. Grantees are to report the cumulative amount on the financial status report (SF-269). Funds reported as unobligated on the final financial status report will be recouped from the discretionary amount first.

CAPTA

States are required to submit the SF-269 fiscal report for CAPTA at the end of each 12 months (October 1-September 30) of the five-year expenditure period. The SF-269 fiscal report covering the each 12-month budget period is an interim report and the report covering the entire grant period is the final report. Both the interim and the final reports are due 90 days after the end of each twelve-month period (December 31). Funds under CAPTA must be expended within five years.

CFCIP

States are required to submit the SF-269 fiscal report for CFCIP at the end of each 12 months (October 1-September 30) of the two-year expenditure period. The SF-269 fiscal report covering the first 12-month budget period is the interim report and the report covering the entire grant period is the final report. Both the interim and the final reports are due 90 days after the end of the twelve-month period (December 31). The required 20 percent State match must be reported on the final report. CFCIP funds must be expended by September 30 of the fiscal year following the fiscal year in which the funds were awarded.

A negative grant award will recoup unobligated and/or unliquidated funds reported on the final financial status report (SF-269) for title IV-B, CAPTA and CFCIP.

PAPERWORK REDUCTION ACT:

Under the Paperwork Reduction Act of 1995 (Public Law 104-13), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Public reporting burden for the APSR and the CFS-101 is estimated to average 275 hours per response.

INQUIRIES TO: ACF Regional Offices

/s/

Joan E. Ohl
Commissioner
Administration on Children, Youth
and Families

ATTACHMENTS

Attachment A: Title IV-B, subparts 1 and 2, CAPTA, CFCIP FY 2003 Allotments

Attachment B: CFCIP FY 2004 Estimated Allotments

Attachment C: CFS 101, Part I, Annual Budget Request and Part II, Annual Summary of Child
and Family Services

Attachment D: ACF Regional Administrators