

Attachment D

The Child and Family Services Plan (CFSP) Guidance to Newly Eligible Tribes Title IV-B, Subpart 2, Promoting Safe and Stable Families FYs 2003 and 2004

This guidance is to be used in conjunction with the regulations at 45 CFR 1357.15. It is only for Tribes applying for Promoting Safe and Stable Families (PSSF) funds for the first time. A Tribal Child and Family Services Plan (CFSP) is normally required every five years. However, due to the increase in the number of eligible Tribes in the middle of the CFSP cycle, only a two-year plan, for FY 2003 and FY 2004, is necessary. If the Tribe has an approved CFSP for Child Welfare Services (the title IV-B, subpart 1 program), the new PSSF portion must be integrated into the current CFSP.

OVERVIEW: The Promoting Safe and Stable Families program provides funds to Tribes to develop or expand, and to operate coordinated programs of community based family support services, family preservation services, time-limited family reunification services and adoption promotion and support services to accomplish the following objectives:

- (1) To prevent child maltreatment among families at risk through the provision of supportive family services.
- (2) To assure children's safety within the home and preserve intact families in which children have been maltreated, when the family's problems can be addressed effectively.
- (3) To address the problems of families whose children have been placed in foster care so that reunification may occur in a safe and stable manner in accordance with the Adoption and Safe Families Act of 1997.
- (4) To support adoptive families by providing support services as necessary so that they can make a lifetime commitment to their children.

BACKGROUND: Enactment of a new subpart 2 to title IV-B of the Social Security Act was the first major change to title IV-B, heretofore Child Welfare Services, since the amendments made by Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980. This law, the Family Preservation and Support Act of 1993, provided States and eligible Indian Tribes with new Federal dollars for preventive services (family support services) and services to families at risk or in crisis (family preservation services). In 1997, the Adoption and Safe Families Act (ASFA) renamed the title IV-B, subpart 2 program as "Promoting Safe and Stable Families" (PSSF), added two new service categories of time-limited family reunification services and adoption promotion and support services, and amended the definitions of family support and family preservation to emphasize the safety of children. The definitions of the four services emphasized in the Promoting Safe and Stable Families Act are in statute at section 431 of title IV-B, subpart 2 of the Social Security Act.

The Promoting Safe and Stable Families Amendments of 2001 brought some additional changes, including:

- Re-authorization of the programs under title IV-B, subpart 2, for Federal fiscal years (FY) 2002 through 2006 and authorized funding of \$305 million for each year.

- A continuation of the existing (one percent) set-aside of the original funding for Indian Tribes and authorization of additional discretionary funding through 2006, of which two percent is a set-aside for Indian Tribes.
- A change to the definition of family preservation services to allow support of 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;
- An amendment to allow for the reallocation of unneeded portions of Tribal allocations to other Tribes so that the total appropriation remains available for program purposes;
- An amendment to the definition of family support services to include services to strengthen parental relationships and promote healthy marriages. The amendment was added at the request of this Administration to encourage States and Tribes to direct funds to the Department's Healthy Marriages and Responsible Fatherhood Initiatives. Because of the benefits to children, adults, and society through the implementation of activities to promote and sustain healthy marriages, ACF is interested in promoting them among the populations it serves. We encourage Tribes to propose creative approaches to achieving these goals in the context of the child welfare system.

This guidance is provided to assist those Tribes that have not yet participated in the PSSF program. In order to receive PSSF funds, the Tribe must plan for its new funding and services, submit a written Child and Family Services Plan (CFSP) for approval by ACF, and update that plan yearly through the Annual Progress and Services Report (APSR). We urge each Indian Tribe to consult with the ACF Regional Office staff as it prepares its CFSP. Regional Office staff will clarify requirements, provide further guidance, review materials submitted, and ultimately approve the CFSP. Below, we describe the planning that must be done prior to the development of the CFSP and the requirements of the CSFP.

I. GENERAL GUIDANCE FOR PLANNING ACTIVITIES

The Promoting Safe and Stable Families (PSSF) funding provides an opportunity for Indian Tribes to strengthen their child and family services. It provides additional and flexible funds for innovative services including the effective establishment of a continuum of services for children and families. Because the focus on family-based services and community linkages requires a vision for the delivery of child welfare services, planning is especially critical and is an allowable cost under the PSSF. The planning process should examine what is needed to make delivery of services responsive to the needs of individuals and to the context in which they are to be delivered. With appropriate community planning as a critical first step, each eligible Tribe has an opportunity to strengthen and better coordinate and integrate its service delivery system.

The planning process is made up of three major elements:

1. broad consultation, coordination, and involvement with a variety of individuals, organizations, and experts, particularly those with experience in administering programs for children and families, including family preservation and family support services, time-limited reunification services, and adoption support and promotion services and activities;
2. the gathering of data needed for planning, e.g., a needs assessment or other information collection process; and
3. the two above elements feeding into joint planning activities between representatives of ACF and the Indian Tribe leading to the development of a Tribal Plan.

1. Consultation and Coordination

PSSF funds can be used by the Tribe to build on and strengthen current planning efforts or act as a catalyst for the development of a useful, new process. There are several purposes of consultation and coordination including: the assessment of family and tribal service needs, the identification of service overlaps and gaps, the identification of available resources (expertise, money, staff) that might help to meet needs; and the development of strategies for blending financing or simplified case management procedures across programs. All of these effect improved service delivery to children and families.

Consultation with partner agencies, organizations, and experts can help inform the tribe's efforts to design and implement services. Because these services cannot effectively address the needs of children and their families in isolation, the consultation and coordination should include the active involvement of major stakeholders including:

- Representatives of agencies and organizations (including national resource centers, foundations and other Indian Tribes and tribal organizations) with expertise in planning and implementing culturally relevant family support and family preservation services, time-limited family reunification services, and adoption promotion and support services, on behalf of tribal children and families.
- Parents (especially parents who are participating in or who have participated in PSSF services), other consumers, foster parents, extended family members, adoptive parents, and other potential users of services.
- Representatives of Federal and Federally funded service programs providing assistance to tribal families regardless of funding source or administration, e.g., the Indian Health Service, the Bureau of Indian Affairs, or a State or local child welfare or health agency. Such programs might include maternal and child health, foster care, substance abuse prevention and treatment, youth related programs, Head Start, domestic violence, housing, TANF, child care and development block grant, community services block grant, and nutrition programs.
- Representatives of Tribal Councils, other Tribal administrative bodies, and Tribal courts that deal with child and family matters.

2. Collection of data

An essential component of the planning process is the collection of information on which to base service decisions and determine future goals. We strongly recommend that Indian Tribes conduct a thorough needs assessment using available data whenever possible.

The needs assessment should supplement the consultation and coordination activities by identifying the family support, family preservation, time-limited reunification and adoption promotion and support services, and other related services currently being provided; the resources and sources of funding; and gaps and deficiencies in services. It should also identify data on which to base decisions on what services will be provided under the CFS plan and who will get the services. Data to be collected might include demographic characteristics of children

and families; child abuse and neglect and infant mortality data; data on rates of foster care placements; and data on poverty, unemployment, homelessness, substance abuse, or teen pregnancy. A Tribe might also project what the future circumstances of families and children in the Tribe would be if nothing were done.

3. Joint planning

Joint planning is an ongoing process of discussion, consultation, and negotiation which takes place between the representatives of the Indian Tribe and the ACF Regional Office representative for the purpose of developing a CFS plan. It also includes Federal technical assistance to Indian Tribes.

Through joint planning, Tribal and Federal staff, with appropriate consultation and participation of other stakeholders, discuss the key strategic decisions facing the Tribe (as identified from needs assessments, consultation, and other data available to the Tribe), such as:

- priorities for services and for target populations
- proposed goals and objectives;
- unmet needs, services gaps, and overlaps in funding;
- other funding resources available to provide the services needed;
- the Federal, State, and local organizations, foundations, and agencies with which the Indian Tribe can coordinate;
- ongoing plans to move toward the Tribe's goals by improving the service delivery system and ensuring a more efficient, comprehensive system of care for children and families; and
- methods for reviewing progress toward those goals.

Finally, joint planning also includes Federal guidance and technical assistance after the CFSP has been developed and approved. This is provided through follow-up review and discussion of progress in accomplishing the goals identified in the plan, and updating the plan as appropriate. Indian Tribes are encouraged to call the ACF Regional Office with questions and requests for clarification throughout the entire planning and plan approval process.

II. GUIDANCE FOR DEVELOPMENT OF THE CHILD AND FAMILY SERVICES PLAN (CFSP)

The Children and Families Services Plan (CFSP) is the vehicle to articulate an Indian Tribe's vision for improved services for children and families, including family preservation and family support services, time-limited reunification services and adoption support and promotion services and activities. Development of the CFSP provides an opportunity to lay the groundwork for a system of coordinated, integrated, culturally relevant family-focused services. The plan must include a strategy for achieving the Tribe's vision for children and families, set goals, describe ways to measure progress towards those goals, and identify next steps toward a more comprehensive and integrated services system that responds to the needs of vulnerable families.

The services emphasized through the Promoting Safe and Stable Families programs should not be seen as isolated categorical programs, but as a part of a larger system of services helping to meet the needs of families. Among the elements that would ideally be part of the continuum,

depending on family needs, are family support and family preservation services; services to support reunification, adoption, kinship care, independent living, or other permanent living arrangements; child welfare services, including child abuse and neglect preventive and treatment services and foster care; and linkages to services that meet other needs, such as housing, employment, and health. Because new or expanded services are just one element needed to improve child welfare services, Tribes may choose to carry out changes in the ways services are delivered and in the systems that deliver them, in order to ensure that services are part of a comprehensive, coordinated service delivery system that draws heavily on community-based programs in its design and implementation.

The CFSP should be developed reflecting the service principles at 45 CFR 1355.25. Currently, a number of program models, approaches, and levels of services are in operation. ACF does not require nor endorse any specific program model for implementation. However, in joint planning activities with Federal staff, Tribes will have an opportunity to discuss the basis for their selection of program emphasis. The Tribe also must be able to show how the services to be provided are related to the Tribe's current title IV-B, subpart 1 (Child Welfare Services), if the tribe has such a program in effect.

Tribes should also keep in mind the requirements of the Adoption and Safe Families Act (ASFA) as they plan for the full continuum of child welfare services in the CFSP. The statute clarifies that, in providing services, "families" may include biological, adoptive, foster, and extended families. The term "children" includes youth and adolescents.

The initial baseline information should serve as a basis for the development of the Indian Tribe's CFSP vision, goals, objectives, funding, and service decisions. The information required in a CFSP, in the suggested order for inclusion, is outlined below. This outline is highly simplified, but may be useful in approaching the process:

- The name of the tribal organization (the recognized governing body of the Indian Tribe) applying for Promoting Safe and Stable Families funds and the tribal component that will administer the program. (If the Indian Tribe administers the child welfare services program under title IV-B, subpart 1, the same component of the Indian Tribe shall administer or supervise the administration of subpart 2.) Describe the organizational structure and function of the Tribal component responsible for the operation and administration of the CFSP, provide an organizational chart of that office, and a description of how that office relates to the Tribe and other offices within the Tribe's service area. (45 CFR 1357.15(f))
- A description of the consultation process and planning activities used in the development of the CFSP, including how others participated in the development of the application to provide services in FY 2003 and FY 2004. List contacts and describes outreach activities used to ensure that interested parties had an opportunity for active involvement in the planning process. (45 CFR 1357.15(l))
- Describe how the tribal organization coordinated the provision of services and benefits with representatives of Federal and Federally-assisted programs serving the same populations to develop a more comprehensive and integrated service delivery system. (45 CFR 1357.15 (d) and (l)(2&3))

- Report the base line information or the summary findings of the needs assessment and planning process. Include the method by which the assessment was conducted. Describe the nature and scope of any existing programs serving tribal families. Explain how the baseline information was used in developing the plan. (45 CFR 1357.15(k))
- Detail the vision statement, goals, and objectives of the plan. (45 CFR 1357.15(g-i))
- Describe any new services that will be provided. Include a description of the populations each of the programs will serve and the geographic areas in which each of the services will be provided. (45 CFR 1357.15(n))
- Describe how funds obtained under this program will link to other services to improve the likelihood that children and families will receive care appropriate to meet their multiple needs. (45 CFR 1357.15(o))
- Describe how the Tribe will continue to collaborate with its partners, how it will update the baseline information, and what measures of progress it will use to ascertain if it is meeting its goals. (45 CFR 1357.15(k)(3), (m) and (j))
- Describe how the tribe will make the CFSP available to interested parties. The Tribe must exchange a copy of the plan with the State agency. (45 CFR 1357.15(v))

In addition to the descriptions outlined in 45 CFR 1357.15, Tribes also must include in their CFSP:

- If applicable, describe services and activities that the Tribe currently provides or plans to provide in FY 2003/04 that support the strengthening of parental relationships and promotion of healthy marriages.
- A description of the Indian Tribe's plans 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.
- 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.

III. Timeframes for the Annual Program and Services Review (APSR):

An Annual Progress and Services Report (APSR) is normally required on June 30 of the fiscal year, however, due to the fact that the CFSP is due on June 30, 2003, the APSR or final report for FY 2003 and FY 2004 will be due June 30, 2004. Also at that time, a new five-year plan for FY 2005-2009 will be due. Thereafter, APSR reports will be due by June 30 of each succeeding fiscal year for the upcoming fiscal year.