

ACF Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
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	4. Key Words: Title IV-B Child and Family Services State 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 and Hub Directors.

SUBJECT:

June 30, 2002 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, and the Chafee Foster Care Independence Program; 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, 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); the Social Security Act Amendments of 1994 (Public Law 103-432); the Adoption and Safe Families Act of 1997 (Public Law 105-89); Intercountry Adoption Act of 2000 (Public Law 106-279); the Promoting Safe and Stable Families Amendments of 2001 (Public Law 107-133); 45 CFR 1355.25; 45 CFR 1355.30; 45 CFR 1355.35; 45 CFR Part 1357; ACYF-PI-CB-95-23, October 11, 1995, the Multiethnic Placement Act (Diligent recruitment only); ACYF-CB-PI-99-07, issued March 25, 1999 (Fiscal Year 2000 – 2004, Child and Family Services Plan); and ACYF-CB-PI-01-02, issued February 13, 2001 (Chafee Foster Care Independence Program FY 2002 – 2004 State Plan).

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 and Indian Tribes to receive their allotments of Federal funds for fiscal year (FY) 2003 (subject to the availability of funds). This PI also addresses the requirement for States to integrate the Child and Family Services Reviews' Program Improvement Plans with the Annual Progress and Services Report.

BACKGROUND:

In order to receive title IV-B, CAPTA, and Chafee Foster Care Independence Program (CFCIP) funds for fiscal year 2003, States and Indian Tribes are required to submit the Annual Progress and Services Report (APSR) to the Administration for Children and Families (ACF) by June 30, 2002. 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 Child and Family Services Reviews (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 and Indian Tribes 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. In June 1995, States and Indian Tribes submitted the first five-year plan. The second five-year plan was submitted in June 1999. The plans were to be based on extensive consultation with a wide array of representatives of State, local, Tribal, and community-based agencies and organizations, both public and private, with experience in administering programs for infants, children, youth, adolescents, and families.

States and Indian Tribes were to 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 may be included in the assessment. The baseline information and trends were to 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 was to be the basis for the development of the CFSP's vision, goals, objectives, funding and service decisions. After the first five-year plan, States and Tribes were to base the development of the second five-year plan on a final review of the accomplishments and needs from the first five-year plan, and any new information.

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 is to include progress made by the State in accomplishing the goals and objectives cited in the State's 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 the State's ongoing self-evaluation and integrated into the State's quality assurance efforts.

Recent Changes Based on New Legislation or Federal Regulations¹

Integration of the Child and Family Services Review Program Improvement Plan with the APSR

Beginning in FY 2001 the ACF implemented the Child and Family Services Reviews (CFSR) (see 45 CFR 1355.31– 1355.37). The purpose of the reviews is for the Federal government in partnership with the States to review States' child and family service programs to ensure substantial conformity with the State plan requirements in titles IV-B and IV-E of the Social Security Act. Many of the requirements in title IV-B of the Act and the Federal regulation at 45 CFR Part 1357 are reviewed in the CFSRs. The reviews cover child protective services, foster care, adoption, family preservation, family support, and independent living. In addition to ACF reviewing for the State's substantial conformity with applicable requirements, the reviews are designed to help States improve child welfare services and the outcomes for children and families who receive services by identifying strengths and needs within State programs, as well as areas where technical assistance can lead to program improvements. (Additional information on the CFSR process can be found in the *Child and Family Services Reviews Procedures Manual* at <http://www.acf.hhs.gov/programs/cb/publications/procman/manual.pdf> (pdf version) or <http://www.acf.hhs.gov/programs/cb/publications/procman/index.htm> (html version).)

The initial step in the CFSR process is for the State to conduct a statewide assessment. This assessment is to build on the established process for developing the baseline for the CFSP (45 CFR 1357.15(k)). Also, the information gained during a statewide assessment can be used to evaluate a State's progress relative to the baseline. When conducting the statewide assessment, States are required to consult with many of the same stakeholders as those listed in 45 CFR 1357.15(l) (see 45 CFR 1355.33(a)(2)(ii)).

Following the statewide assessment, the on-site phase of the CFSR is conducted. The on-site portion of the CFSR includes a review of a sample of cases and related interviews to determine a

¹ For more background on previous enacted statutes see ACYF-CB-PI-01-03, issued February 14, 2001.

State's level of conformity with regard to safety, permanency, and well-being outcomes, in addition to State and local stakeholder interviews to determine conformity with a range of systemic factors. In the event that ACF determines a State is not in substantial conformity with any one of the outcomes or systemic factors, a program improvement plan is required. (See 45 CFR 1355.35.) The State must address in its program improvement plan each outcome/systemic factor that was determined not to be in substantial conformity. In accordance with 45 CFR 1355.35(f), "[T]he elements of the program improvement plan are to be incorporated into the goals and objectives of the CFSP. Progress in implementing the program improvement plans must be included in the APSR." The goals, objectives, and services should reflect new information resulting from the CFSR process, including the statewide assessment and the on-site review findings.

Program improvement development and implementation activities should be carried out with an eye toward incorporating changes as a long term intervention and, as such, become the foundation for the next CFSP due on June 30, 2004. States are reminded that, as they prepare to correct any factors found to be in nonconformance as a result of the CFSR, they continue to be responsible for implementation of all parts of the current five-year CFSP (FY 2000-2004).

The Promoting Safe and Stable Families Amendments of 2001

The President signed the Promoting Safe and Stable Families (PSSF) Amendments of 2001, Public Law 107-33, on January 17, 2002. The law reauthorizes and amends title IV-B, subpart 2, the Promoting Safe and Stable Families program, and also amended the Chafee Foster Care Independence Program.

1. Promoting Safe and Stable Families Amendments

The amendments to title IV-B, subpart 2, Promoting Safe and Stable Families, in part, include the following changes²:

- Re-authorized the programs under title IV-B, subpart 2, for Federal fiscal years (FY) 2002 through 2006 and mandatory funding of \$305 million for each year.
- A continuation of the existing (one percent) set-aside of the mandatory funding for Indian Tribes.
- Authorized an additional \$200 million in discretionary funding for FYs 2002-2006 (\$70 million was appropriated for FY 2002), of which two percent is a set-aside for Indian Tribes.
- A change to the definition of family preservation services to allow States to support infant safe haven programs, which provide ways for a parent to safely relinquish a newborn infant at a safe haven designated pursuant to State law (section 431(a)(1) of the Act).
- A change to the definition of family support services to include services to strengthen parental relationships and promote healthy marriages (section 431(a)(2) of the Act).

² For additional information regarding the PSSF amendments of 2001 see ACYF-CB-IM-02-01, issued March 12, 2002.

- An amendment to allow for the reallocation of unneeded portions of State allocations to other States, so that the total appropriation remains available for program purposes (section 433(d) of the Act).

The definition of family support services is amended to include services to strengthen parental relationships and promote healthy marriages. The amendment was added at the request of this Administration to encourage States to direct funds to the Department's Healthy Marriages and Responsible Fatherhood Initiatives. In the instruction section of this PI we have included examples of activities to promote healthy marriages and responsible fatherhood for States and Indian Tribes to consider when developing and describing their programs. Because of the benefits to children, adults, and society through the implementation of such activities, ACF is interested in promoting them among the populations it serves. We encourage States to propose creative approaches to achieving these goals in the context of the child welfare system. Attachment A includes more detailed information on the Department's initiatives.

2. Chafee Foster Care Independence Program Amendments

The amendments to title IV-E, section 477 of the Act with regard to the Chafee Foster Care Independence Program include the following:

- Provide for education and training vouchers for youth who may age out of foster care. (Funds were not appropriated for FY 2002. If funds are appropriated for FY 2003 or thereafter, guidance will be issued under a separate PI.)
- Allow for the reallocation of any funds, for which States do not apply, to other States (section 477(d)(4) of the Act).
- Allow for a temporary extension of FY 2000 CFCIP funds that will allow States to expend the funds through fiscal year 2002 (section 202(b) of Public Law 107-33).

The CFS-101, Part I was revised to include the request for reallocated PSSF and CFCIP funds.

INSTRUCTIONS:

This section describes the requirements that the States and eligible Indian Tribes must meet in order to receive their allotments of FY 2003 funds under title IV-B, CAPTA (States only), and the CFCIP (States only). The completed APSR must meet the requirements of 45 CFR 1355.35, 45 CFR 1357.16, 45 CFR 1357.30, 45 CFR 1357.32, 45 CFR 1357.40, 45 CFR 1357.50, title IV-B, subparts 1 and/or 2, title IV-E, section 477 of the Act and CAPTA.

In accordance with 45 CFR 1357.16, each State and Indian Tribe 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 and Indian Tribe must involve the agencies, organizations, and individuals that are part of the ongoing CFSP related consultation and coordination process. On the basis of this review, each State and Indian Tribe 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.

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. The additional funds provided this year in conjunction with the annual planning process allow States the flexibility to review and adjust their use of these funds to best meet the needs of children and families.

A. This section describes the requirements that States and eligible Indian Tribes must meet in order to receive their title IV-B, CAPTA (States only), and CFCIP (States only) allotments of funds for FY 2003.

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

(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.

(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.

If areas needing improvement were identified based on a CFSR, update the goals and objectives to incorporate those areas identified in the program improvement plans. If the current CFSP does not have a goal or objective that covers the area needing improvement, then the goal/objective must be added to the CFSP. The CFSP/APSR should also incorporate strategies for improvement and the method to be used to measure progress toward improvement.

Changes to the training plan should reflect, as appropriate, findings based on a review conducted by ACF (CFSR, title IV-E eligibility reviews, adoption and foster care analysis and reporting system (AFCARS), and statewide automated child welfare information system (SACWIS) reviews (45 CFR 1357.16(a)(5)), class action lawsuits, and agency-identified areas requiring training.

(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).

If applicable, describe infant safe haven programs that the State currently provides or plans to provide in FY 2003 (section 431(a)(1) of the Act).

If applicable, describe services and activities that the State currently provides or plans to provide in FY 2003 that support the strengthening of parental relationships and promotion of healthy marriages (section 431(a)(2) of the Act). The following is a list of areas that the State may want to consider when developing and implementing activities to strengthen parental relationships and

promote healthy marriages. Attachment A provides a more detailed list of concrete activities for each area.

- Training
- Vouchers
- Material Distribution
- Community Marriage Initiatives
- Events
- Programs for Newlyweds
- Parenting Programs
- Research and Data Collection
- Intake and Assessment
- Internet
- Youth
- Miscellaneous

(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 2003 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 on the "... specific measures taken by the State to comply with the Indian Child Welfare Act" (ICWA). (See section 422(b)(11) of the Act.)

States are expected to consult with any Tribe within the State's boundary, regardless if the Tribe is Federally-recognized or not.

Optional areas that States may choose to address in their CFSP/APSR include: training programs about ICWA for State employees; development of State caseworker compliance expectations or measures; and State partnership agreements with Tribes and Tribal organizations, for example, Tribal-State agreements on training.

Other suggested activities include: developing culturally-appropriate procedures for American Indian foster home licensing, recruiting of Indian foster homes, promotion of relative placement of Indian children, and recognition and use of tribal-licensed foster homes for the placement of Indian children.

(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)(13) of the Act.)

(l) For States operating a child welfare demonstration project under section 1130 of the Act, 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) Any other information the State wishes to include.

(o) A request for FY 2003 funds in the CFS-101 at Attachment D.

2. Requirements for Indian Tribes under 45 CFR 1357.16 and title IV-B, subparts 1 and/or 2.

(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.

(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).

If applicable, describe infant safe haven programs that the Tribe currently provides or plans to provide in FY 2003 (section 431(a)(1) of the Act).

If applicable, describe services and activities that the Tribe currently provides or plans to provide in FY 2003 that support the strengthening of parental relationships and promotion of healthy marriages (section 431(a)(2) of the Act). The following is a list of areas that the Tribe may want to consider when developing and implementing activities to strengthen parental relationships and promote healthy marriages. Attachment A provides a more detailed list of concrete activities for each area.

- Training
- Vouchers
- Material Distribution
- Community Marriage Initiatives
- Events
- Programs for Newlyweds
- Parenting Programs
- Research and Data Collection
- Intake and Assessment
- Internet
- Youth
- Miscellaneous

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

(h) A request for FY 2003 funds in the CFS-101 at Attachment D.

Effective for FY 2003 funding, ACF will begin using published Census 2000 data for title IV-B, subparts 1 and 2 for Tribal population counts. Allotments to Tribes will be on the basis of the number of children under age 21 provided by the U.S. Census Bureau. This includes American

Indian or Native Alaskan children who are on or near a reservation. In some instances, where available and appropriate, ACF may utilize data from the Bureau of Indian Affairs. Tribes that believe the number of children identified in Attachment B is incorrect may provide their own population numbers to the appropriate ACF Regional Office with an explanation as to how the numbers were obtained. The Regional Office staff will be responsible for determining that the numbers submitted by the Tribe are acceptable on an objective and quantifiable basis. Once the RO staff have accepted a number of children that differs from that listed for the Tribe, it should convey this information with an approved CFS-101 to Central Office.

3. Requirements for Indian Tribes newly eligible to apply for title IV-B, subpart 2 for FY 2002.³

Newly eligible Indian Tribes may use FY 2002 title IV-B, subpart 2, funds for planning or for services.

(a) Indian Tribes that elect to use these funds for planning must submit an application by June 30, 2002. For additional guidance on the use of funds for planning, see ACYF-PI-94-04, issued January 1, 1994.

A CFSP will be due in FY 2003 that is based on the planning process.

(b) Indian Tribes that elect to use these funds for services must submit a CFSP that meets the requirements in 45 CFR 1357.15 for FYs 2002 - 2004 by June 30, 2002. For additional information and guidance on developing the five-year plan see ACYF-CB-PI-99-07, issued 3/25/1999.

i) The CFSP must meet the requirements of 45 CFR 1357.15 and the applicable requirements in section 2, above.

ii) Submit the assurances listed in 45 CFR 1357.15(c), section 422(b)(12), and section 432(a)(9) of the Act. A form is attached listing these assurances. Tribes may sign Attachment E and submit it with the CFSP or include the assurances as part of the CFSP narrative.

iii) Submit the certifications included under Attachment F. These forms can be obtained from the internet at <http://www.acf.hhs.gov/programs/ofs/forms.htm>.

(c) Submit a request for FY 2002 and FY 2003 funds in the CFS-101 at Attachment D.

Effective for FY 2003 funding, ACF will begin using published Census 2000 data for title IV-B, subparts 1 and 2 for Tribal population counts. Allotments to Tribes will be on the basis of the number of children under age 21 provided by the U.S. Census Bureau. This includes American Indian or Native Alaskan children who are on or near a reservation. In some instances, where available and appropriate, ACF may utilize data from the Bureau of Indian Affairs. Tribes that believe the number of children identified in Attachment B is incorrect may provide their own

³ There are fourteen additional Indian Tribes that are eligible to apply for title IV-B, subpart 2 for FY 2002. Those Tribes that are newly eligible are marked with an asterisk in the table under Attachment B.

population numbers to the appropriate ACF Regional Office with an explanation as to how the numbers were obtained. The Regional Office staff will be responsible for determining that the numbers submitted by the Tribe are acceptable on an objective and quantifiable basis. Once the RO staff have accepted a number of children that differs from that listed for the Tribe, it should convey this information with an approved CFS-101 to Central Office.

4. Requirements under the Child Abuse Prevention and Treatment Act (States only)

Although Congress appropriated funding for the CAPTA State grants for FY 2002, as of the date of this PI, legislation reauthorizing CAPTA has not been passed by Congress. Reauthorization may result in changes to CAPTA that may affect the requirements for FYs 2002 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 plan 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 2003.
- (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 2003 funds in the CFS-101 at Attachment D.

5. 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 2002 activities and an application for FY 2003 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:

- i) help youth make the transition to self-sufficiency;
- ii) help youth receive the education, training, and services necessary to obtain employment;
- iii) help youth prepare for and enter post-secondary training and educational institutions;
- iv) provide personal and emotional support to youth through mentors and the promotion of interactions with dedicated adults; and
- v) provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age.

(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 (477(b)(2)(A)). The description must include how the trust funds will be incorporated into the individual case plans of youth receiving CFCIP services and the State policies that will govern the use and disbursement of such funds. (Trust funds were previously allowable under the statute and continue to be allowable under CFCIP. However, instructions were not provided to States regarding trust funds when the CFCIP portion of the CFSP was being developed.)

A trust fund is defined as a budget category item that provides youth with financial and other appropriate support and services designed to help them transition to adulthood.

(c) A description of the extent to which the funds and services assisted youth 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 2002, and will be conducted in FY 2003, in support of the goals and objectives of the States' CFCIP (section 477(b)(3)(D)).

(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 provided as well as those planned for Indian children and youth in fulfillment of this section and the purposes of the law.

(g) A request for FY 2003 funds in the CFS-101 at Attachment D, including available reallocated funds.

B. This section describes the requirements for the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands in order to receive title IV-B allotments for FY 2002.

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, 2002.

2. Insular Areas that choose to submit an APSR may do so and must submit it to their ACF Regional Office by June 30, 2002.

C. FY 2002 Funding

If States, Territories, and Indian Tribes requested less than the FY 2002 amount they are eligible to receive under title IV-B, subparts 1 or 2, or CAPTA, then a revised FY 2002 budget form (CFS-101, Part I) must be submitted if they wish to receive the full share of FY 2002 funds allotted to them. This form should be submitted as soon as possible and no later than June 30, 2002.

D. Re-allotment of FY 2002 Funds

The PSSF amendments allow the Secretary to re-allot unneeded portions of State allocations of title IV-B, subpart 2, and CFCIP funds 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 the CFS-101, Part I (Annual Budget Request) if the State intends to apply for, or release, FY 2002 funds for reallocation. The CFS-101 has been revised to include the request for, or release

of, reallocated funds for both title IV-B, subpart 2, and CFCIP. The CFS-101 must be submitted by June 30, 2002.

E. FY 2003 Budget Request

For FY 2003 planning purposes use the FY 2002 allotments for title IV-B, subparts 1 and 2, and CAPTA (see Attachment B). For CFCIP use the FY 2003 estimated allotments included under Attachment C.

If a State does not anticipate using all of its title IV-B, subpart 2, or CFCIP FY 2003 funds, indicate such on the CFS-101, Part I (Annual Budget Request) that is due June 30, 2002.

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.

Tribes newly eligible for title IV-B, subpart 2 that are submitting a CFSP for FY 2002 – 2004 must submit the assurances and certifications included under Attachment F. These forms can be obtained from the internet at <http://www.acf.hhs.gov/programs/ofs/forms.htm>.

SUBMITTALS:

States and Indian Tribes must submit an original and one copy of the APSR and the CFS-101, Parts I and II, and, if applicable, certifications and assurances by June 30, 2002, to their ACF Regional Office. (See Attachment G 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 is to submit a copy of the approved CFS-101 to the following address:

Administration on Children, Youth and Families
Office of Management Services
330 C Street, S.W., Room 1427
Washington, D.C. 20447

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 address below:

Administration on Children, Youth and Families
Office of Management Services
330 C Street, S.W., Room 1427
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 of the two-year expenditure period. The SF-269 fiscal report covering expenditures for each 12-month budget period are interim fiscal reports and the report covering expenditures for the entire grant period is the final fiscal report. Interim fiscal reports are due 90 days after the end of each 12-month budget period. The final fiscal report is due 90 days after the end of the fiscal year succeeding the fiscal year of the grant award (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 at the end of each fiscal year of the five-year expenditure period. The SF-269 fiscal report covering expenditures for each 12-month budget period are interim fiscal reports and the report covering expenditures for the entire grant period is the final fiscal report. Interim fiscal reports are due 90 days after the end of each 12-month budget period. The final fiscal report is due 90 days after the end of the five-year period (December 31). Funds under CAPTA must be expended within five years.

CFCIP

States are required to submit the SF-269 fiscal report on an annual basis. The SF-269 fiscal report covering expenditures for each 12 month budget period are interim fiscal reports and the report covering expenditures for the entire grant period is the final fiscal report. Interim fiscal reports are due 90 days after the end of each 12-month budget period. The final fiscal report is due 90 days after the end of the fiscal year succeeding the fiscal year of the grant award (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: [Healthy Marriages and Responsible Fatherhood Initiative](#)

Attachment B: Title IV-B, CAPTA, CFCIP FY 2002 Allotments

[Final FY 2002 Title IV-B, Subpart 1 State Child Welfare Services Allotments](#)

[FY 2002 Title IV-B, Subpart 1 Indian Tribe Child Welfare Services Allotments](#)

[Final FY 2002 Title IV-B, Subpart 2, Promoting Safe and Stable Families and State Allotments](#)

[Final FY 2002 Title IV-B, Subpart 2, Promoting Safe and Stable Families Indian Tribe Allotments](#)

[Final FY 2002 Child Abuse & Neglect \(CAPTA\) Allotments After Reallotment](#)

[Final FY 2002 Allotments Chafee Foster Care Independence Program](#)

Attachment C: [CFCIP FY 2003 Estimated Allotments](#)

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

[CFS-101 Instructions](#)

[CFS-101, Part I: Annual Budget Request for Title IV-B, Subparts 1 and 2, CAPTA and
Chafee Foster Care Independence Program Instructions](#)

[CFS-101, Part II: Annual Summary of Child and Family Services](#)

[CFS-101, Part II: Annual Summary of Child and Family Services Instructions](#)

Attachment E: [Title IV-B State Plan Assurances](#)

Attachment F: [Certifications](#) (*This link opens a new browser window to an external Web site.*

To return to Children's Bureau Web site, close the new window.)

Attachment G: [ACF Regional Administrators and Hub Directors](#) (*This link opens a new browser
window to an external Web site To return to Children's Bureau Web site, close the new window.)*